
A REGULAR MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, WAS HELD ON THE 10th DAY OF FEBRUARY 2009. THE COURTROOM OF THE COUNTY COMMISSION LOCATED IN THE KANAWHA COUNTY COURTHOUSE IN CHARLESTON, WEST VIRGINIA, BEGINNING AT 8:30 AM. COMPLETE AUDIO IS AVAILABLE IN THE COMMISSION OFFICE.

THE FOLLOWING MEMBERS WERE PRESENT:

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

2-10-09 2009-083 Order Confirming and Approving Orders in Excess of $4,999.99 to be issued by the Kanawha County Commission Purchasing Department

2-10-09 2009-084 Order Confirming and Approving Purchase Orders in Excess of $4,999.99 to be issued by the Kanawha County Commission Purchasing Department for Project 301 (Astar Abatement, $22,750.00)

2-10-09 2009-085 Order Authorizing the President of the Kanawha County Commission to sign the Region 1 Grant Contract

2-10-09 2009-086 Reappointment of Lucie Mellert to Kanawha County Parks and Recreation Commission (Term to expire February 12, 2009)

2-10-09 2009-087 Reappointment of Buck Chestnut to Kanawha County Parks and Recreation Commission (Term to expire February 12, 2009)

2-10-09 2009-088 Reappointment of David Pope to Kanawha County Parks and Recreation Commission (Term to expire February 12, 2009)

2-10-09 2009-089 Reappointment of Anna Dailey to Kanawha County Parks and Recreation Commission (Term to expire February 12, 2009)

2-10-09 2009-090 Reappointment of Norm Steenstra to Kanawha County Parks and Recreation Commission (Term to expire February 12, 2009)

2-10-09 2009-091 Order approving overtime for Kanawha County Commission employees for pay period ending February 28, 2009, for hours worked in the pay period of January 26, 2009, through February 1, 2009

2-10-09 2009-092 Order decreasing the Upper Kanawha Valley Public Service District Board from five members to three members

Documents NOT on Agenda but approved/processed at 2/10/09 Commission Meeting:

2-10-09 2009-093 Authorization for the President of the Kanawha County Commission to sign a Certificate of Title to Transfer a Surplus Vehicle

2-10-09 2009-094 Order authorizing the President of the County Commission to certify the Final Performance Report – 2005 HUD Disaster
Recovery Initiative, where $163,314.47 in Grant Funds were used and 22,143.00 in County Match Funds from Account No. 009-443.29-500-2-30.00 were used for the purpose of appraising, purchasing, asbestos testing and abatement, and demolition of three Flood Properties in the Sissonville area of Kanawha County.

2-10-09 2009-095 Proclamation for Judge Casey – 80th birthday

2-10-09 2009-096 Order – Supplementals (as set forth below and listed on the 2/10/09 Agenda)

Check Register/Supplementals NOT on Agenda but approved/processed at 2/10/09 Commission Meeting (Set forth in Order No. 2009-096):
Pitney Bowes, $25,000.00 (postage to be applied to meter located in the Sheriff’s Tax Office for County Department)

02-10-09 2009-097 Board of Review and Equalization
Pledge of Allegiance

Moment of Silence and Recognition

Discussion regarding an update on Metro Government including, but limited to, support of Senator Brooks McCabe’s proposed legislation providing for a majority vote for Metro Government in Kanawha County. (Proposed Bill – A bill to permit Kanawha County, wherein the capital city, Charleston, is located and whose population is over 150,000, to decide metro government, as provided in Article Seven, Chapter Seven-a of the Code of West Virginia, by majority vote)

Commission President Kent Carper
The Honorable Brooks McCabe, Senator

This matter was moved to the February 17, 2009 Commission Agenda.

Presentation by Tri-State Racetrack and Gaming Center
Commission President Kent Carper
Representative(s) of Tri-State Racetrack and Gaming Center
Representative(s) of The Clay Center

Rick Tesler, Representative of Tri-State Racetrack and Gaming Center presented Judy Wellington, President of the Clay Center with a $50,000.00. The check was an advance of the County’s portion of table game revenue. Ms. Wellington stated her appreciation for the generous gift from the County Commission.

