State of West Virginia

Department of Administration
AGENCY FACT SHEETS

January 2025

STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION

PATRICK MORRISEY
GOVERNOR

ERIC HOUSEHOLDER
CABINET SECRETARY

January 1, 2025

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 improve its services to 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 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.

Table of Contents

Cabinet Secretary's Office....4

Cabinet Secretary's Office-Bond Issuance....6

Organizational Chart....7

Aviation Division....9

Board of Risk and Insurance Management (BRIM)....11

Consolidated Public Retirement Board (CPRB)....14

Equal Opportunity, Office of (OEO)....17

Ethics Commission....18

Finance Division....20

Fleet Management Division....22

General Services Division....24

Division of Personnel....27

Prosecuting Attorneys Institute....30

Public Defender Services....32

Public Employees Grievance Board....36

Public Employees Insurance Agency (PEIA)....38

Purchasing Division....40

Purchasing Division/Surplus Property....42

Office of Technology/IS&C....45

Real Estate Division....48

Design-Build Board....51

Governor's Committee for the Purchase of Commodities and Services from the Handicapped....52

Governor's Mansion for the Advisory Committee....53

FY-2025 FACT SHEET

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)
    - Record Management Program
- 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:

Eric Householder, Cabinet Secretary
Sara D. Jones, 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:

FY2025 Budget:	Secretary's Office	$ 15,631,631 (General Revenue)
	Department of Administration	$ 87,131,023 (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.

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:

Eric Householder, Cabinet Secretary **304-352-6080 (o)**
Building 1, Room E-119
1900 Kanawha Blvd., East
Charleston, WV 25305

Sara D. Jones, Deputy Cabinet Secretary **304-352-6107 (o)**
Building 1, Room E-119
1900 Kanawha Blvd., East
Charleston, WV 25305

Sarah Hurt Long, Chief Financial Officer and Assistant Secretary **304-352-6108 (o)**
Building 1, Room E-119
1900 Kanawha Blvd., East
Charleston, WV 25305

Robert Paulson, General Counsel **304-352-6106 (o)**
Building 1, Room E-119
1900 Kanawha Blvd., East
Charleston, WV 25305

Misty Peal, Deputy General Counsel and Legislative Liaison **304-352-6109 (o)**
Building 1, Room E-119
1900 Kanawha Blvd., East
Charleston, WV 25305

FY-2025 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 adviser.

