



State of West Virginia

Department of Administration
AGENCY FACT SHEETS

January 2023



STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION

JIM JUSTICE
GOVERNOR

MARK D. SCOTT
CABINET SECRETARY

January 1, 2023

The Department of Administration oversees 16 state agencies and divisions, as well as provides oversight for the functions of several boards and commissions. It is the Department of Administration's pleasure to share its *Department of Administration Agency Fact Sheets* which provide general information, such as enabling legislation, the primary functions and missions of each agency, funding, challenges, legislative matters, pending issues and relevant contact information.

The Department is also responsible for many customer service core functions that ensure successful and cost-effective operations of state government. These include, but are not limited to, purchasing, personnel, technology, finance, aviation and motor vehicle fleet management, health and liability insurance, retirement, real estate, and overall risk management for state and local government agencies.

This calendar year, the Department of Administration has taken a close look at its operations to identify areas in which it can better benefit the state. As a result, the Department has made great strides in accomplishing its mission and goals. However, there is still much work to be done. Through the strong direction of our agency leaders and the hard work of our nearly 800 employees, the Department will continue to make great progress toward achieving its goals and objectives.

Should you have any questions or need additional information, please do not hesitate to call the Cabinet Secretary's Office.

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ENABLING STATUTE: W. Va. Code § 5A-1 et seq.

1) PURPOSE/MISSION:

The mission of the Department of Administration is to operate a cost-efficient, customer-oriented service department whose actions are transparent to taxpayers resulting in innovative solutions and quality results for a government that effectively serves West Virginia.

2) STAFFING:

The Cabinet Secretary's Office of the Department of Administration has a total of seven employees. This office is responsible for oversight of all internal business functions of state government that operate within the following divisions and agencies:

- Aviation Division
- Board of Risk and Insurance Management (BRIM)
- Consolidated Public Retirement Board (CPRB)
- Ethics Commission
- Finance Division
- Fleet Management Division
- General Services Division
- Office of Equal Opportunity (OEO)
- Office of Technology (OT)
- Division of Personnel (DOP)
- Prosecuting Attorneys Institute
- Public Defender Services
- Public Employees Grievance Board
- Public Employees Insurance Agency (PEIA)
- Purchasing Division
- Real Estate Division

Additionally, the Department has oversight or involvement with 12 different boards and commissions.

3) KEY PERSONNEL:

Mark D. Scott, Cabinet Secretary
John McHugh, Deputy Cabinet Secretary
Sarah H. Long, Chief Financial Officer and Assistant Secretary
Robert P. Paulson, General Counsel
Misty Peal, Deputy General Counsel and Legislative Liaison

4) FUNDING/BUDGET:

FY2023 Budget:	Secretary's Office	\$ 15,603,867 (General Revenue)
	Department of Administration	\$ 107,877,676 (General Revenue)

5) CORE FUNCTIONS OF AGENCY:

- Oversees the administration of 16 divisions/agencies;
- The Department has oversight or involvement in the administration of 12 boards and commissions;
- Issues strategic planning guidance;
- Administers the issuance of the state's municipal bonds; and
- Manages debt service for municipal bonds.

FY-2023 FACT SHEET**6) HIGHLIGHTS ABOUT AGENCY:**

The Department of Administration functions as the service arm of state government in various capacities for other state agencies, current and retired public employees, and the general public.

7) LEADERSHIP:

Mark D. Scott, Cabinet Secretary **304-558-4331 (o)**

Building I, Room E-119
1900 Kanawha Boulevard, East
Charleston, WV 25303

John McHugh, Deputy Secretary **304-352-6107 (o)**

Building I, Room E-119
1900 Kanawha Boulevard, East
Charleston, WV 25305

Sarah Hurt Long, Chief Financial Officer and Assistant Secretary **304-352-6108 (o)**

Building I, Room E-119
1900 Kanawha Boulevard, East
Charleston, WV 25305

Robert Paulson, General Counsel **304-352-6106 (o)**

Building I, Room E-119
1900 Kanawha Boulevard, East
Charleston, WV 25305

Misty Peal, Deputy General Counsel and Legislative Liaison **304-352-6109 (o)**

Building I, Room E-119
1900 Kanawha Boulevard, East
Charleston, WV 25305

FY-2023 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 12-5-7**1) PURPOSE/MISSION:**

The Governor shall coordinate the issuance of all bonds issued by the state and its departments, commissions, boards and agencies, through the Department of Administration. On behalf of the Governor, the Department of Administration selects professionals such as bond, disclosure or other counsel, underwriters, trustee, and verification agents necessary to effectuate the issuance of the bonds.

2) STAFFING:

Agencies wishing to issue bonds must follow the *Guidelines Regarding the Submission of Financing and Refunding Proposals* issued by the Governor's Office and the Department of Administration.

Proposals undergo a review by the Governor's Office, the Department of Administration, and the state's financial advisor.

When a proposal is accepted, the Department of Administration's General Counsel will then issue a Request for Proposal (RFP) for necessary professionals for a given bond issuance and coordinate the selection of teams required to issue bonds.

The State has a full-time financial advisor, the Public Resources Advisory Group ("PRAG"), to assist in many levels of bond issuance, evaluation of markets for bond refundings and maintaining the State's credit ratings. The State's disclosure counsel is Bowles Rice, and disclosures to the federal government are made through Digital Assurance Certification (DAC).

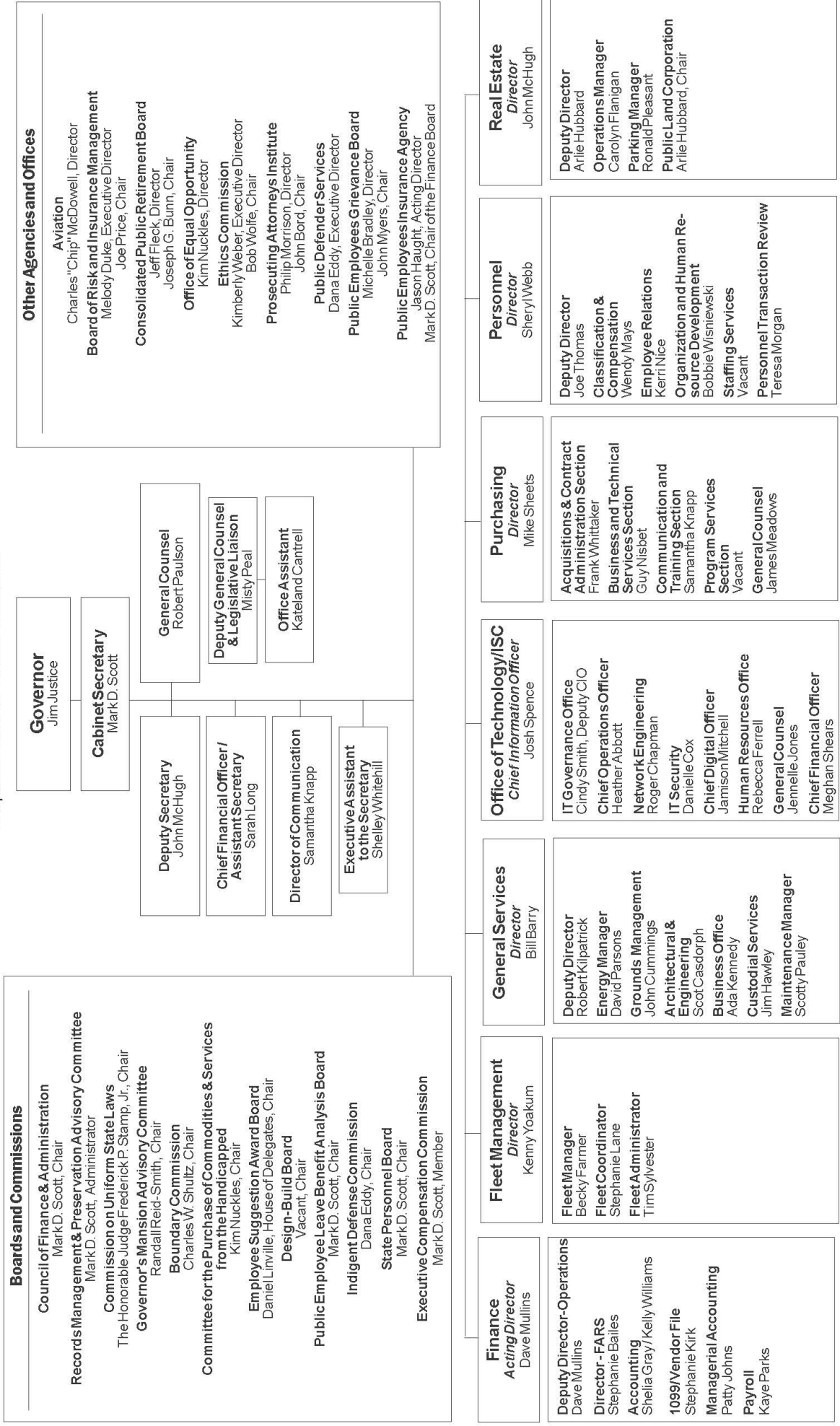
The Department of Administration continues to monitor or manage the bond issuance process as necessary, ensuring that the Securities and Exchange Commission (SEC), Internal Revenue Service (IRS) and other financial reporting requirements are met.

3) LEADERSHIP:

Robert Paulson, General Counsel
Robert.P.Paulson@wv.gov

304-352-6106 (o)

STATE OF WEST VIRGINIA
Department of Administration



DIVISIONS AND AGENCIES OF THE DEPARTMENT OF ADMINISTRATION

FY-2023 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 5A-3-48 through § 5A-3-53**1) PURPOSE/MISSION:**

The purpose of the Aviation Division is to enhance the efficiency and effectiveness of state government by providing safe, professional, and secure on-demand air transportation to the Governor and state government agencies.

2) STAFFING:

Services are performed by nine full-time employees. Currently seven filled; two vacant. Staff includes five pilots, two aircraft mechanics and two office personnel. In addition, there are currently four assigned West Virginia State Police helicopter pilots.

3) KEY PERSONNEL:

Charles McDowell, Director
Tierra Gable, Secretary

4) FUNDING/BUDGET:

Funding is split between appropriated General Revenue (FUND 0615) and Special Revenue (FUND 2302). Special Revenue is derived from invoiced flight hours.

FY2023 Budget: \$ 2,709,258	47%	\$ 1,282,021 General Revenue (FUND 0615)
	53%	\$ 1,427,237 Special Revenue (FUND 2302)

5) CORE FUNCTIONS OF AGENCY:

Provide aviation support to state government agencies, operate and maintain the state's 15,000 sq. ft. hangar facility located at Yeager Airport, and serve as the Governor's representative on matters of aeronautical interest.

