

Berkeley County Council Meeting
400 W. Stephen Street, Suite 205
Martinsburg, WV 25401

September 22, 2022
9:30 A.M.

Present:

Douglas E. Copenhaver, Jr., President

Dan Dulyea, Councilperson

James R. Barnhart, Councilperson

G. Edgar Gochenour, Councilperson

Alan J. Davis, County Administrator

Penny Shewell, Office Administrator

Vice President Whitacre was not present for the meeting.

Also Present: Tracie McCormick, Procurement Coordinator; The Honorable Larry Hess, Assessor; Anthony Delligatti, Legal Director; Tracey Guilliams, Grants Administrator; April Hollern, Grants Coordinator; Brian Ross, Director, Community Development

Re: Call to Order

President Copenhaver called the September 22, 2022 Berkeley County Council Meeting to Order at 9:35 A.M.

Re: Items from the Public

There were no items from the public.

Re: Agenda

Alan Davis, County Administrator recommended to remove the supplemental funding item from the Agenda.

Councilperson Dulyea made a motion to approve the Agenda with the removal of the supplemental funding discussion. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Re: Consent Agenda

1. Purchase Order Log

Mr. Davis stated that the invoice on page three (3) of the purchase order log to the State Tax Department was for the 3rd quarter software for the Assessor's Office. He also stated that the invoice on page 7 the distribution total for hotel/motel tax was \$100,227.64 split between the CVB and Parks & Recreation. Mr. Davis stated that the invoice on page 114 to BBQ was paid from the special revenue fund created for the Recovery Resource Center for special events and was not general county funding. Councilperson Barnhart questioned the invoice for an electric

tire changer. Mr. Davis stated that our Central Garage has now taken on more with changing oil, changing tires and other small jobs to the counties vehicles and this piece of equipment assist in the removal of the tires.

2. Internal Budget Revisions

There were no internal budget revisions to be addressed.

3. Changes in Status

President Copenhaver stated that a new hire recommendation was received from the Honorable Sheriff Nathan Harmon for Lawrence Meeks as a Deputy effective October 3, 2022 with an annual salary of \$54,187.

President Copenhaver stated that new hire requests were received from Jennifer Swisher, 9-1-1 Director effective October 11, 2022 with annual salaries of \$46,356 for Louis Grindle; David Bussard; Samantha Noll; Monica Ruis; Brittany Conners; Anthony Rinkinen; Francesca Domenico; Christopher Horan; Samantha Grove and Emily Rose.

President Copenhaver stated that a new hire recommendation was received from Tim Czaja, Community Corrections Director for Dan Johnson as a part time Driver effective September 26, 2022 with an hourly rate of \$17.82.

President Copenhaver stated that a change in status was received from Jennifer Swisher, 9-1-1 Director for DeLaney Lison to go from Telecommunicator I to Telecommunicator II effective April 2, 2022 as this was the status she was at when she left the Center effective April 1, 2022 with a salary change from \$43,775 to \$45,963.

President Copenhaver stated that a letter of resignation was received from the Recovery Resource Center from Sarah Hoffman effective September 13, 2022.

President Copenhaver stated that a letter of resignation was received from the Day Report Center from Erin Hackett effective August 22, 2022.

President Copenhaver stated that a letter of resignation was received from the Day Report Center from Monet Callahan effective September 16, 2022.

President Copenhaver stated that a letter of resignation was received from the Emergency Communications Center from Lee-Ann Frye effective October 8, 2022.

President Copenhaver stated that a letter of resignation was received from Facilities from Rebecca Broyer effective September 19, 2022.

4. Approval of Minutes

There were no changes to the September 8, 2022 Berkeley County Council meeting minutes.

5. Council Calendar

President Copenhaver reviewed the Council calendar for the month of September.

