

# **KANAWHA COUNTY COMMISSION**

## ***Amended Agenda***

### **Thursday, September 21, 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  
September 7, 2023

**RESOLUTION/PROCLAMATION**

Proclamation Supporting Fire Prevention Month

**NEW EMPLOYEES**

**CHANGE OF EMPLOYMENT STATUS**

Richard Maddox from part-time to full-time Code Enforcement  
Officer, Kanawha County Commission, Planning & Community  
Development Office, salary to be determined and set by the  
Commission, filling an open position, effective September 25, 2023  
Jennifer Herrald, County Manager

## **AGENDA ITEMS**

**5:00 P.M.**

Discussion regarding September 14, 2023, letter from The Honorable Jim Justice, Governor of the State of West Virginia regarding All County Fire Protection Funding in the amount of \$296,619.00 by action of Interim Session of the West Virginia Legislature for fire departments to use for exclusive benefit of fire protection or emergency services in Kanawha County

Commission President Kent Carper  
Commissioner Ben Salango  
Commissioner Lance Wheeler

Discussion regarding the selection of an Architectural and Engineering Firm for renovations to the Judicial Building to add space for three additional Magistrates and potential renovations to the Visiting Judges Courtroom for the additional Judicial Circuit Judge to include discussion regarding the procedure to negotiate fee for services

Commission President Kent Carper  
Commissioner Ben Salango  
Commissioner Lance Wheeler  
Jennifer Herrald, County Manager  
Jerie Whitehead, Purchasing Director

Introduction of new Regional Intergovernmental Executive Director, Tyler Ferrel

Commissioner Ben Salango  
Commission President Kent Carper  
Commissioner Lance Wheeler

- Discussion regarding Winifrede Fire Substation and damage due to the August 28, 2023, flooding, cost of demolishing the structure, and the ARP application for the main station

Commission President Kent Carper  
Commissioner Ben Salango  
Commissioner Lance Wheeler

**Discussion and update on matters related to Paint Creek Litigation regarding the August 24, 2022 Spill**

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

**Discussion regarding funding request from Southern Appalachian School in the amount of \$30,000.00**

**Commissioner Ben Salango  
Commission President Kent Carper  
Commissioner Lance Wheeler  
John P. David, Ph.D., Director**

**Discussion regarding funding request in the amount of \$5,000.00 from Goodwill Industries of Kanawha Valley for sponsorship for A Night in Monte Carlo**

**Commission President Kent Carper  
Commissioner Ben Salango  
Commissioner Lance Wheeler  
Alex Mahaffey, MBA, Director of Fund Development**

**Discussion regarding precinct changes and consolidation, and setting a date for hearing and entry of order**

**Commission President Kent Carper  
Commissioner Ben Salango  
Commissioner Lance Wheeler  
The Honorable Vera McCormick, Clerk of the County Commission  
Marc Slotnick, County Attorney**

**Discussion and update regarding Olcott Water Project**

**Commissioner Ben Salango  
Commission President Kent Carper  
Commissioner Lance Wheeler  
Mark A. Sankoff, P.E., Chief Engineer, Potesta**

**Discussion and update from Region II Workforce Development Board of Kanawha County**

**Commission President Kent Carper  
Andy Richardson, Interim Executive Director**

Discussion regarding the progress of WV Land Trust in the Mammoth preserve area of the Upper Kanawha Valley for both hiking and equine trail projects

Commission President Kent Carper  
 Commissioner Ben Salango  
 Commissioner Lance Wheeler  
 Samantha Morse, Grant Writer/Program Manager  
 Rick Landenberger, Ph.D., West Virginia Land Trust

Discussion and report of ARP Activity

**Proposed Use of American Rescue Plan Funds**

Name	Request
KC-123 WV Health Right, Inc.	\$250,000 Purchase of Medical Equipment and Furnishings for the East End Clinic Expansion Project

Commission President Kent Carper  
 Commissioner Ben Salango  
 Commissioner Lance Wheeler  
 Dr. Angie Settle, WV Health Right, Inc.

Kanawha County Commission meetings through December, 2023

Commission President Kent Carper  
 Commissioner Ben Salango  
 Commissioner Lance Wheeler

DATE	TIME
Thursday, October 5, 2023	5:00 p.m.
Thursday, October 26, 2023	5:00 p.m.
Thursday, November 9, 2023	5:00 p.m.
Thursday, November 30, 2023	5:00 p.m.
Thursday, December 14, 2023	5:00 p.m.

