

**KANAWHA COUNTY PARKS & RECREATION COMMISSION
COMMISSION MEETING SPECIAL MEETING**

**May 29, 2024
MINUTES**

CALL TO ORDER

The special meeting of the Kanawha County Parks and Recreation Commission was held on Wednesday; May 29, 2024 on teleconference telephone call. This is the special meeting of the Kanawha County Parks and Recreation Commission and President Tackett called the meeting to order at 2:00pm.

ROLL CALL

PRESENT BY PHONE:

Allen Tackett, John Robertson, Steve Koepsel, Tyler Ohrn, Janet Drumheller, Andrew Jordon, Chris Hamilton, Crescent Gallagher, Karen Haddad

ABSENT : Pat Donahoe, Dave Pope,

OTHERS

Jeff Hutchinson, Director
Brad Maschari, Sarah Menefee
Jordan Herrick

AGENDA ITEM

The purpose of the meeting is to discuss/vote whether to seek a contract exemption from the West Virginia Ethics Commission for Bailey and Wyant due to a potential conflict of interest. Jeff reported that Marc Slotnick is on the agenda for discussion for potential replacement for County Commissioner tomorrow. Mr. Slotnick and Chuck Bailey are partners and Bailey and Wyant are the parks attorneys. Jeff said that we need to take a vote and discuss taking an ethics exemption from the Ethics Commission for Bailey and Wyant to keep them representing us as our legal counsel. Jeff said that Mr. Slotnick does not have anything to do with parks. He may have looked at things but with our regular business we deal with Jordan Herrick. Jordan added that he doesn't know if Mr. Slotnick is going to get the unexpired term but if he does than he is only serving it out until whomever wins the election takes over. But because the parks get a substantial amount of funding from the County Commission and the park then pays Bailey and Wyant for their service and Mr. Slotnick is an owner of Bailey and Wyant. The Ethics Commission sees this as a potential conflict of interest and therefore we must request an exemption to allow us to continue using their services until he finishes his unexpired term.

Commissioner Drumheller made a motion to request this exemption from the Ethics Commission and seconded by Commissioner Robertson. All were in favor.

Jeff said that he received a call from the City's Park and Rec Department for use of the train for their Juneteenth Event and Parade. Jeff stated that this is also a Holiday for our people and if we decided to do that than we will have to give them another day off at some point. Commissioner Drumheller asked if that is going to be a conflict with the recent discussions, we had with comp laws or would you have to pay them overtime. Jeff

said we would probably have to pay them overtime or take a day off during that week. Commissioner Haddad asked if the city could reimburse us for that overtime. Jeff said the tend to want us to due it and never have offered reimbursements. Jeff said he will ask them if they can reimburse us for our cost to do it. Commissioner Haddad said that sounds reasonable and Commissioner Robertson agreed. If the City does not want to do it then Commissioner Koepsel said we could ask the employees if anyone wants to do it and take off another day that week. There are only three people that can drive the train, so we are limited on staff. Plus, we have one person to help load and unload cars when they transport the train and that extra person also helps with loading and unloading the passengers. The part-time person can do the conducting part, but we need a full-time employee as the engineer. The train is considered an amusement ride and has to be registered with the DOL and inspected. They need notice when it is in use, and we have to keep logbook of who operates it. Jeff said that the train was built to run in the Charleston Christmas Parade and in the park all the other stuff is add-ons. We can't run it all over the place because the engine and motor are from the 50's and we have hard time getting parts for it if we can find them. The carts have no suspension in them and meant to be run at low speed in the park. A day of overtime for one full-time person is about \$220 plus retirement. The part-time person can take a day off during the week. Jeff said it would probably cost \$250 in manpower. Sarah said that you have to include the transportation of the train which is four trips to haul the whole train and then have to bring it back.

President Tackett does not see how you say no and if you did it for one and not the other and the County Commission would want us to support this. Commissioner Drumheller agrees but does not think it is unreasonable to ask for expenses for us hauling it. Sarah said they need to reimburse us for our costs. President Tackett said if we ask for reimbursement than it may cut down on some requests and if we do it for one than we have to get reimbursement from all. Commissioner Drumheller said if we just ask for reimbursement for the cost and not the labor, she doesn't think that is an unreasonable request. Commissioner Roberston made a motion to allow us to run the train for reimbursement of our cost and Commissioner Drumheller seconded the motion. Commissioner Drumheller asked if this was going forward for future use of the train. Jeff said yes that any town that requests the train will be responsible for reimbursing us for the cost of doing it. Jeff said that is the fairest way of doing things, especially the way the fuel is and how we need to do our overtime. All were in favor of the motion.

ADJOURNMENT

Commissioner Drumheller made a motion to adjourn.

President Tackett called the meeting adjourned 2:17pm.

The next meeting will be Wednesday, June 19, 2024 at 2:00p.m.

Respectfully Submitted: Jeffrey K. Hutchinson, Director