

MINUTES OF A REGULAR SESSION OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, HELD IN THE COMMISSION COURTROOM, LOCATED IN CHARLESTON, WEST VIRGINIA THEREOF ON JANUARY 11TH, 2024.

A REGULAR MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, WAS HELD ON JANUARY 11TH, 2024, BEGINNING AT 5:00pm

THE FOLLOWING MEMBER WAS PRESENT:

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

01/11/24	2024-001	Organization of the Commission
01/11/24	2024-002	Notice of General and Special Meetings of the County Commission of Kanawha County
01/11/24	2024-003	Order Confirming and Approving Purchase Orders in Excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department
01/11/24	2024-004	Order Confirming and Approving Purchase Orders in Excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department (<i>contingent upon the approval and posting of a pending fiscal year 2023-2024 budget revision</i>)
01/11/24	2024-005	Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund
01/11/24	2024-006	Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds
01/11/24	2024-007	Order Confirming and Approving Orders entered by the Clerk of County Commission of Kanawha County, West Virginia
01/11/24	2024-008	Order ratifying the Kanawha County Commission President's signature on the Settlement Agreement and Mutual Release (Civil Action No. 2:23-cv-00142)
01/11/24	2024-009	Order authorizing the President of the Kanawha County Commission to Sign a Lease Agreement between Kanawha County Commission and Leaf Capital Funding, LLC (Circuit Clerk)
01/11/24	2024-010	Approval of the Erroneous Assessments Submitted by the Kanawha County Assessor (decrease \$55,591.52)
01/11/24	2024-011	Authorization for the President of the County Commission to sign a Contract of Lease between the Kanawha County Commission

and Craig Lane

01/11/24	2024-012	Order adopting Kanawha County Commission Limited English Proficiency Plan and Notice Statements under the recently adopted Grievance Procedure for Complaints relating to alleged discrimination based on race, color, national origin, sex, age, or disability
01/11/24	2024-013	Order authorizing the President of the County Commission to execute an Exemption Certificate for State and Local Government for Sutphen Fire Equipment regarding the purchase of a Sutphen Commercial Fire Engine
01/11/24	2024-014	West Virginia Certified Development Community (CDC) Program Resolution of Participation and Cooperation
01/11/24	2024-015	Order authorizing the President of the County Commission to execute a Grant Award from the WV Courthouse Facilities Improvement Authority totaling \$100,000 for Grant period of January 1st, 2024, through December 31st, 2024 to refurbish the elevator in the main courthouse
01/11/24	2024-016	Authorization for the President of the Kanawha County Commission to Sign a Sales Order, Maintenance Agreement, and Customer Network Acceptance Form between the Kanawha County Commission and Komax Business Systems for the Kanawha County Sheriff's Department
01/11/24	2024-017	Order Authorizing the Clerk of the County Commission to issue a check from the General County Fund, #001-916.00-5-68.00 (Public Libraries Contribution), in the amount of Two Hundred Sixty Thousand Eight Hundred Twenty Five Dollars Eighty Seven Cents (\$260,825.87) to the Kanawha County Public Library, representing final reconciliation of accounts due for the period July 1st, 2022 through June 30th, 2023
01/11/24	2024-018	The Revision of the Levy Estimate (Budget) for the County of Kanawha – F.Y. 2023-2024 General Fund Budget Revision #7
01/11/24	2024-019	Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission of West Virginia (supplemental)

Documents not on the agenda but approved/processed at the 01/11/24 Commission Meeting:

01/11/24	2024-020	Order authorizing the President of the County Commission to Execute a Commission on Drunk Driving Grant Award Application for the Sheriff's Office
01/11/24	2024-021	Order authorizing the Clerk of the County Commission to issue a check from the Public Safety Levy Fund, #029-711.00-5-67.00, in the amount of Three Hundred Thousand Dollars (\$300,000) to the Capital FUND #090, representing the funding for the Network

Radio Project (payment #1)

Fiscal Year 2023-2024 Capital Fund Line Item Budget Revision

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

Letter of Intent to Sissonville Elementary School, in the amount of \$25,000.00 for contribution for a New Digital Marque

Purchase Order and Emergency Check: Humphreys Memorial United Methodist Church, in the amount of \$10,000.00 for contribution to food pantry

Purchase Order and Emergency Check: Aldersgate United Methodist Church, in the amount of \$10,000.00 for contribution to food pantry

