

KANAWHA COUNTY COMMISSION

AMENDED AGENDA

April 9, 2015

5:00 P.M. CALL TO ORDER

Pledge of Allegiance
Commission President Kent Carper

Moment of Silence and Recognition

MINUTES

Approval of the Minutes of the Regular Commission Meeting of
March 19, 2015

RESOLUTION/PROCLAMATION

Resolution Honoring Rodney Loftis and Son Contracting
Rodney Loftis, II

Proclamation for National Public Safety Telecommunications Week,
April 12 - April 18, 2015

NEW EMPLOYEES

Commission

Danny Stone, Code Enforcement, Kanawha County Commission
Planning & Community Development office, part-time employee,
\$17.00 per hour, replacing Richard Milam, effective April 10, 2015
Steve Neddo, Planning and Maintenance Director

Sheriff's Law Enforcement

Matthew David Longsinger, Kanawha County Deputy Sheriff, Kanawha County Sheriff's Law Enforcement Department, full-time employee, \$37,000.00 per year, replacing Keith A. Vititoe, effective April 16, 2015

The Honorable John Rutherford, Sheriff

CHANGE OF EMPLOYMENT STATUS

AGENDA ITEMS

5:00 P.M.

Discussion regarding final update regarding the 2015 Legislative Session

Commission President Kent Carper
Commissioner Henry C. Shores
Commissioner Dave Hardy
Carrie Hill, Grant Coordinator/Legislative Liaison
Patti Hamilton, Executive Director, West Virginia
Association of Counties

Discussion and update regarding the failure of the mechanically stabilized earth retention structure at Yeager Airport, including discussion about Kanawha County taking action to protect the individuals displaced from this incident

Commission President Kent Carper
Commissioner Henry C. Shores
Commissioner Dave Hardy
Rick Atkinson, Airport Director

Discussion regarding plan of action regarding the Elk Two Mile Dams, #12, #13, and #14

Commission President Kent Carper
Dale Petry, Emergency Management Director
Dave Armstrong, Economic Development Specialist
Chuck Grishaber, Flood Plain Manager

Discussion and presentation regarding the West Dunbar Public Service District, including but not limited to a timeline for necessary system upgrades, plans moving forward and rectification of receivership

Commission President Kent Carper
Todd Dingess, CPA, Smith Cochran and Hicks PLLC, Receiver
Colt Sandoro, Deputy Planning Director

Discussion regarding funding request from Charleston Regional Spay Neuter Center in the amount of \$25,000.00

Commission President Kent Carper
Commissioner Henry C. Shores
Commissioner Dave Hardy
Lisa Mitchell, President

Discussion regarding Kanawha County Sheriff's Annual Commission in accordance with W.Va. Code §11A-1-17 in the amount of \$15,000

Commission President Kent Carper
The Honorable John Rutherford, Sheriff

Update on the dissolution of the Upper Kanawha Valley Enterprise Community and discussion regarding the lease agreement between the Upper Kanawha Valley Enterprise Community and the West Virginia Division of Highways, for the area below the U.S. Route 61 on-ramp to the Lopez Bridge in Chelyan

Commission President Kent Carper
Andrew Gunnoe, Deputy County Manager
Colt Sandoro, Deputy Planning Director

Discussion regarding PHMSA's Office of Pipeline Safety is soliciting applications for its Technical Assistance Grants (TAG) program with a deadline of April 22, 2015

Commission President Kent Carper
C.W. Sigman, Fire Coordinator/Deputy Emergency Manager
Carrie Hill, Legislative Liaison/Grant Coordinator

Discussion and Update regarding March 13th voluntary evacuation of Hughes Creek Road in Eastern Kanawha County; evacuation of Hughes Creek Road issued due to an increase in mine water discharge and concerns of a mine blowout from the old coal mine located above Route 60

Commission President Kent Carper

Commissioner Henry C. Shores
Commissioner Dave Hardy

Kanawha County Commission meetings through June 11, 2015
Commission President Kent Carper
Commissioner Henry C. Shores
Commissioner Dave Hardy

DATE	TIME
Thursday, April 9, 2015	5:00 p.m.
Tuesday, April 21, 2015	5:00 p.m.
Tuesday, May 5, 2015	5:00 p.m.
Thursday, May 21, 2015	5:00 p.m.
Thursday, June 11, 2015	5:00 p.m.

