

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

October 20, 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

Alan J. Davis, County Administrator

Penny Shewell, Office Administrator

Also Present: Tracie McCormick, Procurement Coordinator; Anthony Delligatti, Legal Director; Randy Lilly, Director, Emergency Services; Brian Ross, Director of Division of Community Development; Nathan Emery, Planner I; Tracey Guilliams, Grants Administrator; Elizabeth Lapchak, Grants Administrator

Re: Call to Order

President Copenhaver called the October 20, 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 for the October 20, 2022 Berkeley County Council meeting with the amendment to pull the 10:15 A.M. item for Jennifer Swisher, 9-1-1 Director. 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 the Day Report Center from Joseph Mercer, II effective December 30, 2022.

4. Approval of Minutes

There were no changes to the October 6, 2022 Berkeley County Council meeting minutes.

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 Release – Harvest Glen, Grading Permit, Tracking #R01174-20, BCP File #061-18 tied to Tracking #R01174-20 Bond #100507480 – Engineering Department

Re: Consent Agenda Approval

Vice President Whitacre made a motion to approve the Consent Agenda for the October 20, 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 Assessor’s Office had nothing to present this week.

Re: Board Meeting Reports

Councilperson Barnhart reported that he attended the Board of Health meeting held in Berkeley Springs where departmental reports were presented. He reported that one application had been received for the Soil Scientist so the matter was tabled. He also reported that he attended the MPO meeting where they discussed the Airport, and the freight handling of truck traffic in Washington County and provided an update on the bike route in Berkeley County with the expansion from the state road to Frog Hollow.

Councilperson Dulyea reported that he attended the Main Street Martinsburg meeting where they discussed the Food Truck event this weekend and nominations for next year’s election.

Vice President Whitacre reported that he had no meetings this week, but did have the honor of driving in the Apple Harvest Parade.

Councilperson Gochenour reported that he attended the Planning Commission meeting where they held three (3) public hearings. He also reported that he attended the Parks & Recreation board meeting where they marked up the master plan and sent it to Michal Baker for changes. He reported that the hotel/motel tax was up and are looking for basketball referees. Councilperson Gochenour congratulated the Apple Harvest Committee on the weekend events and congratulated the Baker Heights Fire Department and the Fire Board on their new facility.

President Copenhaver reported that he was unable to attend the Fire Board meeting, but stated that Baker Heights now has a well-deserved nice home.

Re: Board and Commission Vacancies

Alan Davis, County Administrator stated that he and Penny Shewell, Office Administrator had a conference call with the Bond Counsel and currently only have three (3) members on the Building Commission. He stated that one more board member is needed and needs to be a Democrat or Independent. He also stated that the Moody’s rating conference call was scheduled for November 7th.

Councilperson Gochenour made a motion to nominate Dan Dulyea to the Main Street Martinsburg board. Vice President Whitacre seconded the motion. The motion carried unanimously.

Councilperson Dulyea made a motion to reappoint Dena Morgan to the Roundhouse Authority for a full term. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Councilperson Dulyea requested to have Craig Potter scheduled for an interview as a candidate for the Senior Services board.

Re: Honorary County Councilpersons

President Copenhaver introduced his three (3) grandsons, Jack, Lincoln and Robert Lasko and swore each of them in as Honorary County Councilpersons and presented them with certificates.

Re: Bid Opening – RFP Berkeley County Procurement Card Program

Alan Davis, County Administrator reviewed the RFP for the Berkeley County Procurement Card Program. He stated that the RFP was mailed to eight (8) financial institutes advertised on the county web site and published in the Martinsburg Journal with the Certification of Publication present in the bid file and the read ahead. Mr. Davis stated that Jefferson Security Bank corresponded that they were not in a position to bid.

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

Bid #	Vendor
Bid # 1	United Bank, Charleston, WV
Bi # 2	Truist Bank, Martinsburg, WV

Re: Bid Opening – RFP Yoga Instructor for the Health & Wellness Grant

Tracey Guilliams, Grants Administrator reviewed the RFP for the Yoga Instructor for the Health & Wellness Grant. Mr. Davis stated that the RFP was advertised on the county web site and published in the Martinsburg Journal with the Certification of Publication present in the bid file.

At 10:05 A.M. President Copenhaver opened the one sealed bid received as follows:

Bid #	Vendor	Bid Total
Bid # 1	Marlin Pyle	\$450.00 per month December 1, 2022 –December 20, 2023 Total Bid \$18,900

Re: Bid Opening – RFP Training & Technical Assistance for Targeted and Violence and Terrorism Prevention Grant

Tracey Guilliams, Grants Administrator reviewed the RFP for the Training & Technical Assistance for Targeted and Violence and Terrorism Prevention Grant. Alan Davis, County Administrator stated that the RFP was advertised on the county web site and published in the Martinsburg Journal with the Certification of Publication present in the bid file.

