

MINUTES OF A REGULAR SESSION OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, HELD IN THE COMMISSION COURTROOM, LOCATED IN CHARLESTON, WEST VIRGINIA THEREOF ON JANUARY 19TH, 2023.

A REGULAR MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, WAS HELD ON JANUARY 19TH, 2023, BEGINNING AT 5:00pm

THE FOLLOWING MEMBER WAS PRESENT:

W. KENT CARPER, PRESIDENT
BEN SALANGO, COMMISSIONER
LANCE WHEELER, COMMISSIONER

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| 01/19/23 | 2023-031 | Order Confirming and Approving Purchase Orders in Excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department |
| 01/19/23 | 2023-032 | Order Confirming and Approving Purchase Orders in Excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department (<i>contingent upon approval and posting of a pending Fiscal Year 2022-2023 budget revision</i>) |
| 01/19/23 | 2023-033 | Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund |
| 01/19/23 | 2023-034 | Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds |
| 01/19/23 | 2023-035 | New Employee: Tyus Wood, Real Estate, Kanawha County Assessor's office, full-time employee, \$26,000.00 per year, replacing William Revercomb, effective January 23rd, 2023 |
| 01/19/23 | 2023-036 | New Employee: Emily Carter, Personal Property, Kanawha County Assessor's office, full-time employee, \$26,000.00 per year, replacing Cheryl Croye, effective January 23rd, 2023 |
| 01/19/23 | 2023-037 | New Employee: Christopher Settles, Deputy County Attorney, Kanawha County Commission, full-time exempt employee, Salary to be set and Determined by the Commission, effective February 1st, 2023 |
| 01/19/23 | 2023-038 | New Employee: Lisa Boner, Tax Deputy, Kanawha County Sheriff's Tax, full-time employee, \$25,000.00 per year, replacing Pamela Cooper, effective January 20th, 2023 |
| 01/19/23 | 2023-039 | Order appointing Jenna Green to the Capitol Market Board |

of Directors as Commission President's Designee

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| 01/19/23 | 2023-040 | New Employee: Amber Huffman, Legal Assistant, Kanawha County Prosecuting Attorney's office, full-time employee, \$30,000.00 per year, replacing Rachel Barnette, effective January 16th, 2023 |
| 01/19/23 | 2023-041 | Change in Status: Rachel Barnette, Part-Time Legal Assistant, from full-time to part-time employee, Kanawha County Prosecuting Attorney's office, \$15.00 per hour, effective January 13th, 2023 |
| 01/19/23 | 2023-042 | Approval of the Erroneous Assessments Submitted by the Kanawha County Assessor (decrease \$21,823.74) |
| 01/19/23 | 2023-043 | 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 |
| 01/19/23 | 2023-044 | Order appointing Andy Barker to the Kanawha County Building Commission replacing Vaughn Shaffer (term to expire June 30th, 2028) |
| 01/19/23 | 2023-045 | Order appointing Betty Ireland to the Kanawha County Building Commission filling a vacancy (term to expire June 30, 2028) |
| 01/19/23 | 2023-046 | Order reappointing Mara Boggs to the Central WV Regional Airport Authority (term to expire January 31st, 2026) |
| 01/19/23 | 2023-047 | Order reappointing Jarl Taylor to the Kanawha Co. Deputy Sheriffs' Civil Service Commission (term to expire February 5, 2025) |
| 01/19/23 | 2023-048 | Order to Remove Authorized Signer |
| 01/19/23 | 2023-049 | Order Declaring Tuesday, December 26th, 2023, and Tuesday, January 2nd, 2024, to be Full Day Holidays for employees |
| 01/19/23 | 2023-050 | Order Authorizing the Sheriff of the County of Kanawha to transfer all remaining receipts received through December 31, 2022, from the Special Revenue FUND #004 (GENERAL SCHOOL FUND) to the General Fund #001-394-0-00.00 |
| 01/19/23 | 2023-051 | Order Authorizing the Clerk of the County Commission to issue a check from the General Fund (#001-911.00-5-68.00), in the amount of Fifty Nine Thousand Eight Hundred Thirty Two Dollars Forty Seven Cents (\$59,832.47), to the Debt Service Fund #244, for the 2nd quarter distribution of Hotel-Motel taxes for FY 22-23 |

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| 01/19/23 | 2023-052 | The Revision of the Levy Estimate (Budget) for the County of Kanawha - F.Y. 2022-2023 General Fund Budget Revision #8 |
| 01/19/23 | 2023-053 | Order approving Kanawha County Commission In Re: Dennis West and Gadsden, Gaillard, and West, LLC Findings of Fact and Conclusions of Law |
| 01/19/23 | 2023-054 | Order Ratifying the President of the Kanawha County signature on the Nitro Construction agreement for work on the Belle Community Center Unit Heater Installation |
| 01/19/23 | 2023-055 | Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission of West Virginia (supplemental) |

