

**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 25<sup>TH</sup>, 2024.**

**A REGULAR MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, WAS HELD ON JANUARY 25<sup>TH</sup>, 2024, BEGINNING AT 5:00pm**

**THE FOLLOWING MEMBER WAS PRESENT:**

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

01/25/24	2024-023	Order Confirming and Approving Purchase Orders in Excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department
01/25/24	2024-024	Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund
01/25/24	2024-025	Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds
01/25/24	2024-026	New Employee: Cody Allen Champlin, Kanawha County Deputy Sheriff, Kanawha County Sheriff's Law Enforcement, full-time employee, \$52,728.00 per year (certified officer), replacing Paxton Lively, effective February 1st, 2024
01/25/24	2024-027	New Employee: Andrew Charles Walker, Kanawha County Deputy Sheriff, Kanawha County Sheriff's Law Enforcement, full-time employee, \$49,004.80 per year, replacing Michael Simms, effective Feb 16th, 2024
01/25/24	2024-028	New Employee: Tammy Sue Smith, Day Report Office Manager, Kanawha County Sheriff's Day Report Center, full-time employee, \$30,014.40 per year, replacing Brian Forron, effective February 1st, 2024
01/25/24	2024-029	Appointment of Ballot Commissioners to serve for two years pursuant to W.Va. Code §3-1-19
01/25/24	2024-030	Resolution stating the reasonable expectation of the County Commission of Kanawha County, West Virginia to be reimbursed for Capital Expenditures in connection with the expansion, renovation, improvement, equipping and furnishings of the Kanawha County Judicial Annex located in Charleston, Kanawha County, West Virginia, for use by the County Commission of Kanawha County, made prior to the issuance of tax-exempt

revenue bonds by the Kanawha County Building Commission or other qualified issuer

- |          |          |  |
|----------|----------|--|
| 01/25/24 | 2024-031 | Order updating the Board of Directors appointments to the Emergency Operations Center – Metro 911, per the Charter adopted on April 11th, 2019   |
| 01/25/24 | 2024-032 | Order appointing the Executive Committee for the Emergency Operations Center – Metro 911, per the Charter adopted on April 11, 2019  |
| 01/25/24 | 2024-033 | Order accepting precinct changes   |
| 01/25/24 | 2024-034 | Order designating Planning Department Employee Carl O'Neal as County Litter Control Officer pursuant to W.Va. Code 7-1-3ff (d) with the intent to allow him to complete a training course offered by the West Virginia Department of Environmental Protection for the purpose of issuing citations for litter, failure to dispose of solid waste, and open dumps |
| 01/25/24 | 2024-035 | Order Authorizing the Sheriff of the County of Kanawha to transfer all remaining receipts received through December 31st, 2022, from the Special Revenue FUND #004 (GENERAL SCHOOL FUND) to the General Fund #001-394-0-00.00  |
| 01/25/24 | 2024-036 | 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 01/25/24 Commission Meeting:**

- |          |          |  |
|----------|----------|--|
| 01/25/24 | 2024-037 | Order Confirming and Approving Purchase Orders in excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department |
|----------|----------|--|

Emergency Checks from the county fire protection funding contribution: Pinch VFD in the amount of \$10,935.93; Malden VFD in the amount of \$10,935.93; Rand VFD, in the amount of \$10,935.93; Belle VFD in the amount of \$10,935.93; Cedar Grove VFD in the amount of \$10,935.93; Glasgow VFD in the amount of \$10,935.93; Smithers VFD in the amount of \$5,467.92; Handley VFD in the amount of \$10,935.93; Montgomery VFD in the amount of \$10,935.93; Pratt VFD in the amount of \$10,935.9; East Bank VFD in the amount of \$10,935.93; Cabin Creek VFD in the amount of \$10,935.93; Chesapeake VFD in the amount of \$10,935.93; Marmet Community VFD in the amount of \$10,935.93; Loudendale VFD in the amount of \$10,935.93; Alum Creek VFD in the amount of \$10,935.93; Davis Creek VFD in the amount of \$10,935.93; Jefferson VFD in the amount of \$10,935.93; Lakewood VFD in the amount of \$10,935.93; West Side #2 VFD in the amount of \$10,935.93; West Side/St. Albans VFD in the amount of \$10,935.93; Tyler Mountain VFD in the amount of \$10,935.93; Institute VFD in the amount of \$10,935.93; Sissonville VFD in the amount of \$10,935.93; Frame VFD in the amount of \$10,935.93; Yeager Airport Fire Dept. in the amount of \$10,935.93; Charleston Fire Department in the amount of \$10,935.93; St. Albans Fire Dept. in the amount of \$10,935.93; Nitro Fire Dept. in the amount of \$10,935.93; Dunbar Community VFD in the amount of \$10,935.93; South Charleston Fire Department in the amount of \$10,935.94; and Clendenin VFD in the amount of \$10,935.93  
Fiscal Year 2023-2024 County Fire Protection Fund Line Item Budget Revision

