

**MINUTES OF A REGULAR SESSION OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, HELD AT THE COURTHOUSE THEREOF ON THE 19TH DAY OF NOVEMBER 2009.**

**A REGULAR MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, WAS HELD ON THE 19TH 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**

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| 11-19-09 | 2009-675 | Order Confirming and Approving Orders in Excess of \$4,999.99 to be issued by the Kanawha County Commission Purchasing Department  |
| 11-19-09 | 2009-676 | 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 19, 2009</i> ) |
| 11-19-09 | 2009-677 | 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 19, 2009</i> )    |
| 11-19-09 | 2009-678 | Order Confirming and Approving Orders Entered by the Clerk of the County Commission of Kanawha County, West Virginia ( <i>Probate Order Report October 1, 2009, through October 31, 2009</i> )   |
| 11-19-09 | 2009-679 | Approval of Depository Bond – JP Morgan Chase Bank, N.A. – Authorization for the President of the Kanawha County Commission to sign Depository Bond Agreement with JP Morgan Chase Bank, N.A.  |
| 11-19-09 | 2009-680 | Approval of Depository Bond – Branch Banking and Trust Company – Authorization for the President of the Kanawha County Commission to sign Depository Bond Agreement with Branch Banking and Trust Company  |
| 11-19-09 | 2009-681 | Approval of Depository Bond – United Bank, Inc.– Authorization for the President of the Kanawha County Commission to sign Depository Bond Agreement with United Bank, Inc.   |
| 11-19-09 | 2009-682 | Authorization for the President of the Kanawha County Commission to sign Certificates of Title Transferring Vehicles Declared Surplus Property   |

11-19-09	2009-683	Order authorizing payment to David Sweeney, Kanawha County Regional Planner, to be paid bimonthly in the amount of \$2,500.00 per pay period, effective December 1, 2009, through November 30, 2010 <i>(from Line 001-443.60-500-2-30.00)</i>
11-19-09	2009-684	Order authorizing the President of the Kanawha County Commission to execute a WV Department of Homeland Security Regional Planner Grant Application for \$60,000
11-19-09	2009-685	Order authorizing the President of the Kanawha County Commission to execute a WV Department of Homeland Security Regional Planner Grant Application for \$15,000
11-19-09	2009-686	Order authorizing the Clerk of the County Commission to issue a check from the Dog Fund (#003-716.00-5-68.02) in the amount of Eleven Thousand, Three Hundred Seventy-Seven Dollars (\$11,377.00) to the Kanawha-Charleston Humane Association, representing contribution from dog license revenues received in F.Y. 2009-10 to date, as collected and distributed by the Kanawha County Assessor
11-19-09	2009-687	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 One Thousand One Hundred Eight-One Dollars (\$1,181.00) to the Kanawha County Solid Waste Authority, representing pass-thru of recycling revenues
11-19-09	2009-688	<b><i>New Employee</i></b> , Leah Walker Blake, Assessor's Office, Real Estate Division, permanent employee replacing Megan Medford, \$21,000.00 per year, effective December 1, 2009
11-19-09	2009-689	Order authorizing the President of the Kanawha County Commission to sign/execute the 2009 EMPG Contract
11-19-09	2009-690	Order authorizing the Clerk of the County Commission to issue a check from the Coal Severance Fund #002-439.00-5-68.00 in the amount of Eight Hundred Thirty-Four Dollars (\$834.00) to the Paint Creek Scenic Trail Association, representing a contribution for tourism advertising for the project
11-19-09	2009-691	Order adopting the County's Dependent Eligibility Audit that requires employees to verify and certify dependent eligibility for health insurance coverage
11-19-09	2009-692	Order approving overtime for Kanawha County Commission employees for pay period ending November 30, 2009 for hours worked in the pay period of October 26, 2009, through November 8, 2009
11-19-09	2009-693	<b><i>Demolition Order</i></b> – In the matter of the property owned by P&L Enterprises, LLC, secured by West Virginia Federal Credit Union ( <i>Tax Map 10, Parcel 83, Jefferson District</i> )

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| 11-19-09  | 2009-694 | <b><u>Demolition Order</u></b> – In the matter of the property owned by Montrose Enterprises, secured by West Virginia Federal Credit Union ( <i>Tax Map 25, Parcel 99, Union District</i> )  |
| 11-19-09  | 2009-695 | <b><u>Demolition Order</u></b> – In the matter of the property owned by David Nickels and Nancy Nickels ( <i>Tax Map 8, Parcel 1.5, Washington District</i> )   |
| 11-19-09  | 2009-696 | <b><u>Demolition Order</u></b> – In the matter of the property owned by ROJO Properties, LLC ( <i>Tax Map 6B, Parcel 16, Jefferson District</i> )   |
| 11-19-09  | 2009-697 | <b><u>Demolition Order</u></b> – In the matter of the property owned by Annie Reed ( <i>Tax Map 35D, Parcel 90, Union District</i> )  |
| 11-19-09  | 2009-698 | Order authorizing the Clerk of the County Commission to issue a check from the Dog Fund #003-716.00-5-66.00 in the amount of Eleven Thousand Seven Hundred Thirty-Four Dollars and Thirteen Cents (\$11,734.13) to the Kanawha County Assessor Dog Tax Fund (055) to correct a prior erroneous distribution from the Assessor’s Office  |
| 11-19-09  | 2009-699 | Order authorizing and approving the Manual Journal Entries as set forth in 11/16/09 Memorandum from Kim Lutz, Director of Accounting  |
| 11-19-09  | 2009-700 | Polling Location Changes: (1) Precincts 119 and 120, from Skateland of Campbell’s Creek to Mary Ingles Elementary, Tad, West Virginia (closure); (2) Precincts 161 and 163, from Chamberlain Elementary to Horace Mann Middle School, 4301 MacCorkle Avenue, Charleston (overcrowding); (3) Precinct 354, from Twin City Bible Church to Church of the Nazarene, 1400 Sattes Circle, Nitro, West Virginia (closure); and (4) Precinct 244, from South Hills Presbyterian Church to St. Mathews Episcopal Church, 36 Norwood Road, Charleston, West Virginia (closure) |
| 11-19-09  | 2009-701 | Proclamation – November 2009 as Pancreatic Cancer Awareness Month   |
| 11-19-09  | 2009-702 | Order – Supplementals/ <i>Check Register (Allens Auto)</i>  |
| 11-19-09  | 2009-703 | Order – Supplementals/ <i>Check Register (FAMCO, Inc. – from 11/5/09 Agenda after Budget Revision and Prester)</i>  |
| <b>Order NOT on 11/19/09 Agenda but processed/approved:</b> |          |   |
| 11-19-09  | 2009-704 | Order authorizing the President to sign Verizon CP&E Related Services Change Order Form   |
| 11-19-09  | 2009-705 | Order authorizing President to sign Certificate of Title to sign a Certificate of Title transferring vehicle declared a total loss 2007 Ford Crown Victoria XX 102186)  |