Documents not on the agenda but approved/processed at the 01/19/23 Commission Meeting:

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| 01/19/23 | 2023-056 | Order authorizing the submission of an application to the Commission on Drunk Driving Prevention (CDDP) through the West Virginia State Police, of up to \$15,000. From February 23rd, 2023 through May 26th, 2023 |
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Budget Revisions approved/processed at 01/19/23 Commission Meeting:

Fiscal Year 2022-2023 ARPA 2021 Fund Line Item Budget Revision

Fiscal Year 2022-2023 County Managers Fund

Fiscal Year 2022-2023 General Fund Budget Revision #8

Minutes approved/processed at the 01/19/23 Commission Meeting:

Approval of the Minutes of the Regular Commission Meeting on January 5th, 2023

Fiduciary orders processed at 01/19/23 Commission Meeting:

Order Declaring Re-Opened Estate Closed (Estate of Calvin Leadmon aka Calvin Arnold Leadmon)

Order Declaring Re-Opened Estate Closed (Estate of Eleanor Burr Stogden Taylor)

Order Declaring Re-Opened Estate Closed (Estate of Randolph Wayne Yarbrough)

Order Referring to a Fiduciary Commissioner (Estate of Barbara Ellen Conley)

Recommendation & Order (Estate of Janet L. Edens aka Janet Louise Edens)

Ratification of documents approved/processed on January 5th, 2023:

Order authorizing the President of the Kanawha County Commission to sign the State of West Virginia Emergency Management Division FY 2022 Homeland Security Grant Program Award in the amount of \$198,000.00 for bomb squad robot upgrade

Emergency Check: Kanawha Valley Senior Services, Inc., in the amount of \$80,000.00 for annual contribution

Ratification of documents processed on January 6th, 2023:

Emergency Check: Southern Appalachian Labor School in the amount of \$25,000.00 for contribution for materials to help low income families in the UKV with home repairs

Ratification of documents processed on January 10th, 2023:

Emergency Check: City of Dunbar, in the amount of \$27,000.00 for upgrade to police equipment to SIRN & replace outdated equipment

Ratification of documents processed on January 11th, 2023:

Regular payroll

5:00 P.M. CALL TO ORDER

Pledge of Allegiance
Commissioner Lance Wheeler

Moment of Silence and Recognition

MINUTES

Commissioner Salango moved to approve the minutes listed on the agenda.
Commissioner Wheeler seconded. Motion carried.

**Approval of the Minutes of the Regular Commission Meeting on
January 5th, 2023**

RESOLUTION/PROCLAMATION

NEW EMPLOYEES

Assessor

Commissioner Salango moved to approve the two employees listed on the agenda
for the Assessors office. Commissioner Wheeler seconded. Motion carried.

**Tyus Wood, Real Estate, Kanawha County Assessor's office, full-
time employee, \$26,000.00 per year, replacing William Revercomb,
effective January 23rd, 2023**

The Honorable Sallie Robinson, Assessor

Emily Carter, Personal Property, Kanawha County Assessor's office, full-time employee, \$26,000.00 per year, replacing Cheryl Croye, effective January 23rd, 2023

The Honorable Sallie Robinson, Assessor

Commission

Commissioner Salango moved to approve Christopher Settles, Deputy County Attorney, Kanawha County Commission, full-time exempt employee, Salary to be set at \$142,500 a year. Commissioner Wheeler seconded. Motion carried.

Christopher Settles, Deputy County Attorney, Kanawha County Commission, full-time exempt employee, Salary to be set and Determined by the Commission, effective February 1st, 2023

Jennifer Herrald, County Manager

Prosecuting Attorney

Commissioner Salango moved to approve Amber Huffman, Legal Assistant, Kanawha County Prosecuting Attorney's office, full-time employee, \$30,000.00 per year. Commissioner Wheeler seconded. Motion carried.

Amber Huffman, Legal Assistant, Kanawha County Prosecuting Attorney's office, full-time employee, \$30,000.00 per year, replacing Rachel Barnette, effective January 16th, 2023

The Honorable Charles T. Miller, Prosecuting Attorney

Sheriff's Tax

Commissioner Salango moved to approve Lisa Boner, Tax Deputy, Kanawha County Sheriff's Tax, full-time employee, \$25,000.00 per year. Commissioner Wheeler seconded. Motion carried.