**Budget Revisions approved/processed at 01/25/24 Commission Meeting:**

Fiscal Year 2023-2024 General Fund Line Item Revision

**Minutes approved/processed at the 01/25/24 Commission Meeting:**

Approval of the Minutes of the Regular Commission Meeting on January 11th, 2024

**Fiduciary orders approved/processed at 01/25/24 Commission Meeting:**

Administrative Closing Order (Jamie Casto, Ward)

Administrative Closing Order (Brian Hannigan, Ward)

Administrative Closing Order (William Moss, Ward)

Order Accepting Copy of Will for Recording (Estate of Marvin Reese Gandee)

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 William Edward Campbell)

Order Declaring Re-Opened Estate Closed (Estate of Harriet Robertson Claypool)

Order Declaring Re-Opened Estate Closed (Estate of Cecelia Parker)

Order Declaring Re-Opened Estate Closed (Estate of Ervin Ward Smith)

**Ratification of documents processed on January 11th, 2024**

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

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, gutters, and downspouts on the Tyler Mountain VFD building per bids received and emergency change order to include the gutters and down spouts

**Ratification of Emergency Checks processed on January 18th, 2024:**

Capital High School Football Team in the amount of \$10,000 for contribution for the football program for equipment

Capital Wrestling Booster Club in the amount of \$12,000 for contribution for the wrestling program to include mats

**Ratification of document processed on January 16th, 2024:**

Emergency Check: from the Public Safety Levy Fund in the amount of \$300,000 to the Capital Fund representing the funding for the Network Radio Project (payment #1)

**5:00 P.M. CALL TO ORDER**

**Pledge of Allegiance  
Commission President Lance Wheeler**

**Moment of Silence and Recognition**

**MINUTES**

Commissioner Salango moved to approve the minutes. Commissioner Carper seconded. Motion carried.

**Approval of the Minutes of the Regular Commission Meeting on  
January 11th, 2024**

**RESOLUTION/PROCLAMATION**

**NEW EMPLOYEES**

**Sheriff**

Commissioner Salango moved to approve Cody Allen Champlin, Kanawha County Deputy Sheriff, Kanawha County Sheriff's Law Enforcement, full-time employee, \$52,728.00 per year as listed on the agenda. Commissioner Carper seconded. Motion carried.

**Cody Allen Champlin, Kanawha County Deputy Sheriff, Kanawha  
County Sheriff's Law Enforcement, full-time employee, \$52,728.00**

per year (certified officer), replacing Paxton Lively, effective February 1st, 2024

**The Honorable Mike Rutherford, Sheriff**

Commissioner Salango moved to approve Andrew Charles Walker, Kanawha County Deputy Sheriff, Kanawha County Sheriff's Law Enforcement, full-time employee, \$49,004.80 per year as listed on the agenda. Commissioner Carper seconded. Motion carried.

**Andrew Charles Walker, Kanawha County Deputy Sheriff, Kanawha County Sheriff's Law Enforcement, full-time employee, \$49,004.80 per year, replacing Michael Simms, effective February 16th, 2024**

**The Honorable Mike Rutherford, Sheriff**

Commissioner Carper moved to approve Tammy Sue Smith, Day Report Office Manager, Kanawha County Sheriff's Day Report Center, full-time employee, \$30,014.40 per year as listed on the agenda. Commissioner Salango seconded. Motion carried.

