

**Berkeley County Council Meeting**

**October 13, 2022**

**400 W. Stephen Street, Suite 201**

**9:30 A.M.**

**Martinsburg, WV 25401**

**Present:**

**Douglas E. Copenhaver, Jr., President**

**James P. Whitacre, Vice President**

**Dan Dulyea, Councilperson**

**James R. Barnhart, Councilperson**

**G. Edgar Gochenour, Councilperson**

**Alan J. Davis, County Administrator**

**Penny Shewell, Office Administrator**

Also Present: Tracie McCormick, Procurement Coordinator; Anthony Delligatti, Legal Director; Tracey Guilliams, Grants Administrator; Elizabeth Lapchak, Grants Administrator; Mike Laing, Chief Court Marshal; Matthew Umstead, Director of Strategic Planning Communications

**Re: Call to Order**

President Copenhaver called the October 13, 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**

Vice President Whitacre made a motion to approve the Agenda with the removal of the 1:00 PM and 2:00 P.M. Board of Assessment Appeals as they had been withdrawn. 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 a letter of resignation was received from Emergency Communications from Louis Grindle effective October 11, 2022.

President Copenhaver stated that a letter of resignation was received from the County Clerk's Office from George Bradshaw effective October 4, 2022.

**4. Approval of Minutes**

There were no changes to the September 29, 2022 Berkeley County Council meeting minutes.

Councilperson Barnhart made a motion to approve the minutes for the September 29, 2022 Berkeley County Council meeting. Councilperson Gochenour seconded the motion. Councilperson Dulyea 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. Cancelled Check Request – County Clerk's Finance Office**

**Re: Consent Agenda Approval**

Councilperson Dulyea made a motion to approve the Consent Agenda for the October 13, 2022 Berkeley County Council meeting. Councilperson Gochenour seconded the motion. The motion carried unanimously.

**Re: Correction of Assessments Log, Apportionment of Assessments, Deconsolidation and Consolidation of Properties Applications – Assessor's Office**

The Assessor had nothing to present this week.

**Re: Board Meeting Reports**

Councilperson Barnhart reported that he was unable to attend the Public Service Water District board meeting.

Councilperson Dulyea reported that he attended the Airport Authority and the meeting for the 17<sup>th</sup> was cancelled and discussed changing the meeting dates. He also reported that he was unable to attend the Development Authority meeting.

Vice President Whitacre reported that he attended the Airport Authority meeting and reported that the budget was strong with fuel sales and the charter. He also reported that they accepted the resignation of Neil Doran who is going to the Hagerstown Airport. He stated that he did some reorganization and Nic Diehl was appointed as the new Airport Manager and hired Bill Walkup back as the Facilities Manager.

Councilperson Gochenour reported that he appeared on the radio program and discussed Amendment 2 to reduce taxes.

President Copenhaver reported that he along with Councilperson Gochenour, Gary Wine, Deputy County Administrator and Jennifer Swisher, 9-1-1 Director traveled to Charleston and met with Secretary Sandy and his staff to discuss upgrades of the radio system for emergency service personnel. President Copenhaver also reported that he spoke with Ron Stephens from the Board of Education and the SRO's will remain in the schools this year until the money in their budget runs out.

**Re: Board and Commission Vacancies**

There were no Board and Commission vacancies addressed.

**Re: Honorary County Councilperson**

Councilperson Dulyea introduced Rachel Allen, a senior at Faith Christian Academy. Ms. Allen stated that she was in band and played the flute, was lead singer, play travel softball and ran track and planned to attend Trade School to study to cosmetology or etiology. Councilperson Dulyea swore in Ms. Allen as Honorary County Councilperson and presented her with a certificate.

**Re: Councilperson Issues – County Flag and County License Plate**

Matthew Umstead appeared before the Council and reviewed the process for Berkeley County to get their own license plates and would need to start by partnering with a 501C3 organization to obtain 250 prepaid applications. He stated that he reached out to James Rumsey and the Board of Education to try to help design a county flag and will also send to Faith Christian Academy.

**Re: Bid Opening–RFP County Council FY2022 Audit**

Alan Davis, County Administrator reviewed the RFP for the County Council Audit. He stated that the bid was mailed to the vendors approved on the State Auditor's list. Mr. Davis stated that eleven (11) firms replied they were unable to bid with one bid being received.

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

Bid #	Vendor	Bid Total
Bid # 1	Perry & Associates	\$33,250

**Re: Bid Opening – RFP 7 Passenger Van for DRC**

Alan Davis, County Administrator reviewed the RFP for the seven (7) passenger van for the DRC. He stated that the RFP was distributed to seventeen (17) vehicle dealers, placed on social media, advertised on the county web site with the Certification of Publication present in the read ahead and the bid file.

