

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 SEPTEMBER 7TH, 2023.

A REGULAR MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, WAS HELD ON SEPTEMBER 7TH, 2023, BEGINNING AT 5:00pm

THE FOLLOWING MEMBER WAS PRESENT:

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

09/07/23	2023-499	Order Confirming and Approving Purchase Orders in Excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department
09/07/23	2023-500	Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund
09/07/23	2023-501	Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds
09/07/23	2023-502	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
09/07/23	2023-503	Approval of the Erroneous Assessments Submitted by the Kanawha County Assessor (decrease \$36,653.02)
09/07/23	2023-504	New Employee: Shirley L. Stephenson, Tax Deputy, Kanawha County Sheriff's Tax Office, full-time employee, \$25,000.00 per year, replacing Gretis Angell, effective September 8th, 2023
09/07/23	2023-505	New Employee: Madison O. Tuck, Assistant Prosecuting Attorney, Kanawha County Prosecuting Attorney's office, full-time employee, \$60,000.00 per year, replacing Ronald Todd Goudy, effective September 8th, 2023
09/07/23	2023-506	Demolition Order: In the matter of the property owned by Sunshine State Investment Group, LLC (Tax Map 34E Parcel 75.1, Union District)
09/07/23	2023-507	Demolition Order: In the matter of the property owned by NAJ LLC (Thomas F. Johns and Robert L. Johns, members

		– COD 23-0014) (Tax Map 29a Parcel 208, Malden District)
09/07/23	2023-508	Demolition Order: In the matter of the property owned by WTH Properties, LLC (Tax Map 3 Parcel 44, Handley District)
09/07/23	2023-509	Demolition Order: In the matter of the property owned by SPA 2 LLC, a Delaware limited liability company – 23-0028 (Tax Map 8 Parcel 3, Jefferson District)
09/07/23	2023-510	Demolition Order: In the matter of the property owned by NAJ LLC (Thomas F. Johns and Robert L. Johns, members – CD 23-0034 (Tax Map 22N Parcel 114, Union District)
09/07/23	2023-511	Demolition Order: In the matter of the property owned by Lloyd William Oliver – COD2023-0041 (Tax Map 19E Parcel 2, Malden District)
09/07/23	2023-512	Demolition Order: In the matter of the property owned by NAJ LLC (Thomas F. Johns and Robert L. Johns, members) – 23-0009 (Tax Map 19E Parcel 12, Malden District)
09/07/23	2023-513	Demolition Order: In the matter of the property owned by James A. Parsons secured by Monsanto Nitro FCU-23-0029 (Tax Map 27A Parcel 43, Union District)
09/07/23	2023-514	Demolition Order: In the matter of the property owned by Ruth Ann Bias – COD2023-0088 (Tax Map 8D Parcel 151, Jefferson District)
09/07/23	2023-515	Demolition Order: In the matter of the property owned by Rocket Mortgage, LLC f/k/a/ Quicken Loans, LLC f/k/a Quicken Loans, Inc. – 23-0009 (Tax Map 35E Parcel 35, Union District)
09/07/23	2023-516	Demolition Order: In the matter of the property owned by NAJ LLC (Thomas F. Johns and Robert L. Johns, members) – 23-0027 (Tax Map 17 Parcel 55, Jefferson District)
09/07/23	2023-517	Demolition Order: In the matter of the property owned by Michael Wayne Spellock, Sr and Bob Edward Spellock – COD2023-0031 (Tax Map 38B Parcel 41, Cabin Creek District)
09/07/23	2023-518	Demolition Order: In the matter of the property owned by Michael Muller-23-0022 (Tax Map 37B Parcel 62, Elk District)
09/07/23	2023-519	Demolition Order: In the matter of the property owned by Steven L. Dryer, II-23-0005 (Tax Map 50C Parcel 28, Cabin Creek District)

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09/07/23	2023-520	Demolition Order: In the matter of the property owned by Brianna Eades – 23-0024 (Tax Map 34A Parcel 4, Cabin Creek District)
09/07/23	2023-521	Order reappointing Coston Davis, Jr., to the Public Defender Corporation for the 13 th Circuit of WV (term to expire 9/11/2028)
09/07/23	2023-522	Order reappointing Todd Goldman to the Kanawha Valley Regional Transportation Authority (term to expire September 30th, 2026)
09/07/23	2023-523	Order reappointing Jay Snodgrass to the Kanawha Valley Regional Transportation Authority (term to expire September 30th, 2026)
09/07/23	2023-524	Order appointing Michael Farmer to the Kanawha Valley Regional Transportation Authority (term to expire September 30th, 2026)
09/07/23	2023-525	Order Authorizing the President of the County Commission to sign Letter Requesting Closure of Federal Emergency Management Agency Hazard Grant Program 4273-DR-WV-0101
09/07/23	2023-526	Order Authorizing the President of the County Commission to sign Letter Requesting Closure of Federal Emergency Management Agency Hazard Grant Program 4331-DR-WV-0016
09/07/23	2023-527	Authorization for the President of the Kanawha County Commission to Sign a Certificate of Title Transferring a Vehicle Declared a Total Loss to Travelers Insurance
09/07/23	2023-528	Authorization for the President of the Kanawha County Commission to Sign a Contract between the Kanawha County Commission and Burdette Realty, Inc., dba BRI Renovations for Emergency Repairs to the Sheriff's Department Classroom Building Located at Camp Virgil Tate
09/07/23	2023-529	Order ratifying the Kanawha County Commission President's signature on the 7-1-3U Sub-Agreement Kanawha County August 28th, 2023 Emergency Watershed Protection (EWP) Flood Event between the Kanawha County Commission and the West Virginia Conservation Agency and The Capitol Conservation District
09/07/23	2023-530	Order authorizing the President to sign the grant application for the Courthouse Facilities Improvement Grant