**Tammy Sue Smith, Day Report Office Manager, Kanawha County Sheriff's Day Report Center, full-time employee, \$30,014.40 per year, replacing Brian Forron, effective February 1st, 2024**

**The Honorable Mike Rutherford, Sheriff**

### **CHANGE OF EMPLOYMENT STATUS**

### **AGENDA ITEMS**

**5:00 P.M.**

**Presentation from the WV Land Trust regarding an update on the Mammoth Preserve Recreation area as part of the Upper Kanawha Valley Appalachian Regional Commission / Benedum Grant Project in partnership with the Kanawha County Commission**

**Commission President Lance Wheeler**

**Commissioner Ben Salango**

**Commissioner W. Kent Carper**

**Andy Altman, President of the WV Land Trust**

**Rick Landenberger, PhD., WV Land Trust and WVU Dept. of Geology and Geography**

Andy Altman informed the Commission that this is a key element for the upper Kanawha Valley, and he is a long-time resident and President of the Land Trust. Mr. Altman wished to thank the Commission for their support, and the work they are doing for the conceptual plan is being funded by an ARC power grant. This is key

to attracting people to spend time and hopefully money in the upper Kanawha Valley. The property is currently an old coal mine site; about 40% is wooded, and the rest has been mined. They are working with ARC Power Grant on the conceptual plan and hope to have product and market analyses in the next few weeks. There is \$2.8M in a HUD earmark for trail construction. Mr. Altman said he hopes to break ground on 30 miles of trails by the end of the year. They have brought in different trail user groups and are surprised at how pretty the site is. These will all be non-motorized trails. Several roads have been cut on the property, and they will be available for equestrian use. Commissioner Wheeler asked if they had a completion date. Mr. Altman said 2025 into 2026 at the earliest. Commissioner Wheeler asked if it was possible to open some trails while work is still going on. Mr. Altman said they are working with Mayor of Smithers to contact our neighboring lands to see if we can have access to Bull Push Road, which gives better access to the property. If they do get that, they can open in sequence. Commissioner Wheeler said this is a part of our Upper Kanawha Valley Gateway plan, and we are excited about this project. Is there anything we can do right now asked Commissioner Wheeler. Mr. Altman said they may come back for some help if they run into roadblocks gaining access to neighboring property.

**Discussion and Public Hearing pursuant to West Virginia Code § 3-1-7, the Kanawha County Commission will consider an Order regarding the following changes:**

- **Combine precincts 115 and 116 at Rand Community Center into 115 Rand Community Center**
- **Combine precincts 117 and 123 at Malden Elementary School into 123 Malden Elementary School**
- **Combine precincts 118 and 119 at Mary Ingles Elementary School into 118 Mary Ingles Elementary School**
- **Combine precincts 164 and 165 at Chamberlain Elementary School into 164 Chamberlain Elementary School**
- **Combine precincts 177 and 178 at Ruffner Elementary School into 178 Ruffner Elementary School**
- **Combine precincts 206 at Ruthlawn Elementary School and 287 at South Charleston Community Center into 206 at Ruthlawn Elementary School**

- Combine precincts 217 at South Charleston City Hall and 287A at South Charleston Community Center becoming 217 at South Charleston City Hall
- Combine precincts 208 at Weberwood Fire Station and 226 at First United Methodist Church and move to Montrose Elementary School as precinct 226
- Combine 242 at George Washington High School and 253 at Holz Elementary into 253 at Holz Elementary School
- Combine precincts 281 at Bridgeview Elementary and 287C at South Charleston Community Center into 281 at Bridgeview Elementary School
- Combine precincts 287B and 288 at South Charleston Community Center into 288 at South Charleston Community Center
- Combine precincts 293 at Dunbar Recreation Building and 294A at Dunbar Mountain Mission into 293 at Dunbar Recreation Building
- Combine precincts 302 and 304 at Anne Bailey Elementary School to 302 at Anne Bailey Elementary School
- Combine precincts 305 and 308 at Hayes Middle School to 305 at Hayes Middle School
- Combine precincts 403 at West Side Middle School and 404 at Mary C Snow into 403 at West Side Middle School
- Combine precincts 406 and 407 at Mary C Snow Elementary School into 406 at Mary C Snow Elementary School
- Combine 416 and 417 at Mount Calvary Baptist Church into 416 at Mount Calvary Baptist Church
- Combine 418 and 419 at Clendenin Church of the Nazarene into 419 at Clendenin Church of the Nazarene

- Combine precincts 439 and 440 at Pinch Elementary School into 439 at Pinch Elementary School
- Combine precincts 435 and 442 at Capital High School into 435 at Capital High School
- Move precinct 103/103A from Washington High Community Center into a new location yet to be determined.
- Move precinct 168 from Garnet Adult Center to Martin Luther King Jr Center
- Move precinct 172 from Garnet Adult Center to Piedmont Elementary School
- Move 298/298A and 373/373A from Grandview Elementary School to North Charleston Rec Center
- Move precinct 421, 423 and 438 from Elkview Baptist to Herbert Hoover High School
- Change 440A to 439A at Pinch Elementary School

