

# **KANAWHA COUNTY COMMISSION**

## ***Agenda***

### **Thursday, June 22, 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 16, 2023

**RESOLUTION/PROCLAMATION**

**NEW EMPLOYEES**

**Sheriff**

Dakota Ryan Dennison, Kanawha County Deputy Sheriff, Kanawha County Sheriff's Law Enforcement, full-time employee, \$52,728.00 per year, replacing Leslie Grace, effective June 23, 2023  
The Honorable Mike Rutherford, Sheriff

Hannah Katherine Burdette, Kanawha County Deputy Sheriff, Kanawha County Sheriff's Law Enforcement, full-time employee, \$52,728.00 per year, replacing Ryan Montagu, effective June 23, 2023  
The Honorable Mike Rutherford, Sheriff

Daniel J. Waller, Home Confinement Officer, Kanawha County Sheriff's Home Confinement, full-time employee, \$42,972.80 per year, replacing James Coyner, effective June 26, 2023  
The Honorable Mike Rutherford, Sheriff

Zachary D. Redman, Front Door Court Security, Kanawha County Sheriff's Law Enforcement, full-time employee, \$32,011.20 per year, replacing Philip Fowler, effective July 1, 2023  
The Honorable Mike Rutherford, Sheriff

Madison M. Johnson, Seasonal Summer Intern, Kanawha County Sheriff's Tax Office, part-time employee, \$12.00 per hour, effective June 23, 2023  
The Honorable Mike Rutherford, Sheriff

### **CHANGE OF EMPLOYMENT STATUS**

#### **Commission**

Jordan Goble, Emergency Management Specialist, Emergency Management Department, Kanawha County Commission, from part-time to full-time employee, non-exempt, Salary to be set and determine by the Commission, effective July 1, 2023  
Jennifer Herrald, County Manager

### **AGENDA ITEMS**

**5:00 P.M.**

Discussion regarding funding request from Dupont Middle School Band in the amount of \$10,000.00 for new band uniforms  
Ben Salango, Commission President Pro Tempore

Discussion regarding funding request from DuPont Middle School Boosters in the amount of \$10,000.00 for three ice machines for the concession  
Ben Salango, Commission President Pro Tempore

Discussion regarding all matters pertaining to the Capital Sports Center including adoption of Capital Sports Center Development Association Articles of Incorporation and all other documents related to, including but not limited to the selection of two members to serve on the five-member Development Association, retain litigation counsel regarding potential legal matters, potential property acquisition, and transferring \$5 million into a special Capitol Sports Center fund

Ben Salango, Commission President Pro Tempore  
 Jennifer Herrald, County Manager  
 Chris Settles, Deputy County Attorney  
 Nick Casey, Esquire

Discussion regarding receipt of letter from Attorney General Patrick Morrisey regarding the West Virginia First Foundation and deadline for local governments to select Regional Directors for the Foundation, to include but not be limited to, Kanawha County being the most populous County in Region 5, therefore, being required to conduct a public meeting of all local bodies within the region (counties and municipalities) to accept nominations for the Regional Director appointee and to further designate the Kanawha County Commissions voting Delegate at the Regional Meeting

Ben Salango, Commission President Pro Tempore  
 Commissioner Lance Wheeler

Discussion regarding request for increase of \$30,479.56 to the \$133,111 previously awarded ARP Funds to Pinch Volunteer Fire Department for culvert replacement project

Ben Salango, Commission President Pro Tempore  
 Commissioner Lance Wheeler

Kanawha County Commission meetings through October, 2023

Ben Salango, Commission President Pro Tempore  
 Commissioner Lance Wheeler

DATE	TIME
Thursday, July 6, 2023	5:00 p.m.
Thursday, July 27, 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.

**6:00 P.M. PUBLIC HEARINGS**

Public Hearing 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)

6:00 P.M. Public Hearing per the request of Joyce E. Gribsby regarding property at 1693 Casdorff Rd, Charleston, WV Tax District: Union, Tax Map: 30, Parcel 110 demolition and removal of abandoned and/or unsafe structure, any and/or trash and debris complaint

**AGENDA SETTING**

**PUBLIC COMMENT**

**COUNTY MANAGER’S REPORT**

**DIRECTOR OF FINANCE’S REPORT**

**COUNTY ATTORNEY’S REPORT**

**STAFF REPORTS**

**NEW BUSINESS**

**FIDUCIARY**

Final Order (Estate and Will of Ronald Given Bryant)

Objections and Exceptions

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 Patrick H. Bennett)

