

KANAWHA COUNTY COMMISSION

Agenda

Tuesday, May 16, 2023

5:00 P.M. CALL TO ORDER

Pledge of Allegiance
Commissioner Lance Wheeler

Moment of Silence and Recognition

MINUTES

Approval of the Minutes of the Regular Commission Meeting on May 4, 2023

RESOLUTION/PROCLAMATION

NEW EMPLOYEES

Assessor

Rebecca Lea Gillenwater, Personal Property, Kanawha County Assessor's office, full-time employee, \$28,000.00 per year, replacing Margaret Boggs, effective June 1, 2023
The Honorable Sallie Robinson, Assessor

Adam Monroe, Personal Property, Seasonal Summer Intern, Kanawha County Assessor's office, part-time employee, \$14.00 per hour, effective June 1, 2023
The Honorable Sallie Robinson, Assessor

Brooklyn N. Gibson, Real Estate, Seasonal Summer Intern, Kanawha County Assessor's office, part-time employee, \$14.00 per hour, effective June 1, 2023
The Honorable Sallie Robinson, Assessor

Kolton Olish, Real Estate, Seasonal Summer Intern, Kanawha County Assessor's office, part-time employee, \$14.00 per hour, effective June 1, 2023

The Honorable Sallie Robinson, Assessor

Jailyn Meadows, Personal Property, Seasonal Summer Intern, Kanawha County Assessor's office, part-time employee, \$14.00 per hour, effective June 1, 2023

The Honorable Sallie Robinson, Assessor

Circuit Clerk

Brittany Whitlock, Deputy Clerk, Kanawha County Clerk's Office, full-time employee, \$26,000 per year, replacing Cathy Edens, effective May 30, 2023

The Honorable Cathy Gatson, Circuit Clerk

Commission

Dylan Perry, Maintenance Specialist, Kanawha County Commission, full-time employee, salary to be set by the Commission, replacing Tina Meadows, effective May 23, 2023

Jennifer Herrald, County Manager

Sheriff's Law Enforcement

Wyatt Johnson, Seasonal Summer Intern, Kanawha County Sheriff's Law Enforcement, part-time employee, \$12.00 per hour, effective June 5, 2023

The Honorable Mike Rutherford, Sheriff

Connor M. Dalton, Seasonal Summer Intern, Kanawha County Sheriff's Law Enforcement, part-time employee, \$12.00 per hour, effective May 22, 2023

The Honorable Mike Rutherford, Sheriff

CHANGE OF EMPLOYMENT STATUS

Rachel Barnette, Kanawha County Prosecuting Attorney's office, from part-time to summer intern, effective May 15, 2023

The Honorable Charles T. Miller, Prosecuting Attorney

AGENDA ITEMS

5:00 P.M.

**Presentation and Recognition of Bianca Holcomb (Elk Elementary Student) and Alicen Jones (Clendenin Elementary Student) who won West Virginia American Water Company's Watershed Art Contest
Commissioner Ben Salango
Bradley Harris, WVAWC**

**Check presentation regarding returning funds to the Kanawha County Sheriff's Office and South Charleston City Police for participating in Firearms Auction
Chief Crawford
The Honorable Riley Moore, WV State Treasurer**

**Discussion regarding approval of the FY 2023-2024 Special Funds budgets in the aggregate amount of \$50,020,159 pursuant to West Virginia Code §7-1-9
Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler
Kim Fleck, Director of Finance**

**Discussion regarding Security Plan for the judicial building
Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler
Chief Joe Crawford**

**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 Michael Y. Rutherford, Sheriff**

**Discussion regarding Breeze Aviation Group's direct flights from West Virginia International Yeager Airport to Orlando, Florida and Charleston, South Carolina, beginning May 31, 2023
Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler**

Discussion regarding House Bill 2526 as well as other matters affecting the county

Commission President Kent Carper
Allen Bleigh, Chief Tax Deputy

Discussion regarding funding request for the Knollwood Community Playground

Commission President Kent Carper
Teresa A. Ansell, President & Chairman of the Board

Discussion regarding intervention and objection to AEP and West Virginia American Water's request to West Virginia Public Service Commission for rate hikes

Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler
Chris Settles, Deputy County Attorney

Discussion regarding condition of the Blue Creek Road near previous slip area

Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler
C.W. Sigman, Director of Homeland Security and Emergency Management