**Order/Supplemental on 11/19/09 Agenda but NOT processed/approved:**

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Approval of Erroneous Assessment Exonerations submitted by the Kanawha County Assessor (*Decrease: \$37,393.52*)

Supplemental voucher, Kanawha County Dog Tax Fund (055), \$11,734.13 (*from Dog Fund to correct prior erroneous distribution from the Assessor's Office – to be processed after Budget Revision*)

**Commission Meeting Minutes approved/processed at 11/19/09 Commission Meeting:**

Approval of Commission Meeting Minutes of November 5, 2009

**Proclamations/Resolutions approved/processed at 11/19/09 Commission Meeting:**

Proclamation – November 2009 as Pancreatic Cancer Awareness Month

**New Employee approved/processed at 11/19/09 Commission Meeting:**

Leah Walker Blake, Assessor's Office, Real Estate Division, permanent employment replacing Megan Medford, \$21,000.00 per year, effective December 1, 2009

**Budget Revisions approved/processed at 11/19/09 Commission Meeting:**

1. Fiscal Year 2009-2010 Dog Fund Line Item Budget Revision

**Supplementals/Check Register approved/processed at the 11/19/09 Commission Meeting (Set Forth in 2009-702 and 703):**

Supplemental voucher, Allens Auto Parts & Repair, \$13,981.31 (*miscellaneous parts and repairs for departmental fleet*)

Supplemental voucher, Pretera Center for Mental Health, \$5,208.48 (*June 2009 Coordinator*)

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

### **Pledge of Allegiance**

**Commissioner Henry C. Shores**

Members of the Charleston Catholic Girls Soccer Team

### **Moment of Silence and Recognition**

Commissioner Hardy referenced the passing of "Poodle" Thomas. He stated that Mr. Thomas was a great community leader.

### **APPROVAL OF COMMISSION MEETING MINUTES**

#### **Approval of Commission Meeting Minutes of November 5, 2009**

Commissioner Shores moved to approve the meeting minutes of November 5, 2009. Commissioner Hardy seconded. Motion carried.

### **❖ RESOLUTIONS/PROCLAMATIONS**

**Proclamation – November 2009 as Pancreatic Cancer Awareness Month  
Commission President Kent Carper**

## **Melody Potter, Kanawha County Republican Executive Chairman**

Commissioner Hardy read the proclamation declaring November 2009 as Pancreatic Cancer Awareness Month. Commissioner Hardy moved for adoption of the proclamation. Commissioner Shores seconded. Motion carried. Tim Moore was present and stated that on behalf of the families that have been affected by this disease, he thanks the Commissioners. Commissioner Hardy stated that it is a devastating diagnosis. Commissioner Carper stated that there should be more recognition of the disease. Tim Moore agreed and stated that it is never known until it affects you personally.

### **AGENDA ITEMS**

- 5:00 P.M. Discussion regarding request by the Public Service Commission for the immediate takeover of the Operation and Maintenance of the Upper Kanawha Valley Utility System by the Chelyan Public Service District to include, but not be limited to, funding necessary for accomplishing same**  
**Commission President Kent Carper**  
**Commissioner Henry C. Shores**  
**Commissioner Dave Hardy**  
**Jim Weimer, Public Service Commission**  
**David Howell, Chairman, Chelyan Public Service District**

David Howell was present. He wanted to make the Commission aware of a possible future request for funding. Chelyan PSD has had to intercede early. Commissioner Carper stated that he will be received with a receptive ear and for him to come to the Commission when and if this becomes necessary. Jim Weimer was present and stated that the water and sewer ordinances for the Town of Pratt have passed. He stated that the town was a few items short, but once those are taken care of everything will be fine. He stated that the sewer rates will increase 125 percent. He also stated that the O & M agreement should be filed within the next week. He supports the O & M agreement with Chelyan PSD and Pratt PSD. Commissioner Hardy stated that this would be a good use of Coal Severance funds. This affects the health and safety of the entire region. Commissioner Shores inquired as to the costs of the average sewer bill. Mr. Weimer stated that it will be in the mid to upper \$30's. Commissioner Hardy stated that the rates have been low for years and this will put them in the area with many of the other PSD's. Mr. Weimer stated that the PSD is still working with West Virginia American Water. The O&M agreement is for 40 years. Mr. Howell stated that the Upper Kanawha Valley PSD will reimburse Chelyan for costs incurred. However they are also continuing to pay Pratt for their O & M expenses even though they are not performing those duties. If this continues Chelyan will be back to ask for funds to help cover the costs. He does not feel that this is good use of public funds. Commissioner Hardy stated that as Mr. Howell has previously stated the merger did not cause the rate increase, if anything, the lack of the merger caused the rate increase.

## **NEW EMPLOYEES**

### **Assessor's Office**

**Leah Walker Blake, Real Estate Division, permanent employment replacing Megan Medford, \$21,000.00 per year, effective December 1, 2009**

**The Honorable Phyllis Gatson, Assessor**

Commissioner Hardy moved to approve Leah Walker Blake, new employee for the Assessor's Office. Commissioner Shores seconded. Motion carried.

**Presentation by the Communication Workers of America to discuss the proposed sale of Verizon land lines in West Virginia to Frontier Communications**

**Commission President Kent Carper**

**Elaine Harris, CWA International Representative**

**Representative(s) of the Communication Workers of America**

**Representative(s) from Verizon**

Elaine Harris stated that there are over 1000 employees in Kanawha County. Commissioner Carper stated that the payroll is \$145 million and the retirees' payroll is \$45 million. She also had the members of the Communication Workers of America stand and be recognized. She stated that she began as an operator in 1973 with C&P Telephone, then went to work with Bell Atlantic, and then on to Verizon. She stated that the issue is not about one being a good company or a bad company. Verizon and Frontier are both good companies. Verizon is proposing a sale in 14 states. West Virginia being the area where there are the most consumers. There are 600,000 land lines in WV. Commissioner Hardy inquired as to what the issues are and why they oppose the deal. Ms. Harris stated that similar deals have taken place in Hawaii and other states. These have ended in bankruptcy. Commissioner Carper inquired as to if the labor contract will be honored. Ms. Harris stated that it would. Commissioner Carper stated that his main concern is the employees. Ms. Harris has been to several other counties for the resolution. She stated that Wirt, Wood, and Monroe Counties have adopted the resolution and there are others that are considering it. She also stated that Verizon only wants to sell the land lines. The Reverse Moore's Trust is a federal law that states the money that is made from the sale is not taxed. Commissioner Carper does not agree with this law. Ms. Harris stated that many believe the sale is not in the best interest because Frontier will be acquiring a large debt and the network of Verizon needs improvements on the plant. She believes this would be a bad move financially. The states of New Hampshire, Maine and Vermont have looked at this and considered it, but now there are regrets. Vermont has written a letter stating regret. The letter is on record at the PSC. These states are asking for \$30 million in concessions. Commissioner Carper inquired as to the objections from a labor standpoint. Ms. Harris stated that there is a need for improvements. She also stated that there have been 911 problems in other states. There will not be a smooth transition. Commissioner