Discussion regarding Attorney General Opinion dated February 2, 2009, relation to Senate Bill 622, 2008 Regular Session, Amending, West Virginia Code §59-1-10(a)(1)
Commission President Kent Carper
The Honorable Vera J. McCormick, County Clerk

The Honorable Vera McCormick, County Clerk stated she was told to put the conservation fee in a line item. Currently, there is $85,000 in the line item. Mrs. McCormick stated she does not foresee this increasing her budget. Staff was directed to write this revenue as neutral. Mrs. McCormick stated all of the revenue collected from the conservation fee has been placed in the general fund. Commissioner Carper requested the County Clerk to respectfully inform the Commission if she sets up a special fund rather than placing the conservation fee revenue in the general fund.

Commissioner Carper requested the County Clerk’s thoughts on same day voter registration. Mrs. McCormick stated her office is against it due to the hardship it would cause on the Clerk’s Office. Commissioner Carper stated the County Commission supports same day voter registration.

Discussion regarding comprehensive consolidation of wastewater in the Upper Kanawha Valley Area to include but not be limited to Upper Kanawha Valley PSD, Chelyan PSD and Pratt and vacancy on the Upper Kanawha Valley PSD Board
Commission President Carper
Commissioner Henry C. Shores
Commissioner Dave Hardy

This matter has been placed on the February 19, 2009 Regional Development Authority Agenda. RDA will discuss whether or not it has the legal authority to make a loan. Marc Slotnick, County
Attorney stated he believes RDA does have the legal authority to make a loan. The Commission will act upon the vacancy on the Upper Kanawha Valley PSD Board at a later date.

Discussion regarding the 2009 Court Security Grant Application
Commission President Kent Carper
Jennifer Sayre, Deputy County Manager/Grants Director
Carrie Clendening, Grant Coordinator/Legislative Liaison

This is a $100,000 grant with no matching requirement. Lieutenant Oakley stated he had been in contact with the Circuit Judges regarding security items that need to be enhanced or replaced.

Discussion regarding the 2009 Underage Drinking Grant Application
Commission President Kent Carper
Jennifer Sayre, Deputy County Manager/Grants Director
Carrie Clendening, Grant Coordinator/Legislative Liaison

Carrie Clendening, Grant Coordinator/Legislative Liaison informed about the Commission on the 2009 Underage Drinking Grant Application.

Status of hiring of County Electrician to include, but not be limited to, copies of certifications
Commission President Kent Carper
Brent Pauley, County Manager
Jerie Whitehead, Purchasing Director

Brent Pauley, County Manager stated this matter is still in the process of negotiation.

COUNTY MANAGER’S REPORT

DEPUTY COUNTY MANAGER’S REPORT

CHIEF FISCAL OFFICER’S REPORT

COUNTY ATTORNEY’S REPORT

STAFF REPORTS

PURCHASE ORDERS

Commissioner Carper moved to approve all Purchase Orders. Commissioner Hardy 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:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Department</th>
<th>Amount</th>
<th>Comments/Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>IBM</td>
<td>Sheriff’s LED</td>
<td>$7,980.00</td>
<td>domain controller, IBM System X3650</td>
</tr>
<tr>
<td></td>
<td>Kanawha Putnam Emergency Planning</td>
<td>$6,000.00</td>
<td>Membership Dues</td>
</tr>
</tbody>
</table>
Order Confirming and Approving Purchase Orders in Excess of $4,999.99 to be issued by the Kanawha County Commission Purchasing Department for Project 301:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Department</th>
<th>Amount</th>
<th>Comments/Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Astar Abatement</td>
<td>Project 301</td>
<td>$22,750.00</td>
<td>Abatement of the asbestos containing materials in the windows located at Project 301, Alpha and Bravo Buildings, per County Contract</td>
</tr>
</tbody>
</table>

ORDERS

Commissioner Carper moved to approve all Orders. Commissioner Hardy seconded. Motion carried.

Order Authorizing the President of the Kanawha County Commission to sign the Region 1 Grant Contract
Carrie Clendening, Grant Coordinator/Legislative Liaison

Reappointment of Lucie Mellert to Kanawha County Parks and Recreation Commission (Term to expire February 12, 2009)
Commissioner Henry C. Shores

Reappointment of Buck Chestnut to Kanawha County Parks and Recreation Commission (Term to expire February 12, 2009)
Commissioner Henry C. Shores

Reappointment of David Pope to Kanawha County Parks and Recreation Commission (Term to expire February 12, 2009)
Commissioner Dave Hardy