Discussion regarding letter of support of the Pinch Volunteer Fire Department in its efforts to participate in the Federal Surplus Property Program. This will allow the Pinch VFD to have access to surplus property. They will be able to look at the inventory and to purchase from surplus property

Commission President Kent Carper

Discussion regarding Objection to Erroneous Assessment submitted by the Kanawha County Assessor due to failure to file a Commercial Business Personal Property Return – WV Home Place for Tax Year 2021 (\$11.26) and Tax Year 2022 (\$116.28)

Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler
Marc Slotnick, County Attorney

Discussion regarding Juneteenth, June 19, 2023
 Commission President Kent Carper
 Commissioner Ben Salango
 Commissioner Lance Wheeler

Discussion regarding Kanawha County Demolition Process

Demolition Numbers January 2022 – Present

(These numbers include the municipalities and the unincorporated parts of the county.)

Completed Demolitions	150
Properties Ready to Demo	72
Properties Scheduled for Asbestos testing/removal	59
Total properties remaining to go to Enforcement Board	36

Total Cost	\$ 878,181.30
Remaining budget	\$1,121,818.70

Grant Program

41 Applicants/Approvals

Amount Paid Back to County \$ 18,797.88

Commission President Kent Carper
 Commissioner Ben Salango
 Commissioner Lance Wheeler
 Marc Slotnick, County Attorney
 Chris Settles, Deputy County Attorney

Discussion regarding Kanawha County Spring 2023 Cleanup to include the following:

<i>Collection Date</i>	<i>Vehicles</i>	<i>Tires</i>	<i>Trash & Debris</i>	<i>Metal</i>	<i>E-Cycle</i>
Sissonville					
4.1.2023	735	2,063	224,400 lbs. 112.20 Tons	28,000 lbs. 14 Tons	5,917 lbs. 2.96 Tons
Cabin Creek					
4.15.2023	1,080	982	336,440 lbs. 168.22 Tons	47,080 lbs. 23.54 Tons	6,388 lbs. 3.19 Tons

So. Charleston					
4.29.2023	1,467	1,731	360,000 lbs. 180 Tons	50,500 lbs. 25.25 Tons	6,133 lbs. 3.07 Tons
Total for Spring 2023	3,282	4,776	920,840 lbs. 460.42 Tons	125,580 lbs. 62.79 Tons	18,438 lbs. 9.22 Tons

Commissioner Lance Wheeler

Discussion and update on matters related to Paint Creek Spill
 Commission President Kent Carper
 Commissioner Ben Salango
 Commissioner Lance Wheeler

Discussion and update on Leatherwood Water Project Permits
 Commission President Kent Carper
 Commissioner Ben Salango
 Commissioner Lance Wheeler

Kanawha County Commission meetings through October, 2023
 Commission President Kent Carper
 Commissioner Ben Salango
 Commissioner Lance Wheeler

DATE	TIME
Tuesday, May 16, 2023	5:00 p.m.
Thursday, June 22, 2023	5:00 p.m.
Thursday, July 6, 2023	5:00 p.m.
Thursday, July 20, 2023	5:00 p.m.
Thursday, August 17, 2023	5:00 p.m.
Thursday, September 7, 2023	5:00 p.m.
Thursday, September 21, 2023	5:00 p.m.
Thursday, October 12, 2023	5:00 p.m.
Thursday, October 26, 2023	5:00 p.m.

5:00 P.M. PUBLIC HEARING

Public Hearing to take Public Comment regarding the
 Condemnation Proceedings in the Olcott Waterline extension
 Project

6:00 P.M. PUBLIC HEARING

Public Hearing Regarding Objection to Erroneous Assessment submitted by the Kanawha County Assessor due to failure to file a Commercial Business Personal Property Return – Charleston Academy of Beauty Culture, Inc. for Tax Year 2021 (\$4,222.80) and Tax Year 2022 (\$5,142.54)

AGENDA SETTING

PUBLIC COMMENT

COUNTY MANAGER’S REPORT

DIRECTOR OF FINANCE’S REPORT

COUNTY ATTORNEY’S REPORT

STAFF REPORTS

NEW BUSINESS

FIDUCIARY

Order Confirming and Ratifying Supervisor’s Report of Claims and Settlement Reports

Order Confirming and Ratifying Supervisor’s Report of Claims and Settlement Reports

Order Declaring Re-Opened Estate Closed (Estate of David A. Bowles)

Order Declaring Re-Opened Estate Closed (Estate of Jerry Holbrook)