Carper inquired as to the amount that CWA has spent on advertising. Ms. Harris stated that it is nearly \$1 million. She has notice that some PSC staff recommends the deal be rejected, but if approved Verizon should be required to invest \$300,000 in the project. . Commissioner Hardy inquired as to if the concern was with Frontier's stability and she agreed stating that Verizon has the assets. Commissioner Carper stated that the Kanawha County Board of Education and the City of Charleston are no longer customers of Verizon. However, the Kanawha County Commission is still a customer. He inquired as to if Frontier is moving their regional headquarters here and if they will be hiring new employees. Ms. Harris stated that Frontier has said that the headquarters would be located at the present location of Verizon, 1500 MacCorkle, and there would be an addition of 30-40 new jobs. She is concerned with Frontier's statement of cutting operating costs by \$500 million the first year. Commissioner Hardy inquired about the current collective bargaining agreement. Ms. Harris stated that the current agreement expires August 2011 and there is a legacy clause for the retirees. The current retirees will stay with Verizon. The future retirees balance with Verizon would be transferred to Frontier. The union would be recognized, but there would be a new bargaining agreement to negotiate with Frontier. Commissioner Hardy inquired as to if early retirement will be offered. She stated that 100 technicians left in June. Commissioner Shores stated that it is costs versus service and jobs. Commissioner Carper inquired as to if they will ask legislature to pass a resolution and if they are going to the Board of Education and City of Charleston. Ms. Harris stated that they will consider this. Verizon does have a contract with the State as Verizon Business. Mr. Fulltin was present from Verizon. He stated that Verizon has a 98 percent satisfaction rate. He stated that Verizon is not leaving WV. They will still be here and provide wireless service and enterprise service. This is a good move for WV. This deal was approved in Nevada, California, and South Carolina. Commissioner Carper asked if the agreement can be extended longer than 2011. Mr. Fulltin stated that it would have to be discussed. He stated that Frontier is the second largest communications company in West Virginia. Frontier is unmatched in regard to their broadband record. They are union. They are bringing their southeast headquarters here. Frontier has been here for 20 years and they are looking to grow their business. Verizon has met with the 911 working group. They agree it is going to be a better program than there is to date. There have been two problem transactions, but there have been fifty good transactions without any problems. Commissioner Carper inquired as to why the Consumer Advocacy Section of the Public Service Commission feels this is a bad move for West Virginia. Mr. Fulltin stated this is because of concerns. Verizon is to present their rebuttal testimony on December 1st. Verizon feels that Frontier will be stronger from this transaction. This transaction is an opportunity. Some will have same job and some will have different jobs. He stated that by December 31, 2009, employees will know what career opportunities Frontier has to offer them. Verizon is going to focus on its wireless and enterprise service and leave the land line business. Verizon has lost 35% of its land line service since 2000. Frontier is losing this at a slower rate. It is better at this market than Verizon. Verizon is better at younger technologies. Frontier approached Verizon for the

sale. Commissioner Hardy inquired as to how the retirees will be affected. Mr. Fulltin stated that Verizon will fully fund the pension that has been earned with Verizon and that will be transferred to Frontier's plan. Commissioner Hardy wants to know if they will be vested and protected should Frontier have any financial trouble. He stated that Verizon has 1700-1800 employees in the state that will be affected. The date of the transaction is June 2010. The PSC hearing is on January 12, 13, and 14, 2010. There is a six month notification to the employees. Commissioner Hardy inquired as to if there is an assurance that Frontier can offer the same as Verizon? There is an 18 month commitment to some employees. Mr. Fulltin stated that Frontier could answer better. This transaction makes Frontier a bigger, stronger, and more capable company. Frontier will borrow \$3.3 billion and the cash flow is expected to be \$4.7 billion. That is over \$1 billion to the good without doing anything. The Reverse Morris Trust was passed in 1997 by President Clinton. The IRS has to certify the transaction. Verizon feels the concerns of the opponents are without merit. Commissioner Carper used Carbide as an example and there is a concern for employee's benefits and pay. Ken Arnt, Frontier representative, verified that the southeast headquarters will be moved here and that there will be no firing, and no loss of benefits. Frontier has been using Wall Street Analyst and they favor the deal. Commissioner Carper wants proof that the employees will not be hurt. Mr. Arnt stated that currently Frontier has 4500 employees and 200 of those are in WV. He stated that he has been with Frontier for 6 years and assisted in over 30 contracts. Frontier has one of the highest satisfaction ratings among its peers. The employees are paid well. Frontier uses a local market engagement model. This means that the customers decide. The intent is to set up 9 different markets, all engaged in their community. This gives them the advantage. They have never gone non union after a purchase. Commissioner Hardy inquired as to how the pension money from Verizon will be handled. Mr. Arnt stated that it will be placed in a trust and managed. He stated that it is no longer allowed legally to withdraw money from those pension funds. Frontier is a Fortune 1000 company, which means that they are one of the top 1000 companies in America. Commissioner Carper would like to know when the Governor is going to address this. Mr. Arnt stated that Frontier is a publicly traded company. They have been in business for 75 years. Frontier went to Verizon for this purchase; Verizon was not on the market to sell. Frontier's focus is on rural areas. Frontier wants to bring new technologies to West Virginia. Their plan for broadband in West Virginia is to build fiber optic networks statewide. They have applied for stimulus funds that will allow them to build directly into schools. They have raised \$600 million and there will not be any issues with the ability to raise more. They are deleveraging their debt. He stated revenues were \$2.2 billion in 2008, which is \$6.1 million a day. Interest is \$3.63 million a year or \$30 million a month. Currently it takes 4.9 days to pay off debt. After the transaction revenues will be \$6.4 billion, a 190% increase, \$17.8 million a day, annual interest will be \$653 million, an 80 % increase. A monthly increase interest expense of \$54 million, which in turn means, debt will be paid in 3.1 days. Frontier's debt ratio will be better than Verizon's after this transaction. Broadband is Frontier's goal for West Virginia, with or without stimulus funding. Frontier currently provides service to