Lisa Boner, Tax Deputy, Kanawha County Sheriff's Tax, full-time employee, \$25,000.00 per year, replacing Pamela Cooper, effective January 20th, 2023

The Honorable Mike Rutherford, Sheriff

CHANGE OF EMPLOYMENT STATUS

Prosecuting Attorney

Commissioner Wheeler moved to approve the Change of Employment Status for Rachel Barnette as listed on the agenda. Commissioner Carper Seconded. Motion carried. ccc

Rachel Barnette, Part-Time Legal Assistant, from full-time to part-time employee, Kanawha County Prosecuting Attorney's office, \$15.00 per hour, effective January 13th, 2023

The Honorable Charles T. Miller, Prosecutor

AGENDA ITEMS

5:00 P.M.

**Introduction of Congresswoman Carol Miller; Tyler Ohrn, Field Representative of Congresswoman Carol Miller; and staff
Commissioner Lance Wheeler**

**Discussion regarding Shawnee Welcome Center Project to include design of building and Congressional Directed Spending Award
Commissioner Ben Salango
Adam Krason, ZMM**

**Discussion regarding procurement of dash cams and body cameras for the Kanawha County Sheriff's Department
Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler**

Sheriff Rutherford informed the Commission that the Sheriff Office has been studying this situation for a while and they would like to request in car video and body cameras.

Commissioner Carper moved to approve to move forward with this discussion. Commissioner Salango seconded. Motion carried.

Commissioner Carper stated this protects the deputies, the public and it makes common sense these day. Studies show that body cameras cut down on complaints. One reason not to do it is cost, it will be expensive, estimated around \$1M total. Sheriff Rutherford stated he is for it and we have been looking at equipment for a year. Commissioner Carper stated that there isn't much push back on these now. Sheriff Rutherford stated no, we presented this to the DSA and they voted to proceed. Commissioner Carper stated the Sheriff Office handles 95% of the calls by themselves, how long will this take? Chief Crawford stated eight months to a year due to developing polices and procedures. Commissioner Salango stated he has spoken to number of deputes and they are in favor of it and he is 100% in favor. Commissioner Wheeler stated body cameras can save people from believing law enforcement was in the wrong, they protect our police officers. Commissioner Carper stated there are two or three ways to pay for this: it is eligible for ARP,

Ohio got a Federal grant for \$4M and we should immediately begin asking our Legislature to fund this, 3rd way we applied for grant and he will meet with Secretary Sandy and ask him to reconsider the approval. Commissioner Carper stated the next thing you need is a person to be over this project, the person who is responsible to respond to FOIA requests, view the videos. Sheriff Rutherford stated a deputy in this position would make sense and be the easiest fit. Commissioner Salango moved to approve the creation of a position to oversee the body and dash cameras. Commissioner Wheeler seconded. Motion carried.

▪ **Discussion regarding Rand Community Center emergency repairs and other related matters**

Commission President Kent Carper

Commissioner Ben Salango

Commissioner Lance Wheeler

Delegate Rowe, Cathy Proctor Director of the Community Center

Commissioner Carper stated there are two separate needs. Jennifer Herralld stated she believes the reimbursement is around \$8,000, which needs to be processed as an emergency and hand-delivered to Delegate Rowe. Cathy stated it was \$7,012 for equipment.

Commissioner Salango moved to pay for the equipment, water & sewer bills with money coming from Coal Severance. Commissioner Wheeler seconded. Motion carried.

Commissioner Carper stated the second request he sent Steve Neddo to look over the facility. Steve Neddo informed the Commission that they had already started the work on Tuesday. The job will be completed Monday, and it will not exceed \$14,000. Commissioner Carper stated we decided this was an emergency when we were told there was no heat in the entire building.

Commissioner Salango moved to approve up to \$14,000 with money from Coal Severance. Commissioner Wheeler seconded. Motion carried.

Steve Neddo stated they have the heat in the used areas, like the cafeteria and stores, but there are some concerns with the ac unit and the roof. Commissioner Carper stated we will look at that at a later date.

Discussion regarding letter of request from West Dunbar Public Service District in the amount of \$67,412.40 for debt owed to Dunbar Sanitary Board

Commission President Kent Carper

Dr. John Fuller, Board Member

Dr. Fuller, Dwight Hannah, Todd Dingus

Dr.Fuller stated they have a debt to the Dunbar sanitary board of \$67,412.40 and requested this funding to pay the City of Dunbar. Commissioner Carper asked if the proposed merger would be a reality if this was paid. Commissioner Carper asked how long this has been going on. Dwight Hannah stated since 2002.

Commissioner Carper asked how many customers this effect. Dwight Hannah stated a little over 700.

Commissioner Carper moved to approve and process as an emergency and have the check ready by tomorrow. Commissioner Salango seconded. Motion carried.