09/07/23	2023-531	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 One Million Five Hundred Thousand Dollars (\$1,500,000), to the Debt Service Fund (#244), representing funding for future debt service projects
09/07/23	2023-532	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 Fifty Thousand Dollars (\$50,000), to the Parks & Rec Fund (#013) representing the FY 23-24 annual budgeted contribution
09/07/23	2023-533	Order Authorizing the Clerk of the County Commission to issue a check from General County, #001-401.00-5-67.00, in the amount of Five Hundred Forty-Seven Thousand Eight Hundred Eight Dollars (\$547,808) to the Capital FUND #090, representing the funding of capital line items for FY 2023-24
09/07/23	2023-534	Order Authorizing the President of the Kanawha County Commission to execute the "Section 147(f) Approval and Written Agreement" for the Pinch Volunteer Fire Department
09/07/23	2023-535	The Revision of the Levy Estimate (Budget) for the County of Kanawha - F.Y. 2023-2024 General Fund Budget Revision #3
09/07/23	2023-536	Order authorizing the Clerk of the County Commission to complete partial direct pays on invoices requiring a purchase order, the direct pay is not to exceed \$100 and is at the discretion of the Purchasing Director
09/07/23	2023-537	Order authorizing the President of the Kanawha County Commission to sign the CitySuite - Statement of Work related to the Harris upgrade to the accounting software
09/07/23	2023-538	Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission of West Virginia (supplemental)

Resolution approved/processed at the 09/07/23 Commission Meeting:

09/07/23	2023-539	Resolution Honoring Jarrett Tincher who is the Micro E National Champ for 2023. He won First Place in the Moto 2 Division at Loretta Lynn's National Motocross Championship. Jarrett is 7 years old
09/07/23	2023-540	Resolution Honoring the CAMC Kidney Transplant Center
09/07/23	2023-541	Resolution Honoring Charleston Catholic High School for 100 years of Educating

Documents not on the agenda but approved/processed at the 09/07/23 Commission Meeting:

09/07/232023-542 Order authorizing the President of the County Commission to Execute a WV Highway Safety Program Grant for the Sheriff's Office

09/07/232023-543 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

09/07/232023-544 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

Budget Revisions approved/processed at 09/07/23 Commission Meeting:

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

Fiscal Year 2023-2024 General Fund Budget Revision #3

Minutes approved/processed at the 09/07/23 Commission Meeting:

Approval of the Minutes of the Regular Commission Meeting on August 17th, 2023

Letter of Intent

Central West Virginia Regional Airport Authority in the amount of \$400,000.00 for new Maintenance and Public Safety Building

Friends of Hansford in the amount of \$5,000.00 for a Dementia Friendly Experience Trailer

Fiduciary orders approved/processed at 09/07/23 Commission Meeting:

Objections and Exceptions

Order Declaring Re-Opened Estate Closed (Estate of Dominick Bria)

Order Declaring Re-Opened Estate Closed (Estate of Gene T. Brooks)

Order Declaring Re-Opened Estate Closed (Estate of Deborah Ann Carpenter)

Order Declaring Re-Opened Estate Closed (Estate of Johnny Dexter Morgan)

Order Declaring Re-Opened Estate Closed (Estate of Jennifer Slone)

Order Declaring Re-Opened Estate Closed (Estate of John Ross Stump)

Order Referring to a Fiduciary Commissioner (Estate of Bobby G. Frye)

Order Referring to a Fiduciary Commissioner (Estate of Victor R. Wilford aka Victor Robert Wilford)

Ratification of documents processed on August 17th, 2023:

Emergency Check: United Sound and Electronics, LLC in the amount of \$12,975.00 for Herbert Hoover High School mobile stage and lighting

Resolution Declaring Herbert Hoover High School Day 2023

Order authorizing the President of the Kanawha County Commission to sign the Customer Services Agreement with AllOne Health

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission of West Virginia (supplemental) – Travelers in the amount of \$377,647.00 for quarterly premium

Purchase Order: Travelers in the amount of \$1,486,843.00 for annual liability insurance premium

Ratification of documents processed on August 22nd, 2023:

US Bank in the total amount of \$19,133.83 for p-card payments

Ratification of order processed on August 23rd, 2023:

New Employee: Christopher D. Folio, Assistant Prosecuting Attorney, Kanawha County Prosecuting Attorney's office, full-time employee, \$70,000.00 per year, replacing Judson MacCallum, effective August 24th, 2023 (Order No. 2023-492)

New Employee: Kathryn White, Part-Time Employee, Kanawha County Commission, \$15.00 per hour, effective September 5th, 2023 Order No. 2023-493)

Ratification of documents processed on August 28th, 2023:

Order Authorizing the Clerk of the County Commission to issue a check from the Public Safety Grant Fund in the amount of Fifty Thousand Dollars (\$50,000) from line #029-711.00-5-68.57 payable to the Metro Drug Unit (PEPI), representing the FY 23-24 annual contribution for "sting" operations (Order No. 2023-494)

Proclamation (flood event of August 28th, 2023)

Ratification of emergency check signed on August 29th, 2023:

American Legion Post 73 in the amount of \$3,500.00, LEDA Grant for painting project at the Legion Post

Regular Payroll

Ratification of documents signed on August 30th, 2023:

Order authorizing the President of the Kanawha County Commission to execute the Master Services Agreement between the Kanawha County Commission and Applied Emergency Management Services LLC (Order No. 2023-495)

Special payroll

New Employee: Ruby Chuangkrud, Shawnee Part-Time, Shawnee Sports Complex, part-time employee, \$12.00 per hour, effective August 31st, 2023 (Order No. 2023-496)

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund (Order No. 2023-497)

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds (Order No. 2023-498)

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 August 17th, 2023

RESOLUTION/PROCLAMATION

Commissioner Wheeler moved to approve the Resolution honoring Jarrett Tincher. Commissioner Salango seconded. Motion carried.