Tennessee, Georgia, Mississippi, Florida and Alabama. With the transaction they will gain North Carolina and South Carolina. The regional headquarters will be responsible for seven states. West Virginia was chosen as the location for the headquarters because of its size. It will be the largest state from an access line perspective. Frontier feels they can draw talent from an employee perspective based on the close location of the universities and technical schools. Mr. Arnt agrees to meet with the CWA and the IBW to discuss the extension of the labor contract. Commissioner Carper stated that this is one of the most important decisions the PSC will make. He stated that he is not going to pass the resolution because he has not read it. Ron Collins, Vice President of the CWA, stated that this is a flawed transaction. He stated that Frontier can not financially sustain based on the model they have developed. CWA believes this is not in the public's best interest. The CWA is not alone with this feeling; they have several allies, the Consumer Advocates Division and staff of the PSC. They do not feel this is good for the workers or the community. Commissioner Carper inquired as to if the deal falls through how will CWA convince Verizon to stay. It would require changes to some federal laws. He would like for Verizon to bid this out and let the highest bidder take over. He wants a financially viable company. This would be a risk for the state. The relationship with Verizon is good. Frontier's only mistreatment noted to its employees is that Frontier asked their employees to take 10 furlough days this year. Commissioner Carper stated that many have done this in the present economy and would not be surprise if Mr. Collins has not had to ask his employees to do so as well. Mr. Collins stated that he has not had to do so, but they have lost membership. He stated it is tough economic times. Commissioner Carper stated that the commission's only role should be to facilitate more communication. Ms. Harris stated that Wirt County is the only county that has passed the resolution at this time but others are considering it. Commissioner Carper wants to meet with all involved, the CWA, Verizon, and Frontier. Ms. Harris stated that some of the new employee training materials are already referencing Frontier instead of Verizon.

Commissioner Carper moved to recess. All agreed. Meeting recessed 6:50-7:00.

- ❖ **5:30 P.M.**     ***PUBLIC HEARING*** - Polling Location Changes: (1) Precincts 119 and 120, from Skateland of Campbell's Creek to Mary Ingles Elementary, Tad, West Virginia (closure); Precincts 161 and 163, from Chamberlain Elementary to Horace Mann Middle School, 4301 MacCorkle Avenue, Charleston (overcrowding); Precinct 354, from Twin City Bible Church to Church of the Nazarene, 1400 Sattes Circle, Nitro, West Virginia (closure); and Precinct 244, from South Hills Presbyterian Church to St. Mathews Episcopal Church, 36 Norwood Road, Charleston, West Virginia (closure)  
**The Honorable Vera J. McCormick, County Clerk**

Ms. McCormick stated the polling location changes that are being requested. Commissioner Carper verified that the locations have been noticed and that they are her recommendations. The Clerk agreed. Commissioner Shores moved to

approve the polling location changes. Commissioner Hardy seconded. Motion carried.

**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**

Commissioner Carper moved for a proposal from the Clerk to be placed on the December 3, 2009 agenda. Commissioner Shores seconded. The Clerk stated that the letters would be sent to the Democrat and Republican Chairs tomorrow. She stated that once approved by the Democrat and Republican Committee Chairs, the proposal will be forwarded to the Commission. Commissioner Carper stated that there are only 83 days left to approve the proposal. Ms. McCormick will let Commissioners know if the proposal is not approved by the committees. The Clerk stated that the letters will be sent certified mail, so that receipt can be verified. Ms. McCormick stated that she will approve the proposal. Commissioner Carper moved to adopt the request and recommendation of the Clerk to use touch screen for satellite voting and early voting. Commissioner Shores seconded. Motion carried.

Commissioner Hardy moved to approve all the Fiduciary Orders. Commissioner Shores seconded. Motion carried.

**Discussion and approval of Public Safety Grant Committee Recommendations for Funding for the 2009-2010 Funding cycle to also include approval of change of scopes for three projects funded during the 2008-2009 Funding cycle**

**Commission President Kent Carper  
Jennifer Sayre, Deputy County Manager/Grants Director  
Dale Petry, Emergency Manager**

Commissioner Carper stated that the only complaint he is aware of is one regarding a Westside remodeling project. Dale Petry stated that project was more of a safety hazard than a remodeling project. Commissioner Hardy moved to approve the recommendations. Commissioner Carper seconded. Motion carried. The total is \$677,770. Commissioner Shores inquired as to the events at Metro 911 this past Monday. Commissioner Carper stated that there was power loss and he believes it to have been because of a massive power surge. He stated that all protocols are being evaluated and the possible need for new equipment. The backup worked well and no calls were missed.

Marmet Volunteer Fire Department	Change of Scope – 2008-2009 Funding originally approved for the purchase of Interoperable	\$10,000.00
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	Radios, now requesting to use funds to purchase Fire Hose	
Chesapeake Volunteer Fire Department	Change of Scope – 2008-2009 Funding originally approved for the purchase of Interoperable Radios, now requesting to use funds to purchase Fire Hose and Air Bottle Refills	\$10,000.00
Marmet Police Department	Change of Scope – 2008-2009 Funding originally approved for the purchase of IRP Radios, now requesting that funds be used to purchase 5 Tasers	\$9,400.00
Metro 911	Second year costs of the county's electronic mass notification system	\$34,000.00
Metro 911	Maintenance of Existing Road Signs and Replacement of Signs for Addressing Project	\$10,000.00
Emergency Management	Maintenance of Traffic Diversion Signs	\$3,000.00
Emergency Management	Public Safety EXPO	\$30,000.00
Rand Volunteer Fire Department	Air Pack Equipment for Fire Engine, including (1) Draeger Airboss Evolution Plus 2216 psi, (1) High Pressure R.I.T. hose and (1) Carbon fiber composite 2216 psi spare bottle	\$5,000.00
Emergency Management	Smoke Detectors	\$3,000.00
West Side Volunteer Fire Department	Improvement Project for fire station, kitchen renovations due to unforeseen water damage.	\$6,000.00
Montgomery Volunteer Fire Department	Thermal Imaging Camera with External Monitor	\$10,000.00

Dunbar Fire Department	Replacement of diesel engine and complete transmission service for 1986 GMC 7000 (Tanker 253), upgrade emergency consol call center and electrical and plumbing upgrades for both stations	\$30,000.00
St. Albans Fire Department	Purchase of Class I Pumper Truck – 9.2% of total cost of new pumper	\$25,000.00
Handley Volunteer Fire Department	(2) Blitz Fire Monitors, (3) 1 1/2" Pistol Grip Nozzles and (3) 2 1/2" Nozzles	\$7,000.00
Nitro Fire Department	Replace of outdated hydraulic rescue tools (represents 58% of total project cost)	\$25,000.00
Jefferson Volunteer Fire Department	Replacement of outdated AMK 22 Cutters	\$5,800.00