6) CHALLENGES/OBSTACLES:

A 30% reduction of general revenue (FY2011-2022) has created substantial obstacles to recruitment and retention of highly skilled, professional staff. To maintain current safety of flight operations, this issue needs to be addressed prior to senior staff retirements to allow an adequate transition period.

7) OTHER INFORMATION:

In FY2022, state aircraft flew 1,161 flights, transported 415 passengers, and logged 770.2 flight hours.

State aircraft owned and operated by the State of West Virginia:

TYPE	AIRCRAFT	MAKE	PASSENGER CAPACITY	RATE SCHEDULE
Airplane	NIWV	2007 Beechcraft King Air 350	9	\$1400/Flt Hr.
Helicopter	N3WV	2006 Bell 407	5	\$1100/Flt Hr.
Helicopter	N5WV	2003 Bell L4 Long Ranger	5	\$800/Flt Hr.

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TYPE	AIRCRAFT	MAKE	PASSENGER CAPACITY	RATE SCHEDULE
Helicopter	N6WV	1981 Bell B3 Jet Ranger	3	\$600/Flt Hr.
Helicopter	N890SP	2001 Bell B3 Jet Ranger*	2	\$400/Flt Hr.
Helicopter	N895SP	1995 Bell B3 Jet Ranger*	2	\$400/Flt Hr.

**Military Surplus acquired by WV State Police and restricted to law enforcement missions per Federal Surplus 1033 program.*

8) LEADERSHIP:

Charles “Chip” R. McDowell, Director

Chip.R.McDowell@wv.gov

304-558-0403 (o)

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ENABLING STATUTE: W. Va. Code § 29-12-1 et seq. and § 33-30-1 et seq. and Executive Order 3-17

REGULATORY STATUTE: Title 115, W. Va. Code of State Rules, Series 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10.

1) PURPOSE/MISSION:

BRIM's mission is to secure reasonably broad protection against loss, damage, or liability to state property, activities and responsibilities by proper, adequate, and affordable insurance coverage by the introduction and employment of sound and accepted principles of insurance, methods of protection, and principles of loss control and risk.

BRIM performs annual insurance loss prevention inspections on selected state structures of significant insurable risks to determine exposures present that may result in a claim; makes recommendations to eliminate or reduce the opportunities for claims; establishes loss prevention standards; provides opportunities for its insured to receive credits against premiums by minimizing losses; and provides loss control education to its insured through public information presentations.

2) STAFFING:

BRIM has 27 full-time employees: five underwriting; six claims; five loss control; five finance; three executive and three privacy personnel.

3) KEY PERSONNEL:

Melody Duke, Executive Director

Senior Management Team:

Robert Fisher, Deputy Director

John Fernatt, Claim Manager

Woodrow White, Underwriting Manager

Stephen Panaro, CPA, Chief Financial Officer

Jeremy Wolfe, Risk and Insurance Manager

Ashley Summit, Chief Privacy Officer

4) FUNDING/BUDGET:

100% Special Revenue from collection of premiums billed to insured entities, as well as money gathered from private insurers for Mine Subsidence reinsurance coverage.

FY2022 Budget:

\$121.2 Million (Revenue)

5) CORE FUNCTIONS OF AGENCY:

Pursuant to W. Va. Code § 29-12-5, BRIM has general supervision and control over the insurance of state property, activities and responsibilities, including: (A) The acquisition and cancellation of state insurance; (B) Determining the kinds of coverage; (C) Determining limits for each kind of coverage; (D) Determining the conditions, limitations, exclusions, endorsements, amendments and deductible forms of coverage; (E) Inspections relating to insurance coverage of state property and activities; (F) Reinsurance, and (G) Considerations for negotiations to ward advantageous rates and coverage for state property and activities.

BRIM is also charged, by Executive Order 3-17, with oversight of the State Privacy Office and the protection of personally identifiable information, including protected health information, collected and maintained by Executive Branch agencies. The State Privacy Office leads and manages the State's Privacy Program; manages the Privacy

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Management Team; issues privacy policies; provides training and technical assistance; and conducts privacy assessments.

If requested by a political subdivision, a charitable or public service organization, or an emergency medical service agency, BRIM may provide property and liability insurance to insure the property, activities, and responsibilities of those entities. The board may enter any contract necessary to the execution of the powers granted by Article 12 or to further the intent of the article.

BRIM procures coverage for general liability, automobile, wrongful acts liability, professional liability, personal injury liability, stop gap liability, property, cyber liability, aviation, boiler/HVAC, and statutory bond. It also procures excess liability coverage for County Boards of Education as required by statute.

BRIM is charged with operation and administration of the Mine Subsidence Insurance Fund, as found in W. Va. Code § 33-30-4, and handles mine subsidence claims, as well as property claims in-house with the assistance of independent adjusters and engineers.

BRIM utilizes actuaries to determine the amount of money needed to collect as premiums to properly fund the programs it administers. BRIM utilizes professional independent auditors to monitor its financial condition and internal controls and to properly account for the monies collected and spent by the agency.

BRIM oversees the liability insurance program administered by AIG and carefully controls and monitors the amounts spent in the settlement of claims.

BRIM provides inspection and loss control services, both in-house and through the use of contractors, to inspect properties and liability exposures, including boilers and machinery, attendant to our various insured, and offers credits and applies surcharges based on an entity's level of participation in our Loss Control Standards of Participation program.

Under its automobile coverage, BRIM insures 31,404 units, including private passenger, emergency and mobile equipment units; \$23,442,427,445 in property values during 2022; and provides liability coverage to 159 state agencies, 996 other governmental organizations and agencies, including Boards of Education, and nonprofits.

6) CHALLENGES/OBSTACLES:

Some of BRIM's challenges include: 1) navigating and mitigating adverse claim development and its impact for a zero-unfunded liability (all liabilities are covered by an asset of equal or greater value) and providing service levels competitive with or exceeding those found in the private sector; 2) fluctuating returns on investments, which can have a negative effect on BRIM's bottom line; and 3) keeping insurance affordable while maintaining the proper level of protection, especially during hard economic times.

7) HIGHLIGHTS ABOUT AGENCY:

BRIM operates the insurance program with substantially lower administrative costs than seen in the commercial market. BRIM utilizes private sector vendors for many of the services provided as opposed to BRIM staff performing such services.

8) OTHER INFORMATION:

Oversight is provided by the Cabinet Secretary for the Department of Administration and a Board of Directors appointed by the Governor in accordance with West Virginia Code.

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9) LEADERSHIP:

Melody Duke, Executive Director

Melody.A.Duke@wv.gov

304-766-2646 Ext. 20230 (o)

FY-2023 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 5-10D-1 through § 5-10D-9, et seq.**1) PURPOSE/MISSION:**

To serve those who serve West Virginia by administering ten governmental pension plans to ensure members receive accurate and timely benefits earned for their public service. To be a trusted leader in pension administration and provide public employees with the security and information they need to empower them for a productive tomorrow.

2) STAFFING:

Approximately 100 full-time positions as currently staffed in the following functional areas: 21 Executive and Administrative; One Communications and Public Information; Five Electronic Imaging; Seven Technology Services; Four Accounting, Deposits, and Invoicing; 10 Employer Reporting; 12 Membership; 10 Refunds, Death, and Required Minimum Distributions; 20 Retirement; and Three Teachers' Defined Contribution Plan. Eight positions remain vacant.

3) KEY PERSONNEL:

Jeff Fleck, Executive Director
 Terasa Miller, Deputy Director/Chief Operating Officer
 Ken Woodson, Actuary
 John Galloway, CFO

4) FUNDING/BUDGET:

Each retirement plan is funded by employee and employer contributions. Funding is appropriated special revenue derived from allocations of actual costs to the administered retirement systems. Additionally, the Uniform Services Plans receive fees as set by statute. Assuming an annual interest rate of 7.50% (changed to 7.25% effective 7/1/2021), the contribution rates, percent funded, and unfunded accrued liability (UAL) as of July 1, 2021, per plan follow:

RETIREMENT SYSTEM	EMPLOYEE CONTRIBUTION	EMPLOYER CONTRIBUTION	PERCENT FUNDED	UNFUNDED ACCRUED LIABILITY (UAL)
PUBLIC EMPLOYEES (PERS)	4.5% for those hired before July 2015. 6% for those hired after.	10.0%	97.5%	\$196,390,000
TEACHERS DEFINED BENEFIT (TRS)	6.0%	23.01%**	76%	\$2,754,980,000
TEACHERS DEFINED CONTRIBUTION (TDC)	4.5%	7.5%	N/A	N/A
STATE POLICE (PLAN A)	9.0%	43.16%**	106.1%	(\$48,850,000)
STATE POLICE (PLAN B)	13.0%	28.0%	103.9%	(\$11,410,000)
JUDGES (JRS)	7.0%	\$742,000**	263.1%	(\$173,980,000)

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RETIREMENT SYSTEM	EMPLOYEE CONTRIBUTION	EMPLOYER CONTRIBUTION	PERCENT FUNDED	UNFUNDED ACCRUED LIABILITY (UAL)
DEPUTY SHERIFFS (DSRS)	8.5%	\$13%***	87.5%	\$39,540,000
EMERGENCY MEDICAL SERVICES (EMSRS)	8.5%	10.5%	112.8%	(\$13,560,000)
MUNICIPAL POLICE & FIREFIGHTERS (MPFRS)	8.5%	8.5%	180.2%	(\$10,720,000)
DNR POLICE OFFICERS (NRPORS)	9.5%	12%	89.8%	\$25,010,000

** Per Actuary: Normal Cost plus Unfunded Actuarially Accrued Liability

*** 13.0% plus Fee Deposits (0.68% for FY2022)

5) CORE FUNCTIONS OF AGENCY:

CPRB administers the retirement benefits for approximately 76,400 active members (those not yet retired) and more than 68,300 retirees and beneficiaries. As of July 1, 2021, the plans administered by CPRB had approximately \$19.073 billion in assets.

6) RECENT CHANGES TO ORGANIZATION:

During the 2019 Legislative Session, the Legislature created the Natural Resources Police Officer Retirement System. This new system became effective on January 2, 2021, and has 117 members. Eligible employees were able to retire immediately and we've already had some retire. Additionally, CPRB recently implemented a call center to ensure those contacting CPRB immediately speak with a trained individual who can help and direct them—creating a more positive experience for CPRB customers.

7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

As an administrative agency, the nature of CPRB proposed legislative changes is typically cleanup in nature. This year's proposed legislative changes are as follows:

- Various cleanup of the DNR plan and the EMS plan.
- Various cleanup of the two Teachers plans to incorporate language pertaining to charter schools.
- Add a new section clarifying how CPRB will handle market gains and losses in the final years of a retirement plan's amortization period or thereafter (referred to in industry as "layering").