**PUBLIC HEARING**

**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 Kenneth Ward Armstead, Sr.)

Order Declaring Re-Opened Estate Closed (Estate of Ada Hall German)

Order Declaring Re-Opened Estate Closed (Estate of Camden E. Grant)

Order Declaring Re-Opened Estate Closed (Estate of Phyllis Jean McClanahan)

Order Referring to a Fiduciary Commissioner (Estate of Sandra Jean Green)

Order Referring to a Fiduciary Commissioner (Estate of Joye Inez Retcliff)

**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>
YMCA of Kanawha Valley	Shawnee Sports Complex	\$10,063.68	Pool operating expenses/staff & misc

Software Computer Group	Prosecuting Attorney	\$9,252.00	Ten (10) subscriptions to WV Circuit Express for 12 months @ \$771 each
Metro Emergency Operations Center of Kanawha County (Commissioner Carper is on this board)	Kanawha Co. Commission	\$100,000.00	Annual allowance for radio tower maintenance
Camel Technologies	W. Kent Carper Justice & Public Safety Complex	\$8,132.00	Provie and install "A" building ramp exit door with access control and intercom per Sheriff's Department Request
Safeware Inc.	Sheriff's Law Enforcement Div.	\$6,375.00	Five (5) USI Kent IIIA specialist shields
WV State Auditor's office	Kanawha Co. Commission	\$26,360.00	2021 audit – Magistrate Court
Kanawha-Charleston Humane Association	Kanawha Charleston Humane Assoc.	\$25,035.00	Reimbursement for April, May and June: utilities \$10,000.00 and contributions \$15,035.00
Travelers	Kanawha Co. Commission	\$15,290.03	Claim deductibles

### **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 September 21, 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 September 21, 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 \$43,815.44)  
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**

**Publication of Notice of Order – Polling Location Changes**

**Change in Status: Richard Maddox from part-time to full-time Code Enforcement officer, Kanawha County Commission, Planning & Community Development Office, salary to be determined and set by the Commission, filling an open position, effective September 25, 2023**

**Order appointing Janet Drumheller to the Region III Workforce Development Board of Kanawha County Replacing Andy Richardson**

**Order Authorizing the President of the Kanawha County Commission to sign the Region 3 Career Pathways Program Occupational Exploration Contract between Human Resource Development Foundation Inc., and Shawnee Sports Complex**

**Change of Status for Rod Johnson**

**Change of Status for Tom Blasingim**

**Order Rescinding the January 6, 2022 (2022-015) “Order adopting updated COVID-19 Policy for Vaccinated Leave Policy which includes need for Booster Vaccine”**

**Order Authorizing the President 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 \$2,641.25**

Order ratifying the Kanawha County Commission President's signature on the Memorandum of Understanding for the August 26-28,2023, Flood Events in Eastern Kanawha County between the Kanawha County Commission and Rodney Loftis & Son

Order authorizing the President of the County Commission to Execute a Commission on Drunk Driving Grant for the Sheriff's Office

Samantha Morse, Grant Writer/Program Manager

Order Authorizing the Clerk of the County Commission to issue a check from the Worthless Check Fund (006-415.00-5-68.00) in the amount of One Thousand Four Hundred Ninety Six Dollars (\$1,496), the eligible June 30, 2023 balance, to the General Fund, pursuant to West Virginia Code §61-3-39h