Loudendale Volunteer Fire Department	(4) Fire Hawk (refurbished) MSA Air Packs with Head-up displays and 2216psi air bottles and (8) new SCI MSA 2216 psi air bottles	\$17,000.00
Davis-Creek-Ruthdale Volunteer Fire Department	Purchase of new hydraulic rescue tools (represents 90% of total cost)	\$18,900.00
South Charleston Fire Department	Complete set of Holmatro Rescue Equipment	\$25,000.00
Glasgow Volunteer Fire Department	8 sets of bunker gear at a cost of \$1,500 per set	\$12,000.00
Pinch Volunteer Fire Department	Upgrades and/or replacement of Hydraulic Rescue Tools	\$28,760.00
Institute Volunteer Fire Department	8 Sets of Bunker Gear approved at \$1,500 per set	\$12,000.00
Charleston Fire Department	Cascade System	\$5,000.00
East Bank Volunteer Fire Department	Hurst Air Bags and Husquvarna K-12 Saw	\$11,000.00
Clendenin Volunteer Fire Department	Purchase of Fire Truck	\$25,000.00
Life Safe	Program Costs	\$5,000.00
Kanawha County Parks Police	Equipment for Capital Improvement Projects, (2) Laptop Computers, Polo Shirts, Baseball Caps, 3 Season Jackets, Safety Vests, Traffic Flashlights, O.C. Defense Spray and Defense Spray Holders	\$10,000.00
Dunbar Police Department	(2) CF 30 Tough Book Computers and mounting systems	\$9,790.00
Glasgow Police Department	Equipment for new police cruiser, (2) MDTs	\$10,989.00

Yeager Airport Police	Mobile P-25 Radio and Kenwood Mobile Transceiver	\$2,424.00
St. Albans Police Department	RMS Workstation and License	\$20,000.00
Belle Police Department	RMS Software and training	\$14,585.00
Kanawha County Sheriff's Department	16 MDTs, 2 Netbook Style Computers, 1 Server and Software	\$100,000.00
Montgomery Police Department	7 Ear Hugger Video Mic's for individual officers' portable radios	\$5,600.00
Kanawha County Sheriff's Department	Equipment for Training Room at the WKCJ & PSC	\$50,000.00
Marmet Police Department	Equipment for cruiser and annual modem fees	\$6,000.00
Handley Police Department	1 Digital Ally In-Car Camera, 1 Bullet (Body Armor), 1 Digital Camera	\$5,200.00
South Charleston Police Department	Various Evidence Processing Equipment for Detective	\$30,600.00

	Bureau, 4 MDT's, 4 Handheld Radios, 3 Office Computers	
Cedar Grove Police Department	1 Taser, 6 cartridges for tasers, 3 ear hugger video microphones, 1 Kustom Signal Pro-Laser, 2 StopTech Ltd. 12" Stop stick rack kit and 1 Indenticator Digital Inkless Fingerprint System	\$7,072.00
Nitro Police Department	Replace of 14 Bullet Proof Vests, Purchase of 2 Digital Ally IN-Car Cameras and 3 Golden Eagle II Directional Dual Antenna for Cruisers	\$22,650.00

**Status of Greenbrooke Property Issue**  
**Commission President Kent Carper**  
**Allen Bleigh, Chief Tax Deputy**  
**Marc J. Slotnick, County Attorney**  
**Rob Schulenberg, Assistant Prosecuting Attorney**

Commissioner Carper thanked all involved for the action taken in filing the law suit. He inquired as to the amount of the fine. Steve Sluss stated that the amount is not yet determined, but it will be over seven figures. He stated that they are currently working on the paperwork and meeting with counsel on Monday.

**Discussion regarding explanations of proposed/requested personal property and real property tax exonerations by the Kanawha County Assessor's Office**  
**Commission President Kent Carper**  
**Marc J. Slotnick, County Attorney**  
**The Honorable Phyllis Gatson, Assessor**  
**Steve Duffield, Deputy Assessor**

Commissioner Carper stated that from now on exonerations will be placed after new employees on the agenda. There was a mistake with an exoneration being approved at last meeting. The exoneration was for FMC Corp. It was presented by the State to the Assessor. Commissioner Carper moved to take this matter back up for discussion. Commissioner Shores seconded. Commissioner Carper stated that it was caught by Colt Sandora, a Commission Office employee. Mr. Sluss apologized and stated that this was the mistake of a new employee. Commissioner Carper moved that this matter be set for hearing. Commissioner Shores seconded. Motion carried. Commission Carper inquired as to status on letters on commercial property and the audit on charitable property. Steve Sluss stated that they are working on that, it is an ongoing project. He stated that there are 11,000 parcels that are exempt. They are working on the audit of those. Commissioner Carper stated that this matter will be discussed later. It was verified that the mineral date for Board of Review is February 18, 2010. Commissioner Shores inquired as to the County's revenue decreasing.

Commissioner Carper stated that tax revenue will be down and income will be flat. Mr. Sluss stated that previous increases have only been 2 to 4 percent.

**Update regarding the County's proposed Mandatory Physical Policy and Medical Home Program**

**Commissioner Hardy**  
**Commission President W. Kent Carper**  
**Commissioner Shores**  
**Brent Pauley, County Manager**  
**Tom Susman, TSG Consulting**  
**Dr. Rahul Gupta, Director/Health Officer, Kanawha-Charleston**  
**Health Department**

Mr. Susman stated that the previous proposal was more of a cost than what the commission was able to do, so working with BeBetter there is revised proposal. He stated that the physical will consist of a health assessment and examination, and a blood draw. The cost is down to \$36,000 to \$40,000. Commissioner Hardy stated that this is exactly what the Commission needs. Under the proposal the employee can use their doctor or have BeBetter perform the examination. The exam will be onsite and they will also help employees to get to a medical appointment should there be the need. Commissioner Shores verified with Marc Slotnick that the Commission can legally enforce mandatory physicals. Mr. Slotnick stated that there are differing legal opinions. Commissioner Carper stated that City of Charleston does this. Commissioner Hardy stated that this is not to get anyone's personal information. Commissioner Carper stated that this is not to punish anyone. Commissioner Hardy stated that this is what has been taking place on a voluntary basis and is now going to be mandatory; if the employee wants to be take part in the insurance program. Commissioner Carper stated that there needs to be a clear explanation to the elected officials. Mr. Susman stated that the recommendation is for employees only the first year and if dependents want to participate they can. Then it will be reevaluated next year. The exam would only be for those 18 and older. Commissioner Carper stated that there needs to be a meeting with the elected officials to explain the details. Commissioner Carper stated that mammograms will continue, there will be no cut off of 50 years of age. Mr. Susman stated the exams will be completed over multiple days and they are working with Sheriff's Department because of the shifts. Mr. Susman stated that the last voluntary screen discovered seven people that were diabetic and did not know it. Commissioner Carper stated that the next step is to incentivize good things. Mr. Susman stated that results will be provided at the time of the exam and the counseling. Brent Pauley stated that the employees can sign up for mammograms at this time and the dental insurance group will be there also. Commissioner Carper stated that it is necessary to do a formal audit of the health insurance. Mr. Susman stated that PEIA is considering a disincentive program to discourage individuals from participating in their program if, for example, their spouse has health insurance available through their employer. PEIA would increase their premium by \$50. Commissioner Hardy does not agree with this. He feels that one of the benefits to being a county employee