Order Declaring Re-Opened Estate Closed (Estate of Phyllis Hammack Larter)

Order Declaring Re-Opened Estate Closed (Estate of Frances R. Mack)

Order Declaring Re-Opened Estate Closed (Estate of Hillary S. Mullins)

Order Declaring Re-Opened Estate Closed (Estate of Elsie Enochs Atkins)

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
Microsoft Corporation (increase PO 5/16/23 to cover until June 30)	Kanawha Co. Comm Data Processing	\$50,400.00	12 Exchange Online Plan (40 users); 12 Exchange Online Plan 3 (49 users) prosecutor's office; 12 Exchange Online Plan 3 Commission, Assessors and County Clerk
Network Innovation Solutions Corp (revised PO due to price increase)	Kanawha Co. Comm Data Processing	\$5,616.00	135 Barracuda Sentinel accounts for real-time speak phishing & cyber fraud defense (Commission, Assessor, Clerk and Prosecuting Attorney)
WV Regional Jail & Correctional Facility (revised PO)	Kanawha Co. Commission	\$3,564,488.25	Jail bills for FY 2022-23. Increase PO 5/16/23 \$654,621.75 for additional jail bills for FY 2022-23
Kanawha County 4-H Foundation	Camp Virgil Tate	\$28,880.95	Roof repairs for buildings Cunningham, Price, Bonar, Garage \$81,047.00 total quote \$52,166.05. This is insurance claim reimbursement portion
Kanawha County 4-H Foundation	Kanawha Co. Commission	\$52,166.05	ARP lost revenue funds to be used for roof repairs
Recovery Point of Huntington	Kanawha Co. Commission	\$350,000.00	ARP application #100 additions and renovations to Charleston Women's facility
Regional Development Authority	Kanawha Co. Planning & Community Dev.	\$782,203.90	Crestwood Water Project balance transfer to RDA to continue project expenditures
Regional Development Authority	Kanawha Co. Planning & Community Dev.	\$500,000.00	Olcott Water Project ARP #117

Rodney Loftis & Son	Kanawha Co. Planning & Community Dev.	\$25,575.50	7 Hampshire Drive, St. Albans \$3,975.50; 155 Harmon Rd., Charleston \$4,896; 831 Kanawha State Forest Drive, Charleston \$12,555; 92 Wade Drive, Cross Lanes \$4,149
Astar Abatement Inc.	Kanawha Co. Planning & Community Dev.	\$5,778.96	Abatement services: 92 Wade Drive Cross Lanes, \$5,699.76; and 1778 Roxalana Road, Dunbar, \$79.20
Charleston Area Alliance (CADCO)	Kanawha Co. Commission	\$10,311.55	Trail town circuit rider payment though January 2023
Civil & Environmental Consultants	Kanawha Co. Commission	\$38,700.00	Engineering services through 10/8/22 for the UKV Rec Plan
JP Morgan Chase Bank, NA	Kanawha Co. Commission	\$390,891.15	Semi-annual bond debt service for the W Kent Carper Complex
Travelers	Kanawha Co. Commission	\$13,776.22	Claim deductibles
ELSAG	Sheriff's Law Enforcement Div.	\$5,000.00	Electrician, Bucket truck 7 installation service for I-64 LPR system
GOVCONNECTION Inc.	Sheriff's Tax Office	\$9,049.90	Ten MSI PRO AP242 All in One PC SWHI Part #45370122
FIS LockBox Operations	Circuit Clerk	\$60,000.00	Circuit Clerk's postage for the postage machine
Iron Mountain Inc.	Circuit Clerk	\$15,200.00	File storage services for the Circuit Clerk's office
Dark Trace Holdings Limited	Kanawha Co. Comm Data Processing	\$14,999.00	Dark Trace email Cybersecurity 185 Users
Astar Abatement Inc.	Kanawha Co. Planning & Community Dev.	\$20,829.60	Invoice #2 12469 \$19,562.40 1240 \$1,267.20
Rodney Loftis & Son	Kanawha Co. Planning & Community Dev.	\$18,938.70	Demolition services
Metro Emergency Operations Center (Commissioner Carper is on this board)	Metro Emergency Operations Center	\$18,987.31	Reimbursement for addressing project