Resolution Honoring Jarrett Tincher who is the Micro E National Champ for 2023. He won First Place in the Moto 2 Division at Loretta Lynn's National Motocross Championship. Jarrett is 7 years old

~~**Resolution Honoring the CAMC Kidney Transplant Center
— Alice Jones, Transplant Services Program Administration**~~

Commissioner Salango moved to approve the Resolution Honoring Charleston Catholic High School for 100 years of Educating. Commissioner Wheeler seconded. Motion carried.

**Resolution Honoring Charleston Catholic High School for 100 years of Educating
Colleen Hoyer, Principal**

NEW EMPLOYEES

Prosecutor

Commissioner Salango moved to approve Madison O. Tuck, Assistant Prosecuting Attorney, Kanawha County Prosecuting Attorney's office, full-time employee, \$60,000.00 per year. Commissioner Wheeler seconded. Motion carried.

**Madison O. Tuck, Assistant Prosecuting Attorney, Kanawha County Prosecuting Attorney's office, full-time employee, \$60,000.00 per year, replacing Ronald Todd Goudy, effective September 8th, 2023
The Honorable Charles T. Miller, Prosecutor**

Sheriff

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

**Shirley L. Stephenson, Tax Deputy, Kanawha County Sheriff's Tax Office, full-time employee, \$25,000.00 per year, replacing Gretis Angell, effective September 8th, 2023
The Honorable Mike Rutherford, Sheriff**

CHANGE OF EMPLOYMENT STATUS

AGENDA ITEMS

5:00 P.M.

Discussion regarding the significant flooding event on August 28th, 2023, which affected the Eastern part of Kanawha County, including the response by the Kanawha County Commission and the Department of Homeland Security and Emergency Management, clean-up of debris, damage assessments, and application for disaster declaration through working with Congressional Delegation Partners and the Governor. Discussion will further include assessments of retention ponds impoundments, inactive and active mines in the flood prone areas

Commission President Kent Carper

Commissioner Ben Salango

Commissioner Lance Wheeler

CW Sigman informed the Commission that VOAD and a lot of other agencies have stepped up and assisted with this flood.

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Commissioner Wheeler moved to continue the flood debris pick up until Friday 15th, unless Emergency Management sees reason to continue. Commissioner Salango seconded. Motion carried.

CW Sigman informed the Commission that today is the third day picking up debris with 220 tons in two full days. Kanawha County is the only one providing funding for this debris pickup. Commissioner Carper stated that if the Commission didn't pick it up, it would end in our creeks and streams, and the Commission would seek reimbursement. CW Sigman informed the Commission that there are 22 private bridges washed out. Commissioner Carper stated that these are private bridges that were built by individuals or private groups, but those are the only way some people can access their homes, and the Commission is not allowed to repair those. CW Sigman stated that the State had repaired a bridge that was the only way in and out of a neighborhood for 25 homes. Commissioner Carper stated that those residents were landlocked, and when the Commission sent a letter to the Governor, they responded within days. CW Sigman stated that 7 homes were listed as destroyed, 26 major and 61 minor. There was also a fire station damaged, which is unrepairable. Commissioner Carper stated that it looks like \$100,000 the Commission has debited so far, including debris.

Commissioner Salango moved to split the amount from the County Manager Fund and Coal Severance. Commissioner Wheeler seconded. Motion carried.

We may end up around \$200,000.

Jordan informed the Commission that on August 28th CW Sigman activated the outdoor warning system since it said "life-threatening" weather was coming. Jordan stated that there were 22 water rescues, and Emergency Management has been out assessing the damages and seeing what areas needed debris pickup. CW Sigman stated that there are three teams out doing the assessments. Jordan informed the Commission that they have been working with VOAD, Kanawha Public Service District, to get the residence as normal as possible. CW Sigman stated that the Chesapeake VFD lost its substation. Commissioner Carper stated that the Commission would help them find a piece of property to place a metal building on.

Commissioner Salango moved to ask the State for funding for the Chesapeake VFD substation. Commissioner Wheeler seconded. Motion carried.

CW Sigman stated that the PSD was damaged, and a lot of sewer lines were exposed. Commissioner Carper suggested that CW Sigman will oversee their request and make sure it is in and submitted correctly.

Commissioner Salango moved that the Commission allow CW Sigman to assist the Kanawha PSD's applications for funding. Commissioner Wheeler seconded. Motion carried.

Discussion regarding proposed contribution to WV VOAD (Voluntary Organizations Active in Disaster), Volunteer Non-Profit Agency assisting flood victims. Amount to be determined by the Commission

**Commission President Kent Carper
 Commissioner Ben Salango
 Commissioner Lance Wheeler
 Jenny Gannaway, Executive Director**

Jenny Gannaway informed the Commission that they collected 410 flood buckets, 214 bleach, 1,146 boxes of trash bags, and two shower trailers in Whitchercreek. As of today, there have been 1,341 hours worked by volunteers. VOAD has helped place families in hotels and helped them to find rental properties. We are pushing the survey 123 to get the numbers up to get FEMA here. In the last two days, VOAD had 29 families come to their office. Commissioner Carper asked how many private bridges are out. Jenny Gannaway stated 22. Commissioner Carper stated that VOAD can fix private bridges. Jenny Gannaway stated yes, they can. Commissioner Carper asked if the Commission were to provide a one-time contribution that would be dedicated to fixing those bridges, could they do that. Jenny Gannaway stated that they can do that. VOAD has fixed 167 bridges in WV, and they take pride in what they do with their bridge program. Commissioner Carper asked how much it would cost. Jenny Gannaway stated around \$30,000-\$40,000 per bridge.

