

**Berkeley County Council Meeting**

**December 1, 2022**

**400 W. Stephen Street, Suite 205**

**9:30 A.M.**

**Martinsburg, WV 25401**

**Present:**

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

**James W. Whitacre, Vice President**

**James R. Barnhart, Councilperson**

**G. Edgar Gochenour, Councilperson**

**H. D. Boyd, Councilperson**

**Alan J. Davis, County Administrator**

**Penny Shewell, Office Administrator**

Also Present: Tracie McCormick, Procurement Coordinator; The Honorable Larry Hess, Assessor; Anthony Delligatti, Legal Director; Matthew Umstead, Director of Policies and Strategic Planning; The Honorable Elaine Mauck, County Clerk; Gary Wine, Deputy County Administrator

**Re: Call to Order**

President Copenhaver called the December 1, 2022 Berkeley County Council Meeting to Order at 9:35 A.M.

**Re: Swearing in of New Councilperson**

The Honorable Elaine Mauck, County Clerk swore in H.D. Boyd as County Councilperson.

**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 December 1, 2022 Berkeley County Council meeting. 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 change in status was received from the Honorable Virginia Sine, Circuit Clerk for Joan Miller to receive a 15% salary increase that she didn't receive in July effective November 30, 2022 with a salary change from \$29,448 to \$34,448.

President Copenhaver stated that a change in status was received from Tim Czaja, Community Corrections Director for Katie Blunt for receiving her certification for Peer Recovery Support Specialist effective October 1, 2022 with a salary change from \$43,135 to \$43,635.

President Copenhaver stated that changes in status were received from Jennifer Swisher, 9-1-1 Director for Cynthia Bell to go from Telecommunicator I to Telecommunicator II effective November 16, 2022 with an annual salary change from \$51,606 to \$54,443; Melissa Holtsclaw to receive a salary adjustment to due years of service effective November 16, 2022 with a salary change from \$58,276 to \$60,024 and Ryan Shumate to receive a salary adjustment for years of service effective November 16, 2022 with a salary adjustment from \$52,857 to \$54,443.

### 4. Approval of Minutes

There were no changes the November 10, 2022 Berkeley County Council meeting minutes.

Councilperson Barnhart made a motion to approve the minutes for the November 10, 2022 Berkeley County Council meeting. Councilperson Gochenour seconded the motion. Councilperson Boyd abstained due to absence. The motion carried.

### 5. Council Calendar

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

### 6. Board and Commission Calendar

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

7. **Bond Reduction – Spring Mills, Section 1, Phase 11, Plat 1 Lots 115-118 & 137-139, BCP File #016-14 tied to 2102-074 & 2102-139, Bond #10367373 – Engineering Department**
8. **Bond Reduction – Elizabeth Station, Section F, Phase 3B, Lots 214-217 & 238-250., BCP #050-07 Tied to BCP #2007-095 & 2007-094, LOC #100003850-44 – Engineering Department**
9. **Bond Reduction – Elizabeth Station, Section F, Phase 2 & 3C, BCP #050-07 tied to #119-05, #2007-095 #2007-094, LOC#100003850-45 – Engineering Department**
10. **Bond Release – Elizabeth Station, Section F, Phase 2A, 2B and 3A, BCP File #050-07 tied to #2007-095 & #2007-094, LOC #1242 – Engineering Department**
11. **Bond Release – BTM Office Building (5462 Williamsport Pike) BCP File #055-19 tied to #2008-0057 (Grading) & #2112-451 LOC #6003298 - Engineering Department**

**Re: Consent Agenda Approval**

Vice President Whitacre made a motion to approve the Consent Agenda for the December 1, 2022 Berkeley County Council meeting. Councilperson Gochenour 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 six (6) personal tax exonerations for reason of office error totaling \$1,220.76.

Councilperson Barnhart made a motion to approve the six (6) personal tax exonerations for reason of office error totaling \$1,220.76. Vice President Whitacre seconded the motion. The motion carried unanimously.