Emergency Purchase Order: Tri-State Roofing & Sheet Metal in the amount of \$106,941.00 to provide and install new roof, butters, and downspouts on the Tyler Mountain VFD building per bids received and emergency change order to include the butters and down spouts

Budget Revisions approved/processed at 01/11/24 Commission Meeting:

Fiscal Year 2023-2024 Opioid Settlement Fund Line Item Budget Revision

Fiscal Year 2023-2024 General Fund Line Item Revision

Fiscal Year 2023-2024 General Fund Budget Revision #7

Minutes approved/processed at the 01/11/24 Commission Meeting:

Approval of the Minutes of the Regular Commission Meeting on December 14th, 2023

Fiduciary orders approved/processed at 01/11/24 Commission Meeting:

Objections and Exceptions

Order Declaring Re-Opened Estate Closed (Estate of Billie D. Mullins)

Order Declaring Re-Opened Estate Closed (Estate of Clara Dell Brown)

Order Declaring Re-Opened Estate Closed (Estate of Samuel B. Chilton aka Samuel Blackwell Childton, Jr.)

Ratification of document processed on December 13th, 2023:

Emergency Check to Parks & Recreation Fund #013 for monthly from hotel/motel occupancy taxes

Ratification of documents processed on December 15th, 2023:

Emergency Check: Riverside High School Food Pantry in the amount of \$25,000.00 for contribution

Emergency Check: Charleston Light Opera Guild in the amount of \$15,000.00 for contribution

Emergency Check: JP Morgan Chase Bank, NA in the amount \$385,752.42 final bond payment

Ratification of document processed on December 18th, 2023:

Emergency Check: GAI Consultants in the amount of \$857.50 for Strawberry Road study invoice

Ratification of document processed on December 20th, 2023:

Order closing the Kanawha County Courthouse at 12:00 Noon on December 22nd, 2023, pursuant to W.Va. Code §7-3-2

Ratification of documents processed on December 21st, 2023:

Order reappointing Kim Fleck to EnAct, Inc.

New Employee: Chelsea Roberts, Deputy Clerk, Kanawha County Circuit Clerk's office, full-time employee, \$26,000.00 per year, replacing Ida Pitchford, effective January 5th, 2024

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

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds #2

Ratification of document processed on January 11th, 2024:

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

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 December 14th, 2023

RESOLUTION/PROCLAMATION

NEW EMPLOYEES

CHANGE OF EMPLOYMENT STATUS

AGENDA ITEMS

5:00 P.M.

Discussion regarding General and Special Meetings of 2024 and Organization of the Commission to include, but not be limited to, the selection of Commission President, President Pro Tempore, and approval of Board Appointments for the Commissioners. Discussion to include setting Christmas Eve, New Years Eve Holiday Schedule and Juneteenth

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

Commissioner Carper moved to appoint Commissioner Lance Wheeler as President for 2024. Commissioner Salango seconded. Motion carried.

Commissioner Wheeler moved to appoint Commissioner Ben Salango President Pro Temp for 2024. Commissioner Carper seconded. Motion carried.

Commissioner Carper moved to approve the Organizational Order with board appointments remaining the same except for where the President is required. Commissioner Salango seconded. Motion carried.

Discussion regarding disbursement of funds received from County Fire Protection Fund in the amount of \$344,478.93

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

Jennifer Herrald stated that the Commission received the letter from the Governor regarding the second round of funds, but we have not received the check yet. These funds were based on counties that have a fire levy. The money is to be used on emergency services. The first round was equally distributed to the 32 fire departments. Commissioner Carper stated that these funds are available because there is a crisis in the fire service. CW Sigman stated that some departments would get very little money if not divided equally.

Commissioner Carper moved to portion the money equally among the fire departments in Kanawha County. Commissioner Salango seconded. Motion carried.

Commissioner Carper moved to place this on the next agenda. Commissioner Wheeler seconded. Motion carried.

