

MINUTES OF A REGULAR SESSION OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, HELD AT THE COURTHOUSE THEREOF ON THE 24TH DAY OF FEBRUARY 2011.

A REGULAR MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, WAS HELD ON THE 24TH DAY OF FEBRUARY 2011. 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.

THE FOLLOWING MEMBERS WERE PRESENT:

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

02/24/11	2011-152	Board of Review and Equalization—Charleston Clean Energy LLC
02/24/11	2011-153	Board of Review and Equalization – Pope Properties Charleston LLC
02/24/11	2011-154	Board of Review and Equalization – Jamon Real Estate Corp, Terrace Park East and Imperial Towers (real)
02/24/11	2011-155	Change of Employment Status: Travis Milam, Personal Property, Assessor's office, from a part-time position to a Full-time Employee, \$22,000.00 per year, replacing Tawney Black, effective March 1, 2011
02/24/11	2011-156	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 February 24, 2011</i>)
02/24/11	2011-157	Overtime for Kanawha County Commission Employees

Documents NOT on Agenda but processed/approved at 2/17/11 Commission Meeting:

02/24/11	2011-158	Order authorizing the President of the Kanawha County Commission to sign the Grant Agreement for the CDDP Drunk Driving Program (February 26, 2011 through may 29, 2011, Sheriff's Department Overtime)
02/24/11	2011-159	Authorization for the President of the Kanawha County Commission to Sign a Contract between the Kanawha County Commission and Allegheny Restoration & Builders, Inc. for the Kanawha County Courthouse Window Restoration Project

Minutes approved/processed at 2/24/11 Board of Review and Equalization Meeting:

**MINUTES FOR THE COMMISSION MEETING OF
FEBRUARY 24, 2011**

Page 1 of 8

5:00 P.M. CALL TO ORDER

Pledge of Allegiance
Commission President Kent Carper
Prosecutor Mark Plants

Moment of Silence and Recognition

RESOLUTION/PROCLAMATION

NEW EMPLOYEES

CHANGE OF EMPLOYMENT STATUS

ASSESSOR

Travis Milam, Personal Property, from a part-time position to a permanent position replacing Tawney Black, \$22,000.00 per year, effective March 1, 2011

The Honorable Phyllis Gatson, Assessor

Commissioner Carper moved to approve the new employee for the Assessor's Office, Travis Milam. Commissioner Shores seconded. Motion carried.

AGENDA ITEMS

5:00 P.M. Presentation, discussion and acceptance of the Fiscal Year 2009-10 independent audit as performed by Gibbons & Kawash, CPA's"

Commission President Kent Carper
Commissioner Henry C. Shores
Commissioner Dave Hardy
Jennifer Sayre, County Manager
Dave Fontalbert, Chief Fiscal Officer
The Honorable Mike Rutherford, Sheriff
The Honorable Vera McCormick, County Clerk
Rob Adams, CPA – Gibbons & Kawash, CPA's

John Galloway and Rob Adams presented the audited financial statement report to the Commission. Mr. Adams stated the firm issued an unqualified opinion, which is the highest level of assurance. Commissioner Carper verified cooperation of staff. He thanked staff for their assistance and work on the audit. Mr. Adams stated four material weaknesses were included in the audit report. It was verified the audit will be distributed to the elected officials. He stated a new footnote that

may require additional training for staff; the GASB 54 disclosure change in accounting principles. It was verified the response of the elected officials is needed prior to accepting the audit report. It was stated the County Clerk's response will be ready tomorrow. Commissioner Carper stated acceptance will take place at the next commission meeting after all responses from elected officials has been received. Commissioner Hardy commended staff stating this is a compliment to their work. Mr. Adams advised continuance of the finance committee.