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

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

**Re: Board Meeting Reports**

Councilperson Barnhart reported that he attended the Public Service Water District board meeting where they renewed a CD for a security deposit and the Executive Director presented a report.

Vice President Whitacre reported that he was unable to attend the Airport meeting due to the Board of Canvass. He reported that he attended the EPTA meeting where they reviewed the budget and safety plan post COVID. He also reported that they are replacing mini vans with on demand vans and training drivers for codes for human trafficking.

Councilperson Gochenour reported that he along with Gary Wine and Tracie McCormick met with the State Auditor last week. He also reported that he attended the Planning Commission and the Building Commission meetings. Councilperson Gochenour reported that he along with Gary Wine and Nic Diehl met and discussed broadband for the Western Back Creek Valley areas with three (3) different vendors involved.

President Copenhaver reported that he had no meetings this week.

Alan Davis, County Administrator stated that Board and Commission assignments would not be done until January and wondered if the Council wanted to assign Mr. Dulyea’s boards or if Councilperson Boyd wanted to take over those boards until January which are Farmland Protection, Senior Services, CVB, Library and MPO. President Copenhaver stated that he felt Councilperson Boyd should take over those boards. Councilperson Boyd questioned if needed to step down as Chairman for the Roundhouse Authority. Legal Counsel will check and advise next week.

**Re: Board and Commission Vacancies**

Vice President Whitacre made a motion to reappoint John Buschman to the Board of Zoning Appeals for a full term. Councilperson Gochenour seconded the motion. The motion carried unanimously.

Councilperson Gochenour requested to have Ronald Truitt scheduled for an interview for the Planning Commission and President Copenhaver requested to have Dr Joseph Angel DeSoto scheduled for an interview for the Library board.

**Re: Honorary County Councilperson**

Vice President Whitacre introduced Colin Best, a student at St. Joseph Elementary School. Mr. Best stated that he planned to study marine biology. Vice President Whitacre swore in Mr. Best as Honorary County Councilperson and presented him with a certificate.

**Re: Jennifer Swisher, 9-1-1 Director  
Accredited Center of Excellence (ACE) for Emergency Dispatching Award Recognition**

Jennifer Swisher, 9-1-1 Director appeared before the Council and stated that the ACE was a six to eight week evaluation process. She also stated that the Emergency Dispatch Center was only the 22<sup>nd</sup> Triple Accredited Center in the world and the first in the State of West Virginia. Mrs. Swisher presented a plaque to her staff. The Council all congratulated Mrs. Swisher and her staff on such an amazing accomplishment.

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

Will Lorensen, Fiduciary Supervisor appeared before the Council and presented thirty seven (37) estate accounts for the month of December.

Councilperson Barnhart made a motion to approve the thirty seven (37) estate accounts for the month of December. Vice President Whitacre seconded the motion. The motion carried unanimously.

The Council scheduled the Estate Hearing for Berlie Lee Hartman for January 5, 2023 at 10:45 A.M.

**Re: Alan Davis, County Administrator  
Legislative Priorities**

Alan Davis, County Administrator reviewed the legislative priorities to be presented to the Legislators at this afternoon's Legislative Summit.

**Re: Executive Session – Economic Development and Litigation**

Councilperson Barnhart made a motion to go into executive session for economic development and litigation at 11:20 A.M. Vice President Whitacre seconded the motion. The motion carried unanimously.

President Copenhaver declared the Council out of executive session at 11:55 A.M.

Councilperson Gochenour made a motion to enter into a PILOT Agreement with Project Kent for a seven (7) year project for an industrial facility for \$300 million in personal property tax for a minimum of 150 full time employees. Vice President Whitacre seconded the motion. The motion carried unanimously.

**Re: Recess**

Councilperson Barnhart made a motion to Recess the December 1, 2022 Berkeley County Council meeting until 1:00 P.M. for the Legislative Summit.

**Submitted by:** \_\_\_\_\_

**Penny Shewell, Office Administrator**