

MINUTES OF A REGULAR SESSION OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, HELD AT THE COURTHOUSE THEREOF ON THE 5TH DAY OF NOVEMBER 2009.

A REGULAR MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, WAS HELD ON THE 5TH DAY OF NOVEMBER 2009. THE COURTROOM OF THE COUNTY COMMISSION LOCATED IN THE KANAWHA COUNTY COURTHOUSE IN CHARLESTON, WEST VIRGINIA, BEGINNING AT 5:00 P.M. COMPLETE AUDIO IS AVAILABLE IN THE COMMISSION OFFICE OR ONLINE AT <http://live.kanawha.us>.

THE FOLLOWING MEMBERS WERE PRESENT:

W. KENT CARPER, PRESIDENT
HENRY C. SHORES, COMMISSIONER
DAVE HARDY, COMMISSIONER via Phone Conference

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| 11-5-09 | 2009-633 | Order Confirming and Approving Orders in Excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department |
| 11-5-09 | 2009-634 | Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for the General Fund (<i>documentation available for inspection at the County Clerk's Office as well as the Kanawha County Commission meeting of November 5, 2009</i>) |
| 11-5-09 | 2009-635 | Order Confirming and Approving Cash Disbursements to be made by the Clerk of the Kanawha County Commission for Special Funds (<i>documentation available for inspection at the County Clerk's Office as well as the Kanawha County Commission meeting of November 5, 2009</i>) |
| 11-5-09 | 2009-636 | Approval of Erroneous Assessment Exonerations submitted by the Kanawha County Assessor (Decrease: \$377,329.02) |
| 11-5-09 | 2009-637 | Applications for Apportionment of Personal Property Taxes Pursuant to Final Divorce Orders in Accordance with Chapter 11, Article 5, Section 14, of the Code of West Virginia |
| 11-5-09 | 2009-638 | Order Authorizing the Clerk of the County Commission to issue a check in the amount of \$35,220.00 from account #001-973.14-700-4-59.00 to the Jackson County Commission for reimbursement of expenses related to Homeland Security Region One Grant (<i>Replacing Court Order 2009-619</i>) |
| 11-5-09 | 2009-639 | Order Authorizing the Clerk of the County Commission to issue a check in the amount of \$18,000.00 from account #001-973.14-700-4-59.00 to the Clay County Commission for reimbursement of expenses related to Homeland Security Region One Grant |
| 11-5-09 | 2009-640 | Order Authorizing the Clerk of the County Commission to issue a check in the amount of \$13,262.00 from account #001-973.14-700-4-59.00 to the Putnam County Commission for reimbursement of expenses related to Homeland Security Region One Grant |

11-5-09	2009-641	Order Authorizing the Clerk of the County Commission to issue a check in the amount of \$3,291.86 from account #001-973.14-700-4-59.00 to the Wood County Commission for reimbursement of expenses related to Homeland Security Region One Grant
11-5-09	2009-642	Order Authorizing the President of the Kanawha County Commission to sign Change Order #1 (Deduction) for the W. Kent Carper Justice & Public Safety Complex Generator Project as a deduction in the amount of One thousand two hundred 00/100 dollars (\$1,200.00) to provide a 1700 gall fuel tank instead of a 2500 gallon fuel tank
11-5-09	2009-643	Order Authorizing the President of the Kanawha County Commission to sign Change Order #6 for the W. Kent Carper Justice & Public Safety Complex Renovation Project in the amount of Eighteen thousand five hundred thirty-eight and 00/100 dollars (\$18,538.00) to remove foundation obstructions and install additional storm drains
11-5-09	2009-644	Order Authorizing the President of the Kanawha County Commission to sign Change Order #7 for the W. Kent Carper Justice & Public Safety Complex Renovation Project in the amount of Twenty-seven thousand three hundred forty-seven and 00/100 dollars (\$27,347.00) to modify the HVAC duct in Bravo Building, add sprinklers above ceiling at 2nd floor Bravo Building, and add bullet resistant wall for Armorer's Room in Bravo Building
11-5-09	2009-645	Order Authorizing the President of the Kanawha County Commission to Sign a Maintenance Contract between the Kanawha County Commission and Superior Office Service, Inc., for Equipment located in the Kanawha County Circuit Clerk's Office
11-5-09	2009-646	<u>New Employee</u> , Zachery C. Phalen, Assessor's Office, Real Estate Division, temporary, part-time employment, \$10.00 per hour, effective November 9, 2009
11-5-09	2009-647	<u>Change of Employment Status</u> , Kasey Tucker, Assessor's Office, Business Division, from part-time employment to full-time employment, replacing Caroline Vinson, \$21,000.00, effective November 9, 2009
11-5-09	2009-648	<u>Change of Employment Status</u> , Barbara Combs, Assessor's Office, Personal Property Division, from part-time employment to full-time employment, replacing Lorie Jackson, \$21,000.00 per year, effective November 9, 2009
11-5-09	2009-649	<u>Change of Employment Status</u> , Angela Humphreys, Assessor's Personal Property Division, from part-time employment to full-time employment, replacing Shana Trippett, \$21,000.00 per year, effective November 9, 2009
11-5-09	2009-650	Resolution – Fiscal Year 2009-2010 General Fund Budget Revision #9

11-5-09	2009-651	Order approving overtime for Kanawha County Commission employees for pay period ending November 15, 2009 for hours worked in the pay period of October 5, 2009 through October 25, 2009
11-5-09	2009-652	Order Authorizing the President of the County Commission to sign "Letter of Credit Payment Request – Hazard Mitigation Grant Program for the FEMA Notice of Intent Disaster Mitigation 2009 Program, request of payment for two appraisals of potential Flood Buyout Properties in Kanawha County
11-5-09	2009-653	Order Authorizing the Clerk of the County Commission to issue checks from the General County Fund (#001-425.00-5-68.00), in the amount of Four Hundred Ninety-Four Thousand Three Hundred Twelve Dollars and Sixty Cents (\$494,312.60) to United Bank, Inc. representing the County's fall, 2009 debt service (principal and interest) for the Judicial Annex Renovation
11-5-09	2009-654	Order Authorizing the Clerk of the County Commission to issue a check from General County, #001-401.00-5-68.00, in the amount of Five Thousand Dollars (\$5,000.00) to Camp Virgil Tate as contribution for the lighting project at the facility
11-5-09	2009-655	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 Seven Hundred Forty-Four Thousand Five Hundred Ninety-One Dollars and Eighty-Nine Cents (\$744,591.89) to the WV Regional Jail Authority representing payments for June, 2009 (\$357,330.54) and July, 2009 (\$387,261.35)
11-5-09	2009-656	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 One Million Dollars (\$1,000,000.00) to the County Stabilization FUND
#058		
11-5-09	2009-657	Derricks Creek Water Line Extension Project Request for Drawdown of Invoice No. 2 for Construction by CJ Hughes Construction Company in the amount of Thirty Nine Thousand, Two Hundred Ninety Two Dollars and Seventy One Cents (\$39,292.71) from the U.S. Army Corps of Engineers
11-5-09	2009-658	Derricks Creek Water Line Extension Project Request for Drawdown of Invoice No. 2 for Construction by CJ Hughes Construction Company in the amount of Eighty Six Thousand, Four Hundred Forty Three Dollars and Ten Cents (\$86,443.10) from the West Virginia Infrastructure & Jobs Development Council
11-5-09	2009-659	Authorization by the Kanawha County Commission for its President to sign the Grant Agreement for the West Virginia Commission on Drunk Driving Prevention Drunk Driving Grant for the period of October 24, 2009 to January 24, 2010
11-5-09	2009-660	Order reinstating salary for Tammie Chandler, Administrative