Order Declaring Re-Opened Estate Closed (Estate of Anna Lee Johnson)

Order Declaring Re-Opened Estate Closed (Estate of Ruth Anne Schoolcraft)

Order Re-Referring to a Fiduciary Commissioner (Estate of Nancy L. Sergent-Long)

Recommendation & Order

**PURCHASE ORDERS**

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

<b>Vendor</b>	<b>Department</b>	<b>Amount</b>	<b>Comments/Description</b>
Tyler Technologies, Inc.	Sheriff's Law Enforcement Div.	\$34,000.00	New World Software annual maintenance agreement for New World System partial pre-payment for 2023-2024
ZDS Design/Consulting Services	Kanawha Co. Commission	\$20,018.20	Engineering services for Judicial Building AHU replacement
Kanawha County 4-H Foundation	WVU Kanawha Co. Extension Office	\$6,000.00	Camp Tate for summer youth programming
ZMM Architects & Engineers, Inc.	Kanawha Co. Commission	\$9,500.00	Architectural/Engineering services for Mary Ingles Trail 2022080-2
Kanawha County Sheriff's Department	Parents Auxiliary, Inc.	\$12,695.23	Operation GPA – Prom
ZMM Architects & Engineers, Inc.	Kanawha Co. Commission	\$31,343.06	Architectural services for Shawnee Welcome Center May 2023
WV State Bar	Prosecuting Attorney	\$5,750.00	Bar dues
Thrasher Group, Inc.	Kanawha Co. Commission	\$36,102.50	St. Albans Jr. High, Montgomery pool, Dupont Avenue, Redevelopment Plans
Federal Signal Corporation	Emergency Services	\$21,575.56	Siren placement for Tornado, Loudendale & Pinch
Travelers	Kanawha Co. Commission	\$8,573.70	Claim deductibles

Electronic Specialty	Handley Police Dept.	\$14,045.00	Supply and install camera system for the Handley Police Department per Public Safety Grant Letter of Intent
Rodney Loftis & Son	Shawnee Sports Complex	\$6,500.00	Gravel for Shawnee Sports Complex
Galls, LLC	Sheriff's Law Enforcement Div.	\$5,000.00	Body armor and miscellaneous accessories for KCSO Law Enforcement
Home Depot Credit Services	Emergency Services	\$7,669.76	256 battery operated carbon monoxide alarms \$3,834.88; 256 battery operated smoke alarms \$3,834.88 per public safety grant letter of intent
Rodney Loftis & Son	Kanawha Co. Planning & Community Dev.	\$20,857.50	218 Elm St.; Bear Fork Rd.; and 1161 Grapevine Rd.
Rodney Loftis & Son	Kanawha Co. Planning & Community Dev.	\$19,150.50	Demolition of 112 Harmon Rd., 223 Grosscup Ave., and 38 Radio Way
Mid-State Ford	Chesapeake Police Dept.	\$44,796.64	One (1) 2023 Ford Explorer on the Dealer's Lot. New orders will take 10 to 12 months to receive
WM Corporate Services Inc	Kanawha Co. Planning & Community Dev.	\$5,256.91	Participation in 2023 Spring Cleanups
Harris Enterprise	Kanawha Co. Comm Data Processing	\$8,500.00	Stage new historical gems data/training to import/export 18 years of data from gems. Long term project
All-American Fire Equipment Inc.	South Charleston Fire Dept.	\$6,750.00	1) One FLIR K55 320x240 thermal camera kit \$6,000 and 2) One camera KXX truck charger \$750 per Public Safety Grant letter of intent
Text My Gov	Kanawha Co. Commission	\$9,000.00	Software and support
US Bank	Shawnee Sports Complex	\$11,706.00	Pile Hardware – tractor for Shawnee

**AGENDA**  
**Meeting of June 22, 2023**  
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## **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 June 22, 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 June 22, 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

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

Approval of the Erroneous Assessments Submitted by the Kanawha County Assessor (decrease \$16,288.88)

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

Demolition Order: In the matter of the property owned by CV Properties, Inc. (Tax Map 4 Parcel 20, Belle District)

Demolition Order: In the matter of the property owned by MATO Investments, LLC (Tax Map 5 Parcel 132, Belle District)

Demolition Order: In the matter of the property owned by NAJ LLC (Thomas F. Johns and Robert L. Johns, members), secured by Thomas F. Johns and Marilyn D. Johns, and Robert L. Johns and Patricia Johns – 23-0013 (Tax Map 14A Parcel 191, Washington District)