S&S Engineers, Inc.	Kanawha Co. Commission	\$55,500.00	Coonskin & Big Bend Golf Course Flood Damage Project
Rocky Fork Enterprizes LLC	Sheriff's Law Enforcement	\$14,000.00	Vehicle maintenance contract for KCSO vehicles per county contract
WV Department of Tourism (ratify PO signed 5/9/23)	Kanawha Co. Commission	\$500,000.00	Contribution to support Breeze Aviation Group Air Services at Yeager Airport as related to the MOU dated 4/20/23
Judicial Dialog	Prosecuting Attorney	\$15,200.00	Judicial dialog subscription
Kanawha Co. Emergency Ambulance Authority (Commissioner Wheeler is on this board)	Emergency Services	\$20,000.00	EMT training. Long term project

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 2022-2023 budget revision*):

Vendor	Department	Amount	Comments/Description
ZMM Architects	Kanawha Co. Commission	\$53,171.27	Architectural services for Shawnee Welcome Center April 2023

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 May 16, 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 May 16, 2023*)

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

Order Confirming and Approving Orders entered by the Clerk of County Commission of Kanawha County, West Virginia (1)
The Honorable Vera J. McCormick, Clerk of the County Commission

Order Confirming and Approving Orders entered by the Clerk of County Commission of Kanawha County, West Virginia (2)
The Honorable Vera J. McCormick, Clerk of the County Commission

New Employee: Rebecca Lea Gillenwater, Personal Property, Kanawha County Assessor's office, full-time employee, \$28,000.00 per year, replacing Margaret Boggs, effective June 1, 2023

New Employee: Adam Monroe, Personal Property, Seasonal Summer Intern, Kanawha County Assessor's office, part-time employee, \$14.00 per hour, effective June 1, 2023

New Employee: Brooklyn N. Gibson, Real Estate, Seasonal Summer Intern, Kanawha County Assessor's office, part-time employee, \$14.00 per hour, effective June 1, 2023

New Employee: Kolton Olish, Real Estate, Seasonal Summer Intern, Kanawha County Assessor's office, part-time employee, \$14.00 per hour, effective June 1, 2023

Jailyn Meadows, Personal Property, Seasonal Summer Intern, Kanawha County Assessor's office, part-time employee, \$14.00 per hour, effective June 1, 2023

New Employee, Brittary Whitlock, Deputy Clerk, Circuit Clerk's Office, full-time employee, \$26,000 per year, replacing Cathy Edens, effective May 30, 2023

New Employee: Dylan Perry, Maintenance, Kanawha County Commission, full-time employee, salary to be set by the Commission, replacing Tina Meadows, effective May 17, 2023

New Employee: Wyatt Johnson, Seasonal Summer Intern, Kanawha County Sheriff's Law Enforcement, part-time employee, \$12.00 per hour, effective June 5, 2023

The Honorable Mike Rutherford, Sheriff

New Employee: Connor M. Dalton, Seasonal Summer Intern, Kanawha County Sheriff's Law Enforcement, part-time employee, \$12.00 per hour, effective May 22, 2023

Change in Status: Rachel Barnette, Kanawha County Prosecuting Attorney's office, from part-time to summer intern, effective May 15, 2023

**Demolition Order: In the matter of the property owned by Deborah L. Staples, Don Juan Staples, Jr. (also known as Don Juan Staples, II), Devin Staples and Anika Staples, heirs at law of Don Juan Staples, Sr. (Tax Map 3 Parcel 128, Handley District)
Marc Slotnick, County Attorney**

Demolition Order: In the matter of the property owned by EJIS, LLC (Tax Map 6C Parcel 76, Jefferson District)

Demolition Order: In the matter of the property owned by NAJ LLC (Thomas F. Johns and Robert L. Johns, members) (Tax Map 30 Parcel 54, Poca District)

Demolition Order: In the matter of the property owned by Robert L Wells (Tax Map 8 Parcel 16, Marmet District)

Demolition Order: In the matter of the property owned by C.A. Johnson (Tax Ticket: Lewis D & Edna Massey) (Tax Map 2 Parcel 26, Handley District)

Demolition Order: In the matter of the property owned by LAJER LLC (Tax Map 9A Parcel 113, Jefferson District)

Demolition Order: In the matter of the property owned by Joseph P Molin III and Victoria N Haught (Tax Map 6 Parcel 68, Jefferson District)

Demolition Order: In the matter of the property owned by Robin D Midgett (Tax Map 4 Parcel 17, Handley District)