Reappointment of Anna Dailey to Kanawha County Parks and Recreation Commission (Term to expire February 12, 2009)
Commissioner Henry C. Shores

Reappointment of Norm Steenstra to Kanawha County Parks and Recreation Commission (Term to expire February 12, 2009)
Commission President Kent Carper

Order approving overtime for Kanawha County Commission employees for pay period ending February 28, 2009, for hours worked in the pay period of January 26, 2009, through February 1, 2009

Brent Pauley, County Manager
Jennifer Sayre, Deputy County Manager/Grants Director

PAY PERIOD 01/26/2009-02/01/2009
<table>
<thead>
<tr>
<th>NAME</th>
<th>OT STRAIGHT</th>
<th>AMOUNT</th>
<th>OT TIME/HALF</th>
<th>AMOUNT</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connett, Elaine</td>
<td>1.93</td>
<td>$34.19</td>
<td></td>
<td></td>
<td>$34.19</td>
</tr>
<tr>
<td>Morrison, Rachelle</td>
<td>1.00</td>
<td>$23.79</td>
<td></td>
<td></td>
<td>$23.79</td>
</tr>
<tr>
<td>Hackney, Cathy</td>
<td>0.67</td>
<td>$13.64</td>
<td></td>
<td></td>
<td>$13.64</td>
</tr>
<tr>
<td>Hudson, Theresa</td>
<td>1.00</td>
<td>$20.13</td>
<td></td>
<td></td>
<td>$20.13</td>
</tr>
<tr>
<td>Hodge, Edna</td>
<td>1.12</td>
<td>$14.65</td>
<td></td>
<td></td>
<td>$14.65</td>
</tr>
<tr>
<td>Melton, Joe</td>
<td>2.50</td>
<td>$38.97</td>
<td>5.52</td>
<td>$129.06</td>
<td>$168.03</td>
</tr>
<tr>
<td>Shaffer, Sandra</td>
<td>0.58</td>
<td>$7.44</td>
<td></td>
<td></td>
<td>$7.44</td>
</tr>
<tr>
<td>Taylor, Judy</td>
<td>0.99</td>
<td>$12.95</td>
<td></td>
<td></td>
<td>$12.95</td>
</tr>
<tr>
<td>Withrow, Robert</td>
<td>2.50</td>
<td>$32.05</td>
<td>2.42</td>
<td>$46.54</td>
<td>$78.59</td>
</tr>
<tr>
<td>Beller, Gary</td>
<td>7.17</td>
<td>$91.92</td>
<td>6.90</td>
<td>$132.69</td>
<td>$224.61</td>
</tr>
<tr>
<td>Clark, Mike</td>
<td>3.50</td>
<td>$49.42</td>
<td>7.77</td>
<td>$164.57</td>
<td>$213.99</td>
</tr>
<tr>
<td>Estep, Bill</td>
<td>6.47</td>
<td>$87.93</td>
<td>13.25</td>
<td>$270.04</td>
<td>$357.97</td>
</tr>
<tr>
<td>Moore, Allen</td>
<td>2.50</td>
<td>$34.62</td>
<td>1.33</td>
<td>$27.62</td>
<td>$62.24</td>
</tr>
<tr>
<td>Rucker, Raymond</td>
<td>5.17</td>
<td>$66.28</td>
<td>9.38</td>
<td>$180.38</td>
<td>$246.66</td>
</tr>
<tr>
<td>White, Mike</td>
<td>1.00</td>
<td>$14.12</td>
<td></td>
<td></td>
<td>$14.12</td>
</tr>
<tr>
<td>Keller, Joanna</td>
<td>0.20</td>
<td>$3.54</td>
<td></td>
<td></td>
<td>$3.54</td>
</tr>
<tr>
<td>Robinson, Debbie</td>
<td>0.65</td>
<td>$14.13</td>
<td></td>
<td></td>
<td>$14.13</td>
</tr>
</tbody>
</table>

**TOTAL** 38.95 $559.77 46.57 $950.90 $1,510.67

Order decreasing the Upper Kanawha Valley Public Service District Board from five members to three members
Commission President Kent Carper
Marc Slotnick, County Attorney

THE FOREGOING MINUTES ARE APPROVED THIS 12TH DAY OF MARCH, 2009.

________________________________________
PRESIDENT

________________________________________
COMMISSIONER

________________________________________
COMMISSIONER

________________________________________
COUNTY ATTORNEY