AGENDA SETTING

Funding Request from Town of Pratt Senior Food Program in the amount of \$1,000.00 (from Coal Severance fund)
Commissioner Dave Hardy

Funding Request from City of Dunbar in the amount of \$60,000 to assist with unexpected costs associated with Shawnee Park (from Table Games fund)
Commission President Kent Carper

Funding Request from Rand Community Center in the amount of \$5,800 for playground
Commission President Kent Carper

Funding Request from Herbert Hoover High School baseball program in the amount of \$20,000.00 for field improvement project (from Table Games fund)
Commissioner Henry C. Shores

PUBLIC COMMENT

COUNTY MANAGER'S REPORT

Out of State Travel Request for the National Association of Counties Annual Conference, Charlotte, NC, July 10-13, 2015

DEPUTY COUNTY MANAGER'S REPORT

DIRECTOR OF FINANCE'S REPORT

COUNTY ATTORNEY'S REPORT

STAFF REPORTS

NEW BUSINESS

FIDUCIARY

Administrative Closing Order (Jazmyn Daunyse Mitchell (Ward)

Final Order to Probate a Will in Solemn Form (Larry Lee Dawson)

Final Order to Probate a Will in Solemn Form (Estate of Grace Day Farley)

Objections and Exceptions

Order Admitting Estate to Probate (Estate of Linda Jane Wade)

Order Declaring Re-Opened Estate Closed (Estate of Opal Stephens Chase)

Order Declaring Re-Opened Estate Closed (Estate of Robert Lee Taylor)

Order Referring to a Fiduciary Commissioner (Estate of Peggy C. McMillan)

PURCHASE ORDERS

Order Confirming and Approving Purchase Orders in Excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department:

Vendor	Department	Amount	Comments/Description
Charleston Business Machines Inc.	County Clerk – Election	\$8,459.55	Four (4) Alera interval series swivel task tools no arm rests @ \$159.99 ea; two (2) Alera interval series swivel task stools with arm rests @ \$209.98 ea; thirty-seven (37) Alera mesh high back chairs @ \$199.99 ea

B&H Photo-Video	Sheriff's Tax Office	\$5,593.35	Five (5) Lorex 8-channel HD NVR security system with 2TB HDD with four (4) IP weather-resistant cameras @ \$1,011.49 ea; one additional camera @ \$500; two (2) SD memory card cases @ \$17.99 ea
Pitney Bowes	Sheriff's Tax office	\$10,000.00	Rental/lease for mailer, folder/insert binder & RISO printer
Loomis	Sheriff's Tax Office	\$7,500.00	Vault service fees
Kanawha Putnam Emergency Planning	Emergency Services	\$6,000.00	Membership contribution
TLC Contracting	Camp Virgil Tate	\$5,800.00	Services rendered at Camp Virgil Tate
Yeager Airport	Yeager Airport Police	\$11,316.00	Reimbursement for eleven sets of body armor vests \$5,742; tactical molle carriers \$1,210, equipment pouches \$1,650, STX pistol holders \$1,265 and L/S and S/S under vest shirts \$1,529 per Public Safety Grant Letter of Intent
Electronic Communications of WV Inc.	Sheriff's Legal Process	\$6,500.00	Vehicle emergency equipment for legal process vehicles per KCSO contract
Mountaineer Custom Cartridge	Sheriff's Legal Process	\$9,860.00	Twenty-nine (29) cases P45HST1 ammunition per bids received 2/20/15
WV Public Safety Expo	Sheriff's Law Enforcement Div	\$5,000.00	Agency contribution to attend Public Safety Expo
Allens Auto Parts & Repair	Sheriff's Law Enforcement Div	\$20,000.00	Maintenance and repair of department fleet per contract
Kanawha County 4-H Foundation	Camp Virgil Tate	\$13,248.80	Reimbursement for contracted services \$12,858.86 and reimbursement for gas/oil and tires \$389.94

Order Confirming and Approving Purchase Orders in Excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department (*contingent upon the approval and posting of a pending fiscal year 2014-2015 budget revision*):

Vendor	Department	Amount	Comments/Description
WV State Auditor	Kanawha Co. Commission	\$15,485.00	2013 audit type-Magistrate Court agreed upon procedures – line item #004-415-2-24.00 Kanawha County Commission

ORDERS

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund (*documentation available for inspection at the County Clerk's Office as well as the Kanawha County Commission meeting of April 9, 2015*)