Discussion regarding funding request from Sissonville MultiPurpose Center Association in the amount of \$6,700 for necessary repairs to road to ensure services can continue

Commissioner Lance Wheeler

Commission President Kent Carper

Commissioner Ben Salango

Pat Taylor & Delegate Ferrell

Pat Taylor informed the Commission that the Sissonville Multi-Purpose Community Center has many services: food pantry, Senior Center serves meals daily, Little League Basketball, etc. As a result of traffic, our road has dropped, and we reached out to Delegate Ferrell. The Center obtained three bids, with the lowest \$13,700, and Delegate Ferrell Got \$7,000 towards the project. The road has been repaired since it was in emergency status. Commissioner Carper stated that the Kanawha County Commission declared this facility as a Shelter in Place, which is why we can assist with this facility.

Commissioner Wheeler moved to contribute \$6,700, and we will do a pass-through with the \$7,000 from Delegate Ferrell. Commissioner Salango seconded. Motion carried.

Continued discussion regarding funding in the amount of \$750,000.00 for economic development at the WV Regional Tech Park Building 727 and the sale of MATRIC to AVN

Commission President Kent Carper

Commissioner Ben Salango

Commissioner Lance Wheeler

Matt Ballard, Chief Executive Officer/Executive Director

Commissioner Carper stated when they did the last presentation on December 8th Matric was coming into the building. Matt Ballard stated yes, we had no idea they would not come. Commissioner Carper asked what the name of the new group was. Matt Ballard stated AVN Corporation. Commissioner Carper stated the Commission invited them to come, and they said they were unavailable. Dave Hendrickson stated their goal was to renovate a building and to bring jobs into Kanawha County. Commissioner Salango asked if they believed Matric didn't know, then they weren't coming on December 8th. Commissioner Carper asked what will they be paying you a year. Matt Ballard stated we are in the final stages of the lease, about \$1.8M. Commissioner Carper stated this still could be the greatest thing we've ever done, but how do we know. Matt Ballard stated no matter who the company is, the money will go into the pod, and we will charge market price rent. Commissioner Carper asked if the City of South Charleston is still

committed. Dave Hendrickson stated he spoke to the Mayor's Office last week and they are still committed. Commissioner Salango asked if AVN was a registered company. Jennifer Herrald stated yes, as of November 22nd. Dave Hendrickson stated he did not know Matric was going to pull out. Commissioner Salango stated Matric knew, and they knew you were coming here to ask for money to renovate a building for them. Commissioner Salango stated the State was dragging its feet in December, and we were trying to create momentum to get the money from the State; have you been approved? Matt Ballard stated no, we have not as of now. Commissioner Carper stated he believes Matric should give you some documentation in writing of who owns this company, and then we will review it. Commissioner Carper stated that I don't want to see these jobs go to Morgantown. Commissioner Salango stated let me be clear, Matric cannot say they did not know when you were here in December, Matric knew and told no one. They had already formed another company. Matt Ballard stated they had hoped to start construction the first week of January, but designs are still not being completed. Commissioner Carper asked if they still had the funding from South Charleston. Matt Ballard stated that the commitment is to give when the TIF starts generating revenue. Matt Ballard stated they are putting the money forward and will be reimbursed. Commissioner Carper stated the Commission was never told the contribution from the City was not coming until the TIF generated funding. Dave Hendrickson stated if you want the money back, we will give it back. We are moving forward with this project and did not mislead this Commission, " stated Mr. Hendrickson. Commissioner Salango said the Commission never said Mr. Ballard and Mr. Hendrickson misled the Commission, Matric knew. Commissioner Wheeler stated this money was going to Tech Park to renovate and bring in a company and jobs. We can have a building, but if no one is going in, there's no jobs. We assigned this money because we believed this was bringing in Matric. Now I have concerns about this direction and would like to know when the lease will be signed stated Commissioner Wheeler. Mr. Hendrickson stated we will hold the money and not spend a dime until we had a lease. Commissioner Salango stated why don't you give the money back, and when you get the lease, we will bring you back in, hear from that business and go from there. Commissioner Carper stated it was a nonprofit business, and now it's for profit. Mr. Hendrickson stated the lease should be done in a couple of weeks. Commissioner Wheeler stated he wants to know who this business is. Commissioner Salango moved to request the funding back and for Tech Park to return when the lease is signed. Commissioner Wheeler seconded. Motion carried. Commissioner Carper stated he wanted the minutes to show that the Commission does not believe there is misrepresentation in Tech Park, it was with Matric. Commissioner Carper stated this is not what we voted on, and we are dealing with taxpayers' dollars. Matt Ballard stated AVN will still be doing the federal grant just like Matric was going to. Commissioner Wheeler stated he hasn't seen any paperwork with the transfer of this business, I want to know for a fact who they are and what is their intent before we throw \$750,000 of taxpayers' dollars. Mr.