Commissioner Wheeler moved that with inflation, increasing to \$50,000 per bridge. Commissioner Salango seconded. Motion carried.

Commissioner Carper asked that staff do an emergency Letter of Intent stating that this is limited to Kanawha County and is for flooded bridges only.

Presentations for ALLKAN:

-Academy of Arts at January's	\$25,000.00
-Almost Heaven Media	\$25,000.00
-Charleston Nano Brewery	\$13,795.91
-Crescent Counseling Group	\$25,000.00
-E & H Manufacturing	\$25,000.00
-Echo-Lit, LLC	\$25,000.00
-Shaffer Equipment	\$25,000.00
-Tandi, LLC	\$25,000.00
-The Vandalia Donut Company	\$25,000.00

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

Commissioner Salango stated that ALLKAN was established during COVID and this is the Commissions final award and we have eight local businesses that was recommend by the board. Most are \$25,000 except one that requested \$13,795.91. Commissioner Carper stated that there is still some money that is left in the Allkan line and it is up to Commissioner Salango if we want to select another business or move it back into another line. Commissioner Salango started this program and the board did an excellent job vetting businesses throughout

Kanawha County. We have not had a single complaint on any of our grants and every single penny was discussed in open meetings stated Commissioner Carper. Commissioner Salango moved to approve the eight businesses listed on the agenda for the ALLKAN grant. Commissioner Wheeler seconded. Motion carried.

Discussion regarding annual contribution to Metro Drug Enforcement Agency for \$50,000.00 to assist in enforcement of drug violations throughout Kanawha County

**Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler
Sgt. Jason Webb**

Sergent Webb stated that for the last 20 plus years the Commission has been helping to fund Metro Drug Unit. Sgt. Webb stated that they use that money to purchase evidence. Operation Smoking Years was largest drug bust in West Virginia's history with 34lbs fentanyl this year. Commissioner Carper asked if they had other funding resources. Sgt. Webb stated yes but on a local level just for this purpose. Commissioner Wheeler stated that Law Enforcement is a thankless job and nobody really gets to know what your unit is working on and this Commission supports everything you do for all of the county. Sgt. Webb stated that some of their unit went to CA to testify against drug cartel and they are now in federal prison.

Commissioner Salango moved to approve the \$50,000 to the Metro Drug Unit. Commissioner Wheeler seconded. Motion carried.

Discussion and Status Update regarding plans for renovations to the Judicial Building for the addition of three new Magistrates and one new Circuit Judge

**Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler
Jennifer Herrald, County Manager
Mike Moles, Maintenance Director**

Jennifer Herrald stated that the Commission received four bids for the artetcula and engineering. The Committee: Chris McClung Mike Moles, myself Jerie and Chief Magistrate Strickland, and Chief Judge Salango selected three companies, and we are interviewing those three on the 18th. Commissioner Carper asked if they were looking at ripping out the visiting judge's courtroom, if yes that is a waste of money. Commissioner Carper stated that the Supreme Court approved it when it was built. Jennifer Herrald stated that when the Chief Judge's was here for the 1st meeting, they discussed the space, and the Chief Judge Salango said she would like for it to be looked at, and it is listed as a potential item. Commissioner Salango stated that the Commission needs to wait and see what the engineer says and asked if this

included the security upgrades. Mike Moles stated no, that is separate and they were looking at it today and will provide an update soon. Commissioner Salango asked that staff let the Judges know that Ceiling was in today and to keep them updated.

Discussion regarding FY2023/2024 Public Safety Grant Funds, to include recommendation from Committee on allocation of funding for Fire Departments and Law Enforcement agencies

Commission President Kent Carper

Commissioner Ben Salango

Commissioner Lance Wheeler

Jennifer Herrald, County Manager

Kim Fleck, Director of Finance

Jordan Goble, Emergency Management Specialist

Jennifer Herrald informed the Commission that Jordan is handling this program now, and she held a small Committee meeting, followed by the large Committee. The Fire Committee recommended \$10,000 each with the proviso if any department is under audit, further information must be obtained and hold funding.

Commissioner Carper stated that if the department has been under investigation, we need to trust CW to look into it and not punish those living there. CW Sigman stated that traditionally, they get a check, but with a recommendation from the Auditor's Office, they said to have the VFD send an invoice. Commissioner Wheeler stated like a letter of intent. Commissioner Carper stated that he is not willing to hold up the money while they wait for a Letter of Intent, we are talking about 1%. Commissioner Wheeler asked why the Commission can't just do a Letter of Intent to the ones being audited and give rest checks. Commissioner Carper stated it is not a Letter of Intent, it just needs to be something on the department letterhead stating how they will spend the \$10,000. Commissioner Carper suggested that the Commission have the Deputy County Attorney help the fire departments write a letter and send it to the Commission. Kim Fleck informed the Commission that following this procedure will prevent an audit finding on our end. Jennifer Herrald stated that this is based on our Public Safety Levy Fund. Commissioner Salango asked if it was money they spent or intended to spend. Kim Fleck stated that it could be either.

Commissioner Carper moved to place this on the October 5th agenda to disperse the checks to the VFD's. Commissioner Salango seconded. Motion carried.