Kim Fleck, Director of Finance

**1. Fiscal Year 2023-2024 Public Safety Grant Fund Line Item Budget Revision**

**EXPENDITURES:**

029-711.00-5-68.00	Public Safety- Contributions other entity	(805,000)
029-711.00-5-68.01	Public Safety - Alum Creek VFD	10,000
029-711.00-5-68.02	Public Safety - Belle VFD	10,000
029-711.00-5-68.03	Public Safety - Cabin Creek VFD	10,000
029-711.00-5-68.04	Public Safety - Cedar Grove VFD	10,000
029-711.00-5-68.05	Public Safety - Charleston FD	10,000
029-711.00-5-68.06	Public Safety - Chesapeake VFD	10,000
029-711.00-5-68.07	Public Safety - Clendenin VFD	10,000
029-711.00-5-68.08	Public Safety - Davis Creek VFD	10,000
029-711.00-5-68.09	Public Safety - Dunbar FD	10,000
029-711.00-5-68.10	Public Safety - East Bank VFD	10,000
029-711.00-5-68.11	Public Safety - Frame VFD	10,000
029-711.00-5-68.12	Public Safety - Glasgow VFD	10,000
029-711.00-5-68.13	Public Safety - Handley VFD	10,000
029-711.00-5-68.14	Public Safety - Institute VFD	10,000
029-711.00-5-68.15	Public Safety - Jefferson VFD	10,000
029-711.00-5-68.16	Public Safety - Lakewood VFD	10,000
029-711.00-5-68.17	Public Safety - Loudendale VFD	10,000
029-711.00-5-68.18	Public Safety - Malden VFD	10,000
029-711.00-5-68.19	Public Safety - Marmet VFD	10,000

029-711.00-5-68.20	Public Safety - Montgomery VFD	10,000
029-711.00-5-68.21	Public Safety - Nitro FD	10,000
029-711.00-5-68.22	Public Safety - Pinch VFD	10,000
029-711.00-5-68.23	Public Safety - Pratt VFD	10,000
029-711.00-5-68.24	Public Safety - Rand VFD	10,000
029-711.00-5-68.28	Public Safety - St. Albans FD	10,000
029-711.00-5-68.25	Public Safety - Sissonville VFD	10,000
029-711.00-5-68.26	Public Safety - Smithers VFD	5,000
029-711.00-5-68.27	Public Safety - South Charleston FD	10,000
029-711.00-5-68.29	Public Safety - Tornado VFD	10,000
029-711.00-5-68.30	Public Safety - Tyler Mountain VFD	10,000
029-711.00-5-68.31	Public Safety - Westside VFD	10,000
029-711.01-5-68.00	Public Safety - Dedicated to KCSO	500,000

**2. Fiscal Year 2023-2024 ARPA 2021 Fund Line Item Budget Revision**

**EXPEDITURES:**

207-401.00-5-68.00	ARPA 2021 - Contributions	(100,000)
207-401.01-5-68.14	ARPA 2021-Public Health - Other Public Health Services	100,000

**3. Fiscal Year 2023-2024 Capital Sports Center Fund Line Item Budget Revision**

**REVENUES:**

036-000-388-0-00.00	Capital Sports Center - Transfers from other Funds	2,500,000
036-000.299-0-00.00	Capital Sports Center - Fund Balance	396,000

**EXPENDITURES:**

036-401.00-2-30.00	Capital Sports Center - Contracted Services	2,896,000
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**CHECK REGISTERS: SUPPLEMENTALS/EMERGENCY:**

WMCA of Kanawha Valley in the amount of \$10,063.68 for pool operating expenses/staff and misc

Metro Emergency Operation Center in the amount of \$100,000.00 for annual allowance for radio tower maintenance

**Ratification of emergency check processed on September 6, 2023:**

The Resort at Glade Springs in the amount of \$980.32 for lodging

**Ratification of order processed on September 7, 2023:**

Order authorizing the President of the County Commission to Execute a WV Highway Safety Program Grant for the Sheriff’s Office (Order No. 2023-542)

Order Authorizing the Clerk of the County Commission to issue a check from the County Manager Fund (#019-401.00-5-68.00), in the amount of Fifty Thousand Dollars (\$50,000), to the Emergency Response Fund (#021), for costs associated with the August 2023 flood event (Order No. 2023-543)

Order Authorizing the Clerk of the County Commission to issue a check from the Coal Severance Fund (#002-439.00-800-5-68.00), in the amount of Fifty Thousand Dollars (\$50,000), to the Emergency Response Fund (#021), for costs associated with the August 2023 flood event (Order No. 2023-544)

Letter of Intent: Hatfield & McCoy Regional Recreation Authority in the amount of \$155,000 for new trail at Meadowood Park

Letter of Intent: Voluntary Organizations Active in Disaster (VOAD) in the amount of \$50,000.00 for bridge repair/replacement for flooded areas from 8/23/23 event

Amended Letter of Intent: Tyler Mountain VFD in the amount of \$150,000 for roof repairs

**Ratification of resolution processed on September 15, 2023:**

Resolution Honoring Robert C. Koleske

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

Sheriff’s Outside Overtime Payroll

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■ AND BOLD DENOTES CHANGE TO THE AGENDA (Example, typographical error, addition, change and/or omission from first version of Agenda)