Hendrickson stated we would send the check back tomorrow, and we will share the lease with you when we have it in a couple of weeks. Commissioner Carper asked how long is the lease for. Matt Ballard stated five years.

Discussion regarding funding request from EnAct in the amount of \$13,000.00 for work camp project

Commission President Kent Carper

Commissioner Carper stated the Mayor of Clendenin informed me that she asks that you give their town some attention; last year the Commission gave you how much.

Debby Campbell stated \$22,000 for the work camp. We bring in 270-300 kids who stay at Elkview Middle School. We find 50 homes for them to work on, however, we don't get to all 50 homes. We have \$9,479.51 left from last year, therefore, we need \$11,101 additional to run this year.

Commissioner Carper moved to approve \$11,101 as requested. Commissioner Salagno seconded. Motion carried.

Commissioner Wheeler moved to amend the motion and give \$13,000.

Commissioner Carper asked if the camp could not use \$13,000 and see about doing some work in Clendenin.

Commissioner Salango seconded. Motion carried.

Discussion regarding funding request from The Fix' Em Clinic in the amount of \$50,000.00 for low cost spay and neuter

Commissioner Lance Wheeler

Rachel Burgess, Executive Director

Delegate Puskin, Rachel Burgess

Rachel Burgess stated she has been the Executive Director last two years. We are a nonprofit veterinary clinic located in Charleston on Greenbrier Street.

Commissioner Wheeler asked what their funding request was. Rachel stated that the purpose is to give back to the community to help subsidize the cost and provide discounted and free neutering services. This money will only be spent in Kanawha County. Commissioner Wheeler asked if there are any other facilities like this in Charleston. Rachel stated Fix Charleston, the facility at the Humane Association, has not been in full operation since 2021 due to not having a full-time veterinarian. Delegate Puskin stated we have a very active board, and every penny is accounted for. This is a public service that helps control stray cat/dog situations.

Commissioner Wheeler asked if Delegate Puskin was able to get State funding.

Delegate Puskin stated yes, \$5,000 for a new surgical light. Commissioner Salango asked what their primary source of revenue was. Rachel stated income for services, grant funding, and donations. Commissioner Carper asked if the Humane Association does not offer pet neutering services to public citizens. Rachel stated no, just the shelter animals as of 2021. Commissioner Carper stated there is some competition here; they do the humane work, and the Commission has given the Humane Society this money in the past. We took our licensing program money and

gave it to the Shelter; will you be asking for this money every year asked Commissioner Carper. Rachel stated no, we would see this as a one-time donation. We will not depend on this funding. Commissioner Carper asked if they asked the City of Charleston for funding. Rachel stated no, we have not, we serve all of Kanawha County. Commissioner Carper stated that the Commission gives \$180,000 to the Humane Society yearly. They pick up all the stray animals throughout the county. The County has \$90,000 in the license account. Commissioner Carper stated he had tried to bring your organization and the Shelter together in the past, but it did not work. Commissioner Salango stated he does not look at this as competition; he sees it as an advancement in services. Commissioner Carper asked how long will this funding last. Rachel stated a year. Commissioner Carper stated he is concerned this will become a yearly request. Commissioner Wheeler asked Rachel if she would be ok with me setting up a meeting with the Shelter to see how you can work together. Rachel stated yes. Commissioner Salango moved to approve the funding with money coming from licensing line and to process it as an emergency. Commissioner Wheeler seconded. Motion carried.

Discussion and update on matters related to Paint Creek spill including but not limited to completion of testing and potential abatement of Paint Creek

**Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler**

Commissioner Carper stated that the Commission's counsel filed the lawsuit today. Their answer for abatement was they would monitor it, which is no answer at all. The case was assigned to Judge Tabit. Mr. Settles, please get up to speed on this case to keep a handle on this. Commissioner Salango stated he was hoping to resolve the issue and that they would come in with a real abatement plan, but they did not. Commissioner Wheeler stated that the citizens need this abatement asap.

Discussion regarding letter from Sallie Robinson, Assessor, in reference to Completion of Property Books, requesting permission to continue adding information on property books until the Board of Equalization and Review is adjourned *sine die*

**Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler
The Honorable Sallie Robinson, Assessor**

Commissioner Carper moved to approve the request to continue adding information on the property books until the Board of Equalization and Review is adjourned sine die. Commissioner Salango seconded. Motion carried.

Discussion regarding Fiscal Year 2023-2024 Budget including deadlines

**Commissioner Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler
Kim Fleck, Director of Finance**

Kim Fleck informed the Commission that there is a meeting scheduled next week with elected officials. They will receive a memo tomorrow showing the extra cost the Commission is facing with jail bill, PEIA and tax sales loss revenue. Commissioner Carper stated right now that is \$1M tax loss with the tax sale. We can backfill a little bit, but at this rate 2024 will be gloomy. The per diem rate is what we are trying to get a moratorium on with the jail bill.