Commissioner Salango stated that he would like to speak with the Auditor first and want to see some receipts. Commissioner Salango stated that it is a very small percentage, and this will solve nothing, but we can provide the paperwork the Auditors need. Commissioner Wheeler stated that there have been investigations, and he has spoken with the transparent VFD's, and they don't want to see money wasted either. Commissioner Wheeler believes that the Commission should look at ways to secure this money because fraud and abuse are there and having checks and balances is good. I don't want to do anything to hold them up either, but we need to

be confident that the money is spent the right way. Kim Fleck stated that this was our procedure before COVID. The Commission deviated due to the emergency situation during COVID. We did it again in 2022 due to still having COVID needs, and we are just going back to what we required before COVID; this is not new, stated Kim Fleck. Commissioner Carper stated that this will accomplish nothing but will talk to the Auditor tomorrow. Commissioner Carper stated that it is getting close to the time to write the checks, and he would like to write checks on October 5th. Jennifer Herrald stated that the second part is Law Enforcement, and the Commission accepts applications from Law Enforcement agencies, and they must submit a grant application. Priority on communication equipment and only cover 50% of vehicles. This grant will not cover the cost of ammo and guns. Commissioner Carper moved to approve the Law Enforcement requirements. Commissioner Salango seconded. Motion carried.

Discussion regarding Hatfield and McCoy in Meadowood Park, Kanawha County

Commissioner Lance Wheeler

Commissioner Wheeler stated that this park is across from Smith Creek, owned by the Commission since 1979, and we are looking at ways to use this property. Commissioner Wheeler stated that he got with Hatfield & McCoy, and they suggested motorized bikes and dirt bikes. This will bring people into this county. The convenience store across the river is very excited, and the City of St. Albans is also. We are looking at ways to build that park and make it better than it is now. This will be a 30-mile track; the quote is \$155,000 to build, operate, and maintain the lease. We can terminate at any time.

Commissioner Wheeler moved to approve a Letter of Intent for \$155,000 to H&M from Reallocated Coal. Commissioner Carper seconded. Motion carried.

Commissioner Wheeler stated that there is public comment. Cindy Williams stated that she owns property near this and after speaking with Commissioner Wheeler, she is a bit more comfortable about it. Commissioner Wheeler stated that the Commission is taking an area where we know illegal ridding is occurring, which will help fix that situation. Mrs. Williams stated that Commissioner Wheeler also assured her it could be hiked, not just by bike riding. Commissioner Wheeler stated that Hatfield & McCoy is willing to work with the public on a noise buffer zone. Commissioner Carper stated that Mrs. William's concerns are well founded and to please let the Commission know if anything arises. Commissioner Wheeler asked if there was any other public comment. Ian stated his family just moved into the area, and he is excited about this project. Commissioner Carper asked if there were any other public comments. There were none. Commissioner Carper stated that he is surprised there are no more complaints; however, Hatfield & McCoy has a good record of taking care of their trails.

Discussion regarding Tyler Mountain Volunteer Fire Department's ARP approved ARP funding for \$50,000 for roof repairs, to further include bids received that totaled \$84,162 for main portion of project, additional portions of the project are being rebid as the bids received did not provide prevailing wages. Tyler Mountain VFD is requesting additional ARP funding for the entire project

Commission President Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler

Jennifer Herrald stated that the Commission previously approved the ARP application and noted at the time of approval that if it came in higher to let the Commission know. Due to prevailing wages, which the Commission requires, it came in higher. Commissioner Carper stated that means it is a local and reputable contractor. Chief Alford stated that the bids received and approved are for the main roof. There is an additional portion that they are still trying to get bids on with prevailing wages.

Commissioner Carper moved to treat this as an emergency and approve up to \$150,000, if it comes in more, the Commission can take action if necessary. Commissioner Salango seconded. Motion carried.

Discussion and update on Crestwood Area Water Project

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

Mark informed the Commission construction would start next Monday, and this project has taken over 20 years due to crossing the interstate. This affects 32 families that will get water; some are already running their service lines. The total cost of this project is \$1.9M. Commissioner Carper asked how did the Commission pay for this. Mark stated that the Commission gave \$877,000 from ARP, and \$426,000 IGC money. Commissioner Carper stated that the one thing they said about ARP was to do water projects. This one was picked because it had been engineered for over 20 years and is a good project. Mark stated that the cost was so high because of crossing I79, and the Commission provided 46% of the project; the Water Development Authority gave \$400,000, COVID money from the State. Mark stated they are still working on the Olcott project, and WVAVC is working on their amount. We got the Health Department and DOH permits, and the easement is in place. We are ready to go once the financial is done with Water Company.

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

DATE	TIME
Thursday, September 21st, 2023	5:00 p.m.
Thursday, October 5th, 2023	5:00 p.m.
Thursday, October 26th, 2023	5:00 p.m.
Thursday, November 9th, 2023	5:00 p.m.
Thursday, November 30th, 2023	5:00 p.m.
Thursday, December 14th, 2023	5:00 p.m.

BLIC 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.

Objections and Exceptions

Order Declaring Re-Opened Estate Closed (Estate of Dominick Bria)

Order Declaring Re-Opened Estate Closed (Estate of Gene T. Brooks)

Order Declaring Re-Opened Estate Closed (Estate of Deborah Ann Carpenter)

Order Declaring Re-Opened Estate Closed (Estate of Johnny Dexter Morgan)

Order Declaring Re-Opened Estate Closed (Estate of Jennifer Slone)

Order Declaring Re-Opened Estate Closed (Estate of John Ross Stump)

Order Referring to a Fiduciary Commissioner (Estate of Bobby G. Frye)

Order Referring to a Fiduciary Commissioner (Estate of Victor R. Wilford aka Victor Robert Wilford)