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

Bid #	Vendor	Bid Total
Bid # 1	Police Foundation dba National Policing Institute Arlington, VA	\$178,070.54
Bid # 2	Summit Point Training Facility Summit Point, WV	\$163,039.31

**Re: Jennifer Smith, Associate Executive Director, BC Development Authority
LED Grant Resolution**

Jennifer Smith, Associate Executive Director, BC Development Authority appeared before the Council to request an LED Grant Resolution. Ms. Smith read the Resolution.

Councilperson Gochenour made a motion to adopt the LED Grant Resolution. Vice President Whitacre seconded the motion. The motion carried unanimously.

**Re: Randy Lilly, Director, Emergency Services
Donnie Grubb, III, Trauma Program Coordinator, WVU Medicine
Discussion Mass Casualty Unit Partnership**

Randy Lilly, Director, Emergency Services along with Donnie Grubb, III, Trauma Program Coordinator, WVU Medicine appeared before the Council to discuss the Mass Casualty Unit partnership. Mr. Lilly stated that Emergency Services took possession of the mass casualty unit from the Ambulance Authority and don't have the staffing or medical supplies for this unit. Mr. Grubb stated that WVU would like to provide the medical supplies and deploy additional mass casualty personnel to help assist with the county ambulances and partner with them with an MOU. Mr. Lilly stated that the truck would remain stationed at the EOC and working with South Berkeley VFD to house the trailer there.

The consensus of the Council was to move forward with an MOU.

**Re: Alan Davis, County Administrator
Bid Recommendation Building Commission Audit
Bid Recommendation County Council Audit
Health Department Funding Discussion
Follow Up Discussion Supplemental Funding and Building Projects**

Alan Davis, County Administrator reviewed the RFP for the Building Commission Audit. He recommended that the bid be awarded to Tetrick & Bartlett, PLLC in the low bid amount of \$4,200 with and 8% administrative fee for the WV State Auditor's Office of \$336 making the total \$4,536.00.

Councilperson Barnhart made a motion to award the RFP for the Building Commission Audit to Tetrick & Bartlett, PLLC in the low bid amount of \$4,200 with an 8% administration fee to the WV State Auditor's Office totaling \$336 for a total of \$4,536 Vice President Whitacre seconded the motion.

Mr. Davis reviewed the RFP for the Berkeley County Council Audit. He recommended that the bid be awarded to Perry & Associates, CPA's from Marietta, OH in the bid amount of \$33,250. Mr. Davis stated that Perry & Associates are on the current "List of CPA Firms Appointed to Conduct Audits and Reviews of Local Government Entities in Accordance with the Provisions of West Virginia Code §6-9-7" as issued by the WV State Auditor's Office. He also stated the eleven (11) other firms declined to bind on the audit. Mr. Davis stated if approved the cost of the audit would be \$33,250 for Perry and \$2,660 (8% administrative fee) for the WV State Auditor's Office totaling \$35,910 and our FY2023 budget for this audit was \$50,000.

Vice President Whitacre made a motion to award the Berkeley County Council Audit to Perry & Associates in the amount of \$33,250 with \$2,660.000 to the West Virginia State Auditor's Office. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Mr. Davis reviewed the funding for the Berkeley County Health Department. Mr. Davis stated that with the first bond issuance of \$13 million, \$3,000 will be earmarked for the LED lighting and HVAC upgrades to the Judicial Center. He further stated that \$10 million would be allocated for the expansion of the second and third floors for the Day Report Center. Mr. Davis stated that the Council had funded \$14,000 for work performed at the Health Department for the environmental assessments that had been done and another \$200,000 spent in architect and engineering fees. He stated that the Health Department had provided \$750,000 and the Council committed to ARPA funds.

Mr. Davis discussed the supplemental funding and the building projects.

Vice President Whitacre made a motion to allocate \$300,000 to the Eastern WV Regional Airport to be taken from the Quality of Life Fund. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Councilperson Dulyea made a motion to allocate \$245,000 to the Apollo Civic Theatre for a marquee to be taken out the Quality of Life Fund. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Re: Executive Session Litigation and Real Estate

Councilperson Barnhart made a motion to go into executive session for litigation and real estate at 12:08 P.M. Councilperson Gochenour seconded the motion. The motion carried unanimously.

President Copenhaver declared the Council out of executive session at 1:20 P.M.

Councilperson Gochenour made a motion to authorize the President to sign the Release Statement Opioid Agreement with Allergan, CVS, Rite Aid, Walmart, TEVA and Jansen. Councilperson Barnhart seconded the motion. The motion carried unanimously.

Vice President Whitacre made a motion to purchase the property from the Roach family that adjourns to Poor House Farm Park in the amount of \$732,257.24. Councilperson Dulyea seconded the motion. The motion carried unanimously.

Re: Recess

Councilperson Barnhart made a motion to Recess the October 20, 2022 Berkeley County Council meeting.

Submitted by: Penny Shewell

Penny Shewell, Office Administrator