Discussion regarding 2023 Legislative Agenda

**Commissioner Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler
Jennifer Herrald, County Manager**

Commissioner Wheeler informed the Commission that the State pension board contacted Metro State Council, and they are collecting names to do an actuary to see the cost of bringing every Metro employee onto the EMS pension board. Commissioner Wheeler believes this will show the EMS board would be able to take on Metro employees. Jennifer Herrald informed the Commission that the Commission sent a letter opposing PEIA bill, which would not allow spouses on the plan. Commissioner Wheeler stated no one knows the answer on PEIA right now. Gov Justice is showing some interest in covering PEIA. Commissioner carper stated this would cause pay cuts. We need to do the work like we did with Amendment 2, this year it's a \$300,000 cut which doesn't sound that bad, but it's just the beginning. They only did it to non-state employees. It hits the First Responders the worst.

Kanawha County Commission meetings through April, 2023

**Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler**

| DATE | TIME |
|-----------------------------|-------------|
| Tuesday, January 31, 2023 | 8:30 a.m.≈ |
| Thursday, February 2, 2023 | 5:00 p.m.◆ |
| Tuesday, February 7, 2023 | 8:30 a.m.≈ |
| Thursday, February 9, 2023 | 5:00 p.m.≈ |
| Tuesday, February 14, 2023 | 8:30 a.m.≈ |
| Thursday, February 16, 2023 | 5:00 p.m.◆ |
| Tuesday, February 21, 2023 | 8:30 a.m.≈• |

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| Thursday, March 9, 2023 | 5:00 p.m.Δ |
| Thursday, March 23, 2023 | 5:00 p.m.Δ |
| Tuesday, April 4, 2023 | 5:00 p.m.Δ |
| Tuesday, April 18, 2023 | 5:00 p.m.Δ0 |

- Δ Regularly Scheduled Commission Meeting
- ≈ Board of Review and Equalization Meeting
- ◆ Board of Review and Equalization Meeting and Commission Meeting
- * Mineral meeting
- Board of Review and Equalization– Adjourn Sine Die
- 0 The 2023-2024 Kanawha Co. Levy Rate will be set at this meeting

PUBLIC HEARING

AGENDA SETTING

PUBLIC COMMENT

COUNTY MANAGER'S REPORT

DIRECTOR OF FINANCE'S REPORT

COUNTY ATTORNEY'S REPORT

STAFF REPORTS

NEW BUSINESS

FIDUCIARY

Commissioner Salango moved to approve the Fiduciary orders listed on the agenda. Commissioner Wheeler seconded. Motion carried.

Order Declaring Re-Opened Estate Closed (Estate of Calvin Leadmon aka Calvin Arnold Leadmon)

Order Declaring Re-Opened Estate Closed (Estate of Eleanor Burr Stogden Taylor)

Order Declaring Re-Opened Estate Closed (Estate of Randolph Wayne Yarbrough)

Order Referring to a Fiduciary Commissioner (Estate of Barbara Ellen Conley)

Recommendation & Order (Estate of Janet L. Edens aka Janet Louise Edens)

PURCHASE ORDERS

Commissioner Salango moved to approve the Purchase Orders listed on the agenda. Commissioner Wheeler seconded. Motion carried.

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 |
|---|---------------------------------------|-------------|---|
| Cimco, Inc. (revised PO increase PO \$1,478.30) | Maintenance Annex | \$16,206.80 | Emergency chiller repairs to the Judicial Building |
| Waste Management (revised PO: increase PO \$7,959) | Kanawha Co. Planning & Community Dev. | \$12,958.00 | Participation in 2022 fall cleanups |
| Northern Kentucky Emergency Medical | Kanawha Co. Commission | \$7,300.00 | Four (4) new AED Units |
| Southern Appalachian Labor School (ratify PO signed 1/6/23) | Kanawha Co. Commission | \$25,000.00 | Contribution for materials to help low income families in the UKV with home repairs |
| City of Dunbar (ratify PO signed 1/10/23) | Kanawha Co. Commission | \$27,000.00 | Upgrade to police equip to SIRN and replace outdated equip |

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| Kanawha County Emergency Ambulance Authority (Commissioner Wheeler is on this board) | Kanawha Co. Commission | \$34,437.10 | SWAT medics gear |
| City of Montgomery | Montgomery Police Dept. | \$9,342.57 | Reimbursement for the purchase of tasers, medical bags, SED's and rescue raft per Public Safety Grant Letter of Intent |
| Kanawha- | Kanawha | \$33,684.00 | Reimbursement for Oct & Nov |