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
Software Systems, Inc. (revised PO)	Sheriff's Tax Office	\$49,232.18	Tax statement, processing printing and mailing, revised PO: increase PO \$13,232.018 9/7/23 for additional processing, printing and mailing for tax statements
Burdette Realty, Inc., dba BRI Renovations	Kanawha Co. Commission	\$63,729.00	Emergency repairs to Sheriff's Department Classroom Building at Camp Virgil Tate due to Frozen pipes in December 2022
RM Huffman Company (Ratify PO signed 8/22/23)	Shawnee Sports Complex	\$17,452.00	Replace storm damaged scoreboards at Shawnee
BBL Carlton, LLC (ratify PO signed 8/22/23)	Shawnee Sports Complex	\$13,150.00	Replace two scoreboards anchor plates, lift scoreboards back on anchor bots, weld and grout

			new base plates
Kanawha-Charleston Humane Association	Kanawha-Charleston Humane Assoc.	\$40,195.00	Reimbursement for February and March Contributions
WV Outdoor	Kanawha Co. Planning & Community Dev.	\$5,700.00	Billboards for Fall 2023 cleanups
Parsons Contracting, LLC	Shawnee Sports Complex	\$7,350.00	Repairs to Shawnee Storm damaged Shelter bathrooms
PNC Equipment Finance	Shawnee Sports Complex	\$20,645.68	Golf cart lease payments

The Thrasher Group, Inc.	Kanawha Co. Commission	\$103,735.00	Invoice for Dupont Avenue, East Bank, redevelopment plans, other \$12,320.00; invoice Montgomery Dupont Avenue, East Bank redevelopment plans, other \$21,927.50; invoice St. Albans, Montgomery, Dupont Avenue, redevelopment Plans, other \$69,487.50
Smith Brothers Window Cleaning	Maintenance	\$20,750.00	Interior and exterior window cleaning services for the Courthouse, Judicial Building, and W Kent Carper Justice and Public Safety building
Camel Technologies	Maintenance Annex	\$21,446.00	Additional cameras for the parking garage for additional security
Galls Inc.	Sheriff's Law Enforcement Div.	\$5,000.00	Body armor and miscellaneous accessories and supplies for the Kanawha County Sheriff's Law Enforcement
Newtech Systems, Inc.	Maintenance	\$20,435.85	Courtroom 4 sound system upgrade per bids received 8/24/23
Academy of Arts at January's	Kanawha Co. Commission	\$25,000.00	Approved ALLKAN Grant
Almost Heaven Media	Kanawha Co. Commission	\$25,000.00	Approved ALLKAN Grant

Shaffer Equipment LLC	Kanawha Co. Commission	\$25,000.00	Approved ALLKAN Grant
Crescent Counseling Group	Kanawha Co. Commission	\$25,000.00	Approved ALLKAN Grant
E&H Manufacturing, Inc.	Kanawha Co. Commission	\$25,000.00	Approved ALLKAN Grant
Echo-Lit, LLC	Kanawha Co. Commission	\$25,000.00	Approved ALLKAN Grant
Tandi, Inc.	Kanawha Co. Commission	\$25,000.00	Approved ALLKAN Grant
Vandalia Donut Company	Kanawha Co. Commission	\$25,000.00	Approved ALLKAN Grant
Charleston Nano Brewery	Kanawha Co. Commission	\$13,795.91	Approved ALLKAN Grant
84 Agency, LLC	Shawnee Sports Complex	\$6,250.00	5-year video for Shawnee Celebration
Rodney Loftis & Son	Kanawha Co. Planning & Community Dev.	\$10,440.00	Demolition of 1010 Beech Street Property
Astar Abatement, Inc.	Kanawha Co. Planning & Community Dev.	\$9,572.64	Asbestos abatement services: 5918 Elaine Drive \$712.80; 214 1 st Street \$1,267.20; 1010 Beech Street \$7,180.80; and 444 Ronda Road \$411.84
Mount Tech Communications, LLC	Emergency Services	\$5,900.00	Install new antenna and coax at 250 ft. for Clendenin Tower site \$3,200; and removal of 2 antennas, 2 lines and coax at 250 ft. for St. Albans tower site \$2,700
Office & Commercial Cleaning-WV LLC	Sheriff's Law Enforcement	\$5,220.00	Renewal of contract for monthly professional cleaning of the KCSO workout room

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 September 7th, 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 7th, 2023*)

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

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

New Employee: Shirley L. Stephenson, Tax Deputy, Kanawha County Sheriff's Tax Office, full-time employee, \$25,000.00 per year, replacing Gretis Angell, effective September 8th, 2023

New Employee: Madison O. Tuck, Assistant Prosecuting Attorney, Kanawha County Prosecuting Attorney's office, full-time employee, \$60,000.00 per year, replacing Ronald Todd Goudy, effective September 8th, 2023

Approval of the Erroneous Assessments Submitted by the Kanawha County Assessor (decrease \$333,813.62)

Marc Slotnick, County Attorney

Demolition Order: In the matter of the property owned by Sunshine State Investment Group, LLC (Tax Map 34E Parcel 75.1, Union District)

Marc Slotnick, County Attorney

Demolition Order: In the matter of the property owned by NAJ LLC (Thomas F. Johns and Robert L. Johns, members – COD 23-0014) (Tax Map 29a Parcel 208, Malden District)

Marc Slotnick, County Attorney

Demolition Order: In the matter of the property owned by WTH Properties, LLC (Tax Map 3 Parcel 44, Handley District)

Marc Slotnick, County Attorney

Demolition Order: In the matter of the property owned by SPA 2 LLC, a Delaware limited liability company – 23-0028 (Tax Map 8 Parcel 3, Jefferson District)

Marc Slotnick, County Attorney

Demolition Order: In the matter of the property owned by NAJ LLC (Thomas F. Johns and Robert L. Johns, members – CD 23-0034 (Tax Map 22N Parcel 114, Union District)

Marc Slotnick, County Attorney

Demolition Order: In the matter of the property owned by Lloyd William Oliver – COD2023-0041 (Tax Map 19E Parcel 2, Malden District)