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

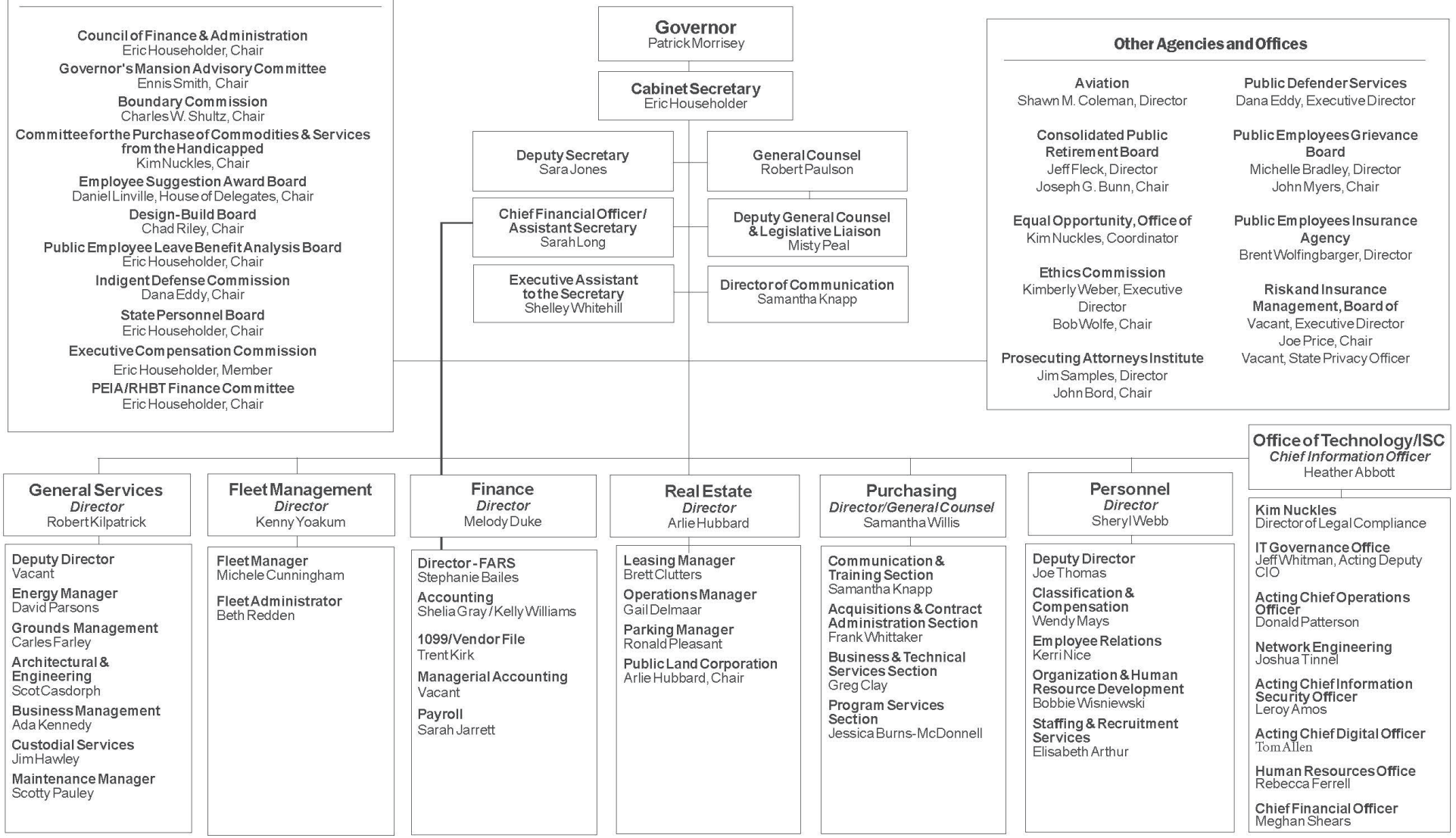
The State has a full-time financial adviser, the Public Resources Advisory Group (PRAG), to assist in many levels of bond issuance, evaluation of markets for bond refundings and maintaining the State's credit ratings. The State's disclosure counsel is Bowles Rice, and disclosures to the federal government 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 **304-352-6106 (o)**
Robert.P.Paulson@wv.gov

STATE OF WEST VIRGINIA
Department of Administration



DIVISIONS AND AGENCIES OF THE DEPARTMENT OF ADMINISTRATION

FY-2025 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 are filled; two are 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:

Shawn M. Coleman, Director
Tierra Gable, Operations Manager

4) FUNDING/BUDGET:

FY2025 Budget: General Revenue (Fund 0615) Appropriated Budget: $1,325,210.00
Special Revenue (Fund 2302) is solely derived from invoiced flight hours.

5) CORE FUNCTIONS OF AGENCY:

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

6) CHALLENGES/OBSTACLES:

The significant increase in aviation maintenance and operational costs have been compounded by the obstacle of recruitment and retention of highly skilled, professional staff given our current funding.

7) OTHER INFORMATION:

In FY2024, state aircraft flew 757 flights, transported 273 passengers, and logged 552.7 flight hours.

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

TYPE	AIRCRAFT	MAKE/MODEL	PASSENGER CAPACITY	RATE SCHEDULE
Airplane	N1WV	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.
Helicopter	N6WV	1981 Bell B3 Jet Ranger	3	$600/Flt Hr.

