

MINUTES OF A REGULAR SESSION OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, HELD AT THE COURTHOUSE THEREOF ON THE 20TH DAY OF APRIL 2010.

A REGULAR MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, WAS HELD ON THE 20TH DAY OF APRIL 2010. THE COURTROOM OF THE COUNTY COMMISSION LOCATED IN THE KANAWHA COUNTY COURTHOUSE IN CHARLESTON, WEST VIRGINIA, BEGINNING AT 8:30 A.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
DAVE HARDY, COMMISSIONER
HENRY C. SHORES, COMMISSIONER**

4-20-10	2010-235	Order approving the 2010-2011 Excess Levy Rate of 6.09 cents per \$100.00 of valuation
4-20-10	2010-236	Order approving the 2010-2011 Levy Rate of 14.3 cents per \$100.00 of valuation
4-20-10	2010-237	Fair Housing Resolution – Proclaiming April 2010 as Fair Housing Month in Kanawha County

Order NOT on Agenda but approved/processed at 4/20/10 Commission Meeting:

4-20-10	2010-238	Order-Supplemental Checks (<i>General Check Register</i>)
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Resolution approved/processed at 4/20/10 Commission Meeting:

Fair Housing Resolution – Proclaiming April 2010 as Fair Housing Month in Kanawha County

Budget Revision approved/processed at 4/20/10 Commission Meeting:

1. Fiscal Year 2009-2010 Drug Court Program Fund Line Item Budget Revision

8:30 A.M. CALL TO ORDER

Moment of Silence and Recognition

There was a moment of silence for John Charnock. Commissioner Carper stated that Mr. Charnock was a great public servant. Staff was instructed to prepare a resolution honoring John Charnock.

RESOLUTION

Fair Housing Resolution – Proclaiming April 2010 as Fair Housing Month in Kanawha County

Patrick Snyder, Project Coordinator, Planning Department

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Commissioner Shores moved to approve the resolution. Commissioner Hardy seconded. Motion carried.

AGENDA ITEMS

8:30 A.M. Public Hearing to receive objections pursuant to W. Va. Code § 11-8-10a and discussion regarding the Kanawha County Excess Levy, for the Fiscal Year 2010-2011, at a proposed rate of 6.09 cents per \$100.00 valuation and the 2010-2011 Kanawha County Levy Rate at a proposed rate of 14.3 cents per \$100.00 of valuation. Said levies to be set by the Kanawha County Commission upon receipt of public comment and/or objections, if any

**Commission President Kent Carper
Commissioner Henry C. Shores
Commissioner Dave Hardy
Brent Pauley, County Manager**

Commissioner Carper verified with Marc Slotnick, County Attorney, and Vera McCormick, County Clerk, that the matter had been legally noticed. He verified with Chief Fiscal Officer, Dave Fontalbert, that the county had a balanced budget and that the levy rate will not result in a tax increase. He offered the example of a home and vehicles valued at \$100,000 will result in a decrease in taxes of about \$25. Allen Bleigh, Chief Tax Deputy from the Sheriff's Tax Department verified that he met with Dave Fontalbert and performed a follow up on the calculations as well. Dave Fontalbert stated that the proposed rate is 14.3. He explained this as for every \$100 in valuation of property the taxpayer will pay 14.3 cents in taxes for class 1 property. Dennis Dawson from the Kanawha Valley Regional Transportation Authority was present and stated that he is in agreement with the levy rate. Commissioner Carper moved to approve the proposed levy rate. Commissioner Shores seconded. Commissioner Carper verified that there was no public present with objections and there was no elected official present with objections. He verified that all legal obligations have been met. Motion carried.

Commissioner Carper stated that there is concern with next year's budget. He plans to meet with the Governor regarding the House Bill 4177, dealing with coal severance funds, not being placed on special session.

Vera McCormick stated that early voting begins tomorrow at 8 a.m. It will be open normal business hours and additionally on Saturdays May 1st and 8th from 9 a.m. to 5 p.m.

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 and Notice of Hearing for Probate in Solemn Form, Estate of Charles P. Winkler, Jr. (*Hearing scheduled for May 6, 2010, at 6:00 p.m. – Kimberly W. Winkler v. Charles P. Winkler, Sr., and Joan Winkler*)

Final Order, Estate and Will of Alfred J. Magee (*Thomas Persinger, Counsel for Joyce Magee, Petitioner*)

Administrative Closing Order, Willard Bruce Johnson, Incompetent (*revocation of Legal Guardian*)

Administrative Closing Order, Anna Lee Wolfe, Incompetent (*revocation of Legal Guardian and release of Surety*)

Order Declaring Re-Opened Estate Closed, Estate of Larue M. Williams

ORDERS

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

Order approving the 2010-2011 Excess Levy Rate of 6.09 cents per \$100.00 of valuation

**Commission President Kent Carper
Commissioner Henry C. Shores
Commissioner Dave Hardy
Brent Pauley, County Manager**

Order approving the 2010-2011 Levy Rate of 14.3 cents per \$100.00 of valuation

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

Commissioner Dave Hardy
Brent Pauley, County Manager

1. Fiscal Year 2009-2010 Drug Court Program Fund Line Item Budget Revision

Commissioner Hardy moved to approve the Drug Court Program Fund Line Item Budget Revision. Commissioner Shores seconded. Motion carried.

REVENUE:

078-366-0-00.00 Drug Court Program – Miscellaneous Revenues \$750.00

EXPENDITURES:

078-425.00-3-41.00 Drug Court Program – Supplies and Materials \$750.00

Commissioner Carper moved to approve the check register not placed on the agenda. The total check register is \$40,162.03, which is payment for utilities. Commissioner Shores seconded. Motion carried.

Commissioner Hardy moved to adjourn until next meeting May 4, 2010 at 8:00 a.m. Commissioner Shores seconded. Motion carried.

- ❖ **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 APRIL 20, 2010, RECESSED AT 8:44 A.M., UNTIL THE 4TH DAY OF MAY, 2010, AT 8:00 A.M.

THE FOREGOING MINUTES ARE APPROVED THIS 6TH DAY OF MAY, 2010.

PRESIDENT

COMMISSIONER

COMMISSIONER

COUNTY ATTORNEY