8) CHALLENGES/OBSTACLES:

CPRB has been entrusted by the Legislature with a 10th retirement system: The Natural Resources Police Officer Retirement System. This plan has 117 members. Challenges include incorporating the new plan into our specialized pension administration computer system and interfacing with the wvOASIS system. During Fiscal Year 2022, the retirement assets had a -6.5% return. We assume that we'll get a 7.25% return. Therefore, there may be additional contributions required to the retirement plans to make up the difference. Also, there are more than 800 participating employers in the retirement systems administered by the CPRB, and with turnover of payroll staff at these employers, ensuring the timeliness and accuracy of the information we receive is a constant challenge.

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9) HIGHLIGHTS ABOUT AGENCY:

With seven of its eight defined benefit plans funded at 90% or greater, the retirement systems administered by the CPRB are among the top funded in the country. The Teachers Retirement System (TRS) is currently funded at about 73% but was as low as 9% in the early 1990s. It is considered a success story nationally in the way that a public pension defined benefit system should be funded. In evaluating the efficiency of our agency, it was determined that we are currently processing retirement applications faster now than before the pandemic. The ability to work remotely actually increased efficiency.

10) LEADERSHIP:

Jeff Fleck, Executive Director <i>Jeffrey.E.Fleck@wv.gov</i>	304-957-3523 (o)
Terasa Miller, Deputy Director/Chief Operating Officer <i>Terasa.L.Miller@wv.gov</i>	304-957-3521 (o)
Ken Woodson, Actuary <i>Kenneth.M.Woodson@wv.gov</i>	304-957-3527 (o)
John Galloway, CFO <i>John.D.Galloway@wv.gov</i>	304-957-3524 (o)

FY-2023 FACT SHEET**ENABLING STATUTE:**

W. Va. Code § 5A-1-11

1) PURPOSE/MISSION:

The mission of the West Virginia Office of Equal Opportunity is:

- To address and resolve EEO problems in state agencies and institutions of higher education;
- To prevent unlawful harassment and discrimination through up-to-date training;
- To host an annual training conference for the agency and higher education EEO counselors, coordinators, and human resources personnel; and
- To advise the Office of the Governor, state agencies, and state employees on current ADA and EEO laws and procedures.

2) STAFFING:

The West Virginia Office of Equal Opportunity operates under the Department of Administration. It is comprised of three staff: a director, an administrative secretary, and an EEO specialist.

3) FUNDING/BUDGET:

The West Virginia Office of Equal Opportunity operates under the Department of Administration.

4) CORE FUNCTIONS OF AGENCY:

The core functions of the WVOEO are:

- To assist all state agencies in mediating or investigating allegations of unlawful workplace harassment or discrimination based upon protected class;
- To provide useful, up-to-date training for all West Virginia state employees on identifying, preventing, and eliminating workplace harassment and discrimination through individual employee and agency training and by hosting an Annual Training Conference;
- To provide EEO advice and assistance as requested to state employees, including agency supervisors, managers, and directors;
- To form working relationships with other agencies and with community organizations to promote diversity and support affirmative action in West Virginia state government; and
- To maintain federally acceptable standards for EEO in state government, and to prevent litigation over EEO issues.

5) RECENT CHANGES TO ORGANIZATION:

During the 2022 Legislative Session, the Legislature codified the ADA and EEO into the West Virginia Office of Equal Opportunity.

6) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

Budget for attending trainings and purchasing training materials.

7) LEADERSHIP:

Kim Nuckles, Director/WV EEO

Kim.P.Nuckles@wv.gov

304-558-0400 (o)

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ENABLING STATUTE: W. Va. Code §§ 6B-1-1 through 6B-3-11, §§ 6B-2B-1 through 6, §§ 6-9A-10 and 11, §§ 18-5-1a(a) and (b)

REGULATORY AUTHORIZATION: W. Va. Code of State Rules §158 I through 20.

1) PURPOSE/MISSION:

To maintain confidence in the integrity and impartiality of the governmental process in the state of West Virginia and its political subdivisions and to aid public officials and public employees in the exercise of their official duties and employment; to define and establish minimum ethical standards for elected and appointed public officials and public employees; to eliminate actual conflicts of interest; to provide a means to define ethical standards; to provide a means of investigating and resolving ethical violations; and to provide administrative and criminal penalties for specific ethical violations herein found to be unlawful. W. Va. Code § 6B-1-2(b). The Commission also interprets the Open Governmental Meetings Act, W. Va. Code § 18-5-1a(a) and (b), which relate to eligibility to serve on a county school board, and W. Va. § 61-10-15, which relates to county contracts.

2) STAFFING:

The Executive Director supervises three full-time attorneys and two full-time administrative assistants.

3) KEY PERSONNEL:

Kimberly B. Weber, Executive Director
Theresa M. Kirk, General Counsel
Ellen Briggs, Executive Assistant

4) FUNDING/BUDGET:

Funding comes from General Revenue derived from an appropriation from the State General Fund. The FY 2022 budget appropriation is \$737,544; 100% of this is from General Revenue. The Ethics Commission has a Special Revenue Account which started in January 2015 in which complaint fines are deposited. The balance in that account is \$35,835.32.

5) CORE FUNCTIONS OF AGENCY:

The Commission enforces the Ethics Act's prohibitions through the Verified Complaint and Initiated Complaint processes; administers lobbyist registration and reporting provisions; publishes an annual Lobbyist Directory; renders formal Advisory Opinions on the meaning and application of the Ethics Act, the Open Governmental Meetings Act, and W. Va. Code § 61-10-15 (prohibited county contracts); issues formal Advisory Opinions to school board members and candidates for those boards regarding other elected or appointed positions potentially barring their service; administers the Code of Conduct for State Administrative Law Judges; processes Financial Disclosure Statements; and advises and educates public employees and officials regarding the Ethics Act and the Open Governmental Meetings Act. The Commission also is the repository of disclosure forms required to be filed regarding "interested parties" to certain state contracts.

6) RECENT CHANGES TO ORGANIZATION:

The Commission currently has three vacancies. The Commission's Probable Cause Review Board has one vacancy.

7) HIGHLIGHTS ABOUT AGENCY:

In calendar year 2021, the Ethics Commission received 90 Verified Complaints and approximately 3,240 Financial Disclosure Statements. There were 321 registered lobbyists. The Commission issued 25 formal Advisory Opin-

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ions, 26 Employment Exemptions, and trained 1,250 lobbyists, public officials, and employees throughout the state. The Commission provided 503 written responses of legal advice and provided oral legal advice to 1,102 people.

8) OTHER INFORMATION:

Oversight is provided by members of the Ethics Commission, who are appointed by the Governor with advice and consent of the Senate, and administratively by the Cabinet Secretary of the Department of Administration.

9) LEADERSHIP:

Kimberly B. Weber, Executive Director

Kimberly.B.Weber@wv.gov

304-558-0664 (o)

FY-2023 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 5A-2-1**1) PURPOSE/MISSION:**

The Finance Division provides financial management, accounting, and payroll services to the agencies of the Department of Administration as well as several State Boards and Commissions. In addition, the Division is responsible for the issuance of the state's Comprehensive Annual Financial Report (CAFR), Statewide Cost Allocation Plan (SWCAP), and Single Audit. The Finance Division also maintains the statewide vendor file, including preparation of IRS forms W-9 and 1099.

2) STAFFING:

Services are performed by 34 employees, broken down as follows:

Administrative:

(two) Deputy Director
(one) Administrative Secretary
(one) Accountant Auditor III

Shared Services Section:

- Accounting Services
 - (one) Procurement Supervisor
 - (one) Administrative Services Manager I
 - (two) Administrative Services Assistant I
 - (two) Accounting Tech III
 - (one) Accounting Tech IV
 - (one) Procurement Specialist
- Managerial Services
 - (one) Administrative Services Manager 2
 - (two) Accountant Auditor IV
- Payroll
 - (one) Administrative Services Manager I
 - (one) Human Resources Generalist II
 - (two) Human Resources Generalist I

Financial Accounting & Reporting Section:

(two) Financial Reporting Manager II
(five) Financial Reporting Specialist II
(two) Financial Reporting Specialists I
(one) Secretary II

Vendor Section:

(two) Administrative Services Assistant II
(one) Administrative Services I
(one) Accounting Tech IV
(one) Accounting Tech III

3) KEY PERSONNEL:

Acting Director/State Comptroller and Senior Management

FY-2023 FACT SHEET**4) FUNDING/BUDGET:**

FY 2022 General Revenue Budget	\$773,423	11%
FY 2022 Non-Appropriated Special Revenue Budget	\$3,938,881	59%
FY 2022 Appropriated Special Revenue Budget	<u>\$2,045,384</u>	<u>30%</u>
Total Budgeted Expenditures	\$6,757,688	

The Non-Appropriated Special Revenues are derived from fees for Shared Services, the CAFR, and Single Audit reports.

5) CORE FUNCTIONS OF AGENCY:**Shared Services Section**

- Accounting Services – Provides procurement, accounts payable, and collections for several agencies within the Department of Administration, as well as State Boards and Commissions.
- Managerial Services – Provides expertise in accounting to Department of Administration agencies. Examples of services include monitoring cash flows, appropriation and expenditure requests, preparing profit and loss reports, and debt service payments.
- Payroll – Oversees payroll for the Department of Administration and numerous state boards and commissions, as well as leave administration.

Financial Accounting and Reporting Section (FARS) - Provides valid financial information to citizens and decision-makers to allow for sound financial decision-making. Annual reports prepared include the CAFR, Single Audit, and SWCAP.

Vendor Section – Responsibilities include administration of the statewide vendor file and the completion of IRS forms W-9 and 1099.

6) RECENT CHANGES TO ORGANIZATION

Shared Services is available to all state agencies.

7) CHALLENGES/OBSTACLES:

Finance Division's biggest obstacle is recruiting and retaining staff due to non-competitive salaries and long hours.

8) HIGHLIGHTS ABOUT AGENCY:

The Finance Division has obtained the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting since 1995.

9) LEADERSHIP:

David Mullins, Acting Director
Dave.W.Mullins@wv.gov

304-558-6181 (o)

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ENABLING STATUTE: W. Va. Code § 5A-12-1, et seq.

1) PURPOSE/MISSION:

The mission of the Fleet Management Division (FMD) is to provide safe, efficient, and reliable fleet services in the most cost-effective manner possible. The FMD assists state spending units by providing exceptional fleet service and by promoting teamwork to accomplish the state's strategic goals and objectives.

2) STAFFING:

FMD currently has nine full-time employees, including an executive director, one Administrative Services Assistant 3, one Data Warehouse Specialist, three Administrative Services Assistants I, one Accounting Technician 3, one Office Assistant 3 and one Office Assistant 2.

3) KEY PERSONNEL:

Director
Fleet Manager – ASA3
Fleet Administrator – Data Warehouse Specialist I
Fleet Analyst Fueling – ASAI
Fleet Analyst Maintenance – ASAI
Fleet Coordinator – ASAI
Fleet Assistant - Accounting Technician 3
Fleet Assistant – OA3
Fleet Assistant – OA2

4) FUNDING/BUDGET:

Funding for the FMD comes from a monthly administrative fee for state owned and leased vehicles. In addition, the FMD receives 50% of the resale value of leased vehicles.