FY-2025 FACT SHEET

TYPE	AIRCRAFT	MAKE/MODEL	PASSENGER CAPACITY	RATE SCHEDULE
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:

Shawn M. Coleman, Director **304-558-0403 (o)**
Shawn.M.Coleman@wv.gov

FY-2025 FACT SHEET

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: four underwriting; eight claims; five loss control; five finance; two executive and three privacy personnel.

3) KEY PERSONNEL:

Melody Duke, Executive Director
Senior Management Team:
John Fernatt, Deputy Director/Claim Manager
Jeremy Wolfe, Deputy Director/Risk and Insurance Manager
Stephen Panaro, CPA, Chief Financial Officer
Woodrow White, Underwriting Manager
Vacant, 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.

FY2025 Budget: $140 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 toward 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 Management Team; issues privacy policies; provides training and technical assistance; and conducts privacy assess-

ments.

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 the 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 American International Group (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 33,197 units, including private passenger, emergency and mobile equipment units; $27,170,362,047 in property values during 2024; and provides liability coverage to 163 state agencies, 968 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.

FY-2025 FACT SHEET

9) LEADERSHIP:

Melody Duke, Executive Director **304-766-2646 Ext. 20230 (o)**
Melody.A.Duke@wv.gov

FY-2025 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 10 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
Elizabeth Cooper, 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 7.25%, the contribution rates, percent funded, and unfunded accrued liability (UAL) as of July 1, 2023, 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.	9.0%	97.6%	$207,690,000
TEACHERS DEFINED BENEFIT (TRS)	6.0%	20.35%**	79.9%	$2,380,048,000
TEACHERS DEFINED CONTRIBUTION (TDC)	4.5%	7.5%	N/A	N/A
STATE POLICE (PLAN A)	9.0%	19.64%**	95.9%	($32,982,000)
STATE POLICE (PLAN B)	13.0%	34.0%	84.8%	($57,391,000)
JUDGES (JRS)	7.0%	$854,000**	228.8%	($156,777,000)

FY-2025 FACT SHEET

RETIREMENT SYSTEM	EMPLOYEE CONTRIBUTION	EMPLOYER CONTRIBUTION	PERCENT FUNDED	UNFUNDED ACCRUED LIABILITY (UAL)
DEPUTY SHERIFFS (DSRS)	8.5%	$16.5%***	87.7%	$44,933,000
EMERGENCY MEDICAL SERVICES (EMSRS)	8.5%	9.5%	103.9%	($4,751,000)
MUNICIPAL POLICE & FIREFIGHTERS (MPFRS)	8.5%	8.5%	133.1%	($8,828,000)
DNR POLICE OFFICERS (NRPORS)	9.5%	12%	81.6%	$6,594,000

** 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 75,686 active members (those not yet retired) and more than 69,339 retirees and beneficiaries. As of July 1, 2023, the plans administered by CPRB had approximately $20.96 billion in assets.

6) RECENT CHANGES TO ORGANIZATION:

The CPRB moved its location in June 2023 to the DEP building (a state-owned building) in Kanawha City. During the 2024 Legislative Session, the Legislature allowed for 911 personnel that are currently in the PERS plan to have the opportunity to transfer to the EMS plan. Approximately 700 of the 911 personnel elected to transfer, and the CPRB has been working to implement the provisions in a timely manner, per the legislation. 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. During 2024, the call center fielded more than 85,000 calls.

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 retirement plans that we administer.

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 *wv*OASIS system. 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.

9) HIGHLIGHTS ABOUT AGENCY:

With five of its nine 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 80% 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. During 2023, CPRB focused on the reduction of paper documents in storage. We were able to destroy over 9,000 boxes and move our remaining boxes from Iron Mountain to the new state-managed records management facility.

10) LEADERSHIP:

Jeff Fleck, Executive Director **304-957-3523 (o)**
Jeffrey.E.Fleck@wv.gov

Terasa Miller, Deputy Director/Chief Operating Officer **304-957-3521 (o)**
Terasa.L.Miller@wv.gov

Ken Woodson, Actuary **304-957-3527 (o)**
Kenneth.M.Woodson@wv.gov

Elizabeth Cooper, CFO **304-957-3524 (o)**
Elizabeth.J.Cooper@wv.gov

FY-2025 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 equal employment issues 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 two staff: a director and an administrative secretary.