Assistant, in the amount of \$42,100 annually, effective November 6, 2009

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| 11-5-09 | 2009-661 | Order – Supplementals/Check Register (as set forth below) |
| 11-5-09 | 2009-662 | Order appointing James Keith to fill the vacant position to the Upper Kanawha Valley Public Service District (term to expire November 5, 2015) |
| 11-5-09 | 2009-663 | Order Appointing Andrew Dunlap to the Region III Workforce Investment Board of Kanawha County to replace Lloyd Casto (term to expire June 30, 2012) |
| 11-5-09 | 2009-664 | Order Appointing Jerry Carper to the Region III Workforce Investment Board of Kanawha County to replace Judy Reed (term to expire June 30, 2012) |
| 11-5-09 | 2009-665 | Order Appointing Roger Hess to the Region III Workforce Investment Board of Kanawha County to replace Brad Sims (term to expire June 30, 2012) |
| 11-5-09 | 2009-666 | Order Appointing Robert Jeffries to the Region III Workforce Investment Board of Kanawha County to replace Marie Oxley (term to expire June 30, 2012) |
| 11-5-09 | 2009-667 | Order Appointing Teresa Kessell to the Region III Workforce Investment Board of Kanawha County to replace Allan Galloway (term to expire June 30, 2012) |
| 11-5-09 | 2009-668 | Order Appointing Laura McCullough to the Region III Workforce Investment Board of Kanawha County to replace Charles McDaniel (term to expire June 30, 2012) |
| 11-5-09 | 2009-669 | Order authorizing the President of the Kanawha County Commission to sign Regional III Workforce Investment Board Local Plan |
| 11-5-09 | 2009-670 | Order authorizing the transfer of \$32,243.00 from the sale of surplus vehicles to the Sheriff's Capital Account for the purchase of communication equipment |
| 11-5-09 | 2009-671 | Order authorizing the President of the Kanawha County Commission to sign Certificates of Title for vehicles declared surplus property |
| 11-5-09 | 2009-672 | Public hearing on proposed revisions to the Kanawha County Subdivision Regulations, Section 403, Part C, Pavement Requirements and Street Width Subdivision Road Construction, as noted below in quotations. "All local and minor streets shall be paved with a concrete pavement of minimum thickness of 7 inches, or shall be paved with asphalt of 5 inch thickness and 6 inch compacted base, or shall be paved with asphalt of four inches thickness and 8 inches compacted |

base. The granular base shall be compressed to remove the air present and reduce the air voids and fill shall be well graded with even distribution of particles sizes throughout the range of materials. WV Department of Transportation specifications for compactions of materials are recommended.” The revisions were approved unanimously by the Kanawha County Planning Commission on October 14, 2009, following a public hearing

11-5-09 2009-673 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 Seventy Seven Thousand, Six Hundred Ten Dollars and Thirty Nine Cents (\$177,610.39) for Invoice Nos. 2, 3 & 4 – which the Department of Environmental Protection’s Abandoned Mine Lands division has matched with \$657,063.04 – to Famco, Inc. representing payment for work on the Sanderson/Dutch Ridge Water Line Extension Project

11-5-09 2009-674 Proclamation – National Alzheimer’s Disease Awareness Month

Commission Meeting Minutes approved/processed at 11/5/09 Commission Meeting:

Approval of Commission Meeting Minutes of October 15, 2009

Proclamations/Resolutions approved/processed at 11/5/09 Commission Meeting:

Proclamation – National Alzheimer’s Disease Awareness Month

New Employees/Change of Status/Change of Title approved/processed at 11/5/09 Commission Meeting:

New Employee, Zachery C. Phalen, Assessor’s Office, Real Estate Division, temporary, part-time employment, \$10.00 per hour, effective November 9, 2009

Change of Employment Status, Kasey Tucker, Assessor’s Office, Business Division, from part-time employment to full-time employment, replacing Caroline Vinson, \$21,000.00, effective November 9, 2009

Change of Employment Status, Barbara Combs, Assessor’s Office, Personal Property Division, from part-time employment to full-time employment, replacing Lorie Jackson, \$21,000.00 per year, effective November 9, 2009

Change of Employment Status, Angela Humphreys, Assessor's Personal Property Division, from part-time employment to full-time employment, replacing Shana Trippett, \$21,000.00 per year, effective November 9, 2009

Budget Revisions approved/processed at 11/5/09 Commission Meeting:

1. F.Y. 2009-2010 General Fund Budget Revision #9
2. F.Y. 2009-2010 Federal Grant Fund Budget Revision
3. F.Y. 2009-2010 Public Safety Grant Fund Line Item Budget Revision
4. F.Y. 2009-2010 Federal Grant Fund Line Item Budget Revision

Supplementals/Check Register approved/processed at the 11/5/09 Commission Meeting (Set Forth in 2009-661:

Supplemental voucher, United Bank, Inc., \$494,312.6 (*principal and interest on semi-annual bond debt service, Judicial Annex renovations*)

Supplemental voucher, Famco, Inc., \$177,610.39 (*Invoice Nos. 2, 3 & 4 –representing payment for work on the Sanderson/Dutch Ridge Water Line Extension Project*)

Supplemental voucher, Anthony Porter, \$196.50 (IWG Meeting)

Supplemental voucher, James Curry, \$175.50 (IWG Meeting)

Supplemental voucher, Mark Smith, \$196.50 (IWG Meeting)

Supplemental voucher, Anthony Porter, \$196.50 (IWG Meeting)

Supplemental voucher, WV American Water Company, \$2,720.03 (*water bills*)

Supplemental voucher, BB&T Financial FSB, \$4,223.59 (*VISA bill*)

5:00 P.M. CALL TO ORDER

Pledge of Allegiance

Commission President W. Kent Carper

Johna Miller, George Washington High School Student

The Kanawha County Emergency Ambulance Authority Board of Directors presented Commissioner Carper with an award for Lifetime Achievement. Dave Fletcher read the resolution adopted by the board, which listed numerous tasks Commissioner Carper was responsible for making possible. The KCEAA thanked Commissioner Carper for his leadership and dedication. Commissioner Shores referred to Commissioner Carper as “Mr. Emergency of Kanawha County”. The KCEAA presented this award to Commissioner Carper in honor of his outstanding achievements and contributions to public safety. Commissioner Shores moved to make the resolution a part of the record for tonight’s meeting. Commissioner Carper seconded. Motion carried. Commissioner Carper stated that it is an honor and a privilege. It has been his pleasure to be on the board. It was stated that Commissioner Carper has been on the Ambulance Authority Board for over 20 years.

