

with Berkeley County Council Meeting
400 W. Stephen Street, Suite 201
Martinsburg, WV 25401

October 6, 2022
9:30 A.M.

Present:

Douglas E. Copenhaver, Jr., President

James P. Whitacre, Vice President

Dan Dulyea, Councilperson

James R. Barnhart, Councilperson

G. Edgar Gochenour, Councilperson

Gary Wine, Deputy County Administrator

Penny Shewell, Office Administrator

Also Present: Tracie McCormick, Office Administrator; Anthony Delligatti, Legal Director; Will Lorensen, Fiduciary Supervisor; Tracey Guilliams, Grants Administrator, Elizabeth Lapchack, Grants Administrator

Re: Call to Order

President Copenhaver called the October 6, 2022 Berkeley County Council Meeting to Order at 9:30 A.M.

Re: Items from the Public

Larry Kump appeared before the Council and applauded the Council on providing salary increases to county employees.

Re: Agenda

Vice President Whitacre made a motion to approve the Agenda for the October 6, 2022 Berkeley County Council meeting with one amendment to remove the Honorary Councilperson. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Re: Consent Agenda

1. Purchase Order Log

There were no questions regarding the Purchase Order Log.

2. Internal Budget Revisions

There were no internal budget revisions to be addressed.

3. Changes in Status

President Copenhaver stated that new hire recommendations were received from Tim Czaja, Community Corrections Director for Robert Smith as a Drug Screening Tech effective October 25, 2022 with an annual salary of \$39,812; Jeana Bowers as a Therapist III effective October 31, 2022 with an annual salary of \$76,065; Kaitlin Brown as a Therapist II effective October 31, 2022 with an annual salary of \$70,104 and Kellie Bertonlini as a Therapist III effective December 12, 2022 with an annual salary of \$76,065.

4. Approval of Minutes

There were no changes to the September 22, 2022 Berkeley County Council meeting minutes.

Councilperson Barnhart made a motion to approve the September 22, 2022 Berkeley County Council meeting minutes. Councilperson Dulyea seconded the motion. Vice President Whitacre abstained due to absence. The motion carried.

5. Council Calendar

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

6. Board and Commission Calendar

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

7. Bond Reduction– Stonecrest PUD, Phase 3, Lots 173-190, BCP File #022-15 tied to #2208-242 & #2208-244 Bond 100478162 – Engineering Department

8. Bond Reduction – Stonecrest PUD, Phase 3, Lots 138-160, BCP File #022-15 tied to #2208-242 & #2208-244, Bond #100441776 – Engineering Department

9. Bond Reduction – Stonecrest PUD, Phase 3, Lots 126-137, 161-172, 191-198 & Open Space, BCP File #022-15 tied to #2208-242 & #2208-244, Bond 100474455

10. Bond Release – Stonecrest PUD, Phase 4, Lots 237-260, BCP File #022-15 tied to #2208-235 & #2208-231 Bond 100531504 – Engineering Department

11. Bond Reduction – Stonecrest PUD, Phase 4, Lots 199-236 & Commercial Lot 5, BCP File #022-15 tied to #2208-235 & #2208-231, Bond 100463454

Re: Consent Agenda Approval

Councilperson Gochenour made a motion to approve the Consent Agenda for the October 6, 2022 Berkeley County Council meeting. Vice President Whitacre 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 one (1) personal tax exoneration for reason of tax payer error totaling \$122.20.

Councilperson Barnhart made a motion to approve the one (1) personal tax exoneration for reason of office error totaling \$122.20. Councilperson Dulyea seconded the motion. The motion failed with a vote of five to zero.

Mr. Hess presented eight personal tax exonerations for reason of office error totaling \$969.14.

Councilperson Dulyea made a motion to approve the eight personal tax exonerations for reason of office error. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Hess presented two (2) real estate exonerations for reason of office error totaling \$7.02.

Vice President Whitacre made a motion to approve the two (2) real estate exonerations for reason of office error totaling \$7.02. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Mr. Hess presented one (1) application for consolidation of properties.

Councilperson Gochenour made a motion to approve the one (1) application for consolidation of properties. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Re: Board Meeting Reports

Councilperson Barnhart reported that he had no meetings this week.

Councilperson Dulyea reported that he had no meetings this week.

Vice President Whitacre reported that he had no meetings this week.

Councilperson Gochenour reported that he attended the Planning Commission meeting where four (4) public hearings were held. He also reported that he attended the Sewer District board meeting where he reported the line was in service on Gerrardstown Road going past the school. He also stated there were delays in some projects due to not being able to open manholes. Councilperson Gochenour reported that the Legal Director and Stormwater Management Team were working on an issue in court. He also reported that he welcomed the Governor to Berkeley County on Wednesday.

President Copenhaver reported that he had no meetings this week.

Re: Board and Commission Vacancies

There were no Board and Commission vacancies addressed this week.

**Re: Councilperson Issues – Vice President Whitacre
County Flag**

Vice President Whitacre stated that he had spoken with Matthew Umstead about the possibility of creating a county flag. President Copenhaver stated that he would Mr. Umstead to start the process of a county license plate and the money would come back to the counties. He would also like to start the process for a county flag with a flag to be ordered for every building.

