

MINUTES OF A REGULAR SESSION OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, HELD AT THE COURTHOUSE THEREOF ON THE 8TH DAY OF MARCH 2011.

A REGULAR MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, WAS HELD ON THE 8TH DAY OF MARCH 2011. THE COURTROOM OF THE COUNTY COMMISSION LOCATED IN THE KANAWHA COUNTY COURTHOUSE IN CHARLESTON, WEST VIRGINIA, BEGINNING AT 12:00 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

Documents NOT on Agenda but processed/approved at 3/08/11 Commission Meeting:

03/08/11 2011-161 Order Confirming and Approving Purchase Orders
in Excess of \$4,999.99 to be issued by the Kanawha County
Commission Purchasing Department

Budget Revisions NOT on Agenda but approved/processed at 3/08/11 Commission Meeting:

Fiscal Year 2010-2011 General Fund Budget Revision

Supplementals/Check Register NOT on Agenda but approved/processed at the 3/08/11 Commission Meeting:

Supplemental check: Pitney Bowes Inc., \$5,385.00 (payment for one Risco comcolor printer for use with folder/inserter & DM1000 for Sheriff's Tax Office)

Supplemental check: Pitney Bowes, \$6,897.00 (payment for term rental charges for Sheriff's Tax Office)

Supplemental check: WV Deputy Sheriff Retirement System, \$3,990.00

Supplemental check: Carpenter Reclamation Inc., \$72,102.06 for 3 day grant turn around water project.

12:00 P.M. CALL TO ORDER

Commissioner Carper verified the current draft budget has been delivered to all elected officials and the final vote is scheduled to take place at the March 10th commission meeting. He verified a meeting on April 19th is to set the levy rate, but in theory when approving the budget, the levy is determined. He verified payment of the December Jail Bill, approximately \$337,000, will take place on the March 10th meeting.

Commissioner Carper moved for a recommendation from the Public Safety Grant Committee with regard to the Town of Jefferson's request for \$4,884 to be used for fire hydrants. He directed staff to follow up with Dale Petry or C.W. Sigman. Commissioner Hardy seconded. Motion carried. Commissioner Hardy commended the Jefferson Business Association for being active and doing good work. He stated this is a

13 to be used for these types of purchases. Sheriff Mike Rutherford stated the department has used the Pistol Fund for some of these purchases in the past, but the fund balance is diminishing. Commissioner Hardy verified the Sheriff's budget for 2010-11 at \$11,825,894 and a FY 2011-12 cut of \$696,418. Dave Fontalbert verified the cut to be 5.8%. Mr. Bleigh stated the Pistol Fund is on a 5 year cycle and there is approximately \$100,000 available a year, but there are stipulations as to how it can be spent. Commissioner Hardy verified there is transparency with the use of the Pistol Fund. Mr. Bleigh stated additional cuts include an elimination of a position in law enforcement, \$66,575, \$102,333 for reassigning two sworn members out of General Fund, training and education reduced by \$20,000 and professional services by \$10,000. Sheriff Rutherford stated he has 6 budgets for 6 different divisions. He stated in some of those there is no room for cuts, for example legal process, only cost is manpower. Commissioner Carper stated 5% of \$12 million is a large number. Mr. Bleigh verified this is the 6th budget proposal he has submitted to the Commission. Commissioner Carper stated \$80,000 was cut from Home Confinement. Sheriff Rutherford stated the Day Report budget is mostly grant funds. He stated the budget at \$512,752 and only \$182,000 is match from the General Fund, so that should not be included in the figuring of the 5% cut. Commissioner Carper stated these divisions were supposed to be revenue neutral and it may be necessary to get out of some of these. He also suggested shutting down some of the detachments. He stated next year may require more cuts. Sheriff Rutherford stated when the Commission makes a request the Sheriff's Department tries to comply, such as the past position cuts in the Tax Department. He stated the office has taken on cuts for the last three years. Commissioner Carper reminded of the 30% increase over the last 10 years, that was a result of adding new deputies. It was verified the cost of a new deputy can be as much as \$90,000 including salary, training and uniforms. Sheriff Rutherford stated no objection to other Elected Officials' budgets. Commissioner Carper verified no objection to the Sheriff's budget within the courtroom. Sheriff Rutherford stated requests from Belle for assistance covering shifts in that area of the county and stated he will be looking at providing that. It was stated the overtime budget for the Sheriff's Department to be \$600,000. Commissioner Shores inquired as to the ability to match the grants that the office could be receiving in the future. Sheriff Rutherford agreed that is a concern and spoke of additional costs that could be coming with regard to the meth lab clean ups. He stated these could range from \$3,500 to \$15,000 and his office has no funding to pay for those. Mr. Bleigh stated the 5% reduction for law enforcement is \$440,499 in addition to that increases to the budget include \$178,309 for hospitalization, \$19,611 for civilian retirement, \$132,793 for sworn member retirement; these total \$763,376. It was stated an entry level deputy makes \$34,500; there are other counties where the starting salary is more. Commissioner Hardy stated one of the greatest accomplishments is the Upper Kanawha Valley police force and he is pleased that Belle wants the Sheriff's Department to assist. He stated expectation for coal severance to increase and stated Riverside High School is the largest in Kanawha County. Commissioner Carper verified no objection to the Sheriff's proposed budget. Sheriff Rutherford stated closure of detachments was considered, but the detachments are a convenience to the taxpayers. He stated a reduction in the alternative sentencing programs would possibly result in increases to the jail bill as much as \$500,000. Commissioner Carper stated a challenge to those numbers. Sheriff Rutherford stated concern for paying for cities' portions of the jail bill. Lieutenant Stover stated last year the Sheriff's Department responded to 94% of all