John Smoot was present with other family members. His father was the Chief of Cedar Grove Fire Department for over a decade. He passed away last January and he was in the process of awarding the commissioners for their commitment to fire service in Kanawha County. The family was present to finish the honor. They presented an award of tradition to all the commissioners. All three commissioners received an early 1900’s model helmet. These helmets are treasured in the fire service. Commissioner Carper stated that this means a lot and that Mr. Smoot was a great man, who gave a lot to his community. Commissioner Shores thanked the Smoot family as well.

Moment of Silence and Recognition

Commissioner Carper asked to remember the individuals and families involved in the tragedy at Fort Hood. Commissioner Carper thanked the KCEAA for responding to such circumstances as those in Austin, Texas.

PROCLAMATION/RESOLUTION

Proclamation declaring November as National Alzheimer's Disease Awareness Month

Commission President Kent Carper

Laurel Kirksey and Jane Marks were present from the Alzheimer's Association. Commissioner Carper read the proclamation. Ms. Marks stated that in 1984, President Ronald Reagan declared November as National Alzheimer's Disease Awareness Month, and this is the first year for Kanawha County. Commissioner Hardy stated that this resolution has deep and personal meaning. Commissioner Carper referenced Mrs. Reagan as saying that it is "a long good bye". Ms. Marks stated that Alzheimer's disease is the fastest growing disease in the nation, and it is currently the number seven cause of death in this country. If something is not done soon Alzheimer's will cripple the healthcare system. Commissioner Hardy moved to accept the proclamation. Commissioner Shores seconded. Motion carried.

Commissioner Shores swore in James Keith to the UKVPSD and Andrew Dunlap to the Region III Workforce Investment Board of Kanawha County. Commissioner Hardy moved to approve the appointments. Commissioner Shores seconded. Motion carried.

APPROVAL OF COMMISSION MEETING MINUTES

Approval of Commission Meeting Minutes of October 15, 2009

Commissioner Hardy moved to approve the Commission Meeting Minutes of October 15, 2009. Commissioner Shores seconded. Motion carried.

NEW EMPLOYEES

Assessor's Office

Zachery C. Phalen, Real Estate Division, temporary, part-time employment, \$10.00 per hour, effective November 9, 2009

The Honorable Phyllis S. Gatson, Assessor

Commissioner Hardy moved to approve the new employee for the Assessor's Office, Zachery Phalen. Mr. Phalen was not present. Commissioner Shores seconded. Motion carried.

CHANGE OF EMPLOYMENT STATUS

Assessor's Office

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- ❖ **Kasey Tucker, Business Division, from part-time employment to full-time employment, replacing ~~Lorie Jackson~~ Caroline Vinson, \$21,000.00 per year, effective November 9, 2009**

The Honorable Phyllis S. Gatson, Assessor

- ❖ **Barbara Combs, Personal Property Division, from part-time employment to full-time employment, replacing Lorie Jackson, \$21,000.00 per year, effective November 9, 2009**

The Honorable Phyllis Gatson, Assessor

Commissioner Hardy moved to approve change of employment status, part-time to full time, for Kasey Tucker and Barbara Combs. Commissioner Shores seconded. Motion carried.

- ❖ **Angela Humphreys, Personal Property Division, from part-time employment to full-time employment, replacing Shana Trippett, \$21,000.00 per year, effective November 9, 2009**

The Honorable Phyllis Gatson, Assessor

Commissioner Hardy moved to approve the change of employment status, part-time to full-time, for Angela Humphreys. Commissioner Shores seconded. Motion carried.

AGENDA ITEMS

5:00 P.M.

Discussion regarding the request from the Pentecostal Holiness Church (PHC) for a written Letter of Support for new Senior Housing in the unincorporated area of St. Albans

Commission President W. Kent Carper

John Luoni, Deputy Planning Director/Subdivision Engineer

Karen Atkins, Manager, Pentecostal Holiness Church

David Browning, Administrative Assistant, Pentecostal Holiness Church

Marc Slotnick has reviewed the request and the Senior Housing will be HUD financed therefore it requires a letter of support from local government. Karen Atkins, manager of Miracle Acres, was present. The housing will be adjoining the Miracle Acres property and will consist of 20 units. She stated that there are virtually no residential neighbors, only a few commercial properties. She stated that the City of St. Albans is aware as well as some of the other agencies. John Luoni was present from the planning department and stated that he agrees that there will be no community opposition because the existing community is involved in the project. Commissioner Shores inquired as to the occupants of the new buildings. Ms. Atkins stated that all occupants will be seniors, 62 years of age or older. The property is part of the Miracle Acres and they have been made aware of the project and have not made any negative comments. This would be

**MINTUES FOR COMMISSION
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a new construction. The grant deadline is November 13, 2009. Commissioner Carper would have preferred having a public meeting and the notice signs placed in the community. Jennifer Sayre stated that this is just the application process and there is time to place this on the agenda for the planning commission if necessary. Ms. Atkins stated that the grant is specifically for senior housing. It is a 40 year term. Commissioner Carper moved to approve the request for a letter of support for the Pentecostal Holiness Church for new senior housing. Commissioner Hardy seconded. Commissioner Carper verified with Marc Slotnick that posting notices in the community is not necessary. Motion carried.

Discussion regarding the independent review of the County's 2009-10 Budget by Bill Chambers, CPA

**Commission President W. Kent Carper
Brent Pauley, County Manager
Jennifer Sayre, Deputy County Manager
David Fontalbert, Chief Fiscal Officer
Bill Chambers, CPA, Brown, Edwards & Company LLC**

Bill Chambers and his associate Charlene Adkins were present. The charts presented by Mr. Chambers have been previously received by the commissioners. The first chart shows the 2010 Revised Budget Expenditures. Mr. Chambers stated that almost half of the commission budget is payroll. One small portion is contributions. The next chart shows that almost all of those contributions are required by law or they are regular and customary that people count on. Commissioner Carper provided the example of the contribution to the Public Library that is required by West Virginia State Law. Dave Fontalbert stated that amount is about \$2.6 million. Mr. Chambers stated that the commission and its staff have a great record of being responsible and able to meet the needs of the community and the entire county. He stated that if revenues come in as expected and if there are not any new expenditures, then there would be a balanced budget. He recommends that now is the time to identify things in the budget that can be cut in the range of \$500,000. He stated that revenues may come up short this year. He also suggested changing the approach for funding request to happen only once a year. He sees that there will need to be more fiscal constraints the next few years to keep the budget balanced. Commissioner Hardy stated that he has seen Mr. Chambers work with Metro 911 and he will take his recommendations into consideration. Commissioner Shores inquired as to if Mr. Chambers noticed any past budget problems with the commission. Mr. Chambers stated that there have been challenges, but those have always been met. For example, the jail bill has been an issue, but that is one example of having less discretionary spending than would be preferred. Commissioner Carper stated that he concurs with the assessment. He feels that the Financial Stabilization Fund will again be depleted just to pay bills. He stated that new income next year will be less than \$500,000 and the jail bill will likely increase as will utilities and health care costs. The income will be used to take care of increases that the commission has no control over. He does not feel that grant money will be available as it has been in the past. The Financial Stabilization Fund has about \$4 million in it currently, but last year it was depleted to

\$700,000. He stated that there is a need for the fund to be more stable. Mr. Chambers stated that the recommendation for the fund balance would be a minimum of five to ten percent of the total budget. That would be \$4.5 million. Commissioner Carper stated that the commission is trying to get that balance to \$5 million. Commissioner Hardy stated that commission has used a responsible debt structure on all the major spending projects that have been completed. Commissioner Carper stated that we have to keep going after grants, but grants are not a salvation. The sensible thing to do is not spend more money than is being taken in. Commissioner Hardy moved to accept the report of Bill Chambers. Commissioner Shores seconded. Motion carried.

Request by the Chelyan Public Service District and Upper Kanawha Valley Public Service District to Petition the Kanawha County Commission for a merger of the respective Public Service Districts to include, but not be limited to, request by the Chelyan Public Service District to begin the process for a boundary extension

**Commission President Kent Carper
Commissioner Henry C. Shores
Commissioner Dave Hardy
Marc J. Slotnick, County Attorney
Wyatt Hanna, Esquire, Council for Chelyan PSD
Robert Rodecker, Esquire, Council for UKVPSD
David Howell, CPA, Chairman, Chelyan PSD
Monty Shelton, Chelyan PSD
Owen Stout, Chelyan PSD
Charles Friddell, Chairman, UKVPSD
Roy Vealey, UKVPSD**

David Howell was present to petition the commission for a merger of the Chelyan PSD and the Upper Kanawha Valley PSD. Commissioner Carper asked for opposition to speak at this time and there was no opposition present. Mr. Howell stated that the new board would consist of 5 members, and a new name, Kanawha Public Service District. He requested to extend existing boundaries of Chelyan PSD to include Lens Creek and Kelly's Creek. This would add about 450 new customers. This would bring the total customers to about 3000. The reason for the merger is to provide more professional and better service to all customers. The boundary changes are to begin designing projects for those areas and hopefully capture stimulus money for those. They have already received \$6 million for the Winifred area in stimulus money. Commissioner Hardy moved to approve the petition. Commissioner Shores seconded for discussion purposes. Commissioner Hardy inquired as to access to Kelly's Creek. It was stated that there is an agreement with Cedar Grove. Commissioner Carper offered a public apology to Charlie Friddell for the merger taking so long. Mr. Friddell has been on the board for 10 years. He thanked him for his patience and honorable service. Commissioner Shores inquired as to if notice had been sent to customers. Mr. Howell stated that the petition has to be accepted and then they will hold public meetings. It was stated that there has been a poll and customers are in support of the board. Commissioner Shores also inquired as to

costs. Mr. Howell stated that there will not be an increase in rates because of the merger. Commissioner Carper stated that this is the right thing to do. He only wished it had been done sooner. Motion carried. Mr. Howell stated that the Town of Pratt has passed the sewer rate ordinance. The agreement has been approved by the Town of Pratt and Chelyan PSD. All agreements have been approved by each board. Mr. Wyatt stated that they have 5 days to submit information to the Public Service Commission or they will lose their maintenance agreement. It was stated that the Town of Pratt has agreed to allow UKVPSD to relinquish their contractual obligations. Mr. Rodecker agreed. Mr. Rodecker believes the merger will be approved. The merger process is that after the public hearings then the bond holders have to approve. This could happen in six to nine months. There are currently three Chelyan members and three UKV members. It would go to five members on the new board. Commissioners agree to the five members. Commissioner Carper stated that commission will cover the costs of the attorney fees for preparation of the order to establish the guidelines for the new PSD. Mr. Wyatt stated that the current average cost is \$34.56. Both PSDs' rates are within \$1.50-\$2.00 of each other. Mr. Howell stated that the rates will not increase because of the merger. He stated that the reason to have a merger is spread fixed costs over a larger area. The Public Service Commission approves all rate increases.

Commissioner Hardy had to exit the meeting.

Commission is prepared to take up the public hearing regarding concrete/asphalt street paving for the Kanawha County Subdivision Regulations. There is no objection and no one is present to speak on the matter. The public hearing will be continued until later in the meeting.

Discussion regarding requested Federal Energy Regulatory Commission – pre-filing process for proposed Appalachian Gateway Project, for the transportation of gas produced in West Virginia and southern Pennsylvania to storage fields and pipelines in Pennsylvania to include, but not be limited to, four open houses scheduled throughout West Virginia

**Commission President W. Kent Carper
Robert C. Orndorff, Managing Director, WV and E&P State and
Local Government Affairs, Dominion Resources Ser., Inc.**

Mr. Orndorff from Dominion stated that they are planning an expansion of their pipeline system, the Appalachian Gateway Project. The location of the compression station and pipe will be in the area of the Chelyan exit. He stated that the investment will be a total of \$150 million. This will bring additional gas supply to the area. Kanawha County is a stake holder in the project. According to FERC, Kanawha County will receive additional severance tax and value assessment tax. There was a public hearing on October 12th at Riverside High School. There was no opposition at that hearing. There will be another hearing in early December. The pipeline will be built on coal properties south of Chelyan. Commissioner Carper appreciates Dominion coming in to address the

commission. Tim Casto, lead contractor on the project, was present. This project will use Kanawha County workers and the project will be completed in 2012. It will consist of 150-200 local employees, based on the fact that S & T Pipeline received the contract. Commissioner Carper offered the assistance of the county's planning department. Mr. Orndorff thanked the commission and appreciates their support. Dave Fontalbert stated that the county's share of income will be approximately \$780,000.

Discussion regarding Prosecutor's proposed Family Justice Center to include, but not limited to, space utilization once the Kanawha County Sheriff's Department vacates the space located at the Kanawha County Courthouse

**Commission President W. Kent Carper
Jennifer Sayre, Deputy County Manager/Grants Director
The Honorable Mark Plants, Prosecutor
Maryclaire Akers, Chief of Staff, Prosecutor's Office**

Mr. Plants was present and stated that domestic violence is a pattern of violence and domestic battery is a one time offense. He stated that the law is not set up to deal with that pattern, and he would like to have a "one stop shop" for victims of domestic violence. It will provide every service and resource that West Virginia has available. He feels the current area in the Judicial Annex, is not suitable for when the victims come in. He stated that he already has the employees, he just needs the space. Commissioner Carper stated that all elected officials need to come together to decide what space, if any, they would like to be used when the sheriff's law enforcement vacates the courthouse. Cathy Gatson has stated that her office would like to have the area of the evidence room. Commissioner Carper agrees. It has been stated that the assessor also needs space. Commissioner Carper does support the project for the Family Justice Center. He stated that security might be a concern. He instructed staff to address security issue and determine if any funds are available from courthouse improvements funds. Mr. Plants stated that the prosecutor's office would like to use the area where the detective bureau is now located. Commissioner Carper moved for staff to set up a meeting with elected officials to determine interest in the vacant space. Commissioner Shores seconded. Motion carried. Commissioner Carper moved for the commission to go on record as supporting this project, although there is the need to be realistic. He stated that the project must be sustained by grant money and the commission is not in the position to hire any new employees. Mr. Plants agreed. Commissioner Shores seconded. Motion carried.

Commissioner Carper stated that there has been \$10,000 collected from the NSF checks written to the county. He thanked the prosecutor's office and the sheriff's office for their efforts on this. Mr. Plants commended Rob Schulenburg for his work on the project. He also stated that the Prosecutor's Office had a conviction yesterday for a June 2009 charge. That is four and a half months from the date of the offense to the conviction. Commissioners commended the prosecutor's office. Mr. Plants stated that Judge Bloom was also instrumental in this accomplishment.

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

**Commission President W. Kent Carper
Commissioner Henry C. Shores
Commissioner Dave Hardy
The Honorable Vera J. McCormick, County Clerk**

Discussion regarding request by the Clerk of the County Commission, Vera McCormick, for \$700,000.00 to purchase an Electronic Poll Book Computer System, Electronic Voter Identification, also known as E-Poll

Commission President W. Kent Carper

Mrs. McCormick stated that the rules for rotating satellite voting have been thrown out. She stated that the rules should be approved around November 17-19 and the Clerk will then get a proposal to the Commissioners. She stated that she recommends the I-vote for satellite voting. This is the touch screen system. She stated that three precincts would cost around \$100,000. Mrs. McCormick stated that there was never a request for \$700,000 for electronic poll books. She stated that this should not be on the Bill Chambers report. There was only a demonstration of the e-poll books. She stated that she would never make such a request with the current revenues the way they are. Commissioner Carper inquired as to more HAVA money. Mrs. McCormick stated that there will be 25 percent available from grants, the county would have to come up with 25 percent down and then the remaining 50 percent would be through a zero percent loan. She stated that the costs would be about \$700,000 for all precincts. She will not be requesting the funds for the primary election and probably not for the general election. She stated that the e-poll books last about 5-6 years. They are basically a lap top. Commissioner Carper questioned the replacement costs. She stated that the system that is used now is fine. Commissioner Shores is concerned with the areas chosen for satellite voting. Commissioner Carper stated that he is disappointed in the failure of rotating precincts. He feels that eventually this will happen. He inquired as to if the clerk had the e-poll book would she support same day registration and she stated that she would not. Mrs. McCormick stated that some states that have been doing same day registration are now pulling out. Commissioner Carper instructed staff to determine which states have decided not to participate in same day registration.

Discussion regarding Communication Equipment for the Kanawha County Sheriff's Department Communication Center, adjacent to the Booking Area

**Commission President Kent Carper
The Honorable Michael Y. Rutherford, Sheriff
Jerie Whitehead, Purchasing Director
Charles Keefer, Project Architect, Associated Architects**

Commissioner Carper stated that it is his understanding that the equipment will cost approximately \$58,000 and that the Sheriff is willing to pay for this within the

confines of his budget. Sheriff Rutherford stated that some radios are already available from patrol cars that can be converted, some equipment is already under contract, but the console would need to be purchased. Commissioner Carper moved to direct purchasing department to complete RFP's or bid items up to \$58,000 as long as the county solicitor verifies that no guidelines have been violated. Jerie Whitehead stated that there is a problem with the amount of time necessary. Mr. Keefer stated that all equipment should be installed before the sheriff moves into the new building. Commissioner Carper moved to direct the purchasing department to either bid items or buy items that are on contract up to the amount of \$58,000, should the purchasing director determine that these items do not fall in one of those categories that this would constitute items to be declared an emergency as long as the county solicitor signs off on them. Commissioner Shores seconded. Commissioner Carper does not want to split purchase orders and he stated that many items are already on contract. Motion carried. Commissioner Carper stated that \$32, 243 has been transferred to the Sheriff's capital account tonight. Commissioner Carper stated that the console is not critical and he does not want to split a purchase order, this would circumvent the bidding process.

❖ **~~Update regarding the County's proposed Mandatory Physical Policy and Medical Home Program (Moved to November 19, 2009, Agenda)~~**

~~Commissioner President W. Kent Carper~~

~~Commissioner Shores~~

~~Commissioner Hardy~~

~~Brent Pauley, County Manager~~

~~Tom Susman, TSG Consulting~~

~~Dr. Rahul Gupta, Director/Health Officer, Kanawha-Charleston
Health Department~~

Discussion regarding the re-bidding of the KRT fuel annual contract, including, but not limited to, Fuel Purchase Agreement request from various county agencies by KRT

Commission President W. Kent Carper

Dennis Dawson, Executive Director, KRT

Commissioner Carper stated that he is bothered by the fact that his office received a letter and was only given three days to sign a contract and return it or the contract will not happen. Also it contained incorrect contact names on it. He is also bothered by not receiving advanced notice regarding the hybrid bus ceremony that is next week. Mr. Dawson apologized for this, but stated that the date was not finalized until 3 days ago and his office did not have much involvement in selecting the date. It was stated that the ceremony will take place between buildings 5 and 6 at the Capitol Complex. Mr. Dawson stated that this has been an ongoing contract since 2004, and this is just a one year renewal. This is not something new. Commissioner Carper moved to approve the signing of the contract. Commissioner Shores seconded. Motion carried. It was stated that the bid opening is on the 16th and the KRT would appreciate the

commission's opinion. Mr. Dawson requested that the contact list be updated and apologized for the incorrect names. There is a levy meeting on November 18, at 10:30. It is now at the point of posting ads. It was stated that Joe and Patty are both coming to the meeting on the 18th. Commissioner Carper requested a memo to them stating he is pleased that a meeting is taking place and hopes that they continue to have future meetings. The Fuel Task Force sells approximately 750,000 gallons to non-KRT entities. There is a savings to taxpayers in the millions. The school board is not a part of this. Commissioner Carper instructed staff to prepare a letter to Dr. Duerring and the school board members to inquire as to their participation in the Fuel Task Force.

Discussion regarding the 2010 Legislative Agenda

**Commission President W. Kent Carper
Commissioner Henry C. Shores
Commissioner Dave Hardy
Carrie Clendening, Grant Coordinator/Legislative Liaison**

This matter will be carried over until next meeting.

Discussion regarding the proposed elimination of reserved, paid monthly parking spaces for non-employees in the County's Parking Garage due to the need for additional employee spaces when the W. Kent Carper Justice & Public Safety Complex is occupied including, but limited to, an update of the new security gates and assigned parking in the Parking Garage

**Commission President W. Kent Carper
Brent Pauley, County Manager
John Caudill, Facilities Director/Parking Garage Manager**

This matter will be carried over to the next meeting.

Discussion regarding bidding out the County's Commercial & General Liability Insurance including, but not limited to, establishing a time frame for the bidding period

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

This matter will be carried over to the next meeting.

Discussion regarding the Kanawha County Website to include, but not be limited to, development of said website and previous contract issued to Terradon for development of the website

**Commission President W. Kent Carper
Brent Pauley, County Manager
Jennifer Sayre, Deputy County Manager/Grants Director
Dennis Wyer, IT Director
Tammie Chandler, Administrative Assistant**

This matter will be carried over to the next meeting.

- ❖ ~~Discussion regarding the proposed annexation request by the Town of Clendenin for the area along Route 119 running from Clendenin to near the I-79 entrance ramp~~

~~Commission President W. Kent Carper
The Honorable Bob Ore, Mayor, Town of Clendenin~~

Discussion regarding Energy Efficiency and Conservation Block Grant Competitive Grant through the American Recovery and Reinvestment Act with a deadline of November 19, 2009, for Letter of Intent to Apply and deadline of December 14, 2009, for submittal of application to include but not be limited to determination of projects to be submitted for grant funding including the Courthouse Window Project, Judicial Building Window Project, HVAC Courthouse Project

Commission President W. Kent Carper
Jennifer Sayre, Deputy County Manager/Grants Director
Carrie Clendening, Legislative Liaison/Grant Coordinator

Jennifer Sayre stated that the County applied for and has already received \$583,000 for energy efficient windows for the courthouse. In order to replace all the windows, the total project will cost an additional \$500,000. There is a grant that has become available through the Federal Department of Energy. In order to apply for this grant, the county must apply for projects totaling at least \$5 million. She is requesting that they be allowed to collaborate with other county agencies, such as Yeager Airport and Metro 911, in order to meet the grant requirements for additional funding. There is a meeting with the other agencies tomorrow. Commissioner Carper moved that the President of the County Commission is authorized to sign such documents to apply for the appropriate grants as stated by the Deputy County Manager. Commissioner Shores seconded. Motion carried.

6:00 P.M. PUBLIC HEARING

Public Hearing regarding the proposed revision for concrete/asphalt street paving for the Kanawha County Subdivision Regulations

John Luoni, Deputy Planning Director/Subdivision Manager

John Luoni stated that there was a concern over the language for the regulations. Commissioner Carper moved to approve the proposed revision. Commissioner Shores seconded. Commissioner Carper stated that this was requested by the planning commission, after a public hearing and recommended by John Luoni. Motion carried. It was verified that Marc Slotnick agrees with the revision.

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

Commission President W. Kent Carper

**MINTUES FOR COMMISSION
MEETING OF NOVEMBER 5, 2009**

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Commissioner Henry C. Shores
Commissioner Dave Hardy

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

This matter will carry to the next meeting.

PUBLIC COMMENT

COUNTY MANAGER'S REPORT

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.

Objections and Exceptions (*advertised for proposed settlement in the November 2, 2009, issue of The Charleston Gazette and The Charleston Daily Mail, in accordance with West Virginia Code § 44-3A-19*)

Order Declaring Re-Opened Estate Closed, Estate of Harold L. Carper

Order Referring to a Fiduciary Commissioner, Estate of Parke Cadle a/k/a Parke Albert Cadle (*Charles Phalen, Jr., Fiduciary Commissioner*)

Recommended Order of Fiduciary Commissioner, Estate of Larry Lane Lawrence (*Troy N. Giatras, Fiduciary Commissioner*)

Administrative Closing Order, Steven Thomas Pryor

Administrative Closing Order, Kassandra Takrys Akers

Order Declaring Re-Opened Estate Closed, Estate of Jerry Eugene Giles

Order Declaring Re-Opened Estate Closed, Estate of Eugene C. Wolfe

Order Declaring Re-Opened Estate Closed, Estate of Conrad Olson, Jr

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:

Vendor	Department	Amount	Comments/Description
Capitol Conservation District	Commission	\$6,000.00	Elk Two Mile Dam site cost share as per agreement
Dill's Fire & Safety Equipment	Commission	\$10,440.00	Personal protective equipment approved by PSGC for the Clendenin Volunteer Fire Department
Systematic Copiers	Sheriff's Tax	\$11,482.44	Twelve (12) months copier lease agreement
Charleston Newspapers	Sheriff's Tax	\$80,542.44	September 2009 delinquent tax AD
Capitol Business Interiors	Sheriff's LED	\$19,057.60	Forty (40) Haworth Chairs
Service Care of America	Commission	\$5,139.00	Interoperable Working Group Conference (<i>Funds will be reimburse by grant</i>)
Brown, Edwards & Company	Commission	\$6,583.00	Services rendered through September 2009 for monitoring of regional jail bills for July and August 2009; participation in Regional Jail Bill Committee; Budget analysis work
Upper Kanawha Valley Enterprise Community	Commission	\$25,178.00	Reimbursement of storage building erection which includes labor, concrete & building materials per Kanawha County Commission Letter of Intent
L3 Communications	Judicial Building Security	\$33,821.00	X-Ray System; Roller Table; Multi-Zone High Sensitivity Walk-through Metal Detector (<i>Funds will be reimburse by grant</i>)
Kanawha County Solid Waste Authority	Planning	\$5,000.00	Fall Cleanup – Services for Cross Lanes & Sissonville
Graybar Electric Company	Commission	\$7,202.88	Fiber optic cable for the W. Kent Carper Justice & Public Safety

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 November 5, 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 November 5, 2009*)

The Honorable Vera J. McCormick, County Clerk

- ❖ **Approval of Erroneous Assessment Exonerations submitted by the Kanawha County Assessor (*Decrease: ~~\$116,106.60~~ \$377,329.02*)**

Marc Slotnick, County Attorney

Steve Sluss, Chief Legal Counsel, Assessor's Office

Applications for Apportionment of Personal Property Taxes Pursuant to Final Divorce Orders in Accordance with Chapter 11, Article 5, Section 14, of the Code of West Virginia

Marc Slotnick, County Attorney

Steve Sluss, Chief Legal Counsel, Assessor's Office

Order Authorizing the Clerk of the County Commission to issue a check in the amount of \$35,220.00 from account #001-973.14-700-4-59.00 to the Jackson County Commission for reimbursement of expenses related to Homeland Security Region One Grant (*Replacing Court Order 2009-619*)

Carrie Clendening, Grant Coordinator/Legislative Liaison

Order Authorizing the Clerk of the County Commission to issue a check in the amount of \$18,000.00 from account #001-973.14-700-4-59.00 to the Clay County Commission for reimbursement of expenses related to Homeland Security Region One Grant

Carrie Clendening, Grant Coordinator/Legislative Liaison

Order Authorizing the Clerk of the County Commission to issue a check in the amount of \$13,262.00 from account #001-973.14-700-4-59.00 to the Putnam County Commission for reimbursement of expenses related to Homeland Security Region One Grant

Carrie Clendening, Grant Coordinator/Legislative Liaison

Order Authorizing the Clerk of the County Commission to issue a check in the amount of \$3,291.86 from account #001-973.14-700-4-59.00 to the Wood County Commission for reimbursement of expenses related to Homeland Security Region One Grant

Carrie Clendening, Grant Coordinator/Legislative Liaison

Order Authorizing the President of the Kanawha County Commission to sign Change Order #1 (Deduction) for the W. Kent Carper Justice & Public Safety Complex Generator Project as a deduction in the amount of One thousand two hundred 00/100 dollars (\$1,200.00) to provide a 1700 gallon fuel tank instead of a 2500 gallon fuel tank

Jerie Whitehead, Purchasing Director

Order Authorizing the President of the Kanawha County Commission to sign Change Order #6 for the W. Kent Carper Justice & Public Safety Complex Renovation Project in the amount of Eighteen thousand five hundred thirty-eight and 00/100 dollars (\$18,538.00) to remove foundation obstructions and install additional storm drains

Jerie Whitehead, Purchasing Director

Order Authorizing the President of the Kanawha County Commission to sign Change Order #7 for the W. Kent Carper Justice & Public Safety Complex Renovation Project in the amount of Twenty-seven thousand three hundred forty-seven and 00/100 dollars (\$27,347.00) to modify the HVAC duct in Bravo Building, add sprinklers above ceiling at 2nd floor Bravo Building, and add bullet resistant wall for Armorer's Room in Bravo Building

Jerie Whitehead, Purchasing Director

Order Authorizing the President of the Kanawha County Commission to Sign a Maintenance Contract between the Kanawha County Commission and Superior Office Service, Inc., for Equipment located in the Kanawha County Circuit Clerk's Office

Jerie Whitehead, Purchasing Director

Resolution – Fiscal Year 2009-2010 General Fund Budget Revision #9

David Fontalbert, Chief Fiscal Officer

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 Seventy Seven Thousand, Six Hundred Ten Dollars and Thirty Nine Cents (\$177,610.39) for Invoice Nos. 2, 3 & 4 – which the Department of Environmental Protection's Abandoned Mine Lands division has matched with \$657,063.04 – to Famco, Inc. representing payment for work on the Sanderson/Dutch Ridge Water Line Extension Project

Patrick Snyder, Project Coordinator, Planning Department

New Employee. Zachery C. Phalen, Assessor's Office, Real Estate Division, temporary, part-time employment, \$10.00 per hour, effective November 9, 2009

The Honorable Phyllis S. Gatson, Assessor

❖ **Change of Employment Status,** Kasey Tucker, Assessor's Office, Business Division, from part-time employment to full-time employment, replacing ~~Lorie Jackson~~ **Caroline Vinson**, \$21,000.00, effective November 9, 2009

The Honorable Phyllis S. Gatson, Assessor

❖ **Change of Employment Status,** Barbara Combs, Assessor's Office, Personal Property Division, from part-time employment to full-time employment, replacing Lorie Jackson, \$21,000.00 per year, effective November 9, 2009

The Honorable Phyllis Gatson, Assessor

❖ **Change of Employment Status,** Angela Humphreys, Assessor's Personal Property Division, from part-time employment to full-time employment, replacing Shana Trippett, \$21,000.00 per year, effective November 9, 2009

The Honorable Phyllis Gatson, Assessor

Order approving overtime for Kanawha County Commission employees for pay period ending November 15, 2009, for hours worked in the pay period of October 5, 2009 through October 25, 2009

Brent Pauley, County Manager

Jennifer Sayre, Deputy County Manager

PAY PERIOD 10/05/09-10/25/09

NAME	OT		OT		TOTAL
	STRAIGHT	AMOUNT	TIME/HALF	AMOUNT	
Chandler, Tammie	9.25	\$178.79		\$0.00	\$178.79
Downey, Leslie	4.33	\$103.00		\$0.00	\$103.00
Morrison, Rachelle	12.30	\$292.57	3.22	\$114.89	\$407.46
Hackney, Cathy	3.54	\$72.07		\$0.00	\$72.07
Hudson, Theresa	4.07	\$81.95		\$0.00	\$81.95
Lanham, Shellie	2.07	\$33.01		\$0.00	\$33.01
Lilly, Mindy	3.25	\$63.87		\$0.00	\$63.87
Whittington, Sue					
Ann	3.37	\$66.22		\$0.00	\$66.22
Sandoro, Colt	1.33	\$18.17		\$0.00	\$18.17
Ferrell, Marty	1.02	\$13.34		\$0.00	\$13.34
Harrison, Blanche	1.75	\$22.88		\$0.00	\$22.88
Hodge, Edna	4.03	\$52.70		\$0.00	\$52.70
Melton, Joe	16.30	\$254.09	12.62	\$295.09	\$549.18
Paul, II, Ernest	1.03	\$13.21		\$0.00	\$13.21

Prowse, James	14.63	\$187.57	9.20	\$176.92	\$364.49
Rairden, Karen	1.02	\$13.08		\$0.00	\$13.08
Shafer, Sheila	3.45	\$44.23		\$0.00	\$44.23
Shaffer, Sandra	2.50	\$32.05	1.75	\$33.65	\$65.70
Taylor, Judy	1.03	\$13.47		\$0.00	\$13.47
Withrow, Robert	3.55	\$45.51		\$0.00	\$45.51
Beller, Philip	1.00	\$29.23		\$0.00	\$29.23
Clark, Michael	4.45	\$62.84		\$0.00	\$62.84
Moore, Allen	7.05	\$97.62	0.22	\$4.57	\$102.19
White, Bruce	10.00	\$128.21	0.07	\$1.35	\$129.56
White, Mike	9.48	\$133.86		\$0.00	\$133.86
Keller, Joanna	3.05	\$54.03		\$0.00	\$54.03
Robinson, Debbie	4.90	\$106.55		\$0.00	\$106.55
TOTAL	133.75	\$2,214.12	27.08	\$626.47	\$2,840.59

Order Authorizing the President of the County Commission to sign "Letter of Credit Payment Request – Hazard Mitigation Grant Program for the FEMA Notice of Intent Disaster Mitigation 2009 Program, request of payment for two appraisals of potential Flood Buyout Properties in Kanawha County

John Luoni, Deputy Planning Director/Subdivision Manager

Order Authorizing the Clerk of the County Commission to issue checks from the General County Fund (#001-425.00-5-68.00), in the amount of Four Hundred Ninety-Four Thousand Three Hundred Twelve Dollars and Sixty Cents (\$494,312.60) to United Bank, Inc. representing the County's fall, 2009 debt service (principal and interest) for the Judicial Annex Renovation

David Fontalbert, Chief Fiscal Officer

Order Authorizing the Clerk of the County Commission to issue a check from General County, #001-401.00-5-68.00, in the amount of Five Thousand Dollars (\$5,000.00) to Camp Virgil Tate as contribution for the lighting project at the facility

David Fontalbert, Chief Fiscal Officer

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 Seven Hundred Forty-Four Thousand Five Hundred Ninety-One Dollars and Eighty-Nine Cents (\$744,591.89) to the WV Regional Jail Authority representing payments for June, 2009 (\$357,330.54) and July, 2009 (\$387,261.35)

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 One Million Dollars (\$1,000,000.00) to the County Stabilization FUND #058

David Fontalbert, Chief Fiscal Officer

Derricks Creek Water Line Extension Project Request for Drawdown of Invoice No. 2 for Construction by CJ Hughes Construction Company in the amount of Thirty Nine Thousand, Two Hundred Ninety Two Dollars and Seventy One Cents (\$39,292.71) from the U.S. Army Corps of Engineers
Patrick Snyder, Project Coordinator, Planning Department

Derricks Creek Water Line Extension Project Request for Drawdown of Invoice No. 2 for Construction by CJ Hughes Construction Company in the amount of Eighty Six Thousand, Four Hundred Forty Three Dollars and Ten Cents (\$86,443.10) from the West Virginia Infrastructure & Jobs Development Council
Patrick Snyder, Project Coordinator, Planning Department

Authorization by the Kanawha County Commission for its President to sign the Grant Agreement for the West Virginia Commission on Drunk Driving Prevention Drunk Driving Grant for the period of October 24, 2009 to January 24, 2010
Carrie Clendening, Grant Coordinator/Legislative Liaison

Order appointing James Keith to fill the vacant position to the Upper Kanawha Valley Public Service District (*term to expire November 5, 2015*)
Commission President Kent Carper

Order Appointing Andrew Dunlap to the Region III Workforce Investment Board of Kanawha County to replace Lloyd Casto (term to expire June 30, 2012)
Jennifer Sayre, Deputy County Manager/Grants Director

Order Appointing Jerry Carper to the Region III Workforce Investment Board of Kanawha County to replace Judy Reed (term to expire June 30, 2012)
Jennifer Sayre, Deputy County Manager/Grants Director

Order Appointing Roger Hess to the Region III Workforce Investment Board of Kanawha County to replace Brad Sims (term to expire June 30, 2012)
Jennifer Sayre, Deputy County Manager/Grants Director

Order Appointing Robert Jeffries to the Region III Workforce Investment Board of Kanawha County to replace Marie Oxley (term to expire June 30, 2012)
Jennifer Sayre, Deputy County Manager/Grants Director

Order Appointing Teresa Kessell to the Region III Workforce Investment Board of Kanawha County to replace Allan Galloway (term to expire June 30, 2012)
Jennifer Sayre, Deputy County Manager/Grants Director

Order Appointing Laura McCullough to the Region III Workforce Investment Board of Kanawha County to replace Charles McDaniel (term to expire June 30, 2012)

Jennifer Sayre, Deputy County Manager/Grants Director

Order authorizing the President of the Kanawha County Commission to sign Regional III Workforce Investment Board Local Plan

Commission President Kent Carper

Order authorizing the transfer of \$32,243.00 from the sale of surplus vehicles to the Sheriff's Capital Account for the purchase of communication equipment

Jennifer Sayre, Deputy County Manager/Grants Director

David Fontalbert, Chief Fiscal Officer

Order authorizing the President of the Kanawha County Commission to sign Certificates of Title for vehicles declared surplus property

Jerie Whitehead, Purchasing Director

Order reinstating salary for Tammie Chandler, Administrative Assistant, in the amount of \$42,100 annually, effective November 6, 2009

Jennifer Sayre, Deputy County Manager/Grants Director

5. F.Y. 2009-2010 General Fund Budget Revision #9

Commissioner Hardy moved to approve General Fund Budget Revision #9. Commissioner Shores seconded. Motion carried.

REVENUE:

001-366-0-00.00	Miscellaneous Revenue	\$34.00
001-398-0-00.00	Transfers from Rainy Day Fund	\$500,000.00
001-323-0-00.00	State Grants	\$314,667.00

EXPENDITURES:

001-401.00-2-18.00	County Commission - Postage	\$1,500.00
001-401.00-2-22.00	County Commission - Dues & Subscriptions	\$2,500.00
001-401.00-2-24.00	County Commission - Audit Costs	(\$9,000.00)
001-401.00-3-41.00	County Commission - Supplies & Materials	\$5,000.00
001-401.00-5-67.00	County Commission - Transfers to Other Funds	\$500,000.00
001-412.00-2-11.00	Extension Service - Telephone	\$34.00
001-442.33-2-30.00	Fed Grt - Drug Court Contracted Services	(\$1,808.00)
001-443.35-2-30.00	Day Report Contracted Services	\$1,608.00
001-443.35-3-41.00	Day Report Supplies & Materials	\$200.00
001-809.00-5-68.00	Developing Projects	\$302,482.00
001-974.19-4-59.00	State Grant - Court Security Equipment	\$12,185.00

6. F.Y. 2009-2010 Federal Grant Fund Budget Revision

Commissioner Hardy moved to approve Federal Grant Fund Budget Revision.
Commissioner Shores seconded. Motion carried.

REVENUE:

009-322-32.00	FED GRT - MENTAL HEALTH GRANT REVENUE	\$100,000.00
009-299-0-32.00	FED GRT - MENTAL HEALTH FUND BALANCE	\$7,640.00

EXPENDITURES:

009-442.32-2-14.00	FED GRT - MENTAL HEALTH TRAVEL	\$7,273.00
009-442.32-2-19.00	FED GRT - MENTAL HEALTH BLDG./EQUIP. RENT	\$5,290.00
009-442.32-2-30.00	FED GRT - MENTAL HEALTH CONT SERVICES	\$86,066.00
009-442.32-3-41.00	FED GRT - MENTAL HEALTH SUPPLIES	\$1,371.00
009-442.32-2-30.00	FED GRT - MENTAL HEALTH CONT SERVICES	\$7,640.00

7. F.Y. 2009-2010 Public Safety Grant Fund Line Item Budget Revision

Commissioner Hardy moved to approve the Public Safety Grant Fund Line Item Budget Revision. Commissioner Shores seconded. Motion carried.

EXPENDITURES:

029-711.00-5-68.00	Public Safety Levy Contributions	(\$25,000)
029-711.00-5-68.07	Clendenin VFD	\$25,000

❖ **4. F.Y. 2009-2010 Federal Grant Fund Line Item Budget Revision**

Commissioner Hardy moved to approve the Federal Grant Fund Line Item Budget Revision. Commissioner Shores seconded. Motion carried.

REVENUE:

009-299-0-32.00	Federal Grant – Mental Health Fund Balance	\$7,640.00
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EXPENDITURE:

009-442.32-2-30.00	Federal Grant – Mental Health Cont. Services	\$7,640.00
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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 all check registers/supplementals.
Commissioner Shores seconded. Motion carried.

Supplemental voucher, United Bank, Inc., \$494,312.6 (*principal and interest on semi-annual bond debt service, Judicial Annex renovations*)

Supplemental voucher, Famco, Inc., \$177,610.39 (*Invoice Nos. 2, 3 & 4 – representing payment for work on the Sanderson/Dutch Ridge Water Line Extension Project*)

- ❖ Supplemental voucher, Anthony Porter, \$196.50 (IWG Meeting)
- ❖ Supplemental voucher, James Curry, \$175.50 (IWG Meeting)
- ❖ Supplemental voucher, Mark Smith, \$196.50 (IWG Meeting)
- ❖ Supplemental voucher, Anthony Porter, \$196.50 (IWG Meeting)
- ❖ Supplemental voucher, WV American Water Company, \$2,720.03 (*water bills*)
- ❖ Supplemental voucher, BB&T Financial FSB, \$4,223.59 (*VISA bill*)

❖ **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**

Commissioner Shores moved to recess until the next meeting of November 19, 2009 at 5pm. Commissioner Carper seconded. Motion carried.

THE KANAWHA COUNTY COMMISSION MEETING OF NOVEMBER 5, 2009, RECESSED AT 7:30 P.M., UNTIL THE 19TH DAY OF NOVEMBER, 2009, AT 5:00 P.M.

THE FOREGOING MINUTES ARE APPROVED THIS 5TH DAY OF NOVEMBER, 2009.

PRESIDENT

COMMISSIONER

COMMISSIONER

COUNTY ATTORNEY