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|---|--------------------------------|-------------|--|
| Charleston Humane Association | Charleston Humane Assoc. | | 2022 utilities \$10,265.00; and contributions \$23,419.00 |
| Galls | Sheriff's Law Enforcement Div. | \$11,357.00 | 2 each paraclete SRV laser w/ALBIIIA ballistics – complete set – male custom vest; 2 each SRV quick release system; 4 each speed plus multi-curve shooter's cut place; 2 each USI specs op delta operator elite cover; 3 each operator elite helmet; 2 each 3 M Meltor Swattac V NIB headset foldable single lead STD DYN MIC MI input NATO wiring; 2 each 3M Peltor NATO wired small PT adapter APX series; shipping and handling |
| Inderpal Saluja | Kanawha Co. Commission | \$7,524.00 | Professional services for KCSD re: civil service exams |
| Hissam Forman Donnovan Ritchie PLLC | Kanawha Co. Commission | \$7,311.35 | Legal services |
| AJ-Allegheny Systems LLC | Circuit Clerk | \$5,925.00 | 5,000 color band file folders as follows: 3500 yellow: petitioner/respondent 1,000 purple: plaintiff/defendant 500 light green: plaintiff/defendant |
| Rodney Loftis & Son | Kanawha Co. Commission | \$60,000.00 | Stream clean-up |

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| North-South WVSACA | Kanawha Co. Commission | \$5,000.00 | Contribution to North-South Football Classic |
| *Jonathan Coleman | Kanawha Co. Planning & Community Dev. | \$6,375.00 | Emergency equipment for 2022 Ford F-150 |

Order Confirming and Approving Purchase Orders in Excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department (*contingent upon approval and posting of a pending Fiscal Year 2022-2023 budget revision*):

| Vendor | Department | Amount | Comments/Description |
|--------|------------|--------|----------------------|
|--------|------------|--------|----------------------|

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| City of Nitro | Kanawha Co. Commission | \$350,000.00 | Contribution for purchase of two trash trucks |
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ORDERS

Commissioner Salango moved to approve the Orders listed on the agenda. Commissioner Wheeler seconded. Motion carried.

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 January 19th, 2023*)

The Honorable Vera J. McCormick, Clerk of County the Commission

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 January 19th, 2023*)

The Honorable Vera J. McCormick, Clerk of the County Commission

New Employee: Tyus Wood, Real Estate, Kanawha County Assessor's office, full-time employee, \$26,000.00 per year, replacing William Revercomb, effective January 23rd, 2023

New Employee: Emily Carter, Personal Property, Kanawha County Assessor's office, full-time employee, \$26,000.00 per year, replacing Cheryl Croye, effective January 23rd, 2023

New Employee: Christopher Settles, Deputy County Attorney, Kanawha County Commission, full-time exempt employee, Salary to be set and Determined by the Commission, effective February 1st, 2023

New Employee: Lisa Boner, Tax Deputy, Kanawha County Sheriff's Tax, full-time employee, \$25,000.00 per year, replacing Pamela Cooper, effective January 20th, 2023

Order appointing Jenna Green to the Capitol Market Board of Directors as Commission President's Designee

New Employee: Amber Huffman, Legal Assistant, Kanawha County Prosecuting Attorney's office, full-time employee, \$30,000.00 per year, replacing Rachel Barnette, effective January 16th, 2023

Change in Status: Rachel Barnette, Part-Time Legal Assistant, from full-time to part-time employee, Kanawha County Prosecuting Attorney's office, \$15.00 per hour, effective January 13th, 2023

Approval of the Erroneous Assessments Submitted by the Kanawha County Assessor (decrease \$21,823.74)

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

Order appointing Andy Barker to the Kanawha County Building Commission replacing Vaughn Shaffer (term to expire June 30th, 2028)

Order appointing Betty Ireland to the Kanawha County Building Commission filling a vacancy (term to expire June 30th, 2028)

Order reappointing Mara Boggs to the Central WV Regional Airport Authority (term to expire January 31st, 2026)

Order reappointing Jarl Taylor to the Kanawha Co. Deputy Sheriffs' Civil Service Commission (term to expire February 5th, 2025)

Order to Remove Authorized Signer

Order Declaring Tuesday, December 26th, 2023, and Tuesday, January 2nd, 2024, to be Full Day Holidays for employees

Order Authorizing the Sheriff of the County of Kanawha to transfer all remaining receipts received through December 31st, 2022, from the Special Revenue FUND #004 (GENERAL SCHOOL FUND) to the General Fund #001-394-0-00.00

Kim Fleck, Director of Finance

Order Authorizing the Clerk of the County Commission to issue a check from the General Fund (#001-911.00-5-68.00), in the amount of Fifty Nine Thousand Eight Hundred Thirty Two Dollars Forty