Demolition Order: In the matter of the property owned by the known and unknown Heirs and Devisees of Lilly Pearl Martin (Methia Weens, Roy Martin, and Stanley Martin), Elizabeth Tyler (Tina Moss and Mary Dean, heirs of Othella Tyler, unknown heirs and devisees of Evelyn Tyler, and Pamela Tyler), Frances Lucas (Yvonne Lucas, unknown heirs and devisees of Alvin Lucas, II and unknown heirs and devisees of William Lucas) and Helen Wilson Grooms (Joyce Miller, Kathy Miller, Lawrence Miller and Roderick Miller, Jr, being the heirs or devisees of Dorothy Grooms Miller and Roderick W. Miller, Sr., deceased) (Tax Map 5 Parcel 47.3, East Bank District)

**Approval of the Erroneous Assessments Submitted by the Kanawha County Assessor (decrease \$18,489.60)
Marc Slotnick, County Attorney**

Order authorizing the President of the Kanawha County Commission to Execute a State of West Virginia Department of Environmental Protection Litter Control Grant Program Application for FY 2024

Order authorizing the President of the Kanawha County Commission to sign the Resolution for the West Virginia Department of Environmental Protection Litter Control Grant Program of 2024

Order ratifying the signature of the President of the Kanawha County Commission on the City of Charleston Fire Department Training Exercise Indemnification and Hold Harmless Agreement

Authorization for the President of the County Commission to sign a contract of lease between the Kanawha County Commission and Paul Kees

Order appointing Jarl Taylor to the Kanawha County Emergency Ambulance Authority (KCEAA) Health and Wellness Board (term to expire May 2, 2025)

**Authorization for the President of the Kanawha County Commission to Sign an Equipment Lease Agreement between the Kanawha County Commission & Superior Office Service, Inc.
Jerie Whitehead, Purchasing Director**

Order appointing Rory Isaac to the Kanawha County Emergency Ambulance Authority (KCEAA) Health and Wellness Board (term to expire May 2, 2025)

Order authorizing the President of the Kanawha County Commission to execute Agreement between the Division of Culture and History for and on behalf of Records Management and Preservation Board and the Kanawha County Commission (*Kanawha County Assessor's Office*)

The Revision of the Levy Estimate (Budget) for the County of Kanawha – F.Y. 2022-2023 General Fund Budget Revision #13
Kim Fleck, Director of Finance

1. Fiscal Year 2022-2023 General Fund Budget Revision #13

REVENUES:

001-000.00-366-0-01.00	Misc Revenue - Insurance Claims	28,881
001-000.00-388-0-00.00	Transfers from other funds	112,220

EXPENDITURES:

001-401.00-2-23.00	Commission - Professional Services	112,220
001-987.00-4-59.00	Courthouse Capital Outlay	28,881

CHECK REGISTERS: SUPPLEMENTALS/EMERGENCY:

WV Regional Jail & Correctional Facility in the amount of \$295,724.25 for FY2022-23 jail bill

Kanawha County 4-H Foundation in the amount of \$28,880.95 for insurance claim reimbursement portion

Kanawha County 4-H Foundation in the amount of \$52,166.05 for ARP lost revenue funds to be used for roof repairs

Recovery Point of Huntington in the amount of \$350,000.00 for ARP application #100 additions and renovations to Charleston Women's facility

Regional Development Authority in the amount of \$782,203.90 for Crestwood Water Project balance transfer to RDA to continue project expenditures

Regional Development Authority in the amount of \$500,000.00 for Olcott Water Project ARP #117

Charleston Area Alliance (CADCO) in the amount of \$10,311.55 for trail town circuit rider payment through January 2023

Civil & Environmental Consultants in the amount of \$38,700.00 for engineering services through 10/8/22 for the UKV Rec Plan

Travelers in the amount of \$13,776.22 for claim deductibles

FIS Lockbox Operations in the amount of \$60,000.00 for postage for the Circuit Clerk's postage machine

Metro Emergency Operation Center in the amount of \$18,987.31 for reimbursement for addressing project

S&S Engineers in the amount of \$55,500.00 for Coonskin & Big Bend Golf Course flood damage project

WV Department of Tourism in the amount of \$500,000.00 for Contribution to support Breeze Aviation Group Air Services at Yeager Airport as related to the MOU dated 4/20/23

Ratification of documents processed on May 1, 2023:

Regular payroll

Ratification of documents approved at the May 4, 2023, meeting:

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