unincorporated area 911 calls. He stated last month the department responded to 99%. Commissioner Carper once again verified no objection to the Sheriff's budget. Mary Claire Akers represented the Prosecutor's Office for the budget discussion. Dave Fontalbert stated the Prosecutor's budget cut to be \$157,105, 4.15%. Commissioner Hardy requested verification that pay raises from July 2010 will be rescinded. Ms. Akers was unable to provide the information at this time, but will have that to the Commission prior to the vote at the March 10th meeting. Commissioner Carper verified there was no objection to the other elected officials' budgets. He verified there was no objection to the Prosecutor's budget by those in the courtroom. He clarified this is a budget based on an assumption of income, stating there is no guarantee; it is possible the figures could be incorrect. Commissioner Carper directed staff to prepare the proposed court order regarding the County Clerk presenting all salary increases before the Commission at a Commission Meeting. He directed a letter be sent to each Elected Official requesting a written response to the proposed order. He verified no objection from within the courtroom. Commissioner Carper moved for the items proposed to be written into the budget for a vote on March 10th. He stated a cut of \$25,000 to the Health Department for FY 2011-12 and for FY 2012-13 the contribution will decrease to \$150,000. He stated no representation for the request from the Kanawha Valley Senior

Diana Wilson stated the proceedings she witnessed today minimizes her request. She stated this is the 4th Annual Oktoberfest and she is the sole solicitor for this event. She stated it is held for the community of the Upper Kanawha Valley. She is attending the Montgomery City Council meeting this evening to request \$10,000. She stated last year she received \$4,000 from them and \$4,000 from Fayetteville County Commission. She stated understanding for denial of her request. Commissioner Carper suggested contacting the CVB for funding. He stated the Commission can not support the Oktoberfest at this time.

Ms. Akers was able to confirm the pay raises of July 2010 will be rescinded. Commissioner Hardy inquired as to the raises given after October 14, 2009. She will provide details prior to the meeting on March 10th. Commissioner Carper stated if there is concern regarding any department's budget, now would have been the time to challenge.

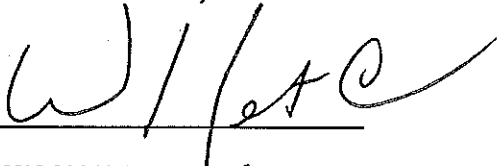
Commissioner Carper stated SB 391 will be at House Judiciary at 1:30 and suggested Ms. McCormick attending the meeting. She stated there are several County Clerks present and she will call to make them aware of her support, she is not able to attend.

Commissioner Carper moved to approve items not listed on the agenda; a purchase order for Pitney Bowles, \$6,195, payments to Pitney Bowles for the postage machine, \$5,385 and \$6897, payment to the Carpenter's Reclamation for a water project, \$72,102.06 and payment to the Sheriff's Retirement Fund for the regular contribution, \$3,990.00, and a budget revision for \$60,000 to pay utilities.

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

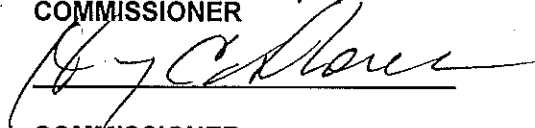
THE KANAWHA COUNTY COMMISSION MEETING OF MARCH 8, 2011, ADJOURNED AT 1:09 P.M.,
UNTIL THE 10TH DAY OF MARCH, 2011, AT 5:00 P.M.

THE FOREGOING MINUTES ARE APPROVED THIS 31ST DAY OF MARCH, 2011.



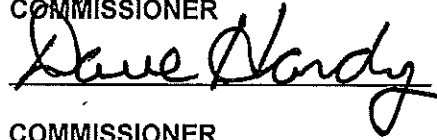
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COMMISSIONER



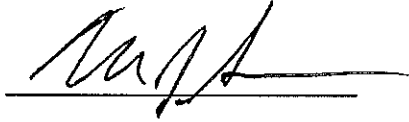
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COMMISSIONER



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COMMISSIONER



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COUNTY ATTORNEY