Continued Discussion regarding the Fiscal Year 2011-2012 Budget

Commission President Kent Carper

Commissioner Henry C. Shores

Commissioner Dave Hardy

Jennifer Sayre, County Manager

David Fontalbert, Chief Fiscal Officer

Commissioner Carper stated the 2010-11 Prosecutor's Budget as \$3,786,283 and an additional \$20,000 for capital improvements. Mr. Plants stated the proposed budget for 2011-12 to be \$3,583,113. Commissioner Carper stated the PERS and FICA increases are not included in this budget cut. He stated the County Clerk included these extra costs and is not relying on the Commission to pay those. He stated total cuts should be close to \$300,000, if including the additional PERS and healthcare costs. He inquired as to the Prosecutor's Office to roll back raises. Mr. Plants stated there will be no more raises and he has moved salaries back to the October figures. Commissioner Carper stated if the Sheriff's Office was treated equally that would be 10 deputies laid off. He stated there will be no new vehicles, but there will be grant opportunities for those. He stated if the Commission is able to provide half of the contributions; the cut for the Prosecutor's Office would be \$240,000-\$245,000. He stated concern that the Circuit Clerk and the County Clerk have cut too much. He encouraged if all elected officials do not agree, they should all meet. Mr. Plants stated trust in the Commission. Commissioner Carper stated a cut of \$203,000 and then expecting the Commission to pick up the \$90,000 for PERS and Healthcare costs is not really a \$203,000 cut. He stated if revenues are not as bad as projections then reinstating cuts will be considered. He stated the employees being overpaid is not the issue; spending is the real issue. He stated the vote approving the budget will take place on March 10th. He stated it will be a zero increase spending budget in order to pay for the new costs. He requested a real cut of \$240,000 by the Prosecutor's Office. Mr. Plants stated the Commission has the power to set the budget and if that is the number, then he will meet that number. Commissioner Carper stated the goals of the Commission to be respective of all elected officials, to be responsible in the worst economy, to balance a zero budget increase and to fund the Financial Stabilization Fund. Mr. Plants assured the Commission the cuts will not affect the service provided by his office.

Bruce Moore presented the budget for the Assessor's Office. Mr. Moore stated a cut of \$147,000 including the PERS costs. He stated the total PERS costs for the Assessor's Office to be an additional \$34,000. Commissioner Carper stated the

Sheriff's Department continues to work on the figures for the budget. He recommended the Assessor's budget. He thanked Ms. Gatson for the \$250,000 for the window replacement project. He suggested another look at the County Clerk and the Circuit Clerk budgets. He is uncomfortable with the 10% cuts. He suggested \$85,000 for Circuit Clerk and \$80,000 for the County Clerk.

Mr. Bleigh stated the Sheriff and the Chief were not available to attend the meeting this evening. He stated there will be zero cars in the budget and an additional \$100,000 of internal cuts to take pressure off the General Fund. Commissioner Carper stated the size of the Sheriff's overall budget makes the 5% disproportionate to others. Jennifer Sayre requested the Commission Office to retain the Stratus for mail delivery and the Sheriff's Department to receive the van.

Commissioner Carper suggested a call to the Health Department requesting a cut of \$50,000. He stated the department has built a 3 to 4 month reserve. He proposes \$150,000 for the Health Department.

Update on the 2011 Regular Legislative Session
Commission President Kent Carper
Carrie Clendening, Grant Coordinator/Legislative Liaison

Carrie Clendening stated SB 242 if passed will provide almost \$1 million over a five year period. She stated this funding would be used for economic development. She stated it is currently in Senate Finance. It was stated the clerk's bill could bring in revenue that could be used to pay for the election. Commissioner Carper stated the voting machines are almost paid for; however that funding will now go toward the refunding of the judicial bonds payments. He stated the total cuts should be enough to cover the new bills from the state. He stated concerns for the following year. Commissioner Carper moved for a zero increased spending budget. Commissioner Hardy seconded. Motion carried. Commissioner Carper stated the \$500,000 in new revenue needs to go to the Financial Stabilization Fund. Mrs. Sayre stated employee healthcare contributions account for 20% of the premiums. Commissioner Carper stated this was done incrementally and this was the right thing to do. Commissioner Carper stated if the Sheriff can complete budget cuts as requested, there will be no need for a Tuesday meeting. Commissioner Hardy moved to approve the audit report providing no issues with the elected officials and Marc Slotnick. Commissioner Carper seconded. Motion carried. Commissioner Shores stated the health insurance is the most important benefit the Commission provides to the employees.

Discussion and Update regarding the proposed window replacement project for the Kanawha County Courthouse to include signing of a contract

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

Jennifer Sayre, County Manager
Jerie Whitehead, Purchasing Director
Carrie Clendening, Grant Coordinator/Legislative Liaison
Steve Neddo, Clerk of the Works

Commissioner Carper thanked all involved in the window replacement project. He stated the contract was previously approved, it was just held pending approval by SHIPO. It was stated the base bid to be \$1.233 million. It was verified funding received is \$250,000 from the Assessor and \$663,000 from grants. Steve Neddo stated there is a 10 year guarantee on the entire window. He stated the window is removed and repaired off site. He stated the windows will no longer open. He confirmed he is the contact person that would grant permission should replacement of the wood be considered. It was verified SHIPO has approved this process. Commissioner Carper requested a letter be sent to Richard Andre, Henry Battle and all others involved on the consultation of the project. He additionally ordered a letter be sent to the Assessor, Phyllis Gatson, thanking her for the additional funding for the project. He requested Carrie Clendening to research the date the Commission can apply for the Courthouse Facilities Improvement Grant. Commissioner Hardy moved to approve the contract. Commissioner Shores seconded. Motion carried.