**Commission President Lance Wheeler**

**Commissioner Ben Salango**

**Commissioner W. Kent Carper**

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

**Marc Slotnick, County Attorney**

Vera McCormick informed the Commission that the Clerk's office wishes to consolidate and change some precincts. Commissioner Wheeler said these are little changes that make things more efficient, correct? Mrs. McCormick stated yes. Marc Slotnick said this was properly publicized. Commissioner Carper asked if anyone was present to object to these changes. Thorton Cooper stated that he is not against efficiency, but three sets of the precincts they are changing don't touch each other, and he does not believe it is legal. Commissioner Salango asked which ones Mr. Cooper was referring to. Mr. Cooper said 117 and 123, 177 and 178, and 294A and 293. Marc Slotnick said the three Mr. Cooper mentioned they currently vote at the same location, and nothing states we have to require contiguous precincts. Commissioner Salango asked Mr. Cooper where the law says it has to be contiguous. Marc Slotnick said that all of these changes are legal. Bob Redmond said he is here to represent District 4 and does not agree with the change of precinct 440 into 439. Mr. Redmond said these precincts are constantly busy with



long lines. Mr. Redmond said he has been a poll worker and voter at this precinct for 10 years, and this is a mistake. Vera McCormick said they are both at Pinch Elementary and will have more voting booths, and at the presidential election, we will have more poll workers. Mrs. McCormick said they could not use the Quick Community Center due to trouble with the bridge. Commissioner Carper said that the Commission had the bridge fixed. Samantha Perna said the building is not ADA-compliant. Vera McCormick said they were moving 440 because they had already been voting in the same building. We will find out if there has been an issue with long lines and add more machines. Commissioner Carper asked if the Commission had to vote on all of them this evening. Marc Slotnick said they have to be voted on in two weeks, and you can vote on them separately. Vera McCormick said at the last election, 356 voted at 440 and 254 in precinct 439, which is why we feel we can consolidate and add more machines and workers. Commissioner Wheeler said that is still a high number, and he is concerned there will be long lines. Commissioner Salango noted that he is inclined not to vote on that one. Commissioner Wheeler said he agrees. Elaine Harris, Chair of the Kanawha County Democratic Executive Committee, said they received an updated list of the changes in mid-December and asked if there are issues after these changes and if we can come back and tweak and fix them. Commissioner Wheeler said yes, we will always listen and make changes for the General election if needed. Commissioner Carper asked Elaine Harris, as the Chair, if she approved of these changes being voted on besides 439 440. Ms. Harris stated yes. Commissioner Carper moved to approve the changes listed on the agenda except for precincts 439 & 440. Commissioner Salango seconded. Motion carried. Commissioner Wheeler asked if anyone from the Republican Executive Committee was present. There was none. Mrs. McCormick said that per one of Mr. Cooper's complaints, 293 had 253 voters, and the other had 12 voters. That is why we are making that change. Mrs. McCormick said she would send out notices to voters within two weeks of these changes.

**Discussion regarding continuing to use the nine early community voting locations that have already been designated by the Commission and County Clerk during prior elections for the 2024 Primary Election. Locations include: Cross Lanes Sheriff Detachment, Belle Town Hall, City of Saint Albans Town Hall, Sissonville Library, Elkview Community Center, Marmet Town Hall, City of Nitro Police Dept., The Girls Scouts of Black Diamond Council, and Kanawha County Voters Registration office**

**Commission President Lance Wheeler**

**Commissioner Ben Salango**

**Commissioner W. Kent Carper**

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

**Marc Slotnick, County Attorney**

Commissioner Wheeler asked if Mrs. McComick had a suggestion to make any changes to the locations. Mrs. McComick said no. Commissioner Wheeler asked if Mrs. McComick had asked the Executive Committees if they had any changes. Mrs. McComick said they have, and there were no recommendations. Commissioner Wheeler asked if she knew how many voted at the Black Diamond location. Marc Slotnick said 1375. Marc Slotnick said because we are not making any changes, this will be on the March 7<sup>th</sup> agenda for a vote. It is due at the end of March.