is the benefits available. Mr. Susman stated that some employers will pay the employee to take the other insurance. Commissioner Hardy stated this has the potential for unfairness. It was stated that the current health care plan costs the taxpayers \$4.2 million. Commissioner Carper stated that the health costs are going to escalate and the county is not going to be able to pay it. Commissioner Hardy introduced the idea of Flex Dollars, with which the employee would choose how to spend those dollars. Mr. Susman stated that some places this has worked. Commissioner Shores inquired as to how many employees do not have the county's health insurance. Commissioner Carper stated that it would be low. Commissioner Shores stated that he knows of two that do not have county health insurance. Commissioner Carper stated that there needs to be a clear written policy. He also stated that there needs to be informational meetings, and everyone needs to be careful how the physicals will be handled. The implementation of the program will be January 15<sup>th</sup>. Commissioner Hardy stated that this helps protect the integrity of the plan. Commissioner Carper stated that in five years the plan could easily cost \$7 million. Commissioner Hardy stated that there is a need to be proactive. Mr. Pauley stated that only 5-7 percent of employees do not have the County's health insurance. Commissioner's asked the opinion of staff in courtroom. It was stated that there is not a problem with having a physical. Currently taxpayers cover 82 percent of the premium.

**Discussion regarding the 2010 Legislative Agenda**

**Commission President W. Kent Carper**

**Commissioner Henry C. Shores**

**Commissioner Dave Hardy**

**Carrie Clendening, Grant Coordinator/Legislative Liaison**

Commissioner Carper stated that they will vote next meeting. He stated that basically the proposal is the same as last year with the exception of three items. Carrie Clendening stated the proposal includes; the line of succession for local constitutional officials and the business tax renewal process. She spoke with Allen Bleigh and he informed her that starting July 2010 the renewal has been removed. And the third is a line of credit for county commissions. Commissioner Hardy stated that he does not agree with the line of credit. Commissioner Carper stated that cities have this and the loan would be paid back in a year. He stated that this would only be used for catastrophic emergencies only. Commissioner Hardy stated that he is not interested in participating. He stated that this just puts the public in debt. Commissioner Shores stated that he feels there should be a cap on the amount of the line of credit. Commissioner Hardy stated that this is the purpose of the Financial Stabilization Fund. He does not recall the City of Charleston having this when he was on city council. Commissioner Carper stated that last year the Financial Stabilization Fund was depleted to pay the jail bill. Commissioner Hardy stated that it would be necessary to cut back and make responsible decisions so that it is not depleted again. He inquired as to why there would not be an increase in property tax revenue of the normal 2-3 percent this year. Commissioner Carper stated that the levy is capped. Dave Fontalbert stated that it will most likely only increase \$300,000-400,000, which is less than

one percent. He stated that the statutory rate is nearly maxed at 14.26 now and the max is 14.3. Commissioner Hardy inquired as to the reappraisal of houses every three years. He stated that property is not gaining value. Commissioner Carper stated that if Jefferson County's gaming law passes then Kanawha County stands to gain \$300,000- \$400,000. He stated that this will cover the increase in the jail bill. He also stated that the county is losing tax dollars because of St. Francis and Dow will probably be next. Commissioner Shores inquired as to the income from the table games. Dave Fontalbert stated that is roughly \$100,000. Commissioner Hardy stated that video lottery money and coal severance money will likely diminish. Commissioner Carper instructed staff to prepare the proposed list and the vote will take place at the next meeting. He instructed for the line of credit to be removed from the proposal.

**Discussion regarding the implementation of an annual Dependent Eligibility Audit for the County's health insurance participants, including but not limited to, recertification of employee's health insurance Smoking Affidavit**

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

Commissioner Carper instructed staff to prepare an affidavit for employees to complete, regarding the annual audit of dependent eligibility for participation in the County's health insurance. Brent Pauley stated that employees will complete the affidavit at the first of the year along with the smoking affidavit. Commissioner Carper moved for staff to prepare the affidavit. Commissioner Hardy seconded. Motion carried. Commissioner Carper stated that he would like to know the results of the audit.

**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.

**Kanawha County Commission meetings for the remainder of 2009, through and including February, 2009 (*Regular Commission Meetings and Board of Review and Equalization*)**

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

Commissioner Carper pointed out that the Board of Review dates are set and can not be changed.

DATE	TIME
Thursday, December 3, 2009	5:00 p.m.
Tuesday, December 22, 2009	8:30 a.m.
Thursday, January 7, 2010	5:00 p.m. ♥
Thursday, January 21, 2010	5:00 p.m.
Thursday, January 28, 2010	5:00 p.m. * **
Tuesday, February 2, 2010	8:30 a.m. **
Thursday, February 4, 2010	5:00 p.m. **
Tuesday, February 9, 2010	8:30 a.m. **
Thursday, February 11, 2010	5:00 p.m. **
Tuesday, February 16, 2010	8:30 a.m. **
Thursday, February 18, 2010	5:00 p.m. ** ***
Tuesday, February 23, 2010	8:30 a.m. **
Thursday, February 25, 2010	5:00 p.m. ** ****

**Organizational and First Commission Meeting of 2010**

- \* **First Board of Review and Equalization Meeting**
- \*\* **Board of Review and Equalization Meeting and Regular Commission Meeting**
- \*\*\* **Industrial and Mineral Night**
- \*\*\*\* **Proposed Board of Review and Equalization Sine Die**

Discussion regarding requested support for a program entitled “65 Club” wherein senior citizens would be granted access to events free of charge, as a pilot program, for sporting events, concerts, fairs, festivals, and special events within the County

Commission President Kent Carper  
Ernie Devol, Citizen Proponent of 65 Club

Chelly Morrison stated that Mr. Devol has decided not to attend the commission meeting. She stated that he has received the support of the Board of Education and no longer requires a letter from the Commission.

Update of new security gate and assigned parking in the County’s Parking Garage, including but limited to, discussion regarding the elimination of reserved, paid monthly parking spaces for non-employees due to relocation

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

Commissioner Carper stated that with the Prosecutor's Office moving to the parking garage there will not be enough space to continue the rented spaces. John Caudill stated that there are 44 spaces rented now and the Prosecutor has roughly 40 spaces needed. He stated that 15-18 spaces are rented to the federal building, 20 spaces are rented to United Bank, and Social Security also rents a few. Brent Pauley stated that it has been confirmed that the City of Charleston and the Town Center Mall have spaces available for rent. Commissioner Hardy stated that parking for county employees should be considered first. Brent Pauley stated that certified letters were sent out giving 30 days notice of the change. Commissioner Carper moved in favor of the commission supporting the actions of the County Manager and the Facilities Director. Commissioner Shores seconded. Motion carried. Commissioner Carper verified with Marc Slotnick that the current parking lease for the Prosecutor's Office has been terminated in written form.