MINUTES

Approval of the Minutes of Commission Meeting February 15, 2011

Commissioner Hardy moved to approve the minutes of February 15, 2011, Commissioner Shores seconded. Motion carried.

6:00 p.m.

PUBLIC HEARING

PUBLIC COMMENT

COUNTY MANAGER'S REPORT

CHIEF FISCAL OFFICER'S REPORT

COUNTY ATTORNEY'S REPORT

CLERK OF THE WORKS REPORT

NEW BUSINESS

FIDUCIARY

**MINUTES FOR THE COMMISSION MEETING OF
FEBRUARY 24, 2011**

Page 5 of 8

PURCHASE ORDERS

ORDERS

Commissioner Hardy moved to approve the orders listed on the agenda. 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 February 24, 2011*)

The Honorable Vera J. McCormick, County Clerk

Order approving overtime for Kanawha County Commission employees for pay period ending March 15, 2011, for hours worked in the pay period of February 7, 2011, through February 13, 2011

Jennifer Sayre, County Manager

NAME	OT		OT		TOTAL
	STRAIGHT	AMOUNT	TIME/HALF	AMOUNT	
Chandler, Tammie	1.17	\$24.93		\$0.00	\$24.93
Fleck, Kimberly	1.67	\$39.72		\$0.00	\$39.72
Koepsel, Leslie	1.00	\$23.79		\$0.00	\$23.79
Sandoro, Colt	0.67	\$9.16		\$0.00	\$9.16
Harrison, Blanche	0.82	\$10.72		\$0.00	\$10.72
Melton, Joe	10.00	\$155.88	2.43	\$56.82	\$212.70
Beller, Gary	2.50	\$32.05	0.27	\$5.19	\$37.24
Beller, Philip	2.50	\$73.08	8.18	\$358.66	\$431.74
Moore, Allen	2.50	\$34.62	2.80	\$58.15	\$92.77
Rucker, Raymond	2.50	\$32.05	3.33	\$64.04	\$96.09
White, Bruce	2.50	\$32.05	0.07	\$1.35	\$33.40
Jones, Greg	2.00	\$43.02	6.80	\$219.39	\$262.41
McDonnell, Larry	0.75	\$10.25		\$0.00	\$10.25
	30.58	\$521.32	23.88	\$763.60	\$1,284.92

CHECK REGISTERS/SUPPLEMENTALS (Order Confirming and Approving Disbursements to be made by the Clerk of the County Commission of Kanawha County)

Commissioner Carper moved to approve items not listed on the agenda. These items include the paperwork for the WV Commission on Drunk Driving Grant, the signing of the previously approved Board of Equalization and Review documents.

Commissioner Shores seconded, with the exception of the Terrace Park order which reflects a no vote for Commissioner Shores.

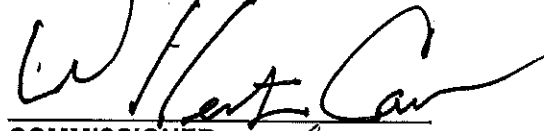
STAFF REPORTS

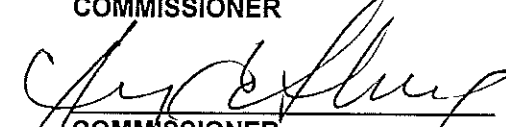
Dave Armstrong showed the Commissioners two containers of water from Rheamer Hill residents. He stated the Planning Commission has held its first hearing for the Small Cities Block Grant Application. He stated this project would bring fresh water to 165 residents. He stated the application is due by March 22nd. Commissioner Carper recommended submitting the application for the Rheamer Hill project due to a lack of funding for the Elk-Pinch project.

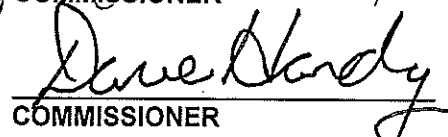
Commissioner Carper moved to adjourn until the next scheduled commission meeting. Commissioner Shores seconded. Motion carried.

THE KANAWHA COUNTY COMMISSION MEETING OF FEBRUARY 24, 2011, ADJOURNED
AT 6:05 P.M., UNTIL THE 10TH DAY OF MARCH, 2011, AT 5:00 P.M.

THE FOREGOING MINUTES ARE APPROVED THIS 10TH DAY OF MARCH, 2011.


COMMISSIONER


COMMISSIONER


COMMISSIONER


COUNTY ATTORNEY