Re: Bid Opening – RFP Building Commission Financial Audits

Gary Wine, Deputy County Administrator reviewed the RFP for the Building Commission Financial Audits. He stated that eight (8) letters of opt out to bid were received with two (2) bids being received.

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

Bid #	Vendor	Bid Total
Bid # 1	Tetrick & Bartlet	\$8,400
Bid # 2	Perry & Associates	\$10,000

Re: Bid Opening – RFP NG911 Core Services

Gary Wine, Deputy County Administrator reviewed the RFP for the NG911 Core Services. Penny Shewell, Office Administrator stated that the RFP was posted on the county web site, social media and advertised in the Journal with the Certification of Publication present in the read ahead.

At 10:05 President Copenhaver opened the sealed bids as follows:

Bid #	Vendor	Bid Total
Bid # 1	Motorola Solutions, Inc. Chicago, IL	\$903,266.73
Bid # 2	Next Generation Advanced Beverly Hills, CA	\$792,552.70
Bid # 3	AT & T Columbia, MD	\$793,901.25

**Re: Will Lorensen, Fiduciary Supervisor
Estate Accounts – Month of October
Estate Hearings to be Scheduled**

Will Lorensen, Fiduciary Supervisor appeared before the Council and presented forty one (41) estate accounts for the month October.

Councilperson Barnhart made a motion to approve the forty one (41) estate accounts for the month of October. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Mr. Lorensen had no estate hearings to be scheduled.

**Re: Will Lorensen, Fiduciary Supervisor
Estate Hearing – Estate of Mary Fazenbaker**

Will Lorensen, Fiduciary Supervisor appeared before the Council and reviewed the history of the estate of Mary Fazenbaker. Mr. Lorensen requested that the Council accept the will in solemn form.

Councilperson Gochenour made a motion to accept the will of Mary Fazenbaker in solemn form. Vice President Whitacre seconded the motion. The motion carried unanimously.

**Re: Will Lorensen, Fiduciary Supervisor
Estate Hearing – Estate of Lori Ann Dom**

Will Lorensen, Fiduciary Supervisor appeared before the Council and reviewed the history of the estate of Lori Ann Dom. Jamie Hill, Counsel for Rodney Dom appeared before the Council. Rodney Dom appeared before the Council and was sworn in by Mrs. Shewell. Mr. Dom stated that he was administering the estate by himself and could not get his co-administrator Lakyn Renee Sanders to sign any papers so he could settle the estate and wanted to remove her as co-administrator.

Vice President Whitacre made a motion to accept the petitioner's petition and remove Lakyn Renee Sanders as co-administrator to the estate of Lori Ann Dom. Councilperson Barnhart seconded the motion. The motion carried unanimously.

**Re: Teresa McCabe, Vice President Marketing & Development
Kayla Mysliwicz, Breast Cancer Navigator
WVU Medicine Berkeley Medical Center
Proclamation Breast Cancer Awareness Month**

Teresa McCabe, Vice President Marketing & Development along with Kayla Mysliwicz, Breast Cancer Awareness Navigator appeared before the Council and presented a Proclamation for Breast Cancer Awareness Month. Ms. McCabe read the Proclamation.

Vice President Whitacre made a motion to adopt the Proclamation for Breast Cancer Awareness Month. Councilperson Gochenour seconded the motion. The motion carried unanimously.

**Re: Civil & Environmental Consultants, Inc.
Marcus Spina, Assistant Project Manager
Berkeley County Project Updates**

Marcus Spina, Assistant Project Manager with Civil & Environmental Consultants, Inc. appeared before the Council and reviewed the projects for Berkeley County going through maps and visual aids.

**Re: Tracey Guilliams, Grants Administrator
FY2022 Byrne JAG Grant Award Acceptance
Acceptance of BJA FY22 Adult Drug Court Discretionary Grant**

Tracy Guilliams, Grants Administrator appeared before the Council and reviewed the FY2022 Byrne JAG Grant Award acceptance and reviewed what the grant would cover.

Councilperson Dulyea made a motion to accept the FY2022 Byrne JAG grant. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mrs. Guilliams reviewed the BJA FY22 Adult Drug Court Discretionary Grant.

Vice President Whitacre made a motion to accept the BJA FY22 Adult Drug Court Discretionary Grant. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Re: Executive Session – Legal Matters

Councilperson Barnhart made a motion to go into executive session for legal matters at 12:43 P.M. Vice President Whitacre seconded the motion. The motion carried unanimously.

President Copenhaver declared the Council out of executive session at 12:47 P.M.

Councilperson Dulyea made a motion to approve the Agreement with ILA Properties, Inc. for property damage done due to an accident totaling \$169,589.45 and authorize the President to sign. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Re: Recess

Councilperson Barnhart made a motion to Recess the October 6, 2022 Berkeley County Council meeting.

Submitted by: Penny Shewell

Penny Shewell, Office Administrator