The Honorable Vera J. McCormick, County Clerk

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds (*documentation available for inspection at the County Clerk's Office as well as the Kanawha County Commission meeting of April 9, 2015*)

The Honorable Vera J. McCormick, County Clerk

Order Confirming and Approving Orders Entered by the Clerk of the County Commission

The Honorable Vera J. McCormick, County Clerk

New Employee: Danny Stone, Code Enforcement, Kanawha County Commission Planning & Community Development office, part-time employee, \$17.00 per hour, replacing Richard Milam, effective April 10, 2015

Approval of the Erroneous Assessments submitted by the Kanawha County Assessor (decrease \$79,267.08)

Marc Slotnick, County Attorney

Approval for Correction of Erroneous Assessments Personal Property Cancelled Tickets

Marc Slotnick, County Attorney

Applications for apportionment of personal property taxes pursuant to final divorce orders in accordance with Chapter 11, Article 5, Section 14, of the Code of West Virginia

Marc Slotnick, County Attorney

Resolution proclaiming April 2015 Fair Housing Month in Kanawha County

Colt Sandoro, Deputy Planning Director

**2015 Kanawha County Fair Housing Resolution
Colt Sandoro, Deputy Planning Director**

Order creating new full time position of Kanawha County Deputy Sheriff, to be an employee of the Sheriff's Law Enforcement Department. Effective April 16, 2015, Matthew David Longsinger will be hired at salary of \$37,000 to fill this new position that is within budget. As referenced in the attached Employment Form dated March 31, 2015, the next position to become vacant in the Sheriff's Law Enforcement will be eliminated as a result of the new position

Order authorizing the president of the County Commission to request that the Governor maintain the Region III Workforce Investment Board of Kanawha County, as required under the new Workforce Innovation and Opportunities Act of 2014 (Public Law 113-128). The 2014 Act effectively replaces the prior Workforce Investment Act of 1998

Order authorizing the President of the Kanawha County Commission to sign the Memorandum of Agreement between West Virginia State Police and Kanawha County Commission

Order Authorizing the President of the Kanawha County Commission to sign a Grant Agreement between the Kanawha County Commission and the West Virginia Department of Military Affairs and Public Safety

Carrie Hill, Legislative Liaison/Grant Coordinator

Order Reappointing Becky Oakley to the Sissonville Public Service District (term to expire April 1, 2021)

Authorization for the President of the Kanawha County Commission to sign a certificates of title transferring a vehicles declared a total loss to Travelers Insurance

Authorization for the Clerk of the County Commission to Issue a Check from the Public Safety Levy Grant Fund, Line Item #029-711.00-800-5-68.63 in the amount of Thirty-Five Thousand Dollars (\$35,000.00) to the Kanawha County Commission for a contribution toward the salary and benefits for the Fire Coordinator/Deputy Director of Emergency Management position

Kim Fleck, Director of Finance

Order Authorizing the Clerk of the County Commission to issue a check from the Coal Severance Fund, #002-439.00-5-68.00, in the amount of Seven Hundred Twenty One Dollars Ten Cents (\$721.10) to the Upper Kanawha Valley Enterprise Community representing a contribution to assist with late penalties charged by the Internal Revenue Service for the 2011 990 filing

Order authorizing the use of eminent domain to obtain a water line easements through real property, as identified below, for the proposed Coalburg water line project. Total length of the water line extension is approximately 3,350 feet

- a) Real Property of David Lee Russell, Sr.: Easement of twenty (20) feet in width and approximately 80 feet in length; located at CABIN CREEK District (Tax Map 38_, Parcel 19.1 (Deed Book No. 2705, Page No.267).
- b) Real Property of Ford Coal Company: Easement of twenty (20) feet in width, being made of two sections (Section 1 being approximately 390 feet in length and Section 2 being 630 feet in length, for a total of approximately 1,020 feet in length); located in Cabin Creek District, Tax Map 38, Parcel 46 (Deed Book 2500, Page No. 88)

Authorization for the Clerk of the County Commission to issue a Check from the General Fund Line Item #001-401.00-5-67.00 in the amount of Forty Thousand (\$40,000.00) dollars payable to the Unemployment Fund (068)

1. **Fiscal Year 2014-2015 Special Health Fund Line Item Budget Revision**

EXPENDITURES:

372-423.00-1-05.01	Special Health- Health Insurance	(\$151,500)
372-423.00-2-26.00	Special Health - Reinsurance Costs	\$151,500