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 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 equal opportunity in West Virginia state government; and
- To maintain federally acceptable standards for EEO in state government, and to prevent litigation over EEO issues.

5) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

Budget for attending trainings and purchasing training materials.

6) LEADERSHIP:

Kim Nuckles, Director/WV OEO **304-558-0400 (o)**
Kim.P.Nuckles@wv.gov **304-206-5870 (c)**

FY-2025 FACT SHEET

ENABLING STATUTES: 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 §158-1 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.

In 2024, the Commission had some staff changes. John E. Roush is serving as the Interim General Counsel, after the resignation of Theresa M. Kirk. John N. Ellem is the Commission's Deputy General Counsel. After the retirement of Ellen Briggs, Rachel Y. Carpenter is now the Executive Assistant to the Executive Director. Ellen will be working temporarily to help train. Kateland J. Cantrell was hired as our Lobbyist Registrar/Paralegal.

3) KEY PERSONNEL:

Kimberly B. Weber, Executive Director
John Roush, Interim General Counsel
Rachel Carpenter, Executive Assistant

4) FUNDING/BUDGET:

Funding comes from General Revenue derived from an appropriation from the State General Fund. The FY 2024 budget appropriation is $753,099; 100% of this is from General Revenue. The Commission also received a Secretary Transfer of $20,000. The Ethics Commission has a Special Revenue Account which started in January 2015 in which complaint fines are deposited. The balance in that account as of Nov. 4, 2024, was $50,385.32.

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 and public lobbying contracts.

6) RECENT CHANGES TO ORGANIZATION:

The Commission currently has no vacancies. Donald B. Carter, Jr., was appointed to the Commission on Feb. 2,

2024, with a term ending June 30, 2025. Jordan K. Herrick was appointed to the Commission on Sept. 24, 2024, with a term ending June 30, 2025. The Commission's Probable Cause Review Board has one vacancy.

7) NEW LEGISLATION:

W. Va. Code §6-9c-1 through 10 *Uniform Public Meetings During Emergencies Act.* The Emergency Meeting Act is separate from the open meetings act, at W. Va. Code § 6-9b-1. The new law does not have a provision requiring the Ethics Commission to form a committee to act on requests for advisory opinions interpreting the emergency provisions. Therefore, this act will not impact the workload of the commission.

W. Va. Code § 6b-3-5 *Grass Roots Lobbying Campaigns.* This law requires reporting and disclosure requirements for grassroots lobbying expenditures. Expenses exceeding $5,000 in the aggregate within any three-month period or exceeding $1,000 in the aggregate within any one-month period in presenting a program addressed to the public must be reported.

W. Va. Code § 6c-2-2(b) *West Virginia Public Employees Grievance Procedure.* Chief administrators and administrative law judges are governed by the West Virginia Ethics Commission's Legislative Code of Conduct for administrative law judges (ALJ), rule 158 csr 13." W. Va. Code § 6c-2-2(b) states: "'chief administrator' means...The county superintendent..." And includes a designee appointed by the chief administrator "to handle any aspect of the grievance procedure as established by this article." This new statutory language, therefore, subjects county superintendents and chief administrators in state government to the ALJ code of conduct.

8) HIGHLIGHTS ABOUT AGENCY:

During 2023, the Ethics Commission received 114 verified complaints and approximately 3,162 financial disclosure statements. There were 386 registered lobbyists. The Commission issued 14 formal Advisory Opinions, five contract exemptions, 93 employment exemptions, and trained 2,325 lobbyists, public officials, and employees throughout the state. The Commission provided 642 written responses of legal advice and provided oral legal advice to 2,207 people. The Commission issued seven Conciliation Agreements, and Commission staff initiated 27 investigations. The Commission held one public hearing in 2023.

9) 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.