FY 2023 Budget: The FMD operates on a \$13,232,989 annual budget.

5) CORE FUNCTIONS OF AGENCY:

- Approves and tracks the acquisition and decommission of state vehicles with a classification of one ton and under.
- Finances the purchase of vehicles from statewide contracts issued by the Purchasing Division for agencies' daily operations.
- Provides statewide contracts for an online reservation and kiosk for sharing pool vehicles, a driver safety program, telematics, and vehicle maintenance and fueling services to all state vehicles with a classification of one ton and under.
- Provides the tools that allow the agencies to report on fleet inventory and operating cost.
- Maintains a rental fleet for state agencies located around the Capitol Complex.
- Assists with agency vehicle specifications for vehicles not found on the statewide contract.
- Trains Agency Fleet Coordinators (AFC) on the requirements found in §5A-12 and Rule 148-3.

6) RECENT CHANGES TO ORGANIZATION

- A new Fleet Manager started with FMD on 12/5/2022.
- FMD will move from Building 17 to the former West Virginia Board of Pharmacy location at 2310 Kanawha Blvd. East after December 1, 2022.

FY-2023 FACT SHEET**7) CHALLENGES/OBSTACLES:**

- Ensuring all State agencies participate in FMD programs and in wvOASIS fixed assets
- Find an effective way to enforce FMD's approval (as mandated in §5A-12) for acquiring and decommissioning one ton and under state vehicles
- Account for vehicles over one ton that are operated by agencies exempt from Surplus Property
- Finding a solution to pending vehicle inventory issues that have been identified but not addressed
- Consolidating the state's vehicle inventory and operating cost into one database for reporting purposes
- Acquiring more than 3,000 monthly ending odometer readings and uploading them monthly into Holman's database
- Tracking vehicle utilization by fueling transactions and monthly vehicle logs

8) HIGHLIGHTS ABOUT AGENCY:

- In FY22, FMD and ARI saved the state \$392,414.92 in maintenance costs by suggesting alternatives to the garages' recommended repairs.
- Received, sorted, and distributed 2,908 license plate renewals with an expiration date of 12/31/22
- Training the Agency Fleet Coordinators (AFCs)
 - Conducted Cohort online training session once a month during 2021 and every other month during 2022
 - Trained nine new AFCs during FY22
- Completed a state vehicle underutilization report on 8/2/2022 listing 6,943 one ton and under state licensed vehicles and identified 4,419 vehicles that do not average 1,100 miles/month
- Processed 1,071 vehicle requests for the MV2022 vehicle statewide contracts
 - 233 declined
 - 291 vehicles purchased as Agency Owned
 - 166 vehicles leased through FMD
 - 238 decommissioned
 - 143 reassignments
- Telematics Pilot Program
 - FMD add telematics to the Vehicle Management contract and currently there are 200 devices installed across seven agencies
- Online Reservation and Kiosk System for vehicle pooling/sharing
 - FMD implemented the Capitol Complex Motor Pool which is an online reservation and kiosk system that facilitates sharing non-assigned pool vehicles across agencies. The program went online on 5/12/2021 and to date the system has facilitated 272 reservations and currently has 15 vehicles in the program.
 - West Liberty University added their vehicles to the online reservations system during October 2022.

9) LEADERSHIP:**Kenny Yoakum, Executive Director***Kenny.H.Yoakum@wv.gov***304-558-2106 (o)**

FY-2023 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 5A-4**1) PURPOSE/MISSION:**

The General Services Division (GSD) provides grounds and facilities management, engineering, custodial and maintenance services in order to maintain a safe and comfortable work environment for the West Virginia Capitol Campus and all buildings owned and operated by the Department of Administration.

2) STAFFING:

Services currently performed by 115 people (111/116 full time and 4/5 temporary positions):

- Administration - 3/3
- Business - 13/13
- Occupational Health & Safety - 2/2
- Maintenance - 55/57
- Grounds - 12/12 and two Temps
- Custodial - 18 /20 and two Temps
- Architect/Engineering - 7/8
- Energy - 1/1

3) KEY PERSONNEL:

Robert Kilpatrick, Deputy Director
Nicole Adkins, Admin Secretary
Ada Kennedy, Business Manager
Scot Casdorff, Architecture & Engineering Manager
Dave Parsons, Energy Manager
Jim Hawley, Custodial Manager
John Cummings, Grounds Manager
Scotty Pauley, Operations and Maintenance Manager

4) FUNDING/BUDGET:

Funding is General Revenue by appropriation, Appropriated Special Revenue derived from excess lottery funds and Non-Appropriated Special Revenue derived from rent received.

FY 2023 Total Budget	\$79,384,543
General Revenue 40%	\$31,906,883
Special Revenue 60%	\$47,477,660

5) CORE FUNCTIONS OF AGENCY:

General Services Division provides facility maintenance for 38 major buildings throughout the State, custodial and groundskeeping services at the Capitol Complex and by contract elsewhere, architect/engineering and construction management services, energy management, and the administration, business and occupational safety and health support for all of its internal sections.

6) RECENT CHANGES TO ORGANIZATION

GSD relocated its entire Capitol Complex staff to various new offices on the Complex to accommodate the East Campus and Building Four Renovations projects. GSD replaced its Administrative Secretary when the incumbent retired after 25+ years' service to the Agency.

FY-2023 FACT SHEET**7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGE**

There are no current requests made by the Agency for Legislative Initiatives for the 2023 Session.

8) CHALLENGES/OBSTACLES:

Aging building infrastructure; acquiring and retaining full and adequate staffing to meet demands on Agency; provided budget versus customer expectations (including adequate rental rates); operating an Agency responsible for building occupancy and safety during the COVID-19 global pandemic has given rise to many unique challenges; managing multiple large-scale construction projects both on and off the Capitol Complex; and preparing for the potential addition of buildings into the Agency inventory.

9) HIGHLIGHTS ABOUT AGENCY:

Completed major construction, including:

- Interior renovations to five floors of Campus Building 6
- Hardscape spot repairs (slip, trip and fall hazards Campus-wide)
- North Plaza exterior lighting energy upgrades
- Chiller Plant annex/natural gas generator plant project

Ongoing major construction includes:

- Renovating Building Four
- Changing out the power-consuming architectural lighting outside of the West Wing of the Capitol Building
- Constructing new GSD warehouse and grounds facilities and central mailroom on the East Capitol Campus
- Completing Phase I and launching Phase 2 of the North Steps Project
- Ongoing Modernization of Elevators in buildings across the Agency inventory
- HVAC renovations in main Capitol, Campus Buildings 5/6/7, Parkersburg and Fairmont buildings

10) LEADERSHIP:

Bill Barry, Director
William.D.Barry@wv.gov

304.558.1808 (o)

FY-2023 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 29-6-I et seq.**1) PURPOSE/MISSION:**

The Division of Personnel (DOP) was created in 1989 by the Legislature to provide leadership in human resources management for state government. The Division's services touch all aspects of employment from application and hiring through separation or retirement. The DOP supports state government agencies' human capital needs through an integrated system for recruiting, screening and referring applicants for employment with oversight that ensures personnel standards and policies are met; establishes and maintains classification and compensation plans; is the responsible repository assuring compliance with personnel standards and policies for employee personnel records; formulates and consistently interprets personnel policies and procedures and provides assistance in grievance and disciplinary matters; and provides organizational and human resource development and training.

2) STAFFING:

TOTAL 40:

- Administration - 5
- Classification and Compensation - 5
- Personnel Transaction Review - 11
- Employee Relations - 3
- Staffing - 9
- Organization and Human Resource Development (OHRD) - 7

3) KEY PERSONNEL:

Joe Thomas, Deputy Director

Layna Valentine-Brown, Administrative Secretary

Mark Isabella, Manager of Innovation and Change

*Joe.F.Thomas@wv.gov**Layna.S.ValentineBrown@wv.gov**Mark.D.Isabella@wv.gov***4) FUNDING/BUDGET:**

Funding for the DOP is derived from fees charged to state government agencies that are served by the sections of the DOP.

5) CORE FUNCTIONS OF AGENCY:

The Administration section coordinates the financial, purchasing, human resources, information technology and administrative functions of the DOP. This section also serves as advisor to the Director, providing human resource generalist knowledge, workforce analytics, project management, and input into key functions within the DOP. In addition, the Director's Office manages the communication, scheduling, and recordkeeping functions of the State Personnel Board.

The Classification and Compensation section is responsible for the creation and maintenance of the State's classification and compensation plans. This section works cooperatively with user agencies in the development and revision of job class specifications based on new programs, workplace reorganizations and emerging challenges. Staff also assist agencies in responding to recruitment and retention problems and other compensation-related issues. In addition, this section conducts and participates in a variety of salary surveys at the national, regional, and local levels to encourage competitive compensation.

The Personnel Transaction Review section protects state resources by providing checks and balances, training, and guidance material pertaining to a variety of employment transactions. This section consults with agency

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human resource professionals to develop and improve internal agency processes and systems.

The Employee Relations section (ER) serves as a trusted resource for professional human resources consultation. ER provides comprehensive guidance and technical assistance to West Virginia state agencies and employees regarding the full range of human resources management policies and practices. These include federal and state employment-related laws and regulations, such as the Fair Labor Standards Act (FLSA), Wage Payment and Collections Act, Family and Medical Leave Act(s) (FMLA) as well as the DOP's statute and legislative rules, personnel policies, disciplinary actions, and grievances. In addition, ER authors a variety of human resources guidance documents made available on the DOP website and provides training upon request. The ER section is also authorized by the West Virginia State Police and the Federal Bureau of Investigation (FBI) to obtain criminal history record information to make suitability determinations for employment in the classified service.

The Organization and Human Resource Development (OHRD) section works to improve the effectiveness and efficiency of state government through the development of a skilled workforce by providing: 1) an extensive offering of classroom and online training programs for employees and managers in both DOP covered and exempt agencies; 2) coaching services to improve the performance of employees, managers, and executives; and 3) consulting to foster higher competency in critical managerial functions, ensure that public funds are expended judiciously, and promotes respectful and satisfying customer service.

The Staffing Services section supports state agencies in employing and retaining individuals of the highest ability and integrity by working with agencies to plan and coordinate recruiting efforts and advertise positions. Job counseling is offered to applicants to help identify opportunities in state government in which they may be successful. Creating a quality workforce to encourage diversity in the state is one of the DOP's goals. The DOP recognizes merit and welcomes, respects, and values the contributions of those with diverse backgrounds. The section administers the hiring system for the classified service by establishing valid and reliable selection procedures for recruiting and evaluating applicants; creating lists of qualified applicants; and providing the best-qualified applicants to state agencies for appointment consideration. Online tests are available for positions in which a test is required. The DOP also provides deputy sheriff testing material to county Civil Service Commissions and has recently introduced online testing as a convenient option.

6) RECENT CHANGES TO ORGANIZATION

The DOP is consistently reviewing processes to ensure the most expeditious service is being provided to agencies. Recent changes are identified under the Highlights About Agency section.

7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

The primary legislation pending is the request to update the entire DOP code section to create efficiencies in the hiring process and address pay stagnancy.

8) CHALLENGES/OBSTACLES:

The DOP must provide leadership in human resources to classified agencies with limited resources and in a time of rapidly evolving political, social, legal and demographic trends. The COVID pandemic has also created unprecedented human resources challenges.

9) HIGHLIGHTS ABOUT AGENCY:

The DOP continues to make improvements in the services it provides.

The DOP continues to increase utilization of the auto-scoring capabilities of the NEOGOV applicant tracking

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system to greatly increase efficiency in the review of applications for employment and certification of names of eligible applicants to hiring agencies.

The DOP transitioned the process for posting internal agency positions into the NEOGOV system. This not only simplified and expedited the process, it further integrated the processes for posting positions and establishing lists of eligible applicants. This integration also enabled the DOP to provide increased flexibility with minimum qualification preference and substitutions to assist agencies with recruitment in an extremely challenging labor market.

The DOP fully implemented a modernized employee performance appraisal process. The new process utilizing the NEOGOV system will further integrate operations and facilitate use of data analytics. The revised process became effective January 1, 2022.

The Classification and Compensation Section continues to meet with Human Resources Directors throughout the state to discuss various classification and compensation issues facing the agencies. This workgroup assists in identifying current issues, as well as provides recommendations and insight into avenues of change to improve the overall system. This section has also been working with agencies to update classification specifications that are outdated.

In addition to providing individualized consultation services to agencies and employees, the ER section authors a variety of human resources guidance documents made available through quarterly meetings of the Human Resources Advisory Committee and the DOP website. ER has created guides as well as sample policies and documents directly related to the suspension of DOP rules and administration of human resources law, rule, and policy impacted by the ongoing COVID pandemic.

The OHRD section continues to offer a completely virtual option for supervisors and managers to complete the training requirements established under the DOP Supervisor/Manager Training Program policy (DOP-PI8) and other courses but has transitioned back to face-to-face instruction where feasible. The continued use of online learning is primarily a result of the COVID pandemic but will be used going forward when determined to be effective.

I0) OTHER INFORMATION:

The following options should be considered by all stakeholders to provide better tools for recruiting and retaining well educated and skilled workers who can replace retirees and individuals affected by relocation and to potentially decrease the number of workers who leave the State for other employment:

- More frequent updates to the salary schedule and compensation plan.
- Offer flexible benefit options for workers seeking non-traditional benefits such as educational loan repayment.
- Encourage promotion within, compensation for meritorious performance, job progression, continuing education, and succession planning.

II) LEADERSHIP:

Sheryl R. Webb, Director
Sheryl.R.Webb@wv.gov

304-558-3950

FY-2023 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 7-4-6 and § 61-8B-15**1) PURPOSE/MISSION:**

The Prosecuting Attorneys Institute provides special prosecutors where elected prosecutors are unable to serve; provides training, service, support and resources to the prosecutors and staffs to enhance and improve the quality of all prosecution throughout the state; educates law enforcement regarding the constantly changing face of the law; and expands the public's knowledge of the criminal justice system.

2) STAFFING:

The Institute is maintained by five full-time employees: three legal and two administrative.

3) KEY PERSONNEL:

Philip Morrison, Executive Director
Sherry Eling, Violence Against Women Resource Prosecutor
Nicole Cofer, Traffic Safety Resource Prosecutor
Amy Leslie, Administrative Assistant
Luke McVay, Tech Services

4) FUNDING/BUDGET:

The Institute is funded through General Revenue and Special Revenue from the special prosecutor premiums paid by county commissions.

FY 2023 Annual Budget:	\$810,952
General Revenue 31.2%	\$252,704
Special Revenue 68.8%	\$558,248

The General Revenue appropriation comes in two allotments from the Legislature. Each is dedicated to particularized uses. The first is the Forensic Evaluation Fund and the second is used specifically for grant matching although both funds entitle West Virginia to draw down federal dollars either directly to the Institute or, in the case of the Forensic Evaluation Fund, allows multiple entities to draw down funds. The Forensic Evaluation Fund may be viewed as earnest money, if you will, that the Justice Department requires as a condition precedent to the receipt of Violence Against Women grant funding. Special Revenue comes from grant funding or premiums paid to the Institute by the counties which are set by code.

5) CORE FUNCTIONS OF AGENCY:

The Institute Core Operations (largely county premium or grant funded) provide special prosecuting attorneys; training for prosecutors, law enforcement and other agencies; legal research, technical assistance, and technical and professional publications and manuals to prosecutors; and identification of experts and other resources for use by prosecutors. The Institute provides updates on legislation, court cases, court rules, policies and procedures and new practices. Grant funded programs include:

- Violence Against Women Resource Prosecutor program, which works to provide support and training for prosecutors and law enforcement and, to some extent, the public on topics related to best practices in sexual assault and domestic violence cases
- Finding Words/Child First (Forensic Interviewing of Children Program)
- WV Traffic Safety Resource Prosecutor program, which provides support and training for prosecutors and law enforcement and, to some extent, the public on topics related to best practices related to traffic safety.

FY-2023 FACT SHEET**6) CHALLENGES/OBSTACLES:**

Our challenge, like other agencies, is money and salaries. Because of the increasing costs to the employees the traditional benefits package is less attractive to potential new hires. We simply have to find a way to make the salary side of the equation more attractive to offset this.

7) HIGHLIGHTS ABOUT AGENCY:

24/7 on-call resource to all state prosecutors in West Virginia regarding any prosecution-related request including special prosecutors, legal research and case consulting.

8) OTHER INFORMATION:

Agency oversight is by the West Virginia Prosecuting Attorneys Institute Executive Council and by the Cabinet Secretary of Administration. Institute membership consists of 55 prosecutors (each county prosecutor's office is funded by their respective county and not the state). The Executive Council consists of seven prosecuting attorneys elected by all 55 members and two persons appointed annually by the West Virginia County Commissioners Association.

9) LEADERSHIP:

Philip W. Morrison, Executive Director

Philip.W.Morrison@wv.gov.

304-558-3348 (o)

FY-2023 FACT SHEET

ENABLING STATUTE: W. Va. Code §§ 29-21-1, et seq.

REGULATORY AUTHORIZATION:

W. Va. Code § 29-21-5 authorizes the agency's Executive Director to promulgate legislative rules. The agency promulgated the legislative rule codified in Title 89, Series I, of the Code of State Regulations, 89CSRI, entitled *Payment of Fees and Reimbursement of Expenses of Court-appointed Attorneys*.

1) PURPOSE/MISSION:

The agency is responsible for fulfilling the State of West Virginia's constitutional obligation under the Sixth and Fourteenth Amendments to the United States Constitution and Section 14 of Article III of the West Virginia Constitution to provide legal counsel to indigent defendants in criminal or related proceedings.

2) STAFFING:

The agency has 31 positions. Two vacancies exist in the Habeas Corpus Division. Two vacancies exist in the Appellate Advocacy Division. One vacancy exists in the Public Defender Resource Center. One vacancy exists for a position funded by the Title IV-E payments. Candidates for each of these vacancies are actively being sought. The agency is organized into three divisions: an Administrative Division, a Policy Division, and an Office of Legal Representation. The Administrative Division is overseen by the Chief Operating Officer and is comprised of Appointed Counsel Services and human resources. Appointed Counsel Services is staffed by one director and four processors. The Policy Division encompasses the Chief Executive Officer, the Chief Process Officer, the Chief Financial Officer, and a Coordinator of Programs. Within the Policy Division are (i) the Financial Division which includes the auditor of the voucher processing function and the office manager; (ii) the Criminal Law Research Center which includes one coordinator; and (iii) the Public Defender Corporation Resource Center which is staffed by an administrative assistant and a coordinator. The Office of Legal Representation includes (i) the Appellate Advocacy Division which is staffed by four appellate attorneys, one paralegal, and one secretary; and (ii) the Habeas Corpus Division which is staffed by four attorneys, one paralegal, and one investigator. The Appellate Advocacy Division and Habeas Corpus Division share one (1) administrative assistant. Additionally, one position was created that is funded with payments received under Title IV-E of the Social Security Act. The position is a coordinator who assists with the development of programs for which the payments can be expended. The position will be eliminated if payments under Title IV-E end.

3) KEY PERSONNEL:

Generally, the agency functions at a level that requires specialization in every division. The following positions could be eliminated if reduction of force was mandated but would mean the diminishment of services including the inability to organize affordable legal seminars for court-appointed attorneys and public defenders and the ability to monitor proposed reforms in criminal justice and to closely monitor the compliance of the public defender corporations with the agency's funding contracts: Coordinator of Criminal Law Research Center, the administrative assistant within the Public Defender Corporation Resource Center, and the Chief Operating Officer.

4) FUNDING/BUDGET:

FY 2023 Budget: \$37,181,199. A Supplemental Appropriation of \$20,000,000 will be required. The Criminal Law Research Center has \$32,284.94 on account which is generated by fees from the continuing legal education programs and which is used to offer other continuing legal education programs at no cost. The balance of Title IV-E payments held by the agency is \$6,237,937. Programs to be supported by these funds are being developed, including the hiring of additional child abuse and neglect attorneys in public defender corporations and the hiring of staff to serve as navigators for parents who are the subject of child abuse and neglect proceedings.

FY-2023 FACT SHEET**5) CORE FUNCTIONS OF AGENCY:**

The agency has six core functions under the present structure of the state's indigent defense system.

CORE FUNCTION NO. 1: The agency is responsible for processing for payment the vouchers for the legal services provided by court-appointed private counsel. In fiscal year 2022, the agency processed 39,591 vouchers, totaling \$30,929,502.61. When electronically received, the agency reviews the vouchers of court-appointed attorneys requesting payment of their compensation for legal services and the reimbursement of their incurred expenses. The review ensures compliance with the governing statute, the agency's legislative rule, and the Office of the Auditor's guidelines and the reasonableness and necessity of the services. When approved by the agency, the agency's electronic system generates batches of vouchers to be submitted through wvOASIS to be further processed by the Office of the Auditor for compliance with its guidelines. The vouchers are then submitted to the Office of the Treasurer for issuance of warrants to the attorneys providing the services.

CORE FUNCTION NO. 2: The agency is responsible for the management of funding contracts executed with 19 Public Defender Corporations. The appropriation for this purpose is \$22,155,323.

CORE FUNCTION NO. 3: The agency provides support to the Public Defender Corporations by centralizing certain administrative and other functions through its Public Defender Corporation resource center that is funded, in part, by the appropriation to the Public Defender Corporations. The agency's mitigation services, recovery coach project, and SWIFT Defense of Women initiative are examples of resources that are provided to several corporations collectively whose budgets individually would not otherwise enable retention of an investigator or social worker to serve the needs of their clients.

CORE FUNCTION NO. 4: The agency represents indigent defendants in the appeal of their convictions. With only three active attorneys in the division, the agency's protocol is that only cases with significant legal issues will be handled. The remaining appeals will be handled by court-appointed private counsel at a significantly greater cost than the cost of adding attorneys to the division's staffing.

CORE FUNCTION NO. 5: The agency represents incarcerated individuals petitioning the circuit courts and the Supreme Court of Appeals for writs of habeas corpus. Cases not handled by the division will be handled by court-appointed counsel if any are willing to take such appointments.

CORE FUNCTION NO. 6: The agency's criminal law research center provides support to criminal defense attorneys and sponsors an annual conference that has received national recognition. The center periodically provides or sponsors other legal education programs throughout the year on topics of immediate interest, including in the past year a boot camp to train attorneys how to represent children in juvenile proceedings.

6) RECENT CHANGES TO ORGANIZATION:

The agency receives funding under Title IV-E of the Social Security Act that will enable the agency to develop programs to improve the quality of legal representation in child abuse and neglect proceedings.

7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

The agency is seeking a supplemental appropriation in the amount of \$20,000,000 to continue payments to the court-appointed counsel on a timely basis.

8) CHALLENGES/OBSTACLES:

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The most substantial challenges are:

ONE: The system of indigent defense envisioned in 1989 should be completed. Presently, Public Defender Corporations are serving only 20 of 31 judicial circuits. The corporations are an efficient and effective means of providing representation. Private counsel will still be appointed to handle conflict matters and to handle, generally, child abuse and neglect proceedings. But Public Defender Corporations provide a platform for programs to assist clients with issues such as treatment, employment, housing and transportation that solo private counsel cannot do as they have limited or no resources. The corporations also provide for the wellness of attorneys through insurance benefits, retirement benefits, and collegiality. Finally, the experience of creating a Public Defender Corporation in Wood and Wirt counties demonstrates that cases will be resolved more efficiently and effectively than can be done with solely private counsel.

TWO: The private counsel who take court-appointments should be overseen generally as are the Public Defender Corporations. The agency could then regulate the appointment of counsel, impose certain levels of qualifications for appointments to various types of cases, impose uniform standards of representation, and resolve issues surrounding complaints about the representation. Presently, the private counsel are appointed by local courts without the agency's knowledge or input and are, after appointment, not subject to review or oversight by any entity, therefore preventing assurances that services are being provided effectively and zealously. Such oversight would reduce the number of habeas corpus petitions that are filed on the grounds of ineffective assistance of counsel.

9) HIGHLIGHTS ABOUT AGENCY:

The agency's recovery coach program is now operating statewide, and its operation has resulted in national recognition. The agency has a pilot program involving a social worker who intervenes with female clients in the designated Public Defender Corporations to determine the needs of such clients that are not being met and that may be a cause of the intersection with the criminal justice system. The agency is developing a pilot project for a parental navigator who will be a person with lived experience who will help the clients of a designated Public Defender Corporation who are involved with child abuse and neglect proceedings to fulfill their obligations in such proceedings with the hope that such proceedings are resolved more quickly; more parents are reunited with children; and, if necessary, ensure the transition to adoption of the children is done with less traumatic effect.

10) OTHER INFORMATION:

The agency is involved in an effort to develop a criminal justice database for West Virginia and has received a "Concept of Operations" from an expert on the development of the database prepared by experts whose technical assistance was provided pursuant to a grant from the Bureau of Justice Assistance's National Training and Technical Assistance Center. The agency is also exploring a potential pilot project for counsel at first appearance to reduce the number of jail days during the pretrial period.

II) LEADERSHIP:

Dana F. Eddy, Executive Director

Dana.F.Eddy@wv.gov

304-558-3905 (o)

FY-2023 FACT SHEET

ENABLING STATUTE: W. Va. Code § 6C-3-1 et seq

REGULATORY AUTHORIZATION:

Title 156 Series 1 – Rules of Practice and Procedure of the West Virginia Public Employees Grievance Board

Title 156 Series 2 – Notice and Conduct of Meetings

1) PURPOSE/MISSION:

The Public Employees Grievance Board provides a fair, consistent and expedited administrative process for resolving employment related disputes between employers and employees of the Executive Branch, Public Institutions of Higher Education, County Health Departments, and County Boards of Education, covering more than 74,000 employees. The Board is responsible for administering the grievance procedure and has jurisdiction regarding procedural matters at all levels of the grievance procedure.

2) STAFFING:

Services are performed by 11 full-time employees: one Director, one Chief Administrative Law Judge (ALJ), five Administrative Law Judges, and five administrative support staff.

3) KEY PERSONNEL:

Five-member Board appointed by the Governor, Director appointed by the Board, and Chief Administrative Law Judge.

4) FUNDING/BUDGET:

FY 2023 Budget: 100% General Revenue

\$1,154,968

5) CORE FUNCTIONS OF AGENCY:

There are three levels of grievances:

Level One – An employee can file a grievance with a chief administrator stating the nature of the grievance and the relief requested and request a conference (an informal meeting) or a hearing (a recorded proceeding where a grievant can call witnesses and present evidence). The chief administrator will issue a written decision within fifteen days of the conference or hearing.

Level Two – Within 10 days of receiving an adverse written decision at level one, a grievant can submit a written request for mediation by a Board ALJ, private mediation, or private arbitration. Private mediation and arbitration can be obtained by written agreement between the parties to share the cost.

Level Three – Within 10 days of receiving a written report that level two was unsuccessful, the grievant can file a written appeal with the employer and the Board requesting an administrative hearing on the grievance. A board administrative law judge will conduct a hearing. Parties have an opportunity to submit Proposed Findings of Fact and Conclusions of Law within 20 days of the level three hearing. Upon receipt of the final submission of Proposed Findings of Fact and Conclusions of Law, the administrative law judge renders a decision setting forth Findings of Fact and Conclusions of Law on the issues submitted.

6) RECENT CHANGES TO THE ORGANIZATION:

New Director, Michelle L. Bradley

FY-2023 FACT SHEET**7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES**

To amend W.Va. Code §6C-2-6(b). to correct the court for appeals of level 3 decisions by replacing the circuit court of Kanawha County with the Intermediate Court of Appeals. Per SB 275 (2021), effective July 1, 2022, the Intermediate Court of Appeals is the proper appellate court for appeals of level three decisions issued by the Grievance Board.

8) CHALLENGES/OBSTACLES:

The agency received a minor increase for FY 2023 to offset the across the board raises. No increases in appropriations to account for increasing costs of goods and services.

9) HIGHLIGHTS ABOUT AGENCY:

- Cost avoidance through successful alternative dispute resolution at level two.
- FY 2022, the Grievance Board met its estimated performance measures regarding decisions issued by administrative law judges within 30 days after a hearing or receipt of the Proposed Findings of Fact and Conclusions of Law.
- FY 2022, the Grievance Board continued to maintain a rate of 100% of decisions issued by administrative law judges within 90 days after a hearing or receipt of the Proposed Findings of Fact and Conclusions of Law.

8) LEADERSHIP:

Michelle L. Bradley

Michelle.L.Bradley@wv.gov

304-352-1300

FY-2023 FACT SHEET**ENABLING STATUTE:**

W. Va. Code § 5-16-1 through § 5-16-27 (PEIA and Finance Board)

W. Va. Code § 5-16D-1 through § 5-16D-6 (West Virginia Retiree Health Benefit Trust Fund)

1) PURPOSE/MISSION:

The Mission of the Public Employees Insurance Agency (PEIA) is to administer affordable insurance programs and services that protect, promote and benefit the health and well-being of our members. PEIA provides benefits to 230,000 members in the following categories: county boards of education, higher education, state agencies, local governments, retirees and surviving dependents.

2) STAFFING:

PEIA is administered by 52 full-time employees: six administration, seven clinical services, three communications, 10 customer service, 12 eligibility, eight finance, six premium accounts.

3) KEY PERSONNEL:

Bill Hicks, General Counsel

Charlotte Stover, Deputy Director of Insurance and Member Services

Felice Joseph, Pharmacy Director

Jan Powell, Operations and Communications Manager

Jason Haught, Chief Financial Officer

Dr. Lisa Newell, Medical Director

Tom Miller, Privacy and Security Officer

4) FUNDING/BUDGET:

Funding is provided through the premiums of participating employers, employees, and retirees. Budget guidance for general revenue-funded agencies is provided by the Governor after reviewing revenue projections for the next fiscal year.

TOTAL BUDGET FY2023:

\$1.03 Billion

\$ 868 Million – Active

\$ 166 Million – Retiree

5) CORE FUNCTIONS OF AGENCY:

PEIA provides life insurance, health care benefits and flexible benefits; controls enrollment and eligibility for the plans; increases awareness related to insurance and health care; administers effective and efficient programs and services; ensures that claims and other requests are processed promptly and accurately; works with providers to ensure ample access to medical services at reasonable costs; develops and implements programs and services to address various health problems facing insureds; and assists members regarding insurance and health care benefits.

6) RECENT CHANGES TO THE ORGANIZATION:

There are no recent changes.

7) CHALLENGES/OBSTACLES:

PEIA continues to be challenged with offering the current health care insurance benefit levels with ever-increasing healthcare costs.

FY-2023 FACT SHEET**8) HIGHLIGHTS ABOUT AGENCY:**

- Wondr weight loss program - ongoing
- Updated Bariatric Policy to collaborate with the four Centers of Excellence in West Virginia and a pilot for the limited use of weight loss medications
- SWORD pilot - virtual physical therapy for improved access and lower cost to members needing conservative care
- Conducting pilots of two diabetes management programs to determine efficacy.

9) OTHER INFORMATION:

- OPEB - other post-employment benefits liability of State government is \$1.6 billion (Net OPEB Liability, OPEB Liability - OPEB Assets = \$36 million)

10) LEADERSHIP:

Jason Haught, Acting Executive Director
Jason.A.Haught@wv.gov

304-957-2627 (o)

FY-2023 FACT SHEET

ENABLING STATUTE: W. Va. Code § 5A-3, et. al. [Related statutes: W. Va. Code § 5-22 and 5G]

REGULATORY AUTHORIZATION: W. Va. Code of State Rules 148-CSR-1

1) PURPOSE/MISSION:

The Mission of the Purchasing Division is to provide prudent and fair spending practices in procuring quality goods and services at the lowest cost to state taxpayers by maximizing efficiencies and offering guidance to our customers.

2) STAFFING:

The Purchasing Division is staffed with 50 full-time employees:

- 18 in the Acquisition and Contract Administration section;
- Five in the Communication and Training section;
- 10 in the Business and Technical Services section;
- 14 in the Program Services section; and
- Three in the Administrative Office of the Director.

3) FUNDING/BUDGET:

FY2023 Budget:	\$3,162,703
General Revenue (34%)	\$1,081,298
Special Revenue (66%)	\$2,081,405

4) CORE FUNCTIONS OF AGENCY:

The Purchasing Division oversees the procurement of commodities, business services, professional services, and construction exceeding *\$50,000, and delegates procurement authority to state agencies under that dollar threshold. Various functions related to the state procurement process include training and professional development, vendor registration, purchase order encumbrance, inspection and contract management. In addition, the Purchasing Division administers the Surplus Property Program (see separate Fact Sheet for Surplus Property).

**or \$100,000 for agencies with increased delegated authority*

5) 2022 LEGISLATIVE SUMMARY:

HB4499 was passed by the Legislature and signed into law on March 28, 2022. Among the changes, the new law gave the Purchasing Director the authority to increase an agency's delegated spending authority up to \$100,000; removed the requirement for vendors to submit an affidavit stating that they do not owe any debt to the state greater than \$1,000; removed certain disclosures of information required by vendors during the registration process with the Purchasing Division; made purchasing from nonprofit workshops optional; and changed submission requirements for the Disclosure of Interested Parties Form, now allowing vendors to submit the form prior to commencing work on a project rather than prior to the award of the contract.

6) CHALLENGES/OBSTACLES:

- Enhancing performance and work outcomes of agency purchasing officers through education, training and certification efforts
- Improving efficiency of the purchasing process while maintaining transparency and compliance with all state laws, rules and procedures
- Acquiring/developing reporting tools that accurately reflect the State's spend

FY-2023 FACT SHEET**7) HIGHLIGHTS ABOUT AGENCY:**

- In 2022, the Purchasing Division completed Phase I of its project with the Toyota Production System Support Center (TSSC). As a result of this initiative, the Purchasing Division put into action several actionable recommendations from TSSC and ideas generated internally, including but not limited to a Requisition Submission Compliance Checklist, a new fast-track for commodities procured frequently with a vendor pool well versed in state purchasing procedures, and developed a new Request for Information Standard Template. The project showed improvement across most KPIs.

8) OTHER INFORMATION:

There are 48 exemptions, both full and in part, from the Purchasing Division's authority. These include Higher Education, State Police, Division of Natural Resources, Division of Highways road construction, and the Judicial and Legislative branches of government.

9) LEADERSHIP:

W. Michael Sheets, Director

William.M.Sheets@wv.gov

304-558-0492 (o)

FY-2023 FACT SHEET

ENABLING STATUTE: W. Va. Code § 5A-3-43 through 46 [Related statutes: WV Code § 5A-3-34 through 35 for Fixed Assets and § 12-3-11 and § 5A-3-48B for Travel Management]

REGULATORY AUTHORIZATION: W. Va. Code of State Rules 148-CSR-4

1) PURPOSE/MISSION:

The West Virginia State Agency for Surplus Property (WVSASP) has the exclusive power and authority to maintain a record of property and make dispositions of commodities, or expendable commodities that are owned by the State, when the commodities become obsolete or unusable, are not being used, or need to be replaced. In addition to the State Surplus Property Program, the WVSASP oversees the Federal Surplus Property Program. The WVSASP is given the authority to coordinate the donation of property retired by the federal government to state and local public entities and nonprofit organizations. Finally, the WVSASP oversees the State Travel Management Office and the Fixed Assets Program.

2) STAFFING:

The services are performed by 14 full-time employees, including one manager, four administrative employees, one supervisor, one mechanic, two truck drivers, three inventory control associates, one laborer, and one Federal Service Property Manager.

3) FUNDING/BUDGET:

Funding for WVSASP is Non-Appropriated Special Revenue derived from the sale of surplus property.

FY2022 Budget:

Special Revenue	\$3,931,635
Reimbursements:	\$2,664,526
Net Revenue:	\$1,267,109
Expenditures:	\$ 936,821
Net Income:	\$ 330,288

4) CORE FUNCTIONS OF AGENCY:

WVSASP operates the State Surplus Property and the Federal Surplus Property programs and is also responsible for the Fixed Asset Program and the Travel Management Office.

Under the State Surplus Property Program, property no longer required by a state agency is made available to eligible organizations and the general public. Eligible organizations include state agencies, county commissions, county boards of education, municipalities, public service districts, county building commissions, airport authorities, parks and recreation commissions, and nonprofit domestic corporations qualified as tax exempt under Section 501 (c) of the United State Internal Revenue Code. All state agencies must retire state surplus property to WVSASP, unless otherwise exempt through state law.

The Federal Surplus Property program is the gateway to obtaining donated federal surplus property. Only eligible organizations can participate in the Federal Surplus Property program. This program allows the WVSASP to apply for and receive surplus federal property on behalf of eligible organizations.

The Fixed Assets Program provides tracking guidelines for state agencies to maintain state-owned property. State agencies reporting to the Purchasing Division must, on or before July 15th of every year, file with the Purchasing Division a certification verifying that all reportable property in its possession as of the close of the last

FY-2023 FACT SHEET

fiscal year was properly entered into the Fixed Asset System within wvOASIS.

The State Travel Management Office coordinates information relating to the Governor's Travel Policy and travel-related contracts.

5) RECENT CHANGES TO ORGANIZATION:

Our longtime secretary for the Fixed Assets Program retired on 9/30/2022.

6) CHALLENGES/OBSTACLES:

- Acquire/develop reporting tools that accurately reflect the fixed assets program
- As a self-sustaining agency, continue to grow the programs to generate revenue to cover expenses.

7) HIGHLIGHTS ABOUT AGENCY:

- More than \$3.7 million in federal surplus property was donated to West Virginia for federal Fiscal Year 2022.
- The WVSASP hosts an annual open house to educate eligible organizations about the Surplus Property Program.
- The WVSASP conducts an annual customer appreciation day and created a Facebook page to keep the public informed about what property is available through Surplus Property.
- The WVSASP has the authority to facilitate the donation or purchase of property no longer needed by federal agencies to eligible veteran-owned businesses, 8(a) businesses, 501(c)3 nonprofit organizations, and more in West Virginia.

8) OTHER INFORMATION:

- Surplus Property, which is an organization under the Purchasing Division, is located at 2700 Charles Avenue in Dunbar, W. Va.
- Some agencies are exempted from Surplus Property's authority. These agencies include Higher Education, the Division of Highways, and the Legislative and Judicial branches of state government.
- Surplus Property has the authority to sell state property to the public utilizing various methods of sale, including daily public sales, off-site sales, sealed bid, online sales or auctions.

9) LEADERSHIP:

The WVSASP is organizationally structured under the Purchasing Division.

W. Michael Sheets, Director

William.M.Sheets@wv.gov

304-558-0492

Vacant, Surplus Property Manager

304-766-2626

FY-2023 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 5A-6, § 5A-6B, and W. Va. Code § 5A-7**1) PURPOSE/MISSION:**

The West Virginia Office of Technology (WVOT) provides leadership and oversight in driving West Virginia's technology strategy, while providing essential enterprise technology services to over 23,000 state employees across state and local government, leveraging a special revenue, chargeback funding model. Our mission is to enable state agencies to effectively leverage protected technology to deliver government services to citizens, businesses, and other interested parties in West Virginia. The growing integration of technology drives innovation, enhancements, and efficiencies in government operations and services only confirms WVOT's vital role in state government.

2) STAFFING:

Total number of filled positions: 198.5

Total number of vacancies: 73

3) KEY PERSONNEL:

- Chief Technology Officer (CIO)
- Deputy CIO (DCIO)
- Chief Information Security Officer (CISO)
- Chief Operations Officer (COO)
- Chief Digital Officer (CDO)
- Chief Financial Officer (CFO)

4) FUNDING/BUDGET:

Org: 0210

Funds: 2220 - WVOT/Information, Services & Communication (IS&C)

Appropriated Special Revenue derived from technology support billed to other state agencies

FY2022 Budget \$39,321,583

2032 - Central Mail Operations

Non-appropriated Special Revenue derived from mail operations billed to other state agencies

FY2022 Budget \$7,516,240

2222 - Telecommunications

Non-appropriated Special Revenue derived from telecommunications services billed by outside providers to other state agencies

FY2022 Budget \$14,152,900

Org: 0231

Fund: 2531 - WVOT

Appropriated Special Revenue derived from fees associated with the IS&C Fund

FY2022 Budget \$2,709,787

Fund: 2532 - Excess Lottery

FY2022 Budget \$9,706,479.62

FY-2023 FACT SHEET**5) CORE FUNCTIONS OF AGENCY:**

- To lead the State's technology strategy leveraging technology to improve and enhance government operations and services.
- To provide information technology enterprise services and support to both executive branch and non-executive branch agencies, designed to leverage economies of scale, offering cost-efficient centralized technology services.
- Provide cybersecurity services to include cyber risk management and centralized incident response.

6) RECENT CHANGES TO ORGANIZATION:

Under the leadership of CIO Josh Spence, the Office of Technology has achieved a number of initiatives which align with the state's technology strategic goals of digital government, technology optimization, enterprise services, and cybersecurity. Some of the recent achievements include the modernization of legacy platforms improving the state's cyber posture. The implementation of multiple strategic sourcing contracts enabling cost-savings and increased flexibility and speed. WVOT has led efforts to establish an enterprise architecture policy and standards, coupled with building an application portfolio of technology investments. Both efforts serve to provide improved insights and ability of the state to strategically manage technology investments. Through the utilization of the one-time improvement supplement provided by the Legislature in 2022, WVOT has produced the first-ever technology financial report. Lastly, the agency has embarked on a technology service rates overhaul project. To date WVOT has begun the service rates and bill review designed to ensure service rates are properly cost-managed and the agency can provide detailed financial reporting.

7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

The WVOT is always looking at exploring ways to update and streamline statutes that relate to the strategic management of technology investments seeking to ensure government services and operations properly benefit from the investment. The WVOT is supportive of any effort to modernize procurement laws to enable additional flexibility and agility of technical procurements, while seeking a shift toward more value-based evaluation of procurements in a streamlined process of leveraging strategically sourced cooperative contracts.

8) CHALLENGES/OBSTACLES:

- **Cyber Threat:** The growing cyber threat presents critical cyber risk to the state: (1) in the potential loss of sensitive information and (2) the negative and prolonged impact on government services interruption from a cyber attack.
- **Workforce Shortage:** The competition with both the federal government and the private sector in hiring and retaining a qualified and capable cyber workforce presents a significant obstacle to the WVOT.
- **Tech Market Shift:** The technology industry shift from a capital expenditure (CAPEX), with large funding upfront, to an operating expenditure (OPEX) model presents challenges to funding and leveraging federal grants for technology.

9) HIGHLIGHTS ABOUT AGENCY:

The WVOT provides over 81 total services to 23,000 users across nine Executive-branch departments and multiple local government entities at over 500 locations across West Virginia.

- Application development
- Desktop support/technical services
- Project management
- Cybersecurity services
- Technology infrastructure

FY-2023 FACT SHEET

- Productivity Platform Suite (Email)
- Network/telephony support

I0) OTHER INFORMATION:

- The WVOT is responsible for providing leadership and direction of information technology for state government and for the administration of core technology infrastructure for Executive Branch agencies.
- The WVOT directly supports the Governor's efforts to deliver critical services, streamline operations and reduce costs.

II) LEADERSHIP:

Joshua D. Spence, Chief Information Officer

304-558-8100

WV Office of Technology

1900 Kanawha Blvd. East

Bldg. 5, 10th Floor

Charleston, WV 25305

FY-2023 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 5A-10**1) PURPOSE/MISSION:**

The Real Estate Division (RED) provides a unified and fully integrated, professional real estate service. It has the following responsibilities: manage leases for state-owned and leased buildings; negotiate and renegotiate leases on behalf of agencies in role of lessee, and as lessor in owned buildings; develop co-location and relocation plans for agencies; space programming and planning in facilities; project and construction management; and establish uniform and cost-effective guidelines for real estate practices.

2) STAFFING:

20 full time employees:

- 10 Real Estate (includes two vacant)
- 10 Parking (includes two vacant)

3) KEY PERSONNEL:

John K. McHugh, Executive Director
 Arlie Hubbard, Deputy Director
 Carolyn Flanigan, Operations Manager

4) FUNDING/BUDGET:

The RED is funded through General Revenue appropriation and Special Revenue from parking fees.

Actual FY2022 Budget	\$1,451,739
57% General Revenue	\$ 831,866
41% Special Revenue from parking	\$ 595,373
2% Special Revenue from PLC	\$ 24,500

5) CORE FUNCTIONS OF AGENCY:

The Real Estate Division administers 526 leases around the state totaling \$46.8 million annually. The rents are paid by the agencies as the tenant, while the RED is the lessee. The Department of Administration, General Services Division and the Real Estate Division are responsible for 31 state-owned buildings. The RED is responsible for maintaining the leases for these buildings. The Auditor's Office collects \$22.2 million in rent annually, on state-owned buildings. This money is forwarded to the General Services Division for building maintenance and service.

The Parking Section of RED is responsible for the following: collecting monthly fee of \$20 per parking space from each employee parking on the Capitol campus, totaling \$460,288; collecting all money from the parking meters, totaling \$64,891; collecting fines for parking citations, totaling \$20,957; collecting other monies for parking permits, placards, access cards, etc. totaling \$2,715; and overseeing the maintenance of all parking on the Capitol Complex.

Total revenue generated by the parking section for Fiscal Year 2022 is \$548,851.

6) CHALLENGES/OBSTACLES:

The RED must continue to ensure compliance by state agencies with the provisions of its enabling statute, W. Va. Code § 5A-10-9, requiring the reporting of all property owned or leased by a state spending unit. The RED must also continue to emphasize the full utilization of existing state office space whenever possible.

FY-2023 FACT SHEET**7) HIGHLIGHTS ABOUT AGENCY:**

The RED continues in its mission of moving state agencies from privately-owned office space into state-owned space. RED has also worked in partnership with wvOASIS to develop a reporting template to collect information from all state spending units on property that they own or lease and has provided an annual report to the governor and legislature.

8) OTHER INFORMATION:

Centralizing the office lease function in the RED enables state agencies to save tax dollars spent in the private market. The RED will generally only approve a 1%-2% annual rent increase from private landlords and strives for no increase; the RED also conducts a market-rate analysis to ensure fair rental rates in the private sector; the RED is also the agency directly responsible for ensuring that as a priority, agencies are housed in state-owned buildings whenever possible. This is essential for maintaining debt payments on state buildings, as well as providing much-needed revenues for the General Services Division as they address the challenge of repairing and maintaining these properties.

9) LEADERSHIP:

John K. McHugh, Executive Director

John.K.McHugh@wv.gov

304-558-3490 (o)

Arlie Hubbard III, Deputy Director

Arlie.O.Hubbard@wv.gov

304-352-2307 (o)

**BOARDS AND COMMISSIONS UNDER
THE AUTHORITY OF THE
DEPARTMENT OF ADMINISTRATION**

FY-2023 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 29-23-2**1) PURPOSE/MISSION:**

The West Virginia Boundary Commission investigates state, county and municipal boundary disputes when requested to do so by the Governor or the Legislature.

2) STAFFING:

There is no staff for the Commission.

3) FUNDING/BUDGET:

There is no funding for the Commission.

4) CORE FUNCTIONS OF AGENCY:

The Boundary Commission establishes boundary lines; employs a surveyor or engineer to survey such boundary; and contracts for the placement of monuments to identify any boundary line disputes.

5) OTHER INFORMATION:

The Commission is a third party which investigates and establishes boundary lines in a fair and accurate manner. The Commission has not needed to meet or act in recent history.

6) LEADERSHIP:

Misty Peal, Deputy General Counsel

Misty.Peal@wv.gov

304-558-4331 (o)

FY-2023 FACT SHEET

ENABLING STATUTE: W. Va. Code § 5-22A-I, et seq. Design-Build Procurement Act

REGULATORY AUTHORIZATION: W. Va. Code of State Rules (148 CSR 11)

1) PURPOSE/MISSION:

The Design-Build Procurement Act was enacted to allow publicly funded projects to utilize the design-build delivery model of construction.

2) STAFFING:

The Department of Administration provides support staff to the Design-Build Board.

3) KEY PERSONNEL:

The Board is composed of the following:

- Two members must be contractors licensed in the state
- One member must be an architect licensed in the state
- One member must be a professional engineer licensed in the state
- One member shall represent labor
- Three members who represent the public-at-large
- Cabinet Secretary of Administration is an ex-officio member

4) FUNDING/BUDGET:

The Department of Administration received an appropriation in the amount of \$4,000.00 for payment of expenses of the members and costs incurred by the Secretary's office related to the Board.

5) CORE FUNCTIONS OF AGENCY:

The Design-Build Board must approve and monitor all projects owned, potentially owned or ultimately owned by any agency, state department, authority, quasi-public corporation and all political subdivisions that are to be constructed through the design-build method. All projects must meet the following criteria:

- Must have appropriate legal authority to enter into a contract;
- Must require a construction timeline that is faster than the traditional design-bid-build method;
- Must require close coordination of design functions and construction expertise;
- Must require early cost containment;
- Must provide a written plan for funding the project; and
- Must submit a written application for approval by the board.

6) CHALLENGES/OBSTACLES:

Lack of project proposals in the past years eliminated a need for the Board to meet.

7) HIGHLIGHTS ABOUT AGENCY:

Governor Justice has appointed members to fill vacant seats on the Board.

8) LEADERSHIP:

Mark D. Scott, Cabinet Secretary of Department of Administration, serves as an ex-officio member of the Board.

Misty Peal, Deputy General Counsel

Misty.Peal@wv.gov.

304-558-4331

FY-2023 FACT SHEET

ENABLING STATUTE: W. Va. Code § 5A-3A-3 through § 5A-3A-6

REGULATORY AUTHORIZATION: Legislative rules governing the operation of the Committee are 186 CSR 1 through 186 CSR 5.

1) PURPOSE/MISSION:

Furthering the state's policy of encouraging disabled persons to achieve maximum personal independence by engaging in productive activities. Providing state agencies, institutions and political subdivisions with a method to purchase commodities and services offered for sale by nonprofit workshops outside of the usual purchasing process.

2) STAFFING:

The Committee has six members who serve two-year terms that expire on the 31st day of January of odd-numbered years. Members are appointed by the Governor with advice and consent of the Senate. The Governor appoints the chairperson.

1. A private citizen conversant with problems related to employment of handicapped;
2. A representative of a producing nonprofit workshop;
3. A representative of the Division of Rehabilitation Services;
4. A representative of the Department of Administration;
5. A representative of private business knowledgeable of activities in sale of commodities and services; and
6. A representative of organized labor knowledgeable in employment of the disabled.

3) COMPENSATION:

Members who are not state employees shall receive compensation of \$50.00 a day for each day engaged in work for the committee; all members shall receive reimbursement for expenses with no geographical constraints.

4) CORE FUNCTIONS/RESPONSIBILITIES OF AGENCY:

Determining the fair market price of commodities, printing and services offered by the central nonprofit agency. Monitoring the activities, performance and records of the central nonprofit agency.

5) CONTACT INFORMATION:

Kim Nuckles, Chairperson

Kim.P.Nuckles@wv.gov

304-558-1247

FY-2023 FACT SHEET**ENABLING STATUTE:** W. Va. Code § 5A-5-1**1) PURPOSE/MISSION:**

The Governor's Mansion Advisory Committee makes recommendations to the Governor for maintaining, preserving and replenishing of all articles of furniture, fixtures, decorative objects, linens, silver, china, crystal and objects of art used or displayed in the state rooms of the Governor's mansion.

2) STAFFING:

The committee has no staff. Per statute, the Governor designates a Chairman and the Secretary of the Department of Administration serves as secretary. The committee meets in conjunction with the West Virginia Mansion Preservation Foundation, Inc. Members of the Foundation also serve as members of the Advisory Committee and they elect the chairperson, secretary and treasurer.

The Advisory Committee is composed of the following:

- Secretary of Administration or designee, ex-officio
- Commissioner of Culture and History or designee, ex-officio
- Spouse of the Governor or designee, ex-officio
- One member shall be a curator in the field of fine arts.
- One member shall be an interior decorator who is a member of the American Institute of Decorators.
- One member shall be a building contractor.
- One member shall represent the interest of the general public.

3) FUNDING/BUDGET:

There is no funding from the State. However, the Foundation has an account at a financial institution; current balance in the account is unknown.

4) CORE FUNCTIONS OF AGENCY:

The Committee makes recommendations regarding the décor, furnishings and arrangements best suited to enhance the historic and artistic values of the mansion. The Committee is required to file an annual report to the Governor and Legislature regarding the Committee's activities.

5) CHALLENGES/OBSTACLES:

The challenge to the Advisory Committee is that its mission and function are duplicative with other entities.

6) HIGHLIGHTS ABOUT AGENCY:

The Advisory Committee ensures that the Governor's mansion is decorated in a fashion that preserves historic and artistic values and is appealing to those who visit the mansion.

7) OTHER INFORMATION:

The Committee has not met for some time.

8) LEADERSHIP:

Mark D. Scott, Cabinet Secretary of Department of Administration, serves as an ex-officio member of the Advisory Committee.

Misty Peal, Deputy General Counsel

Misty.Peal@wv.gov.

304-558-4331