**Demolition Order: In the matter of the property owned by NAJ LLC (Thomas F. Johns and Robert L. Johns, members) – 23-0015 (Tax Map 14A Parcel 38 & 37, Washington District)**

**Demolition Order: In the matter of the property owned by CV Properties, Inc. (Tax Map 24 Parcel 15, Elk District)**

**Demolition Order: In the matter of the property owned by YATTI, LLC – 23-0009 (Tax Map 4 Parcel 240, Belle District)**

**Demolition Order: In the matter of the property owned by NAJ LLC (Thomas F. Johns and Robert L. Johns, members) – 23-0020 (Tax Map 17K Parcel 33, Malden District)**

**Demolition Order: In the matter of the property owned by Volusia Ventures, LLC (Tax Map 19C Parcel 60, Malden District)**

**Demolition Order: In the matter of the property owned by Joseph Andrew Pullins (Tax Map 6 Parcel 190, Clendenin District)**

**Demolition Order: In the matter of the property owned by Dustin Scott Smith and Kara Sue Smith (Tax Map 10 Parcel 12.5, Washington District)**

**Demolition Order: In the matter of the property owned by George Ingram III and Ernestina Ingram (Tax Map 14A Parcel 44, Washington District)**

**Demolition Order: In the matter of the property owned by Joe Roberts and Alicia Roberts (Tax Map 14A Parcel 10.1, Washington District)**

**Demolition Order: In the matter of the property owned by Scott O. Smith (Tax Map 10 Parcel 12.4, Washington District)**

**Demolition Order: In the matter of the property owned by Contessa Leann Nye (Tax Map 4 Parcel 112, Nitro District)**

**Demolition Order: In the matter of the property owned by Linda L. Welcome (Tax Map 20 Parcel 159, St Albans District)**



**Order authorizing the Commission President Pro Tempore of the Kanawha County Commission to sign the AIA Document G704-2017 Certificate of Substantial Completion (Shawnee Sports Ct. Rehabilitation-Pickleball Ct.)**

**Order regarding Objection to the Objection to the Approval of the Erroneous Assessment Submitted by the Kanawha County Assessor Marc Slotnick, County Attorney**

**New Employee: Jessie Crawford, Shawnee part-time employee, Shawnee Sports Complex, part-time employee, \$12.00 per hour, effective June 23, 2023**

**New Employee: Bailey Gilbert, Shawnee part-time employee, Shawnee Sports Complex, part-time employee, \$12.00 per hour, effective June 23, 2023**

**New Employee: William Chambers, Shawnee part-time employee, Shawnee Sports Complex, part-time employee, \$12.00 per hour, effective June 23, 2023**

**New Employee: Carter Jones, Shawnee part-time employee, Shawnee Sports Complex, part-time employee, \$12.00 per hour, effective June 23, 2023**

**New Employee: Dakota Ryan Dennison, Kanawha County Deputy Sheriff, Kanawha County Sheriff's Law Enforcement, full-time employee, \$52,728.00 per year, replacing Leslie Grace, effective June 23, 2023**

**New Employee: Hannah Katherine Burdette, Kanawha County Deputy Sheriff, Kanawha County Sheriff's Law Enforcement, full-time employee, \$52,728.00 per year, replacing Ryan Montagu, effective June 23, 2023**

**New Employee: Daniel J. Waller, Home Confinement Officer, Kanawha County Sheriff's Home Confinement, full-time employee, \$42,972.80 per year, replacing James Coyner, effective June 26, 2023**

**New Employee: Zachary D. Redman, Front Door Court Security, Kanawha County Sheriff's Law Enforcement, full-time employee, \$32,011.20 per year, replacing Philip Fowler, effective July 1, 2023**

**New Employee: Madison M. Johnson, Seasonal Summer Intern, Kanawha County Sheriff's Tax Office, part-time employee, \$12.00 per hour, effective June 23, 2023**

**Change in Status: Jordan Goble, Emergency Management Specialist, Emergency Management Department, Kanawha County Commission, from part-time to full-time employee, non-exempt, Salary to be set and determine by the Commission, effective July 1, 2023**

**Change in Status: Gary Mike Moles**

**Change in Status: Raymond Rucker**

**Change in Status: David Workman**

**Order authorizing the Commission President Pro Tempore of the Kanawha County Commission to execute a Lease Renewal for the Cross Lanes Detachment between Tyler Plaza, Inc., and the Kanawha County Commission (line item 001-700.00-2-19.00)**