**Discussion regarding proposal from West Virginia American Water to purchase Union Public Service District. Further discussion will include options the Kanawha County Commission may pursue in relation to the proposal from WVAW**

**Commissioner Kent Carper**

**Christopher Settles, Deputy County Attorney**

Commissioner Carper said he placed this on here just to keep track of this progress, but he believes this is going nowhere. WVAWC made their offer, but the Board is not moving. Brooks Crisplip said they have had limited conversations with the Board, and their offer still stands as of right now. The assets depreciate over time and have depreciated by now at \$1.7M since August. Commissioner Carper asked how that figure is reached. Mr. Crisplip said there is a schedule that the PSC sets so each section of pipe has a value, and it decreases over time. Dreama Miller stated she is a Cross Lanes resident and is collecting signatures against this takeover by WVAWC. Ms. Miller stated that WVAWC schedule of rate increases is too high for seniors, and they feel this will be an extreme burden. Ms. Miller stated that they discovered there would be \$7M left after paying Union Public Service District bills, which would be handed over to the Commission to spend as the Commission pleases. Ms. Miller stated that is our money, so to speak, not the Commission's. Commissioner Wheeler said that the Commission has publicly pledged that money would go back into the community of Cross Lanes. Commissioner Carper informed Ms. Miller that UPSD knew that it would go back into Cross Lanes when they told the residents about the \$7M, and they are not financially set; they are raising rates on their own. Ms. Miller said, but not as much as WVAWC. Commissioner Salango said if UPSD had a catastrophic event, Union Public could not pay for it. Commissioner Salango said that UPSD needs to consider that when deciding on this offer. Ms. Miller said that UPSD informed the residents that they asked the Commission for money in 2023, and was denied. Commissioner Carper said that UPSD told him they had plenty of money and plenty of credit and did not need the money. Chris Settles said yes, they told us they heard we had ARP money, so they applied for it but didn't need it. Commissioner Salango said if you continue with Union and they have to make

upgrades, Union customers only must pay for it. With WVAWC, the increase goes to everyone, they don't focus on just one area. All the seniors you are talking about, wait a few years if Union needs updates; Cross Lanes will get all the increases. Ms. Miller said that UPSD is telling them their increase will be \$60-\$70 per month by WVAWC. Mr. Crislip said those numbers are inaccurate; the average user would be \$15-18 monthly. Commissioner Carper asked if that is above what Union is working on now. Mr. Crislip stated that's at the rate they are today. Ms. Miller informed Mr. Crislip that he was at that meeting and did not dispute those numbers that Union gave. Ms. Miller understands everything needs to be upgraded, but why didn't WVAWC put money away for all these increases? Commissioner Wheeler said, but you can say the same thing about Union PSD, and this opportunity will make it solvent. Commissioner Wheeler said Union is sending out false information. This sale gives the Commission a chance to spend \$7M back on your community, and you will have a sewer system where you don't have to worry about failing. Commissioner Carper said he would not vote to dissolve UPSD, but it is unfair when you listen to people who are making up charts who work there and don't live there. Commissioner Salango said that the Commission will not vote to dissolve UPSD, but we will also not vote later to fix it. Commissioner Salango suggested that Ms. Miller go to the Board and ask them. Mr. Crislip said that WVAWC will continue the conversation with Union PSD.

**Discussion regarding Kanawha County 2024 Spring Cleanups:**

- April 6th, 2024, at 3298 Sissonville Drive - the intersection of Sissonville Drive and Casdorff Road in Sissonville
- April 20th, 2024, at 15127 MacCorkle Ave, SE behind Go Mart in Cabin Creek
- May 4th, 2024, at the intersection of 4<sup>th</sup> Avenue, and C Street (300 Block of C Street) in South Charleston

**Commission President Lance Wheeler**

**Commissioner Ben Salango**

**Commissioner W. Kent Carper**

David Workman informed the Commission that the Spring Cleanup dates are selected at the same locations as previous years. Planning will start advertising and reaching out to the vendors after being voted on.

Commissioner Wheeler moved to approve the dates listed for the Spring Cleanup. Commissioner Salango seconded. Motion carried.

**Discussion and Update regarding the DEP Demolition Program  
Grant application in the amount of \$1.5 Million**

**Commission President Lance Wheeler  
David Workman, Planning Director**

David Workman informed the Commission that we were approved for \$1.5M for the County's demolition program. There are a lot of fires and abandoned homes throughout the County. Commissioner Wheeler asked if the Commission needs to send letters to our municipalities. David Workman said that Planning will continue with the agreements we had with them last year.