Demolition Order: In the matter of the property owned by NAJ LLC (Thomas F. Johns and Robert L. Johns, members) – 23-0009 (Tax Map 19E Parcel 12, Malden District)

Demolition Order: In the matter of the property owned by James A. Parsons secured by Monsanto Nitro FCU-23-0029 (Tax Map 27A Parcel 43, Union District)

Demolition Order: In the matter of the property owned by Ruth Ann Bias – COD2023-0088 (Tax Map 8D Parcel 151, Jefferson District)

Demolition Order: In the matter of the property owned by Rocket Mortgage, LLC f/k/a/ Quicken Loans, LLC f/k/a Quicken Loans, Inc. – 23-0009 (Tax Map 35E Parcel 35, Union District)

Demolition Order: In the matter of the property owned by NAJ LLC (Thomas F. Johns and Robert L. Johns, members) – 23-0027 (Tax Map 17 Parcel 55, Jefferson District)

Demolition Order: In the matter of the property owned by Michael Wayne Spellock, Sr and Bob Edward Spellock – COD2023-0031 (Tax Map 38B Parcel 41, Cabin Creek District)

Demolition Order: In the matter of the property owned by Michael Muller-23-0022 (Tax Map 37B Parcel 62, Elk District)

Demolition Order: In the matter of the property owned by Steven L. Dryer, II-23-0005 (Tax Map 50C Parcel 28, Cabin Creek District)

Demolition Order: In the matter of the property owned by Brianna Eades – 23-0024 (Tax Map 34A Parcel 4, Cabin Creek District)

Order reappointing Coston Davis, Jr., to the Public Defender Corporation for the 13th Circuit of WV (term to expire 9/11/2028)

Order reappointing Todd Goldman to the Kanawha Valley Regional Transportation Authority (term to expire September 30th, 2026)

Order reappointing Jay Snodgrass to the Kanawha Valley Regional Transportation Authority (term to expire September 30th, 2026)

Order appointing Michael Farmer to the Kanawha Valley Regional Transportation Authority (term to expire September 30th, 2026)

Order Authorizing the President of the County Commission to sign Letter Requesting Closure of Federal Emergency Management Agency Hazard Grant Program 4273-DR-WV-0101

Order Authorizing the President of the County Commission to sign Letter Requesting Closure of Federal Emergency Management Agency Hazard Grant Program 4331-DR-WV-0016

Authorization for the President of the Kanawha County Commission to Sign a Certificate of Title Transferring a Vehicle Declared a Total Loss to Travelers Insurance

Jerie Whitehead, Purchasing Director

Authorization for the President of the Kanawha County Commission to Sign a Contract between the Kanawha County Commission and Burdette Realty, Inc., dba BRI Renovations for Emergency Repairs to the Sheriff's Department Classroom Building Located at Camp Virgil Tate

Jerie Whitehead, Purchasing Director

Order ratifying the Kanawha County Commission President's signature on the 7-1-3U Sub-Agreement Kanawha County August 28th, 2023 Emergency Watershed Protection (EWP) Flood Event between the Kanawha County Commission and the West Virginia Conservation Agency and The Capitol Conservation District

Order authorizing the President to sign the grant application for the Courthouse Facilities Improvement Grant

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

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 One Million Five Hundred Thousand Dollars (\$1,500,000), to the Debt Service Fund (#244), representing funding for future debt service projects

Kim Fleck, Director of Finance

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 Fifty Thousand Dollars (\$50,000), to the Parks & Rec Fund (#013) representing the FY 23-24 annual budgeted contribution

Kim Fleck, Director of Finance

Order Authorizing the Clerk of the County Commission to issue a check from General County, #001-401.00-5-67.00, in the amount of Five Hundred Forty-Seven Thousand Eight Hundred Eight Dollars (\$547,808) to the Capital FUND #090, representing the funding of capital line items for FY 2023-24

Kim Fleck, Director of Finance

Order Authorizing the President of the Kanawha County Commission to execute the "Section 147(f) Approval and Written Agreement" for the Pinch Volunteer Fire Department

The Revision of the Levy Estimate (Budget) for the County of Kanawha - F.Y. 2023-2024 General Fund Budget Revision #3

Kim Fleck, Director of Finance

Order authorizing the Clerk of the County Commission to complete partial direct pays on invoices requiring a purchase order, the direct pay is not to exceed \$100 and is at the discretion of the Purchasing Director

Kim Fleck, Director of Finance

Order authorizing the President of the Kanawha County Commission to sign the CitySuite - Statement of Work related to the Harris upgrade to the accounting software

Kim Fleck, Director of Finance

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

EXPENDITURES:

207-401.00-5-68.00	ARPA 2021 - Contributions	2,530
207-401.02-5-68.22	ARPA 2021 - Negative Econ Impact -Healthy Communities	1,536
207-401.02-5-68.34	ARPA 2021 - NEI- Non Prof Assistance	(4,066)

2. **Fiscal Year 2023-2024 General Fund Budget Revision #3**

REVENUES:

001-000.00-366-0-01.00	Misc Revenue - Insurance Claims	49,798
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EXPENDITURES:

001-401.00-5-67.00	Co Comm - Transfers to other Funds	(24,151)
001-401.00-2-26.00	CO Comm - Insurance Claims	49,798
001-424.00-1-03.01	Courthouse - Fulltime Salaries	(24,296)
001-424.00-1-04.00	Courthouse - FICA	(1,859)
001-424.00-1-06.00	Courthouse - Retirement	(2,187)
001-430.00-1-03.01	Planning - Fulltime Salaries	45,000
001-430.00-1-04.00	Planning - FICA	3,443
001-430.00-1-06.00	Planning - Retirement	4,050

CHECK REGISTERS: SUPPLEMENTALS/EMERGENCY:

Commissioner Salango moved to approve the CHECK REGISTERS: SUPPLEMENTALS/EMERGENCY as listed on the agenda. Commissioner Wheeler seconded. Motion carried.