**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**

Commissioner Carper moved that the County's Commercial & General Liability Insurance be bid when necessary. The option of three years should be included. Jerie Whitehead should notify the Commission when the RFP is to go out at the next meeting. It was stated that the current policy expires in July 2010.

**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 the 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 Admitting Estate to Probate, Estate of Brenda G. Wilson

Order Declaring Re-Opened Estate Closed, Estate of Pauline E. Hutchison

Administrative Closing Order, Shanna K. Morris, Ward (*Ms. Morris is 22 years of age; requested revocation of Relena K. Morris Bush as Legal Guardian and release of bond*)

Administrative Closing Order, Joshua R. Schrader (*Mr. Morris is 24 years of age; revocation of Patricia E. Schrader as Legal Guardian and release of Pamela McGucken, surety*)

Administrative Closing Order, Terry Sean Withrow (*Mr. Withrow is 23 years of age; revocation of Charlette L. Miller as Legal Guardian and release of United States Fidelity as surety*)

### **PURCHASE ORDERS**

Commissioner Hardy moved to approve the 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>Comments/Description</b>
The Riggs Corporation	Pros. Atty.	\$98,333.36	8 months rent @ \$12,291.67
Allens Auto Parts & Repair	Sheriff's LED	\$15,000.00	Miscellaneous parts and repairs for departmental fleet
AT&T Mobility	Sheriff's LED	\$5,526.47	MDT Services, September 24, 2009, through October 23, 2009
Charleston Newspapers	Commission	\$5,000.94	Publication of financial statements
CIMCO, Inc.	Maintenance Annex	\$5,197.71	275 gallons ethylene glycol to raise percentage of glycol from 18-30% for freeze protection for the closed loop system in the Judicial Building
WV Demolition	Planning	\$24,320.66	\$5,561.40, demolition of Meth Lab located 1014 Middle Drive; \$16,785.86, demolition of Meth

			lab, 6428 Starlite Drive; \$1,973.40, demolition, Route 6, Box 145-1/2 Bakers Fork
Prestera Center for Mental Health	Commission	\$5,208.48	June 2009 Coordinator Contractual
Electronic Communications	Commission	\$1,000,000.00	Interoperable radios per \$1 Million Interoperable Radio Grant
❖ CIMCO, Inc.	Drug Court	\$44,300.00	Provide and install new 7.5 rooftop unit and related equipment for Drug Court build-out per bids received 11/17/09
❖ Family Carpet	WKCJ&PSC	\$16,908.00	Difference in installing carpet squares instead of rolled carpet for W. Kent Carper Justice and Public Safety Complex per WV State Contract

### **ORDERS**

Commissioner Hardy moved to approve the 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 19, 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 19, 2009*)**

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

**Order Confirming and Approving Orders Entered by the Clerk of the County Commission of Kanawha County, West Virginia (*Probate Order Report October 1, 2009, through October 31, 2009*)**

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

**Approval of Depository Bond – JP Morgan Chase Bank, N.A. – Authorization for the President of the Kanawha County Commission to sign Depository Bond Agreement with JP Morgan Chase Bank, N.A.**

**Marc J. Slotnick, County Attorney**

**Robert Schulenberg, Assistant Prosecuting Attorney**

**Approval of Depository Bond – Branch Banking and Trust Company – Authorization for the President of the Kanawha County Commission to**

sign Depository Bond Agreement with Branch Banking and Trust Company

Marc J. Slotnick, County Attorney  
Robert Schulenberg, Assistant Prosecuting Attorney

Approval of Depository Bond – United Bank, Inc.– Authorization for the President of the Kanawha County Commission to sign Depository Bond Agreement with United Bank, Inc.

Marc J. Slotnick, County Attorney  
Robert Schulenberg, Assistant Prosecuting Attorney

Approval of Erroneous Assessment Exonerations submitted by the Kanawha County Assessor (*Decrease: \$37,393.52*)

Marc Slotnick, County Attorney  
Steve Sluss, Chief Legal Counsel, Assessor's Office

Authorization for the President of the Kanawha County Commission to sign Certificates of Title Transferring Vehicles Declared Surplus Property

Jerie Whitehead, Purchasing Director

Order authorizing payment to David Sweeney, Kanawha County Regional Planner, to be paid bimonthly in the amount of \$2,500.00 per pay period, effective December 1, 2009, through November 30, 2010 (*from Line 001-443.60-500-2-30.00*)

Carrie Clendening, Grant Coordinator/Legislative Liaison

Order authorizing the President of the Kanawha County Commission to execute a WV Department of Homeland Security Regional Planner Grant Application for \$60,000

Carrie Clendening, Grant Coordinator/Legislative Liaison

Order authorizing the President of the Kanawha County Commission to execute a WV Department of Homeland Security Regional Planner Grant Application for \$15,000

Carrie Clendening, Grant Coordinator/Legislative Liaison

Order authorizing the Clerk of the County Commission to issue a check from the Dog Fund (#003-716.00-5-68.02) in the amount of Eleven Thousand, Three Hundred Seventy-Seven Dollars (\$11,377.00) to the Kanawha-Charleston Humane Association, representing contribution from dog license revenues received in F.Y. 2009-10 to date, as collected and distributed by the Kanawha County Assessor

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 One Thousand

One Hundred Eight-One Dollars (\$1,181.00) to the Kanawha County Solid Waste Authority, representing pass-thru of recycling revenues  
David Fontalbert, Chief Fiscal Officer

***New Employee***, Leah Walker Blake, Assessor's Office, Real Estate Division, permanent employee replacing Megan Medford, \$21,000.00 per year, effective December 1, 2009  
The Honorable Phyllis Gatson, Assessor

Order authorizing the President of the Kanawha County Commission to sign/execute the 2009 EMPG Contract  
Jennifer Sayre, Deputy County Manager/Grants Director

Order authorizing the Clerk of the County Commission to issue a check from the Coal Severance Fund #002-439.00-5-68.00 in the amount of Eight Hundred Thirty-Four Dollars (\$834.00) to the Paint Creek Scenic Trail Association, representing a contribution for tourism advertising for the project  
David Fontalbert, Chief Fiscal Officer

Order adopting the County's Dependent Eligibility Audit that requires employees to verify and certify dependent eligibility for health insurance coverage  
Brent Pauley, County Manager