Alan Davis, County Administrator advised the Council of the two (2) Board of Assessment Appeal Hearings that need to be scheduled in October for the Martinsburg IRS and CVS. The Council scheduled the Hearings for October 13, 2022 at 1:00 P.M. and 2:30 P.M.

6. Board and Commission Calendar

President Copenhaver reviewed the Board and Commission calendar for the month of September.

Re: Consent Agenda Approval

Councilperson Gochenour made a motion to approve the Consent Agenda for the September 22, 2022 Berkeley County Council meeting. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Re: Correction of Assessment Logs, Apportionment of Assessments, Deconsolidation and Consolidation of Properties Applications – Assessor’s Office

The Honorable Larry Hess, Assessor appeared before the Council and presented five (5) personal tax exonerations for reason of tax payer error totaling \$1,014.13.

Councilperson Barnhart made a motion to approve the five (5) personal tax exonerations for reason of tax payer error totaling \$1,014.13. Councilperson Dulyea seconded the motion. The motion failed with a vote of zero to four.

Mr. Hess presented eleven (11) personal tax exonerations for reason of office error totaling \$2,097.08.

Councilperson Gochenour made a motion to approve the eleven (11) personal tax exonerations for reason of office error totaling \$2,097.08. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Hess presented two (2) real estate exonerations for reason of office totaling \$550.98.

Councilperson Barnhart made a motion to approve the two (2) real estate tax exonerations for reason of office error totaling \$550.98. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Hess presented two (2) Apportionments of Taxes per Final Divorce Order.

Councilperson Dulyea made a motion to approve the two (2) Apportionments of Taxes per Final Divorce Order. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

No board and meeting reports were presented this week.

Re: Board and Commission Vacancies

Councilperson Gochenour requested to have Mary Sue Catlett scheduled for an interview as a candidate for the Development Authority.

Councilperson Gochenour made a motion to reappoint Jeff Wilkerson to the LEPC board for a full term. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Councilperson Gochenour made a motion to appoint Shawn Wolford to replace Randy Lilly on the LEPC board. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Re: Honorary County Councilperson

Councilperson Dulyea introduced Maggie Barrett, a senior from Hedgesville High School. Miss Barrett stated that she was President of the Student Government and enjoyed playing volleyball and tennis. She stated that she planned to go to college and study business to be a Real Estate Agent. Councilperson Dulyea swore in Miss Barrett as Honorary Councilperson and presented her with a certificate.

Re: Bid Opening – RFP Bank Qualified Construction Loans

Alan Davis, County Administrator reviewed the RFP for Bank Qualified Construction Loans. He stated that the RFP was placed on the county web site, advertised in the Martinsburg Journal with Certification of Publication in the read ahead and direct mailed to eight (8) banks.

At 10:00 A.M. President Copenhaver opened the sealed bids as follows:

| Bid # | Bank |
|--------------|------------------------------|
| Bid # 1 | Truist Bank, Charlotte, NC |
| Bid # 2 | Webster Bank, Charlotte, NC |
| Bid # 3 | Carty & Company, Memphis, TN |
| Bid # 4 | United Bank, Martinsburg, WV |

**Re: Tracey Guilliams, Grants Administrator
Department of Homeland Security FY22 Targeted and Violence & Terrorism Prevention
Grant Award**

Tracey Guilliams, Grants Administrator appeared before the Council and reviewed the grant award and what was covered by the grant for the Department of Homeland Security FY22 and Violence & Terrorism Prevention stating there was no grant match required.

Councilperson Barnhart made a motion to accept and approve the grant. Councilperson Gochenour seconded the motion. The motion carried unanimously.