2. **Fiscal Year 2014-2015 Home Confinement Fund Line Item Budget Revision**

EXPENDITURES:

008-705.00-2-26.00	Home Conf - Worker's Comp	(6,000)
008-705.00-3-41.00	Home Conf - Supplies & Materials	(9,000)
008-705.00-3-43.00	Home Conf - Gas/ Oil/ Tires	(9,000)
008-705.00-2-16.00	Home Conf - M & R Equipment	24,000

3. **Fiscal Year 2014-2015 General School Fund Line Item Budget Revision**

EXPENDITURES:

004-415.00-2-24.00	Gen School Audit Costs	15,000
004-415.00-3-44.00	Gen School Board & Care	(\$15,000)

4. **Fiscal Year 2014-2015 Journal Voucher Entry**

001-322-0-03.00	Federal Grant - VOCA	28,727
001-322-0-24.00	Federal Grant - VAWA	20,910
001-405.00-1-03.01	Pros Atty - Fulltime	(49,637)
001-116-0-00.00	Grant Receivable	22,425
001-322-0-03.00	Federal Grant - VOCA	(11,970)
001-322-0-24.00	Federal Grant - VAWA	(10,455)

5. **Fiscal Year 2014-2015 General Fund Line Item Revision**

EXPENDITURES:

001-404.00-1-03.01	SHERIFF TAX - FULLTIME	(8,000)
001-404.00-1-09.00	SHERIFF TAX - PART-TIME	(10,000)
001-404.00-1-08.01	SHERIFF TAX - OVERTIME	18,000
001-412.00-2-22.00	EXT SERVICES - DUES & SUBSCRIPTIONS	(27)
001-412.00-3-41.01	EXT SERVICES - EQUIPMENT NON DEPR	(1,200)
001-412.00-2-19.00	EXT SERVICES - BLDG/EQUIPMENT RENTAL	1,227
001-420.00-1-03.01	CUSTODIAL - FULLTIME	(5,000)
001-420.00-3-41.01	CUSTODIAL- EQUIPMENT NON DEPR	(2,500)
001-420.00-1-08.01	CUSTODIAL - OVERTIME	(4,000)
001-420.00-3-45.00	CUSTODIAL - UNIFORMS	(1,000)
001-420.00-1-09.00	CUSTODIAL - TEMPORARY	12,500
001-430.00-2-14.00	COMM DEV - TRAVEL	(200)
001-430.00-2-17.00	COMM DEV - M & R AUTO	200

001-902.00-3-43.00	CAMP TATE - GAS, OIL, TIRES	(10)
001-902.00-2-17.00	CAMP TATE - M & R AUTO	10
001-711.00-1-03.01	EMERGENCY SRVS-FULLTIME	(15,500)
001-711.00-2-23.00	EMERGENCY SRVCS – PROFESSIONAL SERVICES	15,500

CHECK REGISTERS/SUPPLEMENTALS (*Order Confirming and Approving Disbursements to be made by the Clerk of the County Commission of Kanawha County*)

WV Public Safety Expo (from Sheriff's Law Enforcement Div) in the amount of \$5,000.00, for agency contribution to attend Public Safety Expo

Check from the General Fund Line Item #001-401.00-5-67.00 in the amount of Forty Thousand (\$40,000.00) dollars payable to the Unemployment Fund (068)

Ratification of Documents processed at the March 19, 2015, meeting:

Order Confirming and Approving Disbursements to be made the Clerk of the County Commission of Kanawha County (2nd supplemental)

Emergency check: Travelers in the amount of \$337,797.25 for payment of quarterly deductible (invoice received 3/18/15)

Purchase Order (pending budget revision): Floor Fashions, Inc., dba Arrow Rug Company, \$32,256.00 (provide and install new flooring in the Family Court areas of the Kanawha County Judicial Building per bids received 2/20/15 (see 2015-110)

Fiscal Year 2014-15 Capital Fund Line Item Budget Revision

Ratification of Order processed off the bench on March 23, 2015:

Authorization for the President of the Kanawha County Commission to Sign a Certificate of Title to a 2011 Ford Expedition

Ratification of purchase order and emergency check processed off the bench on March 25, 2015:

Rodney Loftis & Son, in the amount of \$47,348.70, for excavation, debris, and dirt removal work completed during Yeager Airport emergency-landslide 3/12/15-3/25/15 – invoice #106210