10) LEADERSHIP:

Kimberly B. Weber, Executive Director **304-558-0664 (o)**
Kimberly.B.Weber@wv.gov

FY-2025 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 Annual Comprehensive Financial Report (ACFR), 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 37 employees, broken down as follows:

Administrative:
- One Director
- One Deputy Director
- One Administrative Secretary
- One Accountant Auditor III

Shared Services Section:

- Accounting Services
  - One Procurement Supervisor
  - One Administrative Services Manager II
  - Two Administrative Services Assistant I
  - Two Accounting Tech III
  - One Accounting Tech IV
  - One Procurement Specialist
  - One Office Assistant III
- Managerial Services
  - One Administrative Services Manager II
  - 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
- One Financial Reporting Specialist III
- Seven Financial Reporting Specialist II
- One Financial Reporting Specialist I
- One Secretary II

Vendor Section:
- Two Administrative Services Assistant III
- One Accounting Tech IV
- One Accounting Tech III
- One Office Assistant II

3) KEY PERSONNEL:

FY-2025 FACT SHEET

Chief Financial Officer and Senior Management

4) FUNDING/BUDGET:

FY 2025 General Revenue Budget	$791,843	12%
FY 2025 Non-Appropriated Special Revenue Budget	$3,969,582	58%
FY 2025 Appropriated Special Revenue Budget	$2,086,318	30%
Total Budgeted Expenditures	**$6,847,743**	

The Non-Appropriated Special Revenues are derived from fees for Shared Services, the ACFR, 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 ACFR, 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:

The 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:

Sarah H. Long, CPA, Chief Financial Officer **304-558-6181 (o)**
Sarah.H.Long@wv.gov

FY-2025 FACT SHEET

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 1, one Accounting Technician 3, one Office Assistant 3 and one Office Assistant 2.

3) KEY PERSONNEL:

Director
Fleet Manager – ASM1
Fleet Administrator – Data Warehouse Specialist 1
Fleet Analyst Fueling – ASA1
Fleet Analyst Maintenance – ASA1
Fleet Coordinator – ASA1
Fleet Assistant - Accounting Technician 3
Fleet Assistant – OA3
Fleet Assistant – Procurement Associate

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 2024 Budget: $13,257,549

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.
- Educates Agency Fleet Coordinators (AFC) on the requirements found in §5A-12 and Rule 148-3.

6) CHALLENGES/OBSTACLES:

- Ensuring all state agencies participate in FMD programs and in *wv*OASIS 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

FY-2025 FACT SHEET

- 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 3,200 ending odometer readings monthly and uploading them into Holman's database
- Tracking vehicle utilization by fueling transactions and monthly vehicle logs

7) HIGHLIGHTS ABOUT AGENCY:

- Returned more than $1.2 million to the agencies by crediting their November and December 2023 billing
- Completed the State Fleet Annual Report for FY2024 on Nov. 22, 2024, required by WV Code § 5A-12-12
- Completed a state vehicle underutilization report on Aug. 12, 2024 listing 7,054 one ton and under state licensed vehicles and identified 4,495 vehicles that do not average 1,100 miles/month

8) LEADERSHIP:

Kenny Yoakum, Executive Director **304-558-2106**
Kenny.H.Yoakum@wv.gov

FY-2025 FACT SHEET

ENABLING STATUTE: W. Va. Code § 5A-4

1) Purpose/Mission:

The General Services Division (GSD) provides grounds and facilities management, engineering, and custodial and maintenance services 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 performed by 136 positions (112/120 full time and 12/16 temporary positions):

- Administration - 3/3
- Business - 13/13
- Occupational Health & Safety - 2/2
- Maintenance - 47/51
- Grounds - 10/11 and one Temp
- Custodial - 16/18 and 14 Temps
- Architect/Engineering - 7/8
- Energy - 1/1
- HVAC/Trades - 13/13 and one Temp

3) KEY PERSONNEL:

Bob Kilpatrick, Deputy Director
Nicole Adkins, Admin Secretary
Ada Kennedy, Business Manager
Shelly Lusk, Assistant Business Manager
Scot Casdorph, Architecture & Engineering Manager
Dave Parsons, Energy Manager
Jim Hawley, Custodial Manager
Steve Pinkerton, Assistant Custodial Manager
Carles Farley, Grounds Manager
Scotty Pauley, Operations and Maintenance Manager
Jeff Gillenwater, HVAC and Construction 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 2025 Total Budget	$345,373,124.66
General Revenue 89%	$305,695,464.66
Special Revenue 11%	$39,577,660.00

5) CORE FUNCTIONS OF AGENCY:

The General Services Division provides facility maintenance for 40 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 (Calendar Year 2024)

FY-2025 FACT SHEET

- The GSD created the HVAC and Construction Section, to provide improved response and handling to HVAC and Renovation projects.
- The GSD created the assistant business manager and assistant custodial section manager positions, to improve operations of these two direct-customer-oriented sections, promoting from within.
- The GSD director assumed the role of Acting Cabinet Secretary for the WV Department of Administration, having previously served as Deputy Cabinet Secretary.
- After completion of the East Campus Project, the GSD moved its warehouse and grounds operations into the new, consolidated facility.

7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGE

There are no current requests made by the agency for legislative initiatives for the 2025 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)
- Managing multiple large-scale construction projects both on and off the Capitol Complex
- Preparing for the potential addition of a new building into the agency inventory
- Agency will move into newly constructed and renovated space in 2025

9) HIGHLIGHTS ABOUT AGENCY:

Completed major construction, including:

- Substantial completion of the Building Four Renovations Project
- Substantial completion of the East Campus Project
- Substantial completion of the Phase 2 of Elevators Modernization Project
- Substantial completion of the Lighting Upgrades for the West Lawn of the Main Capitol Building, Buildings 25 (Parkersburg) and 13 (Piedmont Parking Garage).
- Substantial completion of the Buildings 3, 5, 6, 7, 25 (Parkersburg) and 54 (Fairmont) HVAC Renovation projects
- Completed support of the House/Senate crossover project
- Completed support of the Arts, Culture and History Capitol Rotunda Murals Project

Ongoing major construction includes:

- Capitol Campus exterior lighting upgrades (north campus, east/south lawns of main capitol building, and the main capitol building exterior).
- Modernizing elevators across the agency building inventory (Project Phase 3)
- HVAC renovations in main Capitol (House chambers, steam-to-hot-water conversion project, fan coil unit replacements in the East Wing).
- Building 36 (One Davis Square) building exterior facade project
- Building 37 (DEP - Kanawha City) exterior repairs and HVAC project
- Designing and awarding the Building 35 (Diamond Building) and 31 (Capitol Street Parking Garage) renovation projects
- Designing and awarding the Consolidated Laboratory Project
- Renovating Building 22 in cooperation with the Tax Department
- Renovating the Holly Grove Mansion in cooperation with the Department of Arts, Culture & History
- Renovating Building 74 (South Charleston) in cooperation with the WV State Treasurer's Office

FY-2025 FACT SHEET

10) LEADERSHIP:

John McHugh, Director **304.558.1808 (o)**
John.K.McHugh@wv.gov

FY-2025 FACT SHEET

ENABLING STATUTE: W. Va. Code § 29-6-1 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 37:

- Administration - 6
- Classification and Compensation - 5
- Employee Relations - 3
- Staffing - 17
- Organization and Human Resource Development (OHRD) - 6

3) KEY PERSONNEL:

Joe Thomas, Deputy Director	*Joe.F.Thomas@wv.gov*
Layna Valentine-Brown, Administrative Secretary	*Layna.S.ValentineBrown@wv.gov*
Mark Isabella, Manager of Innovation and Change	*Mark.D.Isabella@wv.gov*

4) FUNDING/BUDGET:

Funding for the DOP is primarily derived from fees charged to state government agencies that are served by the sections of the DOP. This upcoming year, the DOP will receive some funding from a sister agency as a result of legislative exemptions.