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

Bid #	Vendor	Bid Total
Bid # 1	Whiteside of St. Clairsville	\$49,585 2023 GMC Savana

Bid # 2	Hagerstown Ford, Hagerstown, MD	\$33,650 Ford Transit Connect
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**Re: Tracey Guilliams, Grants Administrator  
Acceptance of WV Court Security Grant Fund and Resolution**

Tracey Guilliams, Grants Administrator appeared before the Council and stated that the county had been awarded the WV Court Security Grant in the amount of \$34,488 and reviewed what the grant would cover. Alan Davis, County Administrator stated that this was the largest Court Security grant we have ever gotten and was awarded everything we asked for.

Councilperson Gochenour made a motion to accept the WV Court Security Grant. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Vice President Whitacre made a motion to adopt the Resolution for the WV Court Security grant. Councilperson Gochenour seconded the motion. The motion carried unanimously.

**Re: Board and Commission Interview  
Mary Sue Catlett – Candidate – Development Authority**

Mary Sue Catlett appeared before the Council and was interviewed as a candidate for the Development Authority. Ms. Catlett stated the Mayor and Council of Hedgesville has reassigned her to replace the Mayor on the board.

Councilperson Gochenour made a motion to reaffirm the Mayor and Council’s appointment and appoint Mary Sue Catlett to the Development Authority to replace the Mayor of Hedgesville and fill her term. Vice President Whitacre seconded the motion. The motion carried unanimously.

**Re: Mike Laing, Chief Court Marshal  
Mental Hygiene Transportation Proposal**

Mike Laing, Chief Court Marshal appeared before the Council and reviewed the Mental Hygiene Transportation proposal. Mr. Laing reviewed the dozen of trips taken in the last two days. He stated that the best part of the program was by utilizing the Court Marshals for mental hygiene transports, it would allow for the Deputies to stay on the road. He stated the cost to get the program up and running would be approximately \$353,000 as they would need a trip van and an additional four (4) Court Marshals to replace the four (4) current Court Marshals that would be running the extraditions and mental hygiene trips. Captain Heckman and Chief Young from the Sheriff’s Department appeared before the Council and spoke about how beneficial this program would be to the Sheriff’s Department.

**Re: Matthew Umstead, Director of Strategic Planning Communications  
Mike Laing, Chief Court Marshal  
250 Commemoration Project Garden Proposal**

Matthew Umstead, Director of Strategic Planning Communications and Mike Laing, Chief Court Marshal appeared before the Council and reviewed the 250 Commemoration Project Garden proposal. He stated that the Berkeley County Council of Garden Clubs and the 250<sup>th</sup> Commemoration Steering Committee were requesting approval on a garden project on the county government campus near the intersection of South Raleigh Street and West Stephen Street. He stated that the Steering Committee has committed funds towards the purchase of shrubs and Chief Court Marshal Laing, the Steering Committee and the garden clubs of Berkeley County have proposed the development of a beautification project for the county government campus to commemorate the 250<sup>th</sup> year of Berkeley County.

The consensus of the Council was to move forward with the project.

**Re: Alan Davis, County Administrator  
Tax Exempt Bank Qualified Loan Bid Award Recommendation**

Alan Davis, County Administrator reviewed the Tax Exempt Bank Qualified Loan RFP and bid results received. He stated that both bids provided by Carty & Company and United Bank both met the minimum requirements listed in the RFP and offered attractive but different options. He stated that United Bank offers a tentative interest rate of 3.7% opposed to a tentative rate of 4.17% from Carty & Company, however Carty & Company stated they think a possible upgrade from Moody's (that they would assist with) would further reduce the bond rates. The other drawback with the United Bank proposal is a scheduled balloon payment required the end of ten (10) years.

The consensus of the Council was to move forward with Carty & Company.

**Re: Andrew Johnson, Panhandle Dumpsters  
Support for Certificate of Need for the PSC**

Andrew Johnson, Panhandle Dumpsters appeared before the Council to request a Certificate of Need for the PSC. Mr. Johnson stated that this Certificate of Need was not for completion it was only needed to be allowed to pick up residential trash in Berkeley County. He stated that they were a Harper Carrier which meant they could pick up trash and haul it out of the state of WV, but must be registered with the PSC to dump in WV. He stated that he was not asking the Council to go against Apply Valley Waste, but to just allow him to dump in WV.

John Decker, CEO for Apple Valley Waste appeared before the Council and spoke against Panhandle Dumpsters receiving a Certificate of Need for the PSC and expressed his concerns,

Clint Hogbin, Chair, Solid Waste Authority appeared before the Council and spoke regarding the "Certificate of Necessity Convenience" rather than a "Certificate of Need".

Councilperson Dulyea made a motion to support Panhandle Dumpsters request for a Certificate of Need and provide a letter of support.

Councilperson Dulyea tabled his motion until after the Solid Waste Authority meets on October 26 2022. Councilperson Barnhart seconded the motion. The motion carried unanimously.

**Re: Recess**

Councilperson Barnhart made a motion to Recess the October 13, 2022 Berkeley County Council meeting.

Submitted by: Penny Shewell

**Penny Shewell, Office Administrator**