The Thrasher Group Inc., in the amount of \$103,735.00 for Invoice for Dupont Avenue, East Bank, redevelopment plans, other \$12,320.00; invoice Montgomery Dupont Avenue, East Bank redevelopment plans, other \$21,927.50; invoice St. Albans, Montgomery, Dupont Avenue, redevelopment Plans, other \$69,487.50

Academy of Arts at January's in the amount of \$25,000.00 for approved ALLKAN Grant
Almost Heaven Media in the amount of \$25,000.00 for approved ALLKAN Grant

Shaffer Equipment LLC in the amount of \$25,000.00 for approved ALLKAN Grant

Crescent Counseling Group in the amount of \$25,000.00 for approved ALLKAN Grant

E&H Manufacturing, Inc. Kanawha Co. Commission in the amount of \$25,000.00 for approved ALLKAN Grant

Echo-Lit, LLC in the amount of \$25,000.00 for approved ALLKAN Grant

Tandi, Inc. in the amount of \$25,000.00 for approved ALLKAN Grant

Vandalia Donut Company in the amount of \$25,000.00 for approved ALLKAN Grant

Charleston Nano Brewery in the amount of \$25,000.00 for approved ALLKAN Grant

LETTER OF INTENT

Commissioner Salango moved to approve the Letters of Intent listed on the agenda. Commissioner Wheeler seconded. Motion carried.

Central West Virginia Regional Airport Authority in the amount of \$400,000.00 for new Maintenance and Public Safety Building

Friends of Hansford in the amount of \$5,000.00 for a Dementia Friendly Experience Trailer

Ratification of documents processed on August 17th, 2023:

Commissioner Salango moved to approve the Ratification of documents processed on August 17th, 2023. Commissioner Wheeler seconded. Motion carried.

Emergency Check: United Sound and Electronics, LLC in the amount of \$12,975.00 for Herbert Hoover High School mobile stage and lighting

Resolution Declaring Herbert Hoover High School Day 2023

Order authorizing the President of the Kanawha County Commission to sign the Customer Services Agreement with AllOne Health

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission of West Virginia (supplemental) – Travelers in the amount of \$377,647.00 for quarterly premium

Purchase Order: Travelers in the amount of \$1,486,843.00 for annual liability insurance premium

Ratification of documents processed on August 22nd, 2023:

Commissioner Salango moved to approve the Ratification of documents processed on August 22nd, 2023. Commissioner Wheeler seconded. Motion carried.

US Bank in the total amount of \$19,133.83 for p-card payments

Ratification of order processed on August 23rd, 2023:

Commissioner Salango moved to approve the Ratification of order processed on August 23rd, 2023. Commissioner Wheeler seconded. Motion carried.

New Employee: Christopher D. Folio, Assistant Prosecuting Attorney, Kanawha County Prosecuting Attorney's office, full-time employee, \$70,000.00 per year, replacing Judson MacCallum, effective August 24th, 2023 (Order No. 2023-492)

New Employee: Kathryn White, Part-Time Employee, Kanawha County Commission, \$15.00 per hour, effective September 5th, 2023 Order No. 2023-493)

Ratification of documents processed on August 28th, 2023:

Commissioner Salango moved to approve the Ratification of documents processed on August 28th, 2023. Commissioner Wheeler seconded. Motion carried.

Order Authorizing the Clerk of the County Commission to issue a check from the Public Safety Grant Fund in the amount of Fifty Thousand Dollars (\$50,000) from line #029-711.00-5-68.57 payable

to the Metro Drug Unit (PEPI), representing the FY 23-24 annual contribution for "sting" operations (Order No. 2023-494)

Proclamation (flood event of August 28th, 2023)

Ratification of emergency check signed on August 29th, 2023:

Commissioner Salango moved to approve the Ratification of emergency check signed on August 29th, 2023. Commissioner Wheeler seconded. Motion carried.

American Legion Post 73 in the amount of \$3,500.00, LEDA Grant for painting project at the Legion Post

Regular Payroll

Ratification of documents signed on August 30th, 2023:

Commissioner Salango moved to approve the Ratification of documents signed on August 30th, 2023. Commissioner Wheeler seconded. Motion carried.

Order authorizing the President of the Kanawha County Commission to execute the Master Services Agreement between the Kanawha County Commission and Applied Emergency Management Services LLC (Order No. 2023-495)

Special payroll

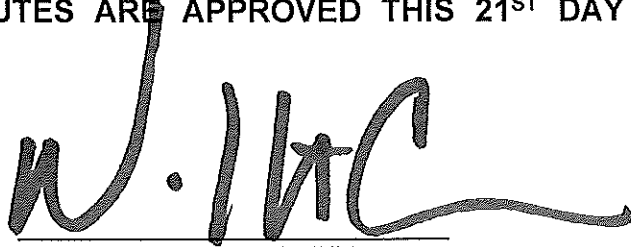
New Employee: Ruby Chuangkrud, Shawnee Part-Time, Shawnee Sports Complex, part-time employee, \$12.00 per hour, effective August 31st, 2023 (Order No. 2023-496)

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund (Order No. 2023-497)

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds (Order No. 2023-498)

THE KANAWHA COUNTY REGULAR COMMISSION MEETING OF AUGUST 17TH, 2023, ADJOURNED AT 6:31pm UNTIL THE 21ST DAY OF SEPTEMBER 2023.

THE FOREGOING MINUTES ARE APPROVED THIS 21ST DAY OF SEPTEMBER 2023.



COMMISSION PRESIDENT



COMMISSIONER



COMMISSIONER



COUNTY ATTORNEY