

**MINUTES OF A MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, SITTING AS A BOARD OF REVIEW AND EQUALIZATION ON THE 17TH DAY OF FEBRUARY, 2011.**

**A MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, SITTING AS A BOARD OF REVIEW AND EQUALIZATION WAS HELD ON THE 17TH DAY OF FEBRUARY, 2011, COURTROOM OF THE COUNTY COMMISSION LOCATED IN THE KANAWHA COUNTY COURTHOUSE IN CHARLESTON, WEST VIRGINIA, BEGINNING AT 6:50 P.M. COMPLETE AUDIO IS AVAILABLE IN THE COMMISSION OFFICE.**

**THE FOLLOWING MEMBERS WERE PRESENT:**

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

**THE ORDERS, RESOLUTIONS AND ORDINANCES AS SET FORTH ON THE FOLLOWING PAGES WERE ADOPTED:**

**02-17-2011 2011-120**

**BOARD OF REVIEW AND EQUALIZATION**

**DISCUSSION:**

**Acknowledgment of Petitioners**

Commissioner Carper confirmed with Steve Sluss there were no petitioners were present. Mr. Sluss provided the Commissioners with an update regarding the Strickland property as requested from a previous hearing. He stated the Assessor's Office is continuing to work with the Stricklands. Kimberly Bowers, appraiser, was present. She stated she has viewed the property and will provide the appraisal paperwork to the Assessor by next Tuesday morning. Mr. Sluss requested an affidavit signed by John Smiley, stating the allegations against him at the previous hearing are untrue, be entered into the record. Mr. Sluss stated Mr. Smiley has an excellent reputation as an employee and in his community. Commissioner Carper accepted the affidavit as part of the record and stated it was found to be overwhelmingly compelling. Without objection he ordered the affidavit to be part of the record for the Board of Review hearing and for the Regular Commission Meeting. A copy of the affidavit is attached.

**Approval of the minutes from February 10, 2011 Board of Review and Equalization**

Commissioner Shores moved to approve the minutes of February 10, 2011. Commissioner Hardy seconded. Motion carried.

**Order Convening as the Board of Review and Equalization and Recessing until Thursday, February 22, 2011 at 8:30 a.m.**

**MINUTES OF THE COMMISSION SITTING AS THE BOARD OF EQUALIZATION  
AND REVIEW FOR THE MEETING OF FEBRUARY 17, 2011**

Commissioner Shores moved to approve the order convening as the Board of Review and Equalization and recessing until February 22, 2011. Commissioner Hardy seconded. Motion carried.

**Letter to State Tax Commissioner Commending Staff**

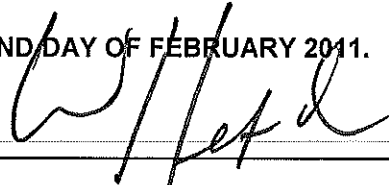
Commissioners signed the letter to the State Tax Commissioner.

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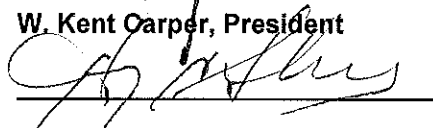
Commissioner Shores moved to adjourn as the Board of Equalization and Review. Commissioner Hardy seconded. Motion carried.

THE MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, SITTING AS A BOARD OF REVIEW AND EQUALIZATION OF FEBRUARY 17, 2011 RECESSED AT 6:55 P.M. UNTIL THE 22ND DAY OF FEBRUARY 2011 AT 8:30 A.M.

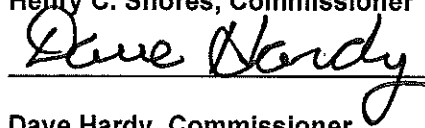
THE FOREGOING MINUTES ARE APPROVED THIS 22ND DAY OF FEBRUARY 2011.



W. Kent Carper, President



Henry C. Shores, Commissioner



Dave Hardy, Commissioner



Marc J. Slotnick, County Attorney

AFFIDAVIT

State of West Virginia  
County of Kanawha, to wit:

Now comes the affiant, John Smiley, who, under penalty of perjury, states as follows:

That I am retired from the Kanawha County Assessor's Office with more than 20 years of continuous service;

That I was a real property field appraiser for the Kanawha County Assessor;

That during the later years of my career, I <sup>TRAINED</sup> <sup>JWS</sup> supervised the field data collectors;

That I am aware of the accusation by Mike Hoover that I had instructed him to not properly value the home of Attorney General Darrel McGraw and his wife, Dr. Jorea Marple in the city of Charleston;

That I have read the transcript of that part of the hearing where Mr. Hoover accused me of directing him to "leave it alone not to touch it";

That the accusation is blatantly false;

That during the field review of that property, I never directed Mike Hoover to disregard the proper valuation of Attorney General McGraw's property;

That during my entire tenure in the Kanawha County Assessor's Office, I never directed anyone to give favorable treatment to any taxpayer in the valuation of their real property;

That at no time during my employment with the Kanawha County Assessor did Assessor Phyllis Gatson or any of her supervisory staff direct me to give favorable treatment to any taxpayer.

And further the affiant sayeth naught.

John W. Smiley (Dr.)  
John Smiley

Taken, subscribed and sworn before me, a notary public for the said county and state this 17<sup>th</sup> day of February, 2011.

My commission expires: August 23, 2017.

[Signature]  
Notary Public

