

**MINUTES OF A REGULAR SESSION OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, HELD AT THE COURTHOUSE THEREOF ON THE 22ND DAY OF SEPTEMBER 2009.**

**A REGULAR MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, WAS HELD ON THE 22ND DAY OF SEPTEMBER 2009. THE COURTROOM OF THE COUNTY COMMISSION LOCATED IN THE KANAWHA COUNTY COURTHOUSE IN CHARLESTON, WEST VIRGINIA, BEGINNING AT 8:30 AM. COMPLETE AUDIO IS AVAILABLE IN THE COMMISSION OFFICE.**

**THE FOLLOWING MEMBERS WERE PRESENT:**

**W. KENT CARPER, PRESIDENT  
HENRY C. SHORES, COMMISSIONER  
DAVE HARDY, COMMISSIONER**

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|---------|----------|---|
| 9-22-09 | 2009-541 | Order Confirming and Approving Orders in Excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department   |
| 9-22-09 | 2009-542 | Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission-General Fund   |
| 9-22-09 | 2009-543 | Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission-Special Fund   |
| 9-22-09 | 2009-544 | <i>New Employee</i> , Kelly Gilkeson, Commission Office, Receiving Clerk, \$25,000.00, full-time employment, replacing Shellie Lanham's vacancy, effective September 22, 2009   |
| 9-22-09 | 2009-545 | <i>New Employee</i> , Carrie Reveal, Circuit Clerk's Office, Part-time Clerk, \$10.00 per hour, temporary, part-time employment, effective September 28, 2009   |
| 9-22-09 | 2009-546 | <i>New Employee</i> , Crystal Jones, Prosecuting Attorney's Office, Victim's Advocate, New Grant Position, \$20,800.00 per year, effective September 21, 2009   |
| 9-22-09 | 2009-547 | <i>New Employee</i> , Geoffrey Davis, Prosecuting Attorney's Office, Carrier/Support Staff, temporary, part-time employment, \$10.00 per hour, effective September 16, 2009   |
| 9-22-09 | 2009-548 | Order approving annual financial statements for period July 1, 2008, through June 30, 2009 ( <i>deadline of October 1, 2009 for publication</i> )   |
| 9-22-09 | 2009-549 | Order authorizing the President of the Kanawha County Commission to submit the 2009 Courthouse Facilities Improvement Authority Grant application   |
| 9-22-09 | 2009-550 | Order authorizing the President of the Kanawha County Commission to execute the award document for the Federal Grant from the Department of Justice, Office of Justice Programs for the FY 09 Justice and Mental Health Collaboration Program in the amount of \$250,000.00 |

- 9-22-09 2009-551 Order approving overtime for Kanawha County Commission employees for pay period ending September 30, 2009 for hours worked in the pay period of August 31, 2009, through September 13, 2009
- 9-22-09 2009-552 Order Authorizing the Clerk of the County Commission to issue a check from the General County Fund, #001-401.00-5-68.00 (Contributions), in the amount of Thirty-Five Thousand Dollars (\$35,000.00) payable to the City of Charleston for the Metro Drug Unit (PEPI)
- 9-22-09 2009-553 Order Authorizing the Clerk of the County Commission to issue a check from General County, #001-401.00-5-67.00, in the amount of Two Million Dollars \$2,000,000.00) to the County Stabilization FUND #058
- 9-22-09 2009-554 Order Authorizing the Clerk of the Kanawha County Commission to issue a supplemental check from the General County Fund (001-809.00-5-68.00), in the amount of One Hundred Forty Thousand, One Hundred Ninety Dollars and Ninety Two Cents (\$140,190.92) for Invoice No. 3 to Mountain Haus Properties, Inc. representing payment for work on the Upper Fishers Branch/Guthrie Line D Water Line Extension Project
- 9-22-09 2009-555 Order Authorizing the Clerk of the County Commission to issue a check from General County, #001-704.00-2-30.00, in the amount of One Million Fifty Two Thousand Five Hundred Fifty-One Dollars and Eighty-Five Cents (\$1,052,551.85) to the WV Regional Jail Authority representing payments for March, 2009 (\$353,385.55), April, 2009 (\$350,391.16), and May, 2009 (\$348,775.14)
- 9-22-09 2009-556 Order – Supplementals/*Check Register (WV Regional Jail Authority)*
- 9-22-09 2009-557 Order – Supplementals/*Check Register (Mountain Haus)*

**Order NOT ON Agenda but approved/processed from 9/22/09 Commission Meeting:**

- 9-22-09 2009-558 Order authorizing the President of the Kanawha County Commission to sign Sub-Grant Award for 2010 Interoperable Emergency Communications Grant Program
- 9-22-09 2009-559 Order – Supplementals/*Check Register (Citynet, LLC)*

**Supplemental NOT ON Agenda but approved/processed from 9/22/09 Commission Meeting:**

Supplemental voucher, Citynet, LLC, \$3,500.55 (*June and July invoices*)

**Order/Document on Agenda but NOT approved/processed from 9/22/09 Commission Meeting:**

Commission Meeting Minutes of September 10, 2009

*New Employee*, Brenda S. Walker, Assessor's Office, Real Estate Division, temporary, part-time employment, \$10.00 per hour, effective October 15, 2009

**New Employees approved/processed at 9/22/09 Commission Meeting:**

*New Employee*, Kelly Gilkeson, Commission Office, Receiving Clerk, \$25,000.00, full-time employment, replacing Shellie Lanham's vacancy, effective September 22, 2009

*New Employee*, Carrie Reveal, Circuit Clerk's Office, Part-time Clerk, \$10.00 per hour, temporary, part-time employment, effective September 28, 2009

*New Employee*, Crystal Jones, Prosecuting Attorney's Office, Victim's Advocate, New Grant Position, \$20,800.00 per year, effective September 21, 2009

*New Employee*, Geoffrey Davis, Prosecuting Attorney's Office, Carrier/Support Staff, temporary, part-time employment, \$10.00 per hour, effective September 16, 2009

**Letter of Intent approved/processed at 9/22/09 Commission Meeting:**

Tyler Mountain Volunteer Fire Department, \$15,000.00 (*emergency repairs to 1985 Fire Truck Pump, first out fire truck*)

**Supplementals/Check Register approved/processed at the 9/22/09 Commission Meeting (Set Forth in 2009-556 and 557):**

Supplemental voucher, WV Regional Jail Authority, \$1,052,551.85 (*March, 2009, \$353,385.55; April, 2009, \$350,391.16; and May, 2009, \$348,775.14*)

Supplemental voucher, Mountain Haus Properties, Inc., \$140,190.92 (*Invoice No. 3 to representing payment for work on the Upper Fishers Branch/Guthrie Line D Water Line Extension Project*)

**8:30 A.M.      CALL TO ORDER**

**Pledge of Allegiance**  
**Commissioner W. Kent Carper**  
Mayor Chuck Blair

**Moment of Silence and Recognition**

Commissioner Carper asked that the moment of silence and recognition be used to remember the recent loss of Charleston Police Officer Jerry Jones along with all other police, fire, and service personnel.

**APPROVAL OF COMMISSION MEETING MINUTES**

**Approval of Commission Meeting Minutes of September 10, 2009**

The commission meeting minutes for September 10, 2009 were not ready for approval.

**NEW EMPLOYEES**

**Assessor's Office**

Brenda S. Walker, Real Estate Division, temporary, part-time employment,  
\$10.00 per hour, effective October 15, 2009  
The Honorable Phyllis S. Gatson, Assessor

Brenda Walker was not present for approval.

❖ **Commission Office**

**Kelly Gilkeson, Receiving Clerk, \$25,000.00, full-time employment,  
replacing Shellie Lanham's vacancy, effective September 22, 2009  
Brent Pauley, County Manager  
Jerie Whitehead, Purchasing Director**

Commissioner Hardy moved to approve Kelly Gilkeson for full-time employment with the Purchasing Department. Commissioner Carper seconded. Motion carried. It was verified that the background check and drug testing were completed.

❖❖ **Circuit Clerk's Office**

**Carrie Reveal, Part-time Clerk, \$10.00 per hour, temporary, part-time  
employment, effective September 28, 2009  
The Honorable Cathy S. Gatson**

Commissioner Shores moved to approve Carrie Reveal for part-time employment with the Circuit Clerk's Office. Commissioner Hardy seconded. Motion carried.

❖❖ **Prosecuting Attorney's Office**

**Crystal Jones, Victim's Advocate, New Grant Position, \$20,800.00 per  
year, effective September 21, 2009  
The Mark A. Plants, Prosecuting Attorney**

**Geoffrey Davis, Carrier/Support Staff, temporary, part-time employment,  
\$10.00 per hour, effective September 16, 2009  
The Mark A. Plants, Prosecuting Attorney**

Commissioner Shores moved to approve the new employees for the Prosecutor's Office. Commissioner Hardy seconded. Motion carried. It was verified that all the proper grant position paperwork had been completed as well as background checks and drug testings.

**8:30 A.M.**

**AGENDA ITEMS**

- ◆◆ **Discussion regarding emergency request for funding for Tyler Mountain Volunteer Fire Department for repairs to 1985 Fire Truck with Pump Problem, first out truck for Tyler Mountain, estimated cost of repairs of**

**\$15,000 to include, but not be limited to, allocating funds for repair from Fire Service Supplemental Appropriation Fund**

**Commission President Kent Carper  
Dale Petry, Emergency Services Director  
C. W. Sigman, Deputy Emergency Services Director**

Dale Petry stated that Chief Sigman was not able to appear before the commission. He stated that this is necessary to do as an emergency because the truck is their first out truck. Commissioner Carper moved to approve the request for \$15,000 to the Tyler Mountain Volunteer Fire Department for truck repairs. Commission Hardy seconded. Motion carried. Jennifer Sayre stated that the commission has budgeted \$200,000 in the Fire Service Supplement Fund, previously called the Catastrophic Fund. She stated that this is the first disbursement from the account.

**Discussion and approval of annual financial statements for period July 1, 2008, through June 30, 2009 (*deadline of October 1, 2009 for publication*)**

**Commission President Kent Carper  
David Fontalbert, Chief Fiscal Officer  
Kim Lutz, Accounting Supervisor**

Kim Lutz stated that the Financial Statement is correct as presented. Commissioner Carper asked if the commission can rely on her work product. Mrs. Lutz replied yes. Commissioner Carper asked if it was accurate and she stated that it is accurate as long as her office has received all the proper information. When Commissioner Carper asked for clarification, Mrs. Lutz stated that she was referring to invoices that she may have not received in her office. Commissioner Carper stated that five years ago he would have given the financial statement a grade of D, now B+ would be adequate. Commissioner Carper moved to approve the annual financial statements for publication. Commissioner Shores seconded. Motion carried. Vera McCormick stated it has already been sent to the paper for publication. Mrs. Lutz suggested that the commissioners take a look at the financial statement because there are accounts with negative balances this year. She stated that the Home Confinement Fund, the Unemployment Fund, and some federal grant funds have negative balances. She also stated that this is most likely related to accounts payable and the time frame in which invoices are received. Commissioner Carper requests that Mrs. Lutz and Mr. Fontalbert meet more often to stay well informed of potential problems. Commissioner Carper stated that the County Clerk and staff did an excellent job.

**Discussion regarding request from Highland Hospital to use the County's Bond Authority for the \$26 million construction of a new 80 bed hospital and renovation of its existing facility into an outpatient treatment facility; total project will create 195 new full-time positions**

**Commission President Kent Carper  
Brent Pauley, County Manager  
Marc J. Slotnick, County Attorney**

## **David McWatters, CEO, Highland Hospital**

Mr. McWatters introduced the team for the development project. They include LGR and Associates, Mr. Hartman and Mr. Casey. He stated that they have been working on this project since 2002. Commissioner Carper asked the amount of the total bond. Mr. McWatters stated it is \$28.5 million. Commissioner Carper asked how much of that do they want the commission to provide. Mr. McWatters replied all \$28.5 million and if not possible, then \$26 million. Commissioner Carper inquired as to why they did not make a request from the city. Mr. McWatters stated that they were advised that the two places to make the request were with the county and the Hospital Building Authority, in order to make the bonds tax exempt. Commissioner Carper inquired as to if the building would be tax exempt. Mr. McWatters stated that a portion would be tax exempt. Any part that is rented out is on the tax books. He stated that approximately sixty percent of the property would be tax exempt. Commissioner Carper inquired as to why the county would want to take this action to establish properties that would not be eligible on the tax base. Mr. McWatters stated that they will be bringing in 195 new employees. The state has a growing need for behavior health services. There continue to be fewer providers offering fewer services. Highland added child, adolescent, and outpatient services. Since Shawnee Hills left the area, Highland has tried to pick up some of the capacity left behind. The state has requested for additional space and they are offering assistance with operating costs, but no construction costs. The plan is an increase of 185 beds, which requires two phases. Phase one consist of 90 beds and phase 2 consist of roughly 90 beds. This would eliminate the transport of patients. This could save the sheriff's office more than 400 transports a year. Mr. Kasey stated the reason to use commission bonds or the building commission bonds is up to the underwriter. It was stated that the bonds are total nonrecourse therefore the commission is at zero risk. Marc Slotnick stated the fee would be 40 basis points. Commissioner Carper inquired as to when this is to start. Mr. McWatters stated that construction can begin as soon as the bond is sold. Mr. Kasey stated they would return with a parameters resolution upon commission showing support of the project today. Commissioner Carper moved to approve the support for the project. Commissioner Hardy seconded. Commissioner Carper also stated that Mr. Casey sometimes represents the commission therefore there is a conflict and this would require an independent lawyer to review for the commission. Commissioner Carper suggest that they meet with Mr. Stump of the Building Commission. Commissioner Hardy stated that there is appreciation of the current employment of over 300 people. This is important work they are doing and he sees no down side for the county. Commissioner Shores inquired as to the location of the newly acquired property. Mr. McWatters stated this would be used for the outpatient services. He stated that employee growth has been seven fold since 1993. It is possible to reach 1000 jobs by 2015. He stated that Highland is more valued as a company now than before as a non profit. The construction is using local contractors and sub contractors to spend money here in the community. Commissioner Carper stated that legislature has to revisit the issue of non profit paying taxes. He stated that non profits pay good salaries, but at same time there are bills that need paid with tax dollars. He stated that the

bonding authority rolls over at the end of the calendar year. He feels this is an excellent project. Mr. McWatters stated that Highland is very committed in putting money back into the community. Highland wants to give money back to the county with the interest rate savings so that the money can go back into other community projects. Commissioner Carper asked if they had thought of approaching Jim Strawn of the Kanawha-Charleston Health Department with regard to possibly doing a build out for them on the Highland property. Commissioner Hardy stated that the health department is willing to move. Commissioner Shores stated that the current property would be perfect location for a hotel. Commissioner Carper stated the idea is for them to sell the property and have it placed back on the tax books. This is to be placed on next agenda. Commissioners confirmed to contact John Poffenberger with regard to bond counsel. Commissioner Hardy inquired as to how much of Highland's business is Medicaid. It was stated that 63 percent is Medicaid. This makes it clear as to how Highland is non profit.

**Discussion and approval of payment to WV Regional Jail Authority in the amount of One Million Fifty Two Thousand, Five Hundred Fifty-One Dollars, and Eighty-Five Cents (\$1,052,551.85), representing payments for March, 2009 (\$353,385.55), April, 2009 (\$350,391.16), and May, 2009 (\$348,775.14)**

**Commission President Kent Carper  
Brent Pauley, County Manager**

Commissioner Hardy moved to approve the payment of \$1,052,551.85 to the WV Regional Jail Authority. Commissioner Shores seconded. Motion carried. Dave Fontalbert stated that there is still \$745,000 due. Commissioner Carper inquired as to how long the commission has before the bill is considered past due. Mr. Fontalbert stated that by law it is past due after 60 days. Commissioner Carper stated that the bill is audited by Bill Chambers and it always has mistakes, therefore that delays the payment. He instructed Dave Fontalbert to find out where the budget stands before the next commission meeting. The current bill is \$370,000. It was stated that it takes approximately \$750-800,000 a month to pay just health costs and the jail bill. Commissioner Carper stated that this is two items, which the commission has no control over. In the past the commission has used the debt of the jail bill basically as a line of credit, but there was no choice. Commissioner Carper requested that by the end of the calendar year he wants to know where the commission stands and the impact this is going to have on writing the budget. He stated that it should start with a flat budget and have no increases. He stated that he is not trying to get out of paying the bill that protects the public. He also stated that Mark Plants has excellent ideas for cutting these costs. The jail bill accounts for more than 10 percent of the county's budget.

**Discussion regarding the implementation of Community Voting with satellite early voting locations**

**Commission President Kent Carper  
Commissioner Henry C. Shores  
Commissioner Dave Hardy**

**The Honorable Vera J. McCormick, County Clerk**

Vera McCormick stated that there is now a problem with the rules. The emergency rules do not comply with state code. The Secretary of State is advising that if participating in satellite voting it should be done for 20 days. The rotating precinct is a violation of the code. Commissioner Carper does not believe that this is part of the code. She stated that when the clerks initially went to legislature to get satellite voting passed that it was agreed that it would be done like absentee voting. Commissioner Carper does not believe that the clerks wanted to have satellite voting. Mrs. McCormick stated that the clerks do want satellite voting. She stated that the Secretary of State has advised that if county's have rotating precincts they take the chance of having the election overturned. She stated that this can be taken back to legislature next year and get it passed for the general election. There will be another meeting on September 30 with the Secretary of State. Mrs. McCormick stated that there have been three locations selected for the 20 days. The locations are St. Albans Town Hall, Elk Community Center, and Rand Community Center. She stated that the clerk's office sent out 25 surveys. Commissioner Carper inquired as to if these sites were visited or if personal phone calls were made. She stated that calls were made. He asked about checking to use Belle VFD. She stated that Mayor Conley was asked and they could use the community room for five days but not the twenty days. Commissioner Shores stated that the Board of Education should have some adequate locations. Mrs. McCormick stated that school will be in session and that causes a problem. Commissioner Hardy stated that St. Albans Town Hall and Elk Community Center are good locations. He feels that the Rand location is too close to Charleston. Mayor Chuck Blair stated that his location did not meet the criteria. The commissioners agree that Belle is the best location. UKVEC turned down the clerk. Commissioner Shores inquired as to using churches. She stated that the churches turned them down. David Dodd stated that the Council for the Senate Judiciary Committee stated that the rule does not meet the code. Mrs. McCormick is more worried about the equipment than the problem with 20 days. Commissioner Carper is concerned with the resentment of some. He fought for satellite voting to reach the areas outside of Charleston. The Secretary of State has admitted to the error in the emergency rules. Mrs. McCormick stated that for rotating precincts to take place in the general election it would have to pass immediately. Commissioner Carper stated that this will hurt the voters. The voters outside of Charleston are going to be treated differently. Commissioner Hardy stated that Kanawha County needs to be the state leader in this. So if it has to be done for 20 days, it will be done for 20 days. Mrs. McCormick stated that Kanawha County runs all elections by code. Commissioner Carper inquired as to the clerks' position on same day registration. She stated that clerks do not want that. Commissioner Shores is concerned with same day registration also. Mrs. McCormick stated that the voter has a responsibility to register to vote. Commissioner Carper exited meeting to call Mayor Conley regarding a location for the satellite voting in Belle. He reentered and stated that the Mayor will return his call.

Commissioner Carper stated that an emergency check to CityNet was necessary. This is to pay for two months invoices in the amount of \$3,500.05. Jeri Whitehead stated that it is necessary to pay these because the commission was scheduled for termination on September 6<sup>th</sup>. Commissioner Carper moved to approve the payment. Commissioner Shores seconded. Motion carried.

Commissioner Carper exited to take a call from Mayor Conley.

**Confirmation of Kanawha County Commission meetings for the remainder of 2009 and first meeting of January 2010**

**Commission President Kent Carper**

**Commissioner Henry C. Shores**

**Commissioner Dave Hardy**

DATE	TIME
<i><b>Tuesday, September 22, 2009</b></i>	<i><b>8:30 am.</b></i>
Thursday, October 1, 2009	5:00 p.m.
Thursday, October 15, 2009	5:00 p.m.
Thursday, November 5, 2009	5:00 p.m.
Thursday, November 19, 2009	5:00 p.m.
Thursday, December 3, 2009	5:00 p.m.
<i><b>Tuesday, December 22, 2009</b></i>	<i><b>8:30 a.m.</b></i>
Thursday, January 7, 2010	5:00 p.m.

Commissioner Hardy moved to approve the commission meeting dates for the remainder of 2009 and for the first meeting of 2010. Commissioner Shores seconded. Motion carried.

Commissioner Carper returned and stated that Mayor Conley is checking to see what is available for use during satellite voting.

**Discussion regarding request for financial assistance by the Town of East Bank for the construction of a new water tower in the amount of \$40,000.00 (*Total project cost is \$618,000.00; previous Commission contribution of \$75,000.00*)**

**Commission President Kent Carper**

**The Honorable Chuck Blair, Mayor, Town of East Bank**

Commissioner Hardy moved to approve payment of \$40,000 to the Town of East Bank for the purposes of discussion. Commissioner Carper stated that the commission should not do this because how long will it be before the town needs more money. If commission had decided not to do this years ago, the system would now be privatized. He feels the problem is that this does not help the rest of the community. They have already received \$602,000 from Representative Capito and the commission has already paid \$75,000. Mayor Blair stated that this was an unexpected expense and that this should be the final request. Commissioner Hardy stated that the federal government is paying for three-

fourths of the project. He is disappointed with the \$1250 that the town contributed. Commissioner Hardy verified that the system serves the middle school. He stated that the current balance in coal severance \$48,000 and now \$40,000 is going to East Bank. Commissioner Carper received a personal phone call from Representative Capito and she stated that she felt that the commission should consider this. Commissioner Carper feels that the commission should honor her request. He stated that Mayor Blair represented East Bank well. Motion carried. Commissioner Shores inquired regarding Town of Pratt. Mayor Blair stated that Pratt had not asked the Town of East Bank for any assistance. Commissioner Carper stated that individuals on the water board stated that the water is not drinkable. Mayor Fields and Councilman John McPhail made the statement. Commissioner Hardy stated that he drank the water and it is fine. The engineers stated that the system requires \$3.5 million for repairs. Commissioner Hardy is not defending the water system, but stated the water is drinkable. He wants the health department to check the water. This is a concern. The water system feeds Pratt Elementary. Commissioner Carper instructed Mr. Pauley to verify with the Health Department that the water is being checked. Mrs. Morrison stated that Mr. McPhail made the comment that his bathtub is not able to be cleaned because of the water.

Jennifer Sayre received a call from Mayor Conley. He stated that the clerk's office can use the gymnasium for satellite voting. Commissioner Carper instructed staff to draft a letter of gratitude to Mayor Conley.

**Discussion regarding the proposed Policy for a mandatory health physical in order for an employee or dependent to be eligible for the County's health insurance coverage**

**Commissioner Dave Hardy  
Brent Pauley, County Manager  
Tom Susman, TSG Consulting**

Mr. Susman stated that the estimated cost would be \$400,000. The physical would be performed every other year therefore that costs could be calculated to \$200,000 a year. Commissioner Hardy stated that it would be necessary for a physical company to come in. Commissioner Carper suggested the Kanawha-Charleston Health Department. He stated that Dr. Gupta would like to be considered for this service. Commissioner Hardy stated that it requires designating a provider and location, performing the physical, and then deciding what to do with the results. In order to have liability protection it would be necessary to do a referral. Identify the problem in writing and help the employee find a solution. He questioned an age exemption and it was stated that the City of Charleston exempts children of employees. Mr. Susman stated that commission is to set the criteria. Commissioner Carper suggested Mr. Susman and Mr. Pauley get together with Dr. Gupta because he is interested in doing this. Commissioner Hardy moved to approve a meeting with Mr. Susman, Mr. Pauley and Dr. Gupta for the purpose of discussing the role that the Kanawha-Charleston Health Department can play in implementing the county's physical program. Commissioner Shores seconded. Commissioner Carper stated that he

feels mandatory physicals are necessary, but the details of the physical need to be determined to know exactly what the physical will consist of. Mr. Susman stated that the results can not be a condition of acceptance into the program. Commissioners agreed. Commissioner Shores stated that some employees already have their own physicians and may want to continue going to them. Commissioner Hardy stated that nearly \$4.1 million is spent in health claims, if just one or two claims could be stopped this would help pay for the program. Congress is making changes that could affect this, but it is not known what those changes will be at this time. Mr. Pauley is to report back next meeting. The commission will then try to establish a reasonable goal. Commissioner Carper stated that the City of Charleston has taken the lead on this and he is pleased. He suggested getting with them to discuss their plan in further detail.

### **PUBLIC COMMENT**

### **COUNTY MANAGER'S REPORT**

Brent Pauley requested permission to have a payroll insert regarding West Virginia Symphony offering a discount to county employees. Commissioners agreed.

### **DEPUTY COUNTY MANAGER'S REPORT**

### **CHIEF FISCAL OFFICER'S REPORT**

### **COUNTY ATTORNEY'S REPORT**

### **CLERK OF THE WORKS REPORT**

### **STAFF REPORTS**

### **NEW BUSINESS**

### **FIDUCIARY**

Commissioner Hardy moved to approve all fiduciary orders. Commissioner Shores seconded. Motion carried.

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

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

Order Declaring Re-Opened Estate Closed, Estate of Dovey E. Stowers

Order Approving Recommendation of Fiduciary Supervisor, Estate of Kathleen E. Blankenship (*Charles Phalen, Fiduciary Supervisor*)

Order Admitting Will to Probate, Estate of Rhoda E. Ellison, a/k/a Rhoda Ellen Ellison

### **PURCHASE ORDERS**

Commissioner Hardy moved to approve all purchase orders. Commissioner Shores 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>Description</b>
Electronic Communications of WV, Inc.	Emergency Services	\$6,921.38	Vehicle equipment for the Fire Coordinator per Sheriff's Contract
NYHART	Commission	\$7,000.00	Actuarial services regarding GASB 45 ( <i>per bid</i> )
AT&T Mobility	Sheriff's LED	\$5,526.79	MDT services, July 24, 2009, through August 23, 2009

### **ORDERS**

Commissioner Hardy moved to approve all orders. Commissioner Shores seconded. Motion carried.

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund (*documentation available for inspection at the County Clerk's Office as well as the Kanawha County Commission meeting of September 10, 2009*)  
The Honorable Vera J. McCormick, County Clerk

Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds (*documentation available for inspection at the County Clerk's Office as well as the Kanawha County Commission meeting of September 10, 2009*)  
The Honorable Vera J. McCormick, County Clerk

***New Employee***, Brenda S. Walker, Assessor's Office, Real Estate Division, temporary, part-time employment, \$10.00 per hour, effective October 15, 2009

The Honorable Phyllis S. Gatson, Assessor

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     Brent Pauley, County Manager  
     Jerie Whitehead, Purchasing Director
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Order approving annual financial statements for period July 1, 2008, through June 30, 2009 (*deadline of October 1, 2009 for publication*)  
 Commission President Kent Carper  
 David Fontalbert, Chief Fiscal Officer  
 Kim Lutz, Accounting Supervisor

Order authorizing the President of the Kanawha County Commission to submit the 2009 Courthouse Facilitates Improvement Authority Grant application  
 Carrie Clendening, Grant Coordinator/Legislative Liaison

Order authorizing the President of the Kanawha County Commission to execute the award document for the Federal Grant from the Department of Justice, Office of Justice Programs for the FY 09 Justice and Mental Health Collaboration Program in the amount of \$250,000.00  
 Carrie Clendening, Grant Coordinator/Legislative Liaison

Order approving overtime for Kanawha County Commission employees for pay period ending September 30, 2009 for hours worked in the pay period of August 31, 2009, through September 13, 2009  
 Brent Pauley, County Manager  
 Jennifer Sayre, Deputy County Manager

PAY PERIOD 08/31/09-09/13/09

NAME	OT		OT		TOTAL
	STRAIGHT	AMOUNT	TIME/HALF	AMOUNT	

Chandler, Tammie	1.78	\$34.41		\$0.00	\$34.41
Connett, Elaine	1.12	\$19.84		\$0.00	\$19.84
Fleck, Kimberly	3.62	\$86.11	1.00	\$35.68	\$121.79
Morrison, Rachelle	11.00	\$261.65	13.75	\$490.60	\$752.25
Hackney, Cathy	0.42	\$8.55		\$0.00	\$8.55
Lanham, Shellie	0.55	\$8.77		\$0.00	\$8.77
Lilly, Mindy	1.00	\$19.65		\$0.00	\$19.65
Sandoro, Colt	0.27	\$3.69		\$0.00	\$3.69
Hodge, Edna	0.75	\$9.81		\$0.00	\$9.81
Melton, Joe	10.18	\$158.69	4.18	\$97.74	\$256.43
Paul, II, Ernest	6.03	\$77.31		\$0.00	\$77.31
Prowse, James	8.00	\$102.56		\$0.00	\$102.56
Shaffer, Sandra	5.58	\$71.54		\$0.00	\$71.54
Taylor, Judy	0.97	\$12.68		\$0.00	\$12.68
Withrow, Robert	6.88	\$88.21		\$0.00	\$88.21
Clark, Michael	2.58	\$36.43		\$0.00	\$36.43
Estep, Bill	1.07	\$14.54		\$0.00	\$14.54
Moore, Allen	3.52	\$48.74	0.25	\$5.19	\$53.93
White, Bruce	5.50	\$70.51	0.42	\$8.08	\$78.59
Keller, Joanna	2.15	\$38.08		\$0.00	\$38.08
Thomas, Thelma	12.00	\$185.04	17.50	\$404.78	\$589.82
<b>TOTAL</b>	<b>84.97</b>	<b>\$1,356.81</b>	<b>37.10</b>	<b>\$1,042.07</b>	<b>\$2,398.88</b>

**Order Authorizing the Clerk of the County Commission to issue a check from the General County Fund, #001-401.00-5-68.00 (Contributions), in the amount of Thirty-Five Thousand Dollars (\$35,000.00) payable to the City of Charleston for the Metro Drug Unit (PEPI)  
David Fontalbert, Chief Fiscal Officer**

**Order Authorizing the Clerk of the County Commission to issue a check from General County, #001-401.00-5-67.00, in the amount of Two Million Dollars \$2,000,000.00) to the County Stabilization FUND #058  
Commission President Kent Carper**

**Order Authorizing the Clerk of the Kanawha County Commission to issue a supplemental check from the General County Fund (001-809.00-5-68.00), in the amount of One Hundred Forty Thousand, One Hundred Ninety Dollars and Ninety Two Cents (\$140,190.92) for Invoice No. 3 to Mountain Haus Properties, Inc. representing payment for work on the Upper Fishers Branch/Guthrie Line D Water Line Extension Project  
Patrick Snyder, Project Coordinator**

**Order Authorizing the Clerk of the County Commission to issue a check from General County, #001-704.00-2-30.00, in the amount of One Million Fifty Two Thousand Five Hundred Fifty-One Dollars and Eighty-Five Cents (\$1,052,551.85) to the WV Regional Jail Authority representing payments**

for March, 2009 (\$353,385.55), April, 2009 (\$350,391.16), and May, 2009 (\$348,775.14)

Commission President Kent Carper  
Brent Pauley, County Manager

◆◆ **LETTER OF INTENT**

Commissioner Hardy moved to approve the letter of intent to the Tyler Mountain Volunteer Department. Commissioner Shores seconded. Motion carried.

**Tyler Mountain Volunteer Fire Department, \$15,000.00 (*emergency repairs to 1985 Fire Truck Pump, first out fire truck*)**

**Commission President Kent Carper  
Dale Petry, Emergency Services Director  
C. W. Sigman, Deputy Emergency Services Director**

**CHECK REGISTERS/SUPPLEMENTALS (*Order Confirming and Approving Disbursements to be made by the Clerk of the County Commission of Kanawha County*)**

Commissioner Hardy moved to approve the check registers/supplementals. Commissioner Shores seconded. Motion carried.

**Supplemental voucher, WV Regional Jail Authority, \$1,052,551.85 (*March, 2009, \$353,385.55; April, 2009, \$350,391.16; and May, 2009, \$348,775.14*)**

**Supplemental voucher, Mountain Haus Properties, Inc., \$140,190.92 (Invoice No. 3 to representing payment for work on the Upper Fishers Branch/Guthrie Line D Water Line Extension Project)**

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

◆ **AND BOLD PRINT DENOTES EMERGENCY ITEM**

**THE KANAWHA COUNTY COMMISSION MEETING OF SEPTEMBER 22, 2009, RECESSED  
AT 10:30 A.M., UNTIL THE 1ST DAY OF OCTOBER, 2009, AT 5:00 P.M.**

**THE FOREGOING MINUTES ARE APPROVED THIS 1ST DAY OF OCTOBER, 2009.**

\_\_\_\_\_  
**PRESIDENT**

\_\_\_\_\_  
**COMMISSIONER**

\_\_\_\_\_  
**COMMISSIONER**

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