Seven Cents (\$59,832.47), to the Debt Service Fund #244, for the 2nd quarter distribution of Hotel-Motel taxes for FY 22-23
 Kim Fleck, Director of Finance

The Revision of the Levy Estimate (Budget) for the County of Kanawha - F.Y. 2022-2023 General Fund Budget Revision #8
 Kim Fleck, Director of Finance

Order approving Kanawha County Commission In Re: Dennis West and Gadsden, Gaillard, and West, LLC Findings of Fact and Conclusions of Law

*Order Ratifying the President of the Kanawha County signature on the Nitro Construction agreement for work on the Belle Community Center Unit Heater Installation

1. **Fiscal Year 2022-2023 ARPA 2021 Fund Line Item Budget Revision**

EXPENDITURES:

| | | |
|--------------------|--------------------------------------|---------|
| 207-401.00-5-68.00 | ARPA 2021 - Contributions | (2,052) |
| 207-401.02-5-68.22 | ARPA 2021 - NEI; Healthy Communities | 2,052 |

2. **Fiscal Year 2022-2023 County Managers Fund**

REVENUE:

| | | |
|------------------------|----------------------------------|---------|
| 019-000.00-366-0-00.00 | Co Manager's Fund - Misc Revenue | 834,232 |
|------------------------|----------------------------------|---------|

EXPENDITURE:

| | | |
|--------------------|-----------------------------------|---------|
| 019-401.00-5-68.00 | Co Manager's Fund - Contributions | 834,232 |
|--------------------|-----------------------------------|---------|

3. **Fiscal Year 2022-2023 General Fund Budget Revision #8**

REVENUES:

| | | |
|------------------------|-------------------------------|---------|
| 001-000.00-322-0-21.00 | Fed Grant - Homeland Security | 198,000 |
|------------------------|-------------------------------|---------|

EXPENDITURES:

| | | |
|--------------------|---|----------|
| 001-401.00-5-67.00 | Co Comm - Transfer to other Funds | (50,000) |
| 001-424.00-2-15.00 | Courthouse- M & R Building and Grounds | 25,000 |
| 001-425.00-2-15.00 | Annex - M & R Building and Grounds | 25,000 |
| 001-972.13-4-59.00 | Fed Grt - Homeland Security Capital Outlay, Equip | 198,000 |

CHECK REGISTERS: SUPPLEMENTALS/EMERGENCY:

Commissioner Salango moved to approve the Check Register listed on the agenda. Commissioner Wheeler seconded. Motion carried.

Kanawha County Emergency Ambulance in the amount of \$34,437.10 for SWAT Medics Gear

Kanawha Charleston Humane Association in the amount of \$33,684.00 for reimbursement for October and November 2022 utilities and contributions

City of Montgomery in the amount of \$9,342,57 for reimbursement for the purchase of tasers, medical bags, SED's and rescue raft per Public Safety Grant Letter of Intent

North-South WVSACA in the amount of \$5,000.00 for contribution for North-South Football Classic

Ratification of documents approved/processed on January 5th, 2023:

Commissioner Salango moved to approve the Ratification of documents approved/processed on January 5th, 2023. Commissioner Wheeler seconded. Motion carried.

Order authorizing the President of the Kanawha County Commission to sign the State of West Virginia Emergency Management Division FY 2022 Homeland Security Grant Program Award in the amount of \$198,000.00 for bomb squad robot upgrade

Emergency Check: Kanawha Valley Senior Services, Inc., in the amount of \$80,000.00 for annual contribution

Ratification of documents processed on January 6th, 2023:

Commissioner Salango moved to approve the Ratification of documents processed on January 6th, 2023. Commissioner Wheeler seconded. Motion carried.

Emergency Check: Southern Appalachian Labor School in the amount of \$25,000.00 for contribution for materials to help low income families in the UKV with home repairs

Ratification of documents processed on January 10th, 2023:

Emergency Check: City of Dunbar, in the amount of \$27,000.00 for upgrade to police equipment to SIRN & replace outdated equipment

Ratification of documents processed on January 11th, 2023:

Regular payroll

- * **AND BOLD DENOTES CHANGE TO THE AGENDA** (Example, typographical error, addition, change and/or omission from the first version of Agenda)
- **AND BOLD PRINT DENOTES EMERGENCY ITEM**

THE KANAWHA COUNTY REGULAR COMMISSION MEETING OF JANUARY 19TH, 2023, ADJOURNED AT 6:58pm UNTIL THE 2nd DAY OF FEBRUARY 2023.

THE FOREGOING MINUTES ARE APPROVED THIS 2ND DAY OF FEBRUARY 2023.



COMMISSION PRESIDENT



COMMISSIONER



COMMISSIONER



COUNTY ATTORNEY