Discussion regarding Kanawha Valley Senior Services funding request in the amount of \$80,000.00

Commissioner Kent Carper

Commissioner Ben Salango

Commissioner Lance Wheeler

Melanie Hirst, Chief Executive Officer

Melanie Hirst, introduced herself as the new Executive Director, and they are asking the Commission for their annual contribution. The KVSS did 93,743 home-delivery meals to seniors in 2023. KVSS does have a waiting list because the State asked them to serve anyone who needed a meal during COVID, and they gave increased funding for that. But now they took that funding away. Commissioner Salango stated there used to be a lot of seniors on the waiting list, and Commissioner Carper increased the contribution to eliminate the waiting list. Is it a staff problem or funding? Ms. Hirst stated that it was a funding issue and that there were 100 seniors on the list. Commissioner Carper stated he does not appreciate the seniors on the waiting list and the State taking the funding away. What would it take to eliminate that list? Ms. Hirst stated that she was not sure. Barbara Stanely, the Finance Manager, said they need \$200,000. Ms. Stanely stated they were short money last year, and if they want to continue having no wait list, that would include adding new drivers as well. Commissioner Carper stated that the KVSS did not have a waiting list until the State removed the funding. Commissioner Carper stated that the KVSS is going to have to start getting money from the State; however, the Commission can increase it to \$90,000 to see if that helps. Commissioner Carper moved to increase the annual funding to the KVSS to \$90,000. Commissioner Salango seconded. Motion carried.

Commissioner Salango asked if their request for \$200,000 is a one-time funding. Ms. Stanely stated yes. Commissioner Salango said the Commission could look at doing ARP funding to eliminate the list, which would be a one-time donation. This seems to be COVID-related losses, so we might be able to help.

Discussion regarding letter from Attorney General Patrick Morrissey regarding partnership between the Attorney General's office and the West Virginia State Auditor's office, to ensure the opioid settlement money obtained is being used for its intended purpose

Commissioner Kent Carper

Commissioner Carper stated that the Commission should do what we did with CARES money, do everything transparent. What bothers Commissioner Carper is the WV First Foundation; that's where the real money is, and they are not having

transparent meetings. The Commission always follows open meetings law. The Commission should send a letter objecting and expressing direct displeasure in discussing how to spend this money in the executive session. Commissioner Wheeler said the Commission needs to look at the bill on the Legislative Agenda regarding the Open Meetings Act.

Discussion regarding funding request from Capital High School Football team for equipment. Suggested amount \$10,000

Commissioner Lance Wheeler

Commissioner Kent Carper

Commissioner Ben Salango

Ric Cavender informed the Commission that the football team is requesting money to purchase away uniforms. Mr Bailey, the Principal, contacted Mr. Cavendar to help get funding for this. As of today, the school raised \$7000, and the school sat aside \$10,000. Since the Board helps the school in other areas, they are not asking the Board for funding. Commissioner Wheeler said it would be nice to see the Board put money in, but he knows they cover other projects.

Commissioner Wheeler moved to approve \$10,000 for equipment for the football team with money from Table Games and to process as an emergency.

Commissioner Carper seconded. Motion carried.

Discussion regarding request from Capital High School Wrestling Team for full-size wrestling mat in an amount of up to \$12,000

Commissioner Ben Salango

Commissioner Kent Carper

Commissioner Lance Wheeler

Dwayne Williams, Coach

Coach Williams informed the Commission that they are looking for wrestling mat funding. Commissioner Salango said that this program closed for a while. Coach Williams said yes, it came back last year. Coach Williams said they looked at some quotes on the mats so far. Commissioner Salango stated that the estimate came in at \$12,000. Commissioner Salango said he is glad to see the program return to Capital High School and appreciates Coach Williams serving as coach.

Commissioner Salango moved to approve \$12,000 to the Capital High School Wrestling Team with money from Table Games. Commissioner Carper seconded. Motion carried.

Discussion regarding request for letter of support for the Pinch Volunteer Fire Department supporting their request for funding to Congressional Delegation for a new fire truck

Commissioner Kent Carper

Commissioner Carper asked who is here for the VFD. Assistant Chief Cory Carr stated that this evening the VFD needs a letter of recommendation to purchase a new rescue truck in hopes of getting money for this project. Assistant Chief Carr

stated they cover 117 miles and run about 600 calls annually. This rescue truck would allow them to have equipment for wrecks for mutual aid, like jaws of life. Commissioner Carper stated they are not asking for funding or a letter of intent, just a letter of support. Assistant Chief Carr stated that is correct. Commissioner Carper moved to approve the Letter of Support. Commissioner Salango seconded. Motion carried.

Discussion regarding request from Sissonville Food Pantry in the amount of \$10,000 for their food pantry

Commissioner Lance Wheeler

Pat Taylor

Pat Taylor informed the Commission that with the price increase in food, their food pantry is in a shortage, and they are getting fewer donations. In November, the pantry spent over \$4700 in food for that month. Commissioner Wheeler told Mr. Taylor that he was an extra-ordinary member of his community and that more people like him were needed. Commissioner Carper stated that the Commission has funded the Greater Sissonville Community Development and asked if Mr. Taylor asked them for funding. Mr. Taylor stated that they have helped before, but not this year. Commissioner Carper suggested that Mr. Taylor ask them before he comes back to the Commission again. Mr. Taylor said he would. Commissioner Wheeler moved to approve the \$10,000 for the Sissonville Food Pantry. Commissioner Salango seconded. Motion carried.

Discussion regarding request from Sissonville Elementary School in an amount up to \$25,000.00 to replace the electronic sign

Commissioner Kent Carper

Ms. Taylor Berry, Teacher

Taylor Berry informed the Commission that the school's sign stopped working in October 2022 due to an electrical storm. Due to the repair cost, it would be best to buy a new one. Commissioner Carper stated that this sign advertises things for the school and notification for parents. Ms. Berry stated that is correct, and we can post if school is closed due to, for example, a water outage. Commissioner Carper moved to approve the \$25,000 with money coming from Table Games. Commissioner Salango seconded. Motion carried.

Discussion regarding request from Madelyn Hendrick's Food Pantry of Humphrey's United Methodist Church of Tornado in the amount of \$10,000.00 for their food pantry

Commissioner Lance Wheeler

Leighann Parsons informed the Commission that the food pantry was named in honor of her mother nine years ago. They serve the community and Browns Creek, Alum Creek, and other areas in Tornado. Commissioner Wheeler asked how the pantry raised money. Mrs. Parsons said door-to-door collections, the Boy Scouts, and other churches provide donations. Mrs. Parsons said they are a small

community, spending about \$900 monthly with the increasing food price. The pantry is open one Saturday a month. Commissioner Wheeler said this is the first time the pantry has asked the Commission for donations.

Commissioner Wheeler moved to approve \$10,000 with the money coming from General Contributions. Commissioner Salango seconded. Motion carried.

Discussion regarding the County considering legal action concerning the illegal pricing scheme of Insulin, which led to increased healthcare expenses for the County while under a self-insured program

Commissioner Kent Carper

Commissioner Carper stated that the recent opioid money got started nationally right here. This will not be anything of that size, but they believe this is price fixing, and the Commission was self-insured for twenty-some years.

Commissioner Carper moved that the Commission engage counsel, do a class action lawsuit, and look at using the same legal counsel as the opioid case.

Commissioner Salango seconded. Motion carried.

Discussion regarding request from Town of East Bank in the amount of \$2,000,000 of American Rescue Plan Funds to assist in the construction of a new sanitary sewer collection system while leaving the old, deteriorated system in place as a dedicated storm sewer system

Commissioner Kent Carper

Commissioner Carper thanked Mayor Blair for attending and letting the Commission know what the Town requests. Mayor Blair said \$2M. We have a problem with their inflow and infiltration system, and we bill our citizens the amount of water we purchase from WVACW, which costs us about \$19K per month. The Town is eligible for \$8.5M from WDA and \$1M from Town.

Commissioner Carper asked if the Town used their ARPA money for this project. Mayor Blair said yes, that's all of their ARPA money. Commissioner Salango said the Town sold its waterworks to WVAWC. Mayor Blair said yes, and they took every penny to the investment board. Commissioner Salango asked who pays for the wastewater. Mayor Blair said the residents had a 30% rate increase in August. This is a once-in-a-lifetime opportunity for the Town. Bruce informed the Commission that this is once in a lifetime opportunity for this area. This would build an entirely new system to allow safe reliable service. Commissioner Carper asked if there is any way the Town can get money anywhere else. Bruce said they are maxed out, there is no more opportunity for more. Commissioner Wheeler stated that his concern is there are so many PSD and water struggling in other towns. This Commission has been funding water projects and we have never used this much on one project. Commissioner Wheeler asked how much is left in ARP. Jennifer Herrald stated about \$3M.

Commissioner Wheeler said that is almost all that we have left and we have other projects as well. Is there any way as we can look at this in the future at a lower contribution rate? Mayor Blair said if they don't use the \$8.5M by the end of the year they lose it. Commissioner Carper said that everyone is running for office at the State and that can make it easier to get more funding. Commissioner Wheeler said the Commission will help you with our staff to help you raise more money to make our contribution less because \$2M is a lot of money when we have our own PSD's struggling. Commissioner Salango asked how old is the estimate. Mayor Blair said six months and this will do storm drain and sewer. Commissioner Salango asked what if when you start the project it comes in higher, where are you getting the funding because very few projects come in on budget. Mayor Blair said he asked them to set it a little high for that reason. Bruce said if it came in higher they would ask the State. Commissioner Wheeler said he wants the Town to work with staff to look for more funding. Bruce said they will try but we are limited on the time frame and we have to get to construction on this by December 31st, 2024. Kim Fleck said she thinks ARC is a good place to go. Bruce asked the Commission if they could agree to part of it tonight. Commissioner Wheeler said he is not comfortable in doing that. The Commission is not saying no, we just need to look further into this. It is a lot of money stated Commissioner Wheeler.

Presentation from Advantage Valley regarding how the \$15,000 Commission Contribution was put to work in Kanawha County

Commissioner Kent Carper

Commissioner Ben Salango

Commissioner Lance Wheeler

Terrell Ellis, President & CEO, Advantage Valley

Terrell Ellis states she is here tonight to thank the Commission for supporting Advantage Valley in 2023 and to provide their annual report. Last year, the Commission gave \$15,000, 1% of their total budget. Commissioner Wheeler stated the Commission did not ask Advantage Valley to attend this meeting. Ms. Ellis stated correct, that she wanted to let the Commission know how their program affected Kanawha County. Advantage Valley worked with 71 businesses in Kanawha County alone, and 37 were women/minority-owned businesses. They provide loans and community grants to those businesses. Commissioner Carper asked how many counties they serve. Ms. Ellis stated ten and believes that the Commission's leadership in providing funding has helped other counties to contribute. Huntington is giving them \$20K. There has been a big influx of business in the area and a housing issue here. Advantage Valley put money into a study for a housing study. For the past 6-7 years, they have supported a position at Business Retention and received federal funding to help. They are also going to spend a lot of time on child care and housing. Commissioner Carper stated he believes the Commission should consider penciling this in for funding at a later date. Commissioner Wheeler said the Commission needs to examine the budget to

see if we can contribute. Jennifer Herralld also informed the Commission that Advantage Valley provided help with UKAN and ALLKAN applicants.

Discussion and update regarding the UKV mini grants as part of the Benedum Grant Funding which is matching funds for the ARC Power Grant

Commissioner Kent Carper
Commissioner Ben Salango
Commissioner Lance Wheeler
Samantha Morse, Grant Writer/Project Manager
Susie Salisbury, Charleston Area Alliance
Melissa Smith, Deputy County Manager

Suzie Salsbury informed the Commission that she brought five mini-grants back in July from Malden, Marmet, Smithers, and Glasgow. Marmet was not able to complete it, so they moved into round two. For round two, six towns are applying for mini-grants totaling \$38,895.65 for approval by the Commission.

Commissioner Wheeler stated this was more money than before and asked where they were able to locate available funds. Samantha Morse stated that she moved some money around from a position that was not filled and moved \$50,000 into the mini-grant. Ms. Salsbury said they are taking some of the design work on the trails back into the community. Ms. Salsbury stated they are making progress in the Hatfield & McCoy for Montgomery.

Commissioner Carpe moved to approve the mini-grants. Commissioner Salango seconded. Motion carried.

Discussion regarding Kanawha County Emergency Radio Network System including discussion regarding how to fund

Commissioner Kent Carper
The Honorable Mike Rutherford, Sheriff
David Armstrong, Deputy Director, Homeland Security & Emergency Management

Jennifer Herralld informed the Commission that the cost is approximately under \$3M, including maintenance. We received the payment plan; the first payment is due after signing the contract, \$300,000. \$1.3M is due in 6-7 months, depending on how long it takes the equipment to come in. Then, an additional amount after installation occurs, and the final payment is when everything is in operation. Kim Fleck has been working on options on how to pay for this. Commissioner Wheeler asked Dave Armstrong why this is needed. Dave Armstrong stated that the current system has a lot of blind spots, and this will alleviate a lot of problems. Sheriff Rutherford informed the Commission that the Sheriff's Office fully supports this; you have to have communication. Commissioner Wheeler stated that we know this won't fix everything, but this is the best out there. Kim, how will we pay for it? Kim Fleck stated the first payment of \$300,000 is due by January 31st and we have carry-over funds from Public Safety available. The next payment is estimated to be

due by October 31st. Commissioner Wheeler stated that payment could be made from the general fund or public safety, but that conversation could be had after the next budget.

Commissioner Salango moved to approve the first payment with money coming from the carry-over from Public Safety. Commissioner Carper seconded. Motion carried.

Commissioner Salango moved to approve the President of the Commission sign the contract. Commissioner Crper seconded. Motion carried.

Discussion regarding Fiscal Year 2024-2025 Budget including deadlines. Discussion will include funding formula

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

Kim Fleck informed the Commission that the calendar for elected officials is February 22nd meeting. March 7th, the budget needs to be approved, and it's due on March 29th. Commissioner Wheeler stated that it will be tight this year, and the Commission has a lot of projects, such as the renovation of the Judicial Annex and the Capital Sports Center.

Discussion regarding 2024 Legislative Agenda

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

Commissioner Wheeler stated that this session may be a little easier with the election cycle. Senator Nelson is submitting the 911 retirement bill next week, and everyone is on board. Commissioner Wheeler believes it will pass this year. Commissioner Carper stated that the Commission will add the request to make WV First Foundation follow the the Open Meeting Act. Commissioner Wheeler stated that is correct and that the entire region voted to make those meetings open.

Kanawha County Commission meetings through April 16th, 2024

- Commissioner Kent Carper**
- Commissioner Ben Salango**
- Commissioner Lance Wheeler**

DATE	TIME
Thursday, January 25, 2024	5:00 p.m.Δ
Thursday, February 1, 2024	5:00 p.m.≈
Tuesday, February 6, 2024	8:30 a.m.≈
Thursday, February 8, 2024	5:00 p.m.◆
Tuesday, February 13, 2024	8:30 a.m.≈

Thursday, February 15, 2024	5:00 p.m.≈
Tuesday, February 20, 2024	8:30 a.m.≈
Thursday, February 22, 2024	5:00 p.m.◆•
Thursday, March 7, 2024	5:00 p.m.Δ
△Thursday, March 21, 2024	5:00 p.m.Δ
R Tuesday, April 16, 2024	TBD0

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gularly Scheduled Commission Meeting

≈ Board of Review and Equalization Meeting

◆ Board of Review and Equalization Meeting and Commission Meeting

* Mineral meeting

• Board of Review and Equalization– Adjourn Sine Die

0 The 2024-2025 Kanawha Co. Levy Rate will be set at this meeting

PUBLIC HEARING

AGENDA SETTING

PUBLIC COMMENT

COUNTY MANAGER'S REPORT

DIRECTOR OF FINANCE'S REPORT

COUNTY ATTORNEY'S REPORT

STAFF REPORTS

NEW BUSINESS

FIDUCIARY

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

Objections and Exceptions

Order Declaring Re-Opened Estate Closed (Estate of Billie D. Mullins)

Order Declaring Re-Opened Estate Closed (Estate of Clara Dell Brown)

Order Declaring Re-Opened Estate Closed (Estate of Samuel B. Chilton aka Samuel Blackwell Childton, Jr.)

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
Pepsi-Cola (revised PO)	Shawnee Sports Complex	\$5,956.87	Increase PO 12/13/23 for Pepsi products
Charleston Light Opera Guild (ratify PO signed 12/15/23)	Kanawha Co. Commission	\$15,000.00	Contribution
Riverside High School Food Pantry (ratify PO signed 12/15/23)	Kanawha Co. Commission	\$25,000.00	contribution
Mountaineer Custom Cartridge (ratify PO signed 12/21/23)	Sheriff's Law Enforcement Div.	\$19,755.00	10 each 10,000 rounds \$410.00 ea; 30 each 15,000 rounds \$189.00 ea; 15 each rounds \$325.00 each; and 14 each 14,000 rounds \$365.00 each
Silling Associates, Inc.	Kanawha Co. Commission	\$45,780.00	Phase 1 pre-design services for Judicial Building
FIS Lockbox Operations ATTN: Pitney Bowes	Circuit Clerk	\$43,000.00	Postage for the postage machine
Kanawha Valley Senior Services	Kanawha Co. Commission	\$80,000.00	Annual contribution FY 2023-2024
N Harris Computer Corporation	Kanawha Co. Commission	\$117,922.21	GEMS coverage 1/1/24-12/31/24
Travelers	Kanawha Co. Commission	\$63,037.93	Claim deductibles
Kanawha County 4-H Foundation	Camp Virgil Tate	\$6,321.45	Reimbursement for the Mountaineer Gas Oct \$357.79; AEP Oct \$2,397.17 and Nov. \$2,348.68; WVAWC Nov \$1,217.81
Maxwell Medals & Awards	Shawnee Sports Complex	\$6,347.50	Medals and awards

Hissam Forman Donovan Ritchie PLLC	Kanawha Co. Commission	\$14,477.27	General matters account \$1,480; Paint Creek account \$12,172.27; and Capitol Flea Market account \$825
Barcodes	Sheriff's Law Enforcement Div.	\$9,832.71	Mobile printer and accessories
Stephens Auto Center	Montgomery Police Dept.	\$20,673.00	2023 Dodge Durango for Montgomery Police Dept. per Public Safety Grant Letter of Intent
Camel Technologies, LLC	Maintenance – Christopher St.	\$14,400.00	CCTV camera system upgrade at the Day Report Center
Charleston Area Alliance – CADCO	Kanawha Co. Commission	\$8,638.05	Invoice #2 work through June-Oct 2023 ARC; and invoice #2 work June-Oct 2023 - Benedum
Downstream Strategies	Kanawha Co. Commission	\$5,812.00	Invoice for Sept 2023 UKV Market study ARC; invoice Sept 2023 UKV Market Study Benedum
Downstream Strategies	Kanawha Co. Commission	\$5,409.25	Invoice for Oct 2023 UKV Market Study ARC; invoice October 2023 UKV Market Study Benedum
The Thrasher Group	Kanawha Co. Commission	\$76,630.00	Community relations Phase 1 East Bank, St. Albans, Montgomery and other
The Thrasher Group	Kanawha Co. Commission	\$46,100.00	Invoice for Community Relations Phgase 1 East Bank, St. Albans, Montgomery and other
GRAIL, LLC	Nitro Fire Dept.	\$9,086.00	14 cancer screenings per Public Safety Grant Letter of Intent
Zones, LLC	Prosecuting Attorney	\$13,035.00	Eleven (11) Dell Optiplex 7010 tower plus i7-13700 win 11-16GB ram 512 GB SSD-3yr Pro @ \$1,185.00; and five (5) APC surge protectors \$8 each
Enviroprobe Integrated Solutions, Inc.	Kanawha Co. Commission	\$14,191.25	Paint Creek Spill to include document review, site visits and plan development

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 2023-2024 budget revision*):

Vendor	Department	Amount	Comments/Description
Rocky Fork Enterprizes	Law Enforcement	\$11,735.18	Body work and repairs to MDENT vehicle

ORDERS

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

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund (*documentation available for inspection at the County Clerk's Office as well as the Kanawha County Commission meeting of January 11th, 2024*)

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

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds (*documentation available for inspection at the County Clerk's Office as well as the Kanawha County Commission meeting of January 11th, 2024*)

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

Organization of the Commission

Commissioner Kent Carper

Commissioner Ben Salango

Commissioner Lance Wheeler

Jennifer Herrald, County Manager

Notice of General and Special Meetings of the County Commission of Kanawha County

Commissioner Kent Carper

Commissioner Ben Salango

Commissioner Lance Wheeler

Jennifer Herrald, County Manager

MINUTES

Meeting of January 11, 2024

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Order ratifying the Kanawha County Commission President's signature on the Settlement Agreement and Mutual Release (Civil Action No. 2:23-cv-00142)

Order authorizing the President of the Kanawha County Commission to Sign a Lease Agreement between Kanawha County Commission and Leaf Capital Funding, LLC (Circuit Clerk)

Approval of the Erroneous Assessments Submitted by the Kanawha County Assessor (decrease \$55,591.52)
Marc Slotnick, County Attorney

Authorization for the President of the County Commission to sign a Contract of Lease between the Kanawha County Commission and Craig Lane

Order adopting Kanawha County Commission Limited English Proficiency Plan and Notice Statements under the recently adopted Grievance Procedure for Complaints relating to alleged discrimination based on race, color, national origin, sex, age, or disability

Order authorizing the President of the County Commission to execute an Exemption Certificate for State and Local Government for Sutphen Fire Equipment regarding the purchase of a Sutphen Commercial Fire Engine

West Virginia Certified Development Community (CDC) Program Resolution of Participation and Cooperation

Order authorizing the President of the County Commission to execute a Grant Award from the WV Courthouse Facilities Improvement Authority totaling \$100,000 for Grant period of January 1st, 2024, through December 31st, 2024 to refurbish the elevator in the main courthouse

Authorization for the President of the Kanawha County Commission to Sign a Sales Order, Maintenance Agreement, and Customer Network Acceptance Form between the Kanawha County Commission and Komax Business Systems for the Kanawha County Sheriff's Department

Order Authorizing the Clerk of the County Commission to issue a check from the General County Fund, #001-916.00-5-68.00 (Public Libraries Contribution), in the amount of Two Hundred Sixty Thousand Eight Hundred Twenty Five Dollars Eighty Seven Cents (\$260,825.87) to the Kanawha County Public Library, representing final reconciliation of accounts due for the period July 1st, 2022 through June 30th, 2023

Kim Fleck, Director of Finance

The Revision of the Levy Estimate (Budget) for the County of Kanawha – F.Y. 2023-2024 General Fund Budget Revision #7

Kim Fleck, Director of Finance

1. **Fiscal Year 2023-2024 Opioid Settlement Fund Line Item Budget Revision**

REVENUES:

040-000.00-324-0-00.00	Opioid Settlement - Other Grants	2,915,233
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EXPENDITURES:

040-401.00-2-30.00	Opioid Settlement - Contracted Services	515,233
040-401.00-2-23.00	Opioid Settlement - Professional Services	400,000
040-401.00-5-68.00	Opioid Settlement - Contributions	2,000,000

2. **Fiscal Year 2023-2024 General Fund Line Item Revision**

REVENUES:

001-418.00-3-41.00	Purchasing - Supplies	2,370
001-418.00-2-16.00	Purchasing - M & R Equipment	(1,500)
001-418.00-2-19.00	Purchasing - Bldg & Equip Rental	(870)

3. **Fiscal Year 2023-2024 General Fund Budget Revision #7**

EXPENDITURES:

001-401.00-5-67.00	Co Comm - Transfer to other funds	(11,736)
001-700.00-2-17.00	Sheriff LED - Maint. & Repair Auto	11,736

CHECK REGISTERS: SUPPLEMENTALS/EMERGENCY:

FIS Lockbox Operations ATTN: Pitney Bowes in the amount of \$43,000.00 for Circuit Clerk's postage for the postage machine

Kanawha Valley Senior Services in the amount of \$80,000.00 for annual contribution FY2023-24

N. Harris Computer Corporation in the amount of \$117,922.21 for GEMS coverage 1/1/24-12/31/24

Travelers in the amount of \$63,037.93 for claim deductibles

Ratification of document processed on December 13th, 2023:

Emergency Check to Parks & Recreation Fund #013 for monthly from hotel/motel occupancy taxes

Ratification of documents processed on December 15th, 2023:

Emergency Check: Riverside High School Food Pantry in the amount of \$25,000.00 for contribution

Emergency Check: Charleston Light Opera Guild in the amount of \$15,000.00 for contribution

Emergency Check: JP Morgan Chase Bank, NA in the amount \$385,752.42 final bond payment

Ratification of document processed on December 18th, 2023:

Emergency Check: GAI Consultants in the amount of \$857.50 for Strawberry Road study invoice

Ratification of document processed on December 20th, 2023:

Order closing the Kanawha County Courthouse at 12:00 Noon on December 22nd, 2023, pursuant to W.Va. Code §7-3-2

Ratification of documents processed on December 21st, 2023:

Commissioner Salango moved to approve the Ratification of documents processed on December 21st, 2023. Commissioner Wheeler seconded. Motion

Order reappointing Kim Fleck to EnAct, Inc.

New Employee: Chelsea Roberts, Deputy Clerk, Kanawha County Circuit Clerk's office, full-time employee, \$26,000.00 per year, replacing Ida Pitchford, effective January 5th, 2024

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

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds #2

Ratification of document processed on January 11th, 2024:

Commissioner Salango moved to approve the Ratification of document processed on January 11th, 2024. Commissioner Wheeler seconded. Motion carried.


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

THE KANAWHA COUNTY REGULAR COMMISSION MEETING OF JANUARY 11TH, 2023, ADJOURNED AT 6:37pm UNTIL THE 25TH DAY OF JANUARY 2024.

THE FOREGOING MINUTES ARE APPROVED THIS 25TH DAY OF JANUARY 2024.



COMMISSIONER



COMMISSIONER



COMMISSIONER



COUNTY ATTORNEY