Commissioner Wheeler moved to send letters to cities asking for an updated list of homes that need to be demoed. Commissioner Salango seconded. Motion carried.

Commissioner Carper asked if Commissioner Wheeler planned to send a letter to Charleston and South Charleston. Commissioner Wheeler said that if they received their own grant, we would not assist and save for those who don't. Commissioner Wheeler asked what is the start to finish. David Workman said about six months from start to finish.

**Discussion and Update regarding ARP Applications**

**Commission President Lance Wheeler  
Melissa Smith, Deputy County Manager  
Kim Fleck, Director of Finance**

Commissioner Wheeler said KC-133 Relation Road is the last water project on our list, and the Commission contribution is zero. Bruce said that is correct we just need to finish the design, and it should be done in 12 months. Bruce said that the other project is \$710,000, and we can be awarded ½ of that. There are 14 customers, and all have signed up. WVAWC will give money towards this project, and the Commission needs to give \$269,000. Bruce said this location used to be the dump in the Cross Lanes area off of Washington Street, and it was hard to get to them. Bruce said there is \$127,900 left over from another project, which can be used towards this project. Commissioner Wheeler said that 14 doesn't sound like a lot, but it is to those residents. Commissioner Wheeler said that the application is not ready and would like to place it on the next agenda. Commissioner Carper stated that he moved the Commission to amend the rules and move forward on this project.

Commissioner Wheeler moved to expenditure with the last money in \$269,000 contingent on the application coming in. Commissioner Carper seconded. Motion carried.

**Discussion regarding ARP Funding in the amount of \$269,000 to fund the Relation Road Waterline Extension. Application to follow**

**Commission President Lance Wheeler**

**Commissioner Ben Salango**

**Commissioner W. Kent Carper**

Commissioner Wheeler said that the Commission has some applications that we received and have been there for a while. Melissa Smith said there are nine ARP applications. Commissioner Wheeler stated out of respect, we should send letters denying those that will not be approved.

Commissioner Wheeler moved to send denial letters to the nine ARP applications. Commissioner Salango seconded. Motion carried.

Melissa Smith informed the Commission that an application was sent for another grant for the Rand Community Center from Senator Manchin's office. It focuses on community centers, and she submitted it today for the Rand Community Center.

**Discussion regarding Fiscal Year 2024-25 budget**

**Commission President Lance Wheeler**

Commissioner Carper asked Commission Wheeler what was his plan for raises.

Commissioner Wheeler said he has to see what outside agencies send to the Commission. Julianne Bowyer informed the Commission that letters were sent two weeks ago asking for a flat budget, and they are due February 2<sup>nd</sup>. The elected officials are coming in on 8<sup>th</sup> to present their budgets to the Commission. On February 22<sup>nd</sup>, outside agencies come in, and on March 22<sup>nd</sup> is the meeting for the budget approval. Commissioner Carper said the Commission should have about the same dollars as last year, maybe a bit less. Commissioner Salango said there are some budgets that will need an increase, like the Prosecuting Attorney's office, and there will be a new Judge and three new Magistrates. Commissioner Carper said that the Prosecuting Attorney's Office never came in asking for more money, yet they say some are leaving due to low salaries. Commissioner Salango said when the State gave us this mandate, they didn't provide any funding for these new positions and space. Commissioner Salango asked if there was space for more attorneys there.

**Discussion regarding 2024 Legislative Agenda**

**Commission President Lance Wheeler**

**Commissioner Ben Salango**

**Commissioner W. Kent Carper**

**Melissa Smith, Deputy County Manager**

Melissa Smith informed the Commission that the 911 bill passed the Senate and SB439 and is on its way to the House.

Commissioner Wheeler moved to send a letter to our representatives in the House asking for approval and to cc the 911 Counsel, Dean Meadows. Commissioner Salango seconded. Motion carried.

Melissa Smith stated that the Commission voted to send letters regarding the Senior Citizen meals at the last meeting. Melissa Smith said she heard back from Delegate Rowe and that the Governor is putting money in his budget for this. Chris Settles said that SB 171 prohibits passing ordinances for agriculture. This would help later restrict other ordinances like floodplains. Commissioner Wheeler said that the Commission should stand with CCAWV opposing this. Commissioner Wheeler said that the Commission will send letters to our delegation opposing. Commissioner Salango said to put in the letter this sets precedence.

**Kanawha County Commission meetings through April 2024**  
**Commission President Lance Wheeler**  
**Commissioner Ben Salango**  
**Commissioner W. Kent Carper**

DATE	TIME
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
Thursday, April 4, 2024	5:00 p.m.Δ
Tuesday, April 16, 2024	8:30 a.m.Δ0

- Δ Regularly 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. Commissioner Carper seconded. Motion carried.

Administrative Closing Order (Jamie Casto, Ward)

Administrative Closing Order (Brian Hannigan, Ward)

Administrative Closing Order (William Moss, Ward)

Order Accepting Copy of Will for Recording (Estate of Marvin Reese Gandee)

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 William Edward Campbell)

Order Declaring Re-Opened Estate Closed (Estate of Harriet Robertson Claypool)

Order Declaring Re-Opened Estate Closed (Estate of Cecelia Parker)

Order Declaring Re-Opened Estate Closed (Estate of Ervin Ward Smith)

**PURCHASE ORDERS**

Commissioner Salango moved to approve the Purchase Orders listed on the agenda. Commissioner Carper 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:**

<b>Vendor</b>	<b>Department</b>	<b>Amount</b>	<b>Comments/Description</b>
Zones LLC	County Clerk	\$23,178.00	Fourteen Dell Optiplex 70-10 plus i7-13700 Win11-16 GB ram 512GB SSD-3yr pro \$1,185 each; five Dell Optiplex all-in-one i7-Win11-18gb Ram 512 SSD \$1,300 each; and eleven power strips \$8 each

Rodney Loftis & Son	Kanawha Co. Planning & Community Dev.	\$62,847.00	5235 Cabin Creek Rd. \$11,466; 3576 Clover Drive \$6,309; 5534 Cabin Creek Rd. \$9,7820; 1498 Dry Branch Rd. \$13,212; and 3304 DuPont Avenue \$22,140
Capital Wrestling Booster Club (PO signed 1/18/24)	Kanawha Co. Commission	\$12,000.00	Contribution for the wrestling program to include mats
Kanawha Valley Senior Services	Kanawha Co. Commission	\$10,000.00	Annual contribution for FY 2023-2024 additional funds for waiting list
Silling Associates Inc.	Kanawha Co. Commission	\$54,880.00	Phase 1 pre-designs services for Judicial Annex
City of South Charleston Fire Department	Kanawha Co. Commission	\$109,250.00	Contribution for the purchase and installation of emergency generators at four fire stations
Zetron Inc.	Kanawha Co. Commission	\$300,000.00	Radio network project
Three Point Strategies LLC	Kanawha Co. Commission	\$30,000.00	Consulting WV Legislature Jan 2024-June 2024
Astar Abatement Inc.	Kanawha Co. Planning & Community Dev.	\$19,875.00	Asbestos abatement services 8710 California Avenue
Precision Pump & Valve Service Inc.	Shawnee Sports Complex	\$7,916.00	Pool pump



ZMM Architects & Engineers Inc.	Kanawha Co. Commission	\$13,375.00	Programming and scope development Capital Sorts Complex
Capital High School Football Team (PO signed 1/18/24)	Kanawha Co. Commission	\$10,000.00	Contribution for the football program for equipment

**ORDERS**

Commissioner Salango moved to approve the Orders listed on the agenda. Commissioner Carper 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 25th, 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 25th, 2024*)**  
 The Honorable Vera J. McCormick, Clerk of the County Commission

**New Employee: Cody Allen Champlin, Kanawha County Deputy Sheriff, Kanawha County Sheriff's Law Enforcement, full-time employee, \$52,728.00 per year (certified officer), replacing Paxton Lively, effective February 1st, 2024**

**New Employee: Andrew Charles Walker, Kanawha County Deputy Sheriff, Kanawha County Sheriff's Law Enforcement, full-time employee, \$49,004.80 per year, replacing Michael Simms, effective February 16th, 2024**

**New Employee: Tammy Sue Smith, Day Report Office Manager, Kanawha County Sheriff's Day Report Center, full-time employee, \$30,014.40 per year, replacing Brian Forron, effective February 1st, 2024**

**Appointment of Ballot Commissioners to serve for two years pursuant to W.Va. Code §3-1-19**

Resolution stating the reasonable expectation of the County Commission of Kanawha County, West Virginia to be reimbursed for Capital Expenditures in connection with the expansion, renovation, improvement, equipping and furnishings of the Kanawha County Judicial Annex located in Charleston, Kanawha County, West Virginia, for use by the County Commission of Kanawha County, made prior to the issuance of tax-exempt revenue bonds by the Kanawha County Building Commission or other qualified issuer

Order updating the Board of Directors appointments to the Emergency Operations Center – Metro 911, per the Charter adopted on April 11th, 2019

Order appointing the Executive Committee for the Emergency Operations Center – Metro 911, per the Charter adopted on April 11th, 2019

Order accepting precinct changes

Order designating Planning Department Employee Carl O'Neal as County Litter Control Officer pursuant to W.Va. Code 7-1-3ff (d) with the intent to allow him to complete a training course offered by the West Virginia Department of Environmental Protection for the purpose of issuing citations for litter, failure to dispose of solid waste, and open dumps

Order Authorizing the Sheriff of the County of Kanawha to transfer all remaining receipts received through December 31st, 2022, from the Special Revenue FUND #004 (GENERAL SCHOOL FUND) to the General Fund #001-394-0-00.00

Kim Fleck, Director of Finance

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

**REVENUES:**

001-401.00.5-67.00	Commission - Transfers to other funds	(150,000)
001-401.00-2-23.00	Commission - Professional Services	75,000
001-401.00-2-30.00	Commission - Contracted Services	75,000
001-403.00-3-42.00	Circuit Clerk - Record Books	(2,000)
001-403.00-2-22.00	Circuit Clerk - Dues & Subscriptions	1,000
001-403.00-2-23.00	Circuit Clerk - Professional Services	1,000
001-406.00-1-08.01	Assessor - Overtime	(22,000)
001-406.00-1-09.00	Assessor - Temporary Salaries	22,000

**CHECK REGISTERS: SUPPLEMENTALS/EMERGENCY:**

Commissioner Salango moved to approve the check register listed on the agenda. Commissioner Carper seconded. Motion carried.

Rodney Loftis & Son, in the amount of 62,847.00 for 5235 Cabin Creek Rd.; 3576 Clover Drive; 5534 Cabin Creek Rd.; 1498 Dry Branch Rd.; and 3304 DuPont Avenue

Kanawha Valley Senior Services, in the amount of \$10,000 for annual contribution for FY2023-2024 additional funds for waiting list

Silling Associates, Inc., in the amount of \$54,880.00 for Phase 1 pre-designs services for Judicial Annex

City of South Charleston Fire Department, in the amount of \$109,250.00 for contribution for the purchase and installation of emergency generators at four fire stations

Zetron Inc, in the amount of \$300,000.00 for radio network project

Three Point Strategies, LLC, in the amount of \$5,000.00 for consulting WV Legislature

Astar Abatement, in the amount of \$19,875.00 for asbestos abatement services 8710 California Avenue

ZMM Architects & Engineers, Inc, in the amount of \$13,375.00 for programming and scope development Capital Sports Complex

**Ratification of documents processed on January 11th, 2024**

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

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

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, gutters, and downspouts on the Tyler Mountain VFD building per bids received and emergency change order to include the gutters and down spouts

**Ratification of Emergency Checks processed on January 18th, 2024:**

Commissioner Salango moved to approve the Ratification of Emergency Checks processed on January 18th, 2024. Commissioner Carper seconded. Motion carried.

Capital High School Football Team in the amount of \$10,000 for contribution for the football program for equipment

Capital Wrestling Booster Club in the amount of \$12,000 for contribution for the wrestling program to include mats

**Ratification of document processed on January 16th, 2024:**


Commissioner Salango moved to approve the Ratification of document processed on January 16th, 2024. Commissioner Carper seconded. Motion carried.

Emergency Check: from the Public Safety Levy Fund in the amount of \$300,000 to the Capital Fund representing the funding for the Network Radio Project (payment #1)

THE KANAWHA COUNTY REGULAR COMMISSION MEETING OF JANUARY 25<sup>TH</sup>, 2023, ADJOURNED AT 6:24pm UNTIL THE 8<sup>TH</sup> DAY OF FEBRUARY 2024.

THE FOREGOING MINUTES ARE APPROVED THIS 8<sup>TH</sup> DAY OF FEBRUARY 2024.

  
\_\_\_\_\_  
COMMISSIONER

  
\_\_\_\_\_  
COMMISSIONER

\_\_\_\_\_  
COMMISSIONER

  
\_\_\_\_\_  
COUNTY ATTORNEY