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 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 employ-

ees 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 Staffing and Recruitment section (S&R) 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. The section also protects state resources by providing checks and balances, training, and guidance material pertaining to a variety of employment transactions. This section consults with agency human resource professionals to develop and improve internal agency processes and systems.

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.

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. Recruitment of qualified individuals continues to be a challenge in the current labor market.

9) HIGHLIGHTS ABOUT AGENCY:

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

The DOP continues to increase utilization of the auto-screening capabilities of the NEOGOV applicant tracking system to greatly increase efficiency in the review of applications for employment and certification of names of eligible applicants to hiring agencies.

FY-2025 FACT SHEET

A new streamlined Public Service Announcement (PSA) process has been implemented that has helped to expedite PSA requests. This process allows agencies to create their PSA at the same time as their job posting if desired.

The DOP worked with the Division of Corrections and Rehabilitation (DCR) to update processes within their agency that were delaying applicants from being referred for Correctional Officer I positions. The DOP also worked with DCR to update pay structures for the Correction Officer series and to provide support efforts for recruitment and retention incentives for not only Correction Officer positions but also non-uniformed staff.

The DOP continues to work with agencies to improve the employee performance appraisal process using the NEOGOV Perform System. The recently implemented process integrated operations and facilitates use of data analytics.

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. This section has also been training both agency Human Resources professionals and hiring managers on various topics, such as drafting dynamic postings to better assist agencies in recruitment.

The DOP won the 2024 Advancing Human Resources Profession award at the National Association of State Personnel Executive Summer Conference for the Managing for Excellence Certification Program.

10) 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.

11) LEADERSHIP:

Sheryl R. Webb, Director **304-558-3950**
Sheryl.R.Webb@wv.gov

FY-2025 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 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 four full-time employees: two legal and two administrative.

3) KEY PERSONNEL:

Jim Samples, Executive Director
Former Executive Director Philip Morrison retired on 12/7/2024
Sherry Eling, Violence Against Women 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 2024 Annual Budget:	$1,495,127.00
General Revenue 46%	$681,162.00
Special Revenue 54% (including grant revenues)	$813,965.00

The General Revenue appropriation comes in two allotments from the Legislature. Each is dedicated to particularized uses. The first (and where the bulk of the General Revenue Funds are found) 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 eligibility for various agencies and organizations throughout West Virginia to receive Violence Against Women grant funding. Special Revenue comes from grant funding or premiums paid to the Institute by the counties the rates for which are set by code.

5) CORE FUNCTIONS OF AGENCY:

The Institute Core Operations (special revenue - 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)

6) CHALLENGES/OBSTACLES:

FY-2025 FACT SHEET

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 facilitated 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:

Jim Samples, Executive Director **304-558-3348 (o)**
Jim.E.Samples@wv.gov.

FY-2025 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 1, of the Code of State Regulations, 89CSR1, entitled *Payment of Fees and Reimbursement of Expenses of Court-appointed Attorneys.*

1) Purpose/Mission:

The agency administers and maintains a system by which legal counsel is provided to indigent defendants in criminal and related proceedings, thus 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. The agency also compensates the providers of legal and other services to children and indigent parents in child abuse and neglect proceedings.

2) STAFFING:

The agency has 32 positions. One vacancy exists in the agency's Office of Legal Representation. One vacancy exists in the Public Defender Resource Center. One vacancy exists for a position funded by the Title IV-E payments. Currently, three vacancies exist in the Appointed Counsel Services due to the retirement of the Chief Financial Officer. 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 encompasses the Appointed Counsel Services group and the human resources function. 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 is staffed by a 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 three attorneys, one paralegal, and one investigator. 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 inability to monitor proposed reforms in criminal justice and the inability 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:

The FY2025 budget as originally enacted is $39,195,744. A Supplemental Appropriation of $21,400,000 will be required to continue payment of the appointed counsel and to fund the operatoins of the public defender corporatoin situated in Morgantown, West Virginia. The Criminal Law Research Center has $66,420.41 on account,

which is generated by fees from the agency's annual conference 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 $8,199,522.72. 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. A grant program has been established to distribute Title IV-E funds to support programs that will improve the quality of representation in child abuse and neglect proceedings or will improve the process for resolving such proceedings. Currently $3,391,295 has been awarded to various grantees through a grant portal maintained by the Office of the Governor.