Order approving overtime for Kanawha County Commission employees for pay period ending November 30, 2009 for hours worked in the pay period of October 26, 2009, through November 8, 2009  
Brent Pauley, County Manager  
Jennifer Sayre, Deputy County Manager

**PAY PERIOD 10/26/09-11/08/09**

NAME	OT		OT		TOTAL
	STRAIGHT	AMOUNT	TIME/HALF	AMOUNT	
Chandler, Tammie	2.60	\$50.25	3.17	\$95.38	\$145.63
Downey, Leslie	1.00	\$23.79		\$0.00	\$23.79
Fleck, Kimberly	0.53	\$12.61		\$0.00	\$12.61
Morrison, Rachelle	2.13	\$50.67	1.11	\$39.60	\$90.27
Hackney, Cathy	2.07	\$42.14		\$0.00	\$42.14
Lanham, Shellie	1.93	\$30.78		\$0.00	\$30.78
Lilly, Mindy	3.75	\$73.69	0.40	\$11.79	\$85.48
Whittington, Sue Ann	2.00	\$39.30		\$0.00	\$39.30
Sandoro, Colt	0.85	\$11.61		\$0.00	\$11.61
Harrison, Blanche	1.50	\$19.62		\$0.00	\$19.62
Hodge, Edna	4.12	\$53.88		\$0.00	\$53.88

Melton, Joe	5.00	\$77.94	24.30	\$568.19	\$646.13
Prowse, James	2.95	\$37.82	3.42	\$65.77	\$103.59
Shafer, Sheila	2.94	\$37.69		\$0.00	\$37.69
Shaffer, Sandra	2.50	\$32.05	1.67	\$32.12	\$64.17
Withrow, Robert	0.87	\$11.15		\$0.00	\$11.15
Beller, Gary	2.00	\$25.64		\$0.00	\$25.64
Clark, Michael	3.88	\$54.79		\$0.00	\$54.79
Estep, Bill	2.50	\$33.97	1.00	\$20.38	\$54.35
Moore, Allen	5.44	\$75.32		\$0.00	\$75.32
Rucker, Raymond	3.50	\$44.87	2.00	\$38.46	\$83.33
White, Bruce	2.50	\$32.05	0.42	\$8.08	\$40.13
White, Mike	2.50	\$35.30	3.65	\$77.31	\$112.61
Jones, Greg	0.45	\$9.68		\$0.00	\$9.68
King, Amy	1.00	\$20.36		\$0.00	\$20.36
Robinson, Debbie	0.37	\$8.05		\$0.00	\$8.05
<b>TOTAL</b>	<b>60.88</b>	<b>\$945.02</b>	<b>41.14</b>	<b>\$957.08</b>	<b>\$1,902.10</b>

**Demolition Order** – In the matter of the property owned by P&L Enterprises, LLC, secured by West Virginia Federal Credit Union (*Tax Map 10, Parcel 83, Jefferson District*)

Marc J. Slotnick, County Attorney

**Demolition Order** – In the matter of the property owned by Montrose Enterprises, secured by West Virginia Federal Credit Union (*Tax Map 25, Parcel 99, Union District*)

Marc J. Slotnick, County Attorney

**Demolition Order** – In the matter of the property owned by David Nickels and Nancy Nickels (*Tax Map 8, Parcel 1.5, Washington District*)

Marc J. Slotnick, County Attorney

**Demolition Order** – In the matter of the property owned by ROJO Properties, LLC (*Tax Map 6B, Parcel 16, Jefferson District*)

Marc J. Slotnick, County Attorney

**Demolition Order** – In the matter of the property owned by Annie Reed (*Tax Map 35D, Parcel 90, Union District*)

Marc J. Slotnick, County Attorney

- ❖ **Order authorizing the Clerk of the County Commission to issue a check from the Dog Fund #003-716.00-5-66.00 in the amount of Eleven Thousand Seven Hundred Thirty-Four Dollars and Thirteen Cents (\$11,734.13) to the Kanawha County Assessor Dog Tax Fund (055) to correct a prior erroneous distribution from the Assessor's Office**

David Fontalbert, Chief Fiscal Officer

- ❖ **Order authorizing and approving the Manual Journal Entries as set forth in 11/16/09 Memorandum from Kim Lutz, Director of Accounting  
David Fontalbert, Chief Fiscal Officer**

- ❖ **1. Fiscal Year 2009-2010 Dog Fund Line Item Budget Revision**

Commissioner Hardy moved to approve the Dog Fund line item budget revision. Commissioner Shores seconded. Motion carried.

**REVENUE:**

<b>003-388-0-00.00</b>	<b>Dog Fund Transfer from Other Funds</b>	<b>\$11,735.00</b>
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**EXPENDITURE:**

<b>003-716.00-5-66.00</b>	<b>Dog Fund Transfer to Other Funds</b>	<b>\$11,735.00</b>
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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 the check registers/ supplementals. Commissioner Shores seconded. Motion carried.

Supplemental voucher, Allens Auto Parts & Repair, \$13,981.31  
*(miscellaneous parts and repairs for departmental fleet)*

Supplemental voucher, Prestera Center for Mental Health, \$5,208.48  
*(June 2009 Coordinator)*

- ❖ **Supplemental voucher, Kanawha County Dog Tax Fund (055), \$11,734.13  
*(from Dog Fund to correct prior erroneous distribution from the Assessor's Office)***

Dave Fontalbert stated that the check is to be written to the Humane Society. It was stated that this was an error by the Assessor's Office. Commission Carper moved that the order be amended and the check be prepared with a signed letter to the board. Commissioner Shores seconded. Motion carried. Commissioner Carper pointed out that the Assessor could take a portion of these funds but does not.

Commissioner Carper moved to reconsider the order for the inoperable radios. Commissioner Shores seconded. Motion carried. He stated that a vendor has come forward and is willing to sell radios at a lesser price now. Commissioner Carper stated that the Purchasing Director needs to proceed with the bid that is in place and hold it until Dave Erwin speaks with vendor regarding the counter

offer. It may be necessary to rebid. Dave Erwin stated that he is concerned with the type of radio that they are offering. Mr. Erwin is also concerned with rebidding, that the costs may come in higher. He stated that the difference in the radios is \$300-400 per radio. The bid was done correctly.

Commissioner Carper stated that CP&E misquoted the price on the order. Marc Slotnick stated that there will be five more units added at no extra costs. Commissioner Hardy moved to approve. Commissioner Shores seconded. Motion carried.

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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 NOVEMBER 19, 2009, RECESSED  
AT 8:10 P.M., UNTIL THE 3RD DAY OF DECEMBER, 2009, AT 5:00 P.M.**

**THE FOREGOING MINUTES ARE APPROVED THIS 3RD DAY OF DECEMBER, 2009.**

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

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

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

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