**Order authorizing the Commission President Pro Tempore of the Kanawha County Commission to execute a Lease Agreement for the Quincy Detachment between the Quincy Center and the Kanawha County Commission (line item 001-700.00-2-19.00)**

**Order authorizing the Commission President Pro Tempore of the Kanawha County Commission to execute a Lease Renewal for the Kanawha County Deputy Sheriff's Sissonville Detachment between the Allen L. Haynes and the Kanawha County Commission (line item 001-700.00-2-19.00)**

**Order authorizing the Commission President Pro Tempore of the Kanawha County Commission to execute a Lease Renewal for the Kanawha County Deputy Sheriff's St. Albans Detachment between Andrew C. Wooten and the Kanawha County Commission (Line Item: #001-700.00-2-19.00)**

**Order authorizing the Commission President Pro Tempore of the Kanawha County Commission to execute a Lease Renewal for the Elk Detachment between the Elk River Community Council, Inc., and the Kanawha County Commission (line item 001-700.00-2-19.00)**

Order Authorizing the Commission President Pro Tempore of the County Commission to sign Letter of Credit Payment Request-Federal Emergency Management Agency Hazard Grant Program 4273-WV-0101. Request payment to pay invoice for accounts 009-442.60-500-2-30.00 (FEMA NOI Contr. Services), in the amount of \$14,965.60

Order Authorizing the Commission President Pro Tempore of the County Commission to sign Letter of Credit Payment Request-Federal Emergency Management Agency Hazard Grant Program 4517-WV-0008. Request payment to pay invoice for accounts 009-442.60-500-2-30.00 (FEMA NOI Contr. Services), in the amount of \$10,937.82

Order Authorizing the Commission President Pro Tempore of the County Commission to sign Letter of Credit Payment Request – Federal Emergency Management Agency Hazard Grant Program 4331-WV-0016. Request payment to pay invoice for accounts 009-442.60-500-2-30.00 (FEMA NOI Contr. Services), in the amount of \$2,350.00

Order authorizing the Commission President Pro Tempore to sign the sam.gov registration processing document

Order reappointing Joyce Ash to the Kanawha Public Service District (term to expire 6/30/29)

Order reappointing Dr. John Fuller to the West Dunbar Public Service District (term to expire 7/1/29)

Order authorizing the Commission President Pro Tempore of the Kanawha County Commission to execute the Government Recovery Services, LLC Contract and Fee Structure to continue delinquent collection efforts

Order authorizing the County Commission to execute a Grant Agreement for the FY2024 WV Community Corrections Grant Program for \$155,000. (Day Report) #24-CC-08  
Pam Carte, Grant Coordinator

**Order authorizing the County Commission to submit a Grant Application for the 2024 Victims of Crime Act (VOCA) Victim Assistance Grant Program  
Pam Carte, Grant Coordinator**

**Order appointing Justin Teel to the Kanawha County Emergency Ambulance Authority filling the unexpired term of Dr. Sherri Young (term to expire 6/30/25)**

**Authorization for Commissioner to Sign an Addendum to Subscriber Monitoring Agreement between the Kanawha County Commission and Newtech Systems, Inc.  
Jerie Whitehead, Purchasing Director**

**Authorization for the President Pro Tempore of the County Commission to Sign a Contract of Lease Between the Kanawha County Commission and Laura and Dennis Rose**

**Authorization for the President Pro Tempore of the County Commission to Sign a Contract of Lease Between the Kanawha County Commission and Gerardo Deleonardis**

**Authorization for the President Pro Tempore of the County Commission to Sign a Contract of Lease Between the Kanawha County Commission and Tim Clifton**

**Authorization for the President Pro Tempore of the Kanawha County Commission to execute the HAVA Sub-Grant Agreement for the Election Security Grant**

**Adoption of the 2023 Kanawha County Floodplain Ordinance, effective August 1, 2023**

**Order authorizing the creation of a joint development entity pursuant to W.Va. Code §7-12-9b with the City of Charleston, West Virginia; authorizing the President Pro-Tempore to negotiate, execute and deliver any documents necessary to incorporate such joint entity; appointing two Initial Directors by County Commission of Kanawha County, and appointing a Joint Initial Director agreed to jointly by County Commission of Kanawha County and City of Charleston**

Order appointing the Mayors to the Regional Development Authority of Charleston-Kanawha County (term of office)

Order authorizing the President Pro-Tempore of the Kanawha County Commission sign the “Exhibit D - West Virginia Local Government Election and Release Form – Mylan Pharmaceuticals, Inc.” and the “West Virginia Local Government Election and Release Form – Amneal Pharmaceutical, LLC” (Opioid)

Order authorizing the Commission President Pro Tempore of the Kanawha County Commission to execute a contract with Windcave for the automated parking garage system

Order Authorizing the Clerk of the County Commission to issue a check from the General Fund, #001-401.00-5-67.00, in the amount of Seven Hundred Eighty-Nine Thousand Five Hundred Dollars (\$789,500) to the Special Health Fund #372, budgeted transfer for Commission responsible health care costs (administration, clinic, wellness, HSA, etc.) for fiscal year 2023-2024

Kim Fleck, Director of Finance

**CHECK REGISTERS: SUPPLEMENTALS/EMERGENCY:**

ZMM Architects, & Engineers Inc., in the amount of \$9,500.00 for Architectural/Engineering services for Mary Ingles Trail

Kanawha County Sheriff’s Department, in the amount of \$12,695.23 for operation GPA-Prom

ZMM Architects & Engineers Inc., in the amount of \$31,343.06 for Architectural Services for Shawnee Welcome Center May 2023

West Virginia State Bar, in the amount of \$5,750.00 for bar dues

Electronic Specialty, in the amount of \$14,045.00 for supply and install camera system for the Handley Police Department per Public Safety Grant Letter of Intent

Text My Gov, in the amount of \$9,000.00 for software and support

**Ratification of documents processed on May 16, 2023:**

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 July 1, 2023 through September 29, 2023

Order authorizing the President of the Kanawha County Commission to sign the AIA Document G704-2017 Certificate of Substantial Completion (HVAC upgrades to the Judicial Building)

Emergency Check: Friends of Spring Hill Cemetery Inc, in the amount of \$2,012.00 for LEDA grant for maintenance and upkeep

**Ratification of documents processed on May 18, 2023:**

Emergency check: P-card payments totaling \$23,675.99

New Employee: Laura Ann Staten, Custodial, Kanawha County Commission, full-time employee, \$25,000 per year, replacing Sandra Shaffer, effective May 22, 2023

**Ratification of documents processed on May 24, 2023:**

New Employee: Gabriel Rudge, Seasonal Employee/Intern, Kanawha County Commission, part-time employee, \$12.00 per hour, effective May 30, 2023

**Ratification of documents processed on May 26, 2023:**

New Employee: Jessica Breedlove-McKinney, Legal Assistant, Kanawha County Prosecuting Attorney's office, full-time employee, \$29,000.00 per year, replacing Linda Auxier, effective June 1, 2023

Emergency Check: Bob Burdette Center in the amount of \$4,500.00 for sponsorship for 2023 Charley West BBQ Fest

Regular Payroll

**Ratification of documents processed on May 31, 2023:**

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds

F.Y. 2022-2023 ARPA 2021 Fund Line Item Budget Revision

**Ratification of documents processed on June 1, 2023:**

New Employee: Sarah E. Harding, Seasonal Summer Intern, Kanawha County Sheriff's Home Confinement, part-time employee, \$12.00 per hour, effective June 12, 2023

New Employee: Joseph A. Beach, Family Court Bailiff, Kanawha County Sheriff's Law Enforcement, full-time employee, \$36,004.80 per year, replacing Michael Finney, effective June 12, 2023

**Ratification of documents processed on June 2, 2023:**

Change of Employment Status: Roy Price, Residential Division, Kanawha County Assessor's office, from full-time to part-time employee, \$40.00 per hour, effective June 5, 2023

**Ratification of documents processed on June 3, 2023:**

Resolution Declaring June as "Summer Camping Month"

**Ratification of documents processed on June 5, 2023:**

Emergency check to JP Morgan Chase Bank in the amount of \$390,708.16 for semi-annual bond debt service for the W Kent Carper Complex

Order authorizing Ben Salango, President Pro Temp of the Kanawha County Commission to sign the Memorandum of Understanding between the Shawnee Sports Complex and YMCA of Kanawha Valley

**Ratification of documents processed on June 7, 2023:**

Emergency check: Elk Elementary Center in the amount of \$210.00 for contribution for archery team

**Ratification of documents processed on June 13, 2023:**

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission

Regular payroll

**Ratification of documents processed on June 14, 2023:**

Sheriff's office outside overtime payroll

Emergency Check: Camel Technologies, LLC in the amount of \$91,520.50 for security upgrades

**Ratification of documents processed on June 15, 2023:**

New Employee: Jorden Hartwell, Seasonal Employee/Intern, Kanawha County Commission, part-time employee, \$12.00 per hour, effective June 21, 2023