**Re: Tracey Guilliams, Grants Administrator
Matthew Umstead, Director, Policy & Strategic Planning
110 W. King Street – Consideration of Application for Historic Site Designation**

Matthew Umstead, Director, Policy & Strategic Planning appeared before the Council to request the Council for consideration of an application for historic site designation for 110 W. King Street. Mr. Umstead stated that this would designate 110 W. King Street to the National Historic Register. He further stated no regulations or restrictions would come into play except when applying for grants. He stated that due to the age of the building (50 years old) and the architecture it makes it eligible for historic recognition. April Hollern, Grants Coordinator stated that the historic recognition would make it eligible

for more grant funding. Mr. Umstead also stated that he has a private donor for the museum if it is designated as a national historic site, but the committee would not be meeting until February, 2023.

Councilperson Dulyea made a motion to accept the recommendation from Mr. Umstead to designate 110 W. King Street as an historical site. Councilperson Gochenour seconded the motion. The motion carried unanimously.

**Re: Brian Ross, Director, Community Development
2020 National Electric Code Amendment**

Brian Ross, Director, Community Development appeared before the Council and requested to move the 2020 National Electric Code to January 1, 2023 to allow for supply and demand of materials. He stated that the 2017 National Electric Code could continue to be enforced and not enforce the 2020 Code until after revisiting in January, 2023.

Councilperson Gochenour made a motion to continue with the 2017 National Electric Code due to supply and demand of materials and revisit in the 2020 National Electric Code enforcement date in December, 2022. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Councilperson Dulyea left the meeting at 11:15 A.M.

**Re: Summer Barrett, Omega
Daniel Hall, Omega
Omega Contract Renewal Discussion**

Summer Barrett from Omega appeared before the Council and spoke about the accomplishments made during the year with the legislators and the value of Omega being in Charleston while the Legislators are in session. Daniel Hall from Omega spoke about Omega and what they do for the county. A discussion was held by the Council and agreed upon to decrease the spending limit by half and add the contract back on the Agenda next week.

**Re: Senator Craig Blair
Amendment 2 Resolution**

Senator Craig Blair appeared before the Council and stated that Amendment 2 would eliminate personal property tax on equipment and vehicles and would result in \$558 million in savings for the state. He further stated that all fifty five (55) counties would get \$1 million more than what they are getting now from personal property taxes. He thanked the Council for their support on the Resolution. President Copenhaver read the Resolution for Amendment 2.

Councilperson Gochenour made a motion to adopt the Resolution for Amendment 2. Councilperson Barnhart seconded the motion. The motion carried unanimously.

**Re: Alan Davis, County Administrator
FY2023-24 Budget Timeline
School Resource Officer Contract**

Alan Davis, County Administrator reviewed the FY2023-24 Budget Timeline.

Councilperson Gochenour made a motion to approve the FY2023-24 Budget Timeline. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Davis reviewed the School Resource Officer Contract. He stated that currently the contract only allows for \$52,000 annually for each of the SRO's, Deputy Wilmer, Deputy Keller and Deputy Strickler when the actual cost for each of these SRO's is \$74,073 for 200 days. Mr. Davis stated that he met with the Superintendent of Schools and the Board of Education will not increase their contribution.

Councilperson Dulyea made a motion to enter into an Agreement with the Board of Education to reimburse the county the cost difference out of their next year's budget to make the county whole for this year and revisit as part of budget and amendment the contract. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Re: Executive Session – Real Estate and Legal Matters

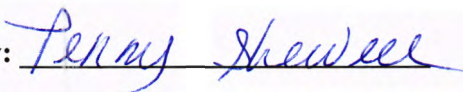
Councilperson Barnhart made a motion to go into executive session for real estate and legal matters at 12:10 P.M. Councilperson Gochenour seconded the motion. The motion carried unanimously.

President Copenhaver declared the Council out of executive session at 12:50 P.M.

Councilperson Gochenour made a motion to purchase the property from Robert Heavner for Lot 1 in Sportsman's Paradise for \$11,400 and authorize the President to sign the Agreement. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Re: Recess

Councilperson Barnhart made a motion to Recess the September 22, 2022 Berkeley County Council meeting.

Submitted by: 

Penny Shewell, Office Administrator