5) CORE FUNCTIONS OF AGENCY:

The agency has seven 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 invoices for the legal services provided by court-appointed private counsel. In FY2024, the agency processed 37,953 vouchers, totaling $33,357,957.60 When electronically received, the agency reviews court-appointed attorneys' requests for payment of compensation for legal services and the reimbursement of incurred expenses. The review ensures compliance with the governing statute, the agency's legislative rule, and the Office of the Auditor's guidelines and assures the reasonableness and necessity of the services. When approved by the agency, the agency's electronic system generates batches of vouchers, which are submitted through *wv*OASIS to then be 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. Currently, the agency is submitting vouchers for payment within 10 to 14 days after receipt. Due to this short period, the agency is making an effort to encourage attorneys to (i) convert to direct deposit; and (ii) discontinue the factoring of their receivables.

CORE FUNCTION NO. 2: The agency is responsible for the management of funding contracts executed with 19 Public Defender Corporations operating in 20 judicial circuits. The appropriation for this purpose is $23,021,081. This does not include the $1,400,000 supplemental appropriation required for the operation of a public defender corporation in Morgantown, West Virginia.

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 these individuals or service providers.

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. Additional staffing of the division would be cost-effective and would enable judges to appoint the division when private counsel cannot be found as is frequently the case.

FY-2025 FACT SHEET

CORE FUNCTION NO. 6: The agency's criminal law research center provides support to criminal defense attorneys. For example, the agency maintains on its website a motions bank, jury instructions, an expert witness database, and other materials. The center 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 at no cost to the private counsel who take court appointments.

CORE FUNCTION NO. 7: The agency maintains a grant program funded by the partial reimbursement of legal expenses incurred in child abuse and neglect proceedings as set forth in the provisions of Title IV-E of the Social Security Act. The funds are dedicated to the improvement of the process and the improvement in the quality of representation in such proceedings. Currently, the agency has awarded grants in the amount of $3,391,295 covering a three year period.

6) RECENT CHANGES TO ORGANIZATION:

The Judicial Reorganization Act takes effect on January 1, 2025. The public defender corporations have until July 1, 2025, to conform to these changes. Judicial circuits in which public defender corporations operate have been expanded. In other circuits, more magistrates or judges have been added. One circuit has been divided into two separate circuits. Accordingly, additional funding is needed to hire an additional attorney or additional staff in the affected public defender corporations.

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. The agency is seeking a supplemental appropriation in the amount of $1,400,000 to fund the public defender corporation in Morgantown, West Virginia in the forthcoming year.

With respect to the FY2026 budget, the agency is seeking $1,200,000 to fund on a sustained basis the increasing demands on public defender corporations due to the judicial reorganization that takes effect in 2025. The agency is seeking $1,000,000 to fund on a sustained basis the increase in compensation provided in the special session. The agency is seeking $1,200,000 to fund the increased demands related to the judicial reorganization act that takes effect on January 1, 2025. The increased demands include an increased number of circuit court judges, increased number of magistrates, and increased number of counties that will be within circuits in which the corporations operate. The agency is also seeking full funding for the appropriation to compensate court-appointed counsel so that the annual supplemental appropriation can be avoided. The agency proposes a five dollar increase in the rates of compensation for court-appointed counsel requiring an appropriation of $2,400,000. The agency is also seeking $1,400,000 to fund the Monongalia County Public Defender Corporation by fiscal year rather than currently from supplemental appropriations. Finally, the agency is seeking an appropriation of $5,000,000 to complete the indigent defense structure in the state and to address the glaring need for counsel in certain areas by operating a public defender corporation in (i) Putnam County; (ii) Marion County; and (iii) the regional area in central West Virginia. The corporations can then also serve as conflict counsