

KANAWHA COUNTY COMMISSION

Agenda

Thursday, June 13, 2024

5:00 P.M. CALL TO ORDER

Pledge of Allegiance
Commission President Lance Wheeler

MINUTES

Approval of the Minutes of the Canvass on May 20, 2024

Approval of the Minutes of the Special Commission Meeting on May 23, 2024

Approval of the Minutes of the Regular Commission Meeting on May 30, 2024

RESOLUTION/PROCLAMATION

Resolution Honoring Charles T. Miller

Recognition of Elkview Middle School Boys and Girls Track Teams for Winning the County Tournament Championship

NEW EMPLOYEES

County Clerk

Kamron Olish, Summer Intern, Kanawha County Clerk's office, part-time employee, \$14.00 per hour, effective June 14, 2024
The Honorable Vera McCormick, County Clerk

Prosecuting Attorney

Cody W. Evans, Assistant Prosecuting Attorney, Kanawha County Prosecuting Attorney's office, full-time employee, \$75,000.00 per year, replacing Faun Cushman, effective June 14, 2024
The Honorable Charles T. Miller, Prosecuting Attorney

Sandra Harrah, Assistant Prosecuting Attorney, Kanawha County Prosecuting Attorney's office, full-time employee, \$77,500.00 per year, filling an open position, effective July 1, 2024

The Honorable Charles T. Miller, Prosecuting Attorney

Sheriff

Hailie Harper, Victim Services Coordinator, Kanawha County Sheriff's Law Enforcement, full-time employee, \$43,470.40 per year, replacing Sarah Kingston, effective June 16, 2024

The Honorable Mike Rutherford, Sheriff

Briana A. Feazelle, Data Entry Clerk, Kanawha County Sheriff's Law Enforcement, full-time employee, \$35,526.40 per year, replacing Larry Dodson, effective June 16, 2024

The Honorable Mike Rutherford, Sheriff

Elena A. Launi, Seasonal Summer Intern, Kanawha County Sheriff's Law Enforcement, part-time employee, \$15.00 per hour, effective June 14, 2024

The Honorable Mike Rutherford, Sheriff

CHANGE OF EMPLOYMENT STATUS

AGENDA ITEMS

5:00 P.M.

Appointment of Prosecuting Attorney of Kanawha County pursuant to W.Va. Code §3-10-8 to complete the vacant unexpired term to be effective upon designation and end December 31, 2024

Commission President Lance Wheeler

Commissioner Ben Salango

Commissioner Marc J. Slotnick

Jennifer Herrald, County Manager

Discussion regarding approval of the FY 2023-2024 Special Funds budgets in the aggregate amount of \$53,789,427 pursuant to West Virginia Code §7-1-9

Commissioner Lance Wheeler

Commissioner Ben Salango

Commissioner Marc J. Slotnick

Kim Fleck, Director of Finance

Discussion regarding funding request from Ken Ellis Memorial Park in the amount of \$75,000.00 for ADA compliant restrooms. Total project \$125,000.00

Commission President Lance Wheeler
Commissioner Ben Salango
Commissioner Marc J. Slotnick

Discussion regarding receipt of funds in the amount of \$210,000 from NGK and the distribution of \$50,000 to Sissonville Community Development Council to use for mini-grants. Discussion will include putting the remaining funds in a special account/line for Sissonville Projects and distributing quarterly \$25,000 to the Greater Sissonville Development Council

Commission President Lance Wheeler
Commissioner Ben Salango
Commissioner Marc J. Slotnick
Johnnie Brown, President, Greater Sissonville Development Council

Discussion regarding SB240, which passed during the regular 2024 Legislative Session allowing an increase in fees for Legal Process, the increase must be approved by the Kanawha County Commission - fee increase schedule could include the following:

- For serving an order, notice, summons, or other process where the body is not taken, except a subpoena served on a witness, and making return thereof \$30.00
- For summoning a witness \$30.00
- For serving an attachment or other process under which the body is taken \$30.00
- For levying an attachment on real estate and making the return \$30.00
- For making any other levy \$30.00
- For serving a writ of possession \$30.00

Commission President Lance Wheeler
Commissioner Ben Salango
Commissioner Marc J. Slotnick
The Honorable Mike Rutherford, Sheriff

Discussion regarding the P-Card policy and additional cards for designated employees in each Elected Officials office

Commission President Lance Wheeler
Commissioner Ben Salango
Commissioner Marc J. Slotnick
Jennifer Herrald, County Manager
Kim Fleck, Director of Finance
Julianne Bowyer, Finance Coordinator

Discussion regarding the purchase of a new Mobile Command Unit, to include but not be limited to total project cost of \$1M with partial funding for the project coming from Congressional Directed Spending Grant from HUD in the amount of \$720,000

Commission President Lance Wheeler
Commissioner Ben Salango
Commissioner Marc J. Slotnick
Jennifer Herrald, County Manager
David Armstrong, Deputy Director of Emergency Management

Discussion regarding Shawnee Welcome Center and Award of Contract to Pray Construction for Build-out of new Welcome Center partially funded by Federal and State Grants totaling \$4M, total project cost \$5.358M

Commissioner Ben Salango
Commission President Lance Wheeler
Commissioner Marc J. Slotnick
Jennifer Herrald, County Manager
Katie Arthur, Executive Director, Shawnee Sports Complex
Ben Ashley, ZMM Architects and Engineers
Nathan Spencer, ZMM Architects and Engineers
Patrick Beall, Pray Construction

Kanawha County Commission meetings through September 2024

Commission President Lance Wheeler
Commissioner Ben Salango
Commissioner Marc J. Slotnick

DATE	TIME
Thursday, July 11, 2024	5:00 p.m.
Thursday, August 8, 2024	5:00 p.m.
Thursday, August 22, 2024	5:00 p.m.
Thursday, September 5, 2024	5:00 p.m.
Thursday, September 19, 2024	5:00 p.m.

5:00 P.M. PUBLIC HEARING

The Kanawha County Commission, sitting as the Franchise Authority of Cable Television Systems within the territorial limits of Kanawha County per W.Va. Code § 24D-1-1, *et seq.*, will hold an administrative proceeding on June 13, 2024, at 5:00 pm, to consider Cebridge Acquisition, LLC's ("Altice") Application/Proposal for Renewal of a Cable Franchise For Kanawha County, West Virginia

AGENDA SETTING

PUBLIC COMMENT

COUNTY MANAGER'S REPORT

DIRECTOR OF FINANCE'S REPORT

COUNTY ATTORNEY'S REPORT

STAFF REPORTS

NEW BUSINESS

FIDUCIARY

Order Declaring Re-Opened Estate Closed (Estate of Wilma Jean Tuitt Dunham)

Order Declaring Re-Opened Estate Closed (Estate of Gary Keith Spangler)

Order Declaring Re-Opened Estate Closed (Estate of Elizabeth Arlene McCuskey)

Order Declaring Re-Opened Estate Closed (Estate of Ralph Keith Kyle)

Order Declaring Re-Opened Estate Closed (Estate of James R. Hinton)

Order Declaring Re-Opened Estate Closed (Estate of Glendene F. Hinton)

Order Declaring Re-Opened Estate Closed (Estate of Julia Roy Hedrick)

Order Admitting Will to Probate in Solemn Form (Estate of Stephen D. Crouse)

Order (Estate of Mary Jannette Hanshaw)

Order (Estate of Timothy J. Barker)

Order Referring to a Fiduciary Commissioner (Estate of Ansis Swope)

Order Confirming and Ratifying Supervisor's Report of Claims and Settlement Reports

Order Confirming and Ratifying Supervisor's Report of Claims and Settlement Reports

Objections and Exceptions

PURCHASE ORDERS

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
Riverside Sod Farm, LLC (revised PO)	Shawnee Sports Complex	\$7,100.00	Fertilizer. Increased PO 6/13/24 for additional supplies and services \$2,199.00
Kanawha County Sheriff's Department (revised PO)	Kanawha Co. Planning & Community Dev.	\$6,346.65	Participation in the 2024 spring cleanups. Increased PO \$346.65
City of South Charleston (revised PO)	Kanawha Co. Planning & Community Dev.	\$11,600.00	Participation in the 2024 spring cleanups. Increased PO \$600
Saville Construction dba Leisure Pools (ratify PO signed 5/21/24)	Shawnee Sports Complex	\$10,469.00	Provide and install an ADA pool lift at Shawnee Sports Complex

BSN Sports (revised PO)	Shawnee Sports Complex	\$23,015.94	Increase PO 6/13/24 to add the 2 batting cages
Remotec, Inc. (ratify PO signed 5/31/24)	Sheriff's Law Enforcement Div.	\$206,403.00	Refurbish and upgrade existing equipment for Bomb Robot
Thaxton Construction	Kanawha Co. Commission	\$603,736.15	ARP Big Bend Golf Course flood damage repair project application #1 5/6/24- 5/31/24
New River Engineering, Inc.	Kanawha Co. Commission	\$13,000.00	Coonskin Park flood damage repairs project invoice #05-24-22 1/24-5/24
New River Engineering, Inc.	Kanawha Co. Commission	\$49,500.00	ARP Big Bend Golf Course flood damage repairs project invoice #05-24-23 1/24-5/24
TK Elevator	Maintenance	\$6,886.00	Elevator safety tests per quote dated 5/30/24
Tri-State Fencing, Inc. dba McNiel Fence Co.	Shawnee Sports Complex	\$28,447.57	Around perimeter install 5 additional walk gates with panic bars; install walk gates to each existing double drive gates (7) with panic bars also
Astar Abatement, Inc.	Kanawha Co. Planning & Community Dev.	\$6,969.60	Asbestos abatement services invoice #12897
Rodney Loftis & Son	Kanawha Co. Planning & Community Dev.	\$22,646.50	Demolition services invoice #1069 and #1070
Network Innovation Solutions	Kanawha Co. Comm Data Processing	\$7,956.00	156 Barracuda Sentinel accounts for real-time spear phishing and cyber fraud defense (Commission, Assessor, Clerk, Shawnee & Prosecutor \$5,616.00; 15 Shawnee 16 sentinel accounts \$576.00; and 49 Barracuda sentinel accounts \$1,764.00
Town of East Bank	Kanawha Co. Commission	\$175,000.00	Town of East Bank project Ghosh Engineers EB-WSSI- 2420-04; ARP KC-122
Rodney Loftis & Son	Kanawha Co. Commission	\$7,090.00	Demolition services invoice #1064

AGENDA
Meeting of June 13, 2024
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Silling Associates, Inc.	Kanawha Co. Commission	\$90,140.75	Phase 1 pre-design services for Judicial Building Invoice #6479
Lattas School Furnishings & Playgrounds	Knollwood Playground Association	\$10,000.00	Playground equipment for Knollwood Playground Association
WV Corporate Services, Inc.	Kanawha Co. Planning & Community Dev.	\$8,953.83	2024 spring cleanups (replaces PO S241728)
Electronic Specialty Company	Commission IT	\$7,077.00	PTZ camera and switch upgrade for Kanawha County Commission courtroom

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
Thaxton Construction Company	Kanawha Co. Commission	\$156,801.02	Coonskin Park Flood Damage Repairs Project

ORDERS

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund (*documentation available for inspection at the County Clerk's Office as well as the Kanawha County Commission meeting of June 13, 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 June 13, 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

New Employee: Kamron Olish, Summer Intern, Kanawha County Clerk's office, part-time employee, \$14.00 per hour, effective June 14, 2024

New Employee: Cody W. Evans, Assistant Prosecuting Attorney, Kanawha County Prosecuting Attorney's office, full-time employee, \$75,000.00 per year, replacing Faun Cushman, effective June 14, 2024

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New Employee: Elena A. Launi, Seasonal Summer Intern, Kanawha County Sheriff's Law Enforcement, part-time employee, \$15.00 per hour, effective June 14, 2024

Order ratifying the signature of the President of the Kanawha County Commission on the "Memorandum of Understanding" with YMCA of Kanawha Valley

**Order approving Employee Guidelines for the Kanawha County Commission, effective July 1, 2024
Jennifer Herrald, County Manager**

Approval of the Erroneous Assessments Submitted by the Kanawha County Assessor (decrease \$28,895.60)

Order authorizing the President of the Kanawha County Commission to execute a Lease Renewal for the Cross Lanes Detachment between Tyler Plaza, Inc., and the Kanawha County Commission

Order authorizing the President of the Kanawha County Commission to execute a Lease Renewal for the Elk Detachment between the Elk River Community Council, Inc., and the Kanawha County Commission

Order authorizing the President of the Kanawha County Commission to execute a Lease Renewal for the Kanawha County Deputy Sheriff's Sissonville Detachment between the Allen L. Haynes and the Kanawha County Commission

Order authorizing the President of the Kanawha County Commission to execute a Lease Renewal for the Kanawha County Sheriff's St. Albans Detachment between Andrew C. Wooten and the Kanawha County Commission

Order authorizing the President of the Kanawha County Commission to execute a Lease Agreement for the Quincy Detachment between the Quincy Center and the Kanawha County Commission

Order ratifying the President of the Kanawha County Commission signature on the Lease Agreement between the Kanawha County Commission and the City of Charleston

Order declaring Jarl Taylor, Court Security Office, serving in the Old Courthouse with the duties and powers of a Deputy Sheriff pursuant to W.Va. Code §6-3-1

Order authorizing the President of the Kanawha County Commission to sign Change Order No. 1 and Change Order No. 2 for Big Bend Slip Repairs

Order authorizing the President to sign Change Order #1 with Thrasher Engineering for the Brownfield Grant

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 Eight Hundred Thousand Hundred Dollars (\$800,000) to the Special Health Fund #372, budgeted transfer for Commission responsible health care costs (administration, clinic, wellness, HSA, etc.) for fiscal year 2024-2025

Kim Fleck, Director of Finance

Order appointment Marc J. Slotnick to Regional Intergovernmental Council (term of office)

Order appointing Marc J. Slotnick to the Charleston Area Alliance (term of office)

Order appointing Marc J. Slotnick to the Planning Commission (term to expire 7/25/25)

Order appointing Marc J. Slotnick to the Clay Center for Arts and Sciences of WV Board (term of office)

Order reappointing Roger "Pete" Kelley to the Elk Valley Public Service District (term to expire 6/30/30)

Order reappointing Brent Mallory to the Greater St. Albans Public Service District (term to expire 6/1/30)

Order reappointing Robert Brown to the Malden Public Service District (term to expire 6/1/30)

Order reappointing Paulette Justice to the Charleston Kanawha Housing Authority (term to expire 7/18/29)

Order reappointing Terrell Ellis to the Hatfield-McCoy Regional Recreation Authority (term to expire 7/1/28)

Order reappointing Pam Hylbert-Eder to the Planning Commission (term to expire 7/31/27)

Order reappointing Kay Summers to the Kanawha Solid Waste Authority (term to expire 7/1/28)

Resolution stating the reasonable expectation of the County Commission of Kanawha County, West Virginia to be reimbursed for Capital Expenditures in connection with the acquisition, construction, improvement, equipping and furnishing of the Capital Sports Center to be located in Charleston, Kanawha County, West Virginia, for use by the County Commission of Kanawha County and others, made prior to the issuance of tax-exempt Revenue Bonds by the Kanawha County Building Commission or other qualified issuer

Order authorizing the President of the Kanawha County Commission to sign the Placer.ai Order Form

Change in Scope for ARP KC-126 Big Bend Golf Course slip repairs and cart paths throughout the golf course (increasing grant funding from \$1,000,000 to \$1,150,000)

Order authorizing the President of the Commission to execute a contract with Pray Construction for the Shawnee Welcome Center Project

Authorization for the President of the Kanawha County Commission to sign a Supplemental Agreement with WV Department of Highways for the Elk River Trailhead – Clendenin facility

Order authorizing the President of the Kanawha County Commission to sign Victims of Crime Act (VOCA) Assistance Grant – Kanawha County Prosecutor Office

Order authorizing the President of the Kanawha County Commission to sign Victims of Crime Act (VOCA) Assistance Grant – Kanawha County Sheriff Department

Order Authorizing the President of the Kanawha County Commission to execute a Grant Agreement for the Court Security Grant, 25-CS-05 in the amount of \$20,000

Demolition Order: In the matter of the property owned by Carlos R. Mann and Delores L. Mann (Tax Map 3N Parcel 111, Jefferson District)

The Revision of the Levy Estimate (Budget) for the County of Kanawha – F.Y. 2023-2024 General Fund Budget Revision #15

1. Fiscal Year 2023-2024 Emergency Response Fund Line Item Revision

REVENUE:

021-000.00-382-0-00.00 Emergency Response – Refund and Reimbursements 204,851

EXPENDITURE:

021-401.00-3-41.00 Emergency Response – Supplies & Materials 204,851

2. Fiscal Year 2023-2024 General Fund Budget Revision #15

REVENUES:

001-000.00-322-21.00 Federal Grant - Homeland Security 206,403

EXPENDITURES:

001-401.00-5-67.00 Co Comm - Transfers to other funds (334,786)

001-700.00-1-04.00 Sheriff LED - FICA 21,956

001-700.00-1-06.00 Sheriff LED - Retirement 25,830

001-700.00-1-08.01 Sheriff LED - Overtime 287,000

001-972.13-4-59.00 Fed Grant - Homeland Security, Capital Outlay-
Equipment 206,403

CHECK REGISTERS: SUPPLEMENTALS/EMERGENCY:

Thaxton Construction in the amount of \$603,736.15 for ARP Big Bend Golf Course flood damage repair project Application #1 5/6/24-5/31/24

Silling Associates Inc., in the amount of \$90,140.75 for Phase 1 pre-design services for Judicial Building Invoice \$6479

Ratification of documents processed on May 14, 2024:

New Employee: Ella Cox, Shawnee Part-time, Shawnee Sports Complex, part-time employee, \$12.00 per hour, effective May 15, 2024

New Employee: Sylvana Kirtley, Shawnee Part-time, Shawnee Sports Complex, part-time employee, \$12.00 per hour, effective May 15, 2024

Ratification of documents processed on May 16, 2024:

New Employee: Ryleigh Click, Shawnee Part-time, Shawnee Sports Complex, part-time employee, \$12.00 per hour, effective May 16, 2024

New Employee: Dawson Lunsford, Shawnee Part-time, Shawnee Sports Complex, part-time employee, \$12.00 per hour, effective May 16, 2024

Emergency Purchase Order for Day Report: Servepro in the amount of \$10,840.20 to clean walls, ceiling, floor and some furniture for possible mold/mildew

Emergency Checks: US Bank in the total amount of \$4,207.75 for p-card payments

Ratification of documents processed on May 17, 2024:

Purchase Order and Emergency check for Kanawha Co. Commission: Pinch Community Association in the amount of \$30,000 for contribution for renovations to the Pinch Reunion Grounds

Ratification of documents processed on May 20, 2024:

The Revision of the Levy Estimate (Budget) for the County of Kanawha – F. Y. 2023-2024 General Fund Budget Revision #14

F.Y. 2023-24 General Fund Budget Revision #14

F.Y. 2023-24 Special Health Fund Line Item Budget Revision

F.Y. 2023-24 ARPA 2021 Fund Line Item Budget Revision

Purchase Order and Emergency check for Ribfest, Inc., in the amount of \$10,000.00 for contribution

Ratification of documents processed on May 21, 2024:

Emergency check: Saville Construction Inc., in the amount of \$10,469.00 to provide and install an ADA pool lift at the Shawnee Sports Complex

Ratification of documents processed on May 22, 2024:

Election payroll in the amount of \$215,823.77

Emergency Checks: US Bank in the total amount of \$24,900.73 for p-card payments

Ratification of documents processed on May 23, 2023:

Election payroll in the amount of \$95,939.16

Ratification of documents processed on May 30, 2024:

Payroll

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission of West Virginia (supplemental)

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

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission of West Virginia (supplemental)

New Employee: Mya Dennis, Shawnee Part-time, Shawnee Sports Complex, part-time employee, \$12.00 per hour, effective May 31, 2024

Authorization for the President of the Kanawha County Commission to Sign a Service Proposal between the Kanawha County Commission and Mechlenburg Roofing & Sheet Metal of WV

Election payroll in the amount of \$17,605.08

Ratification of documents processed on June 3, 2024:

Election Payroll in the amount of \$22,524.10

Ratification of document processed on June 4, 2024:

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

Ratification of documents processed on June 5, 2024:

Emergency Check: GAI Consultants in the amount of \$420 for Strawberry Road Study (3-day turn around check)

Election payroll in the amount of \$6,870.87

Ratification of documents signed on June 6, 2023:

Emergency Checks: US Bank in the total amount of \$1,094.05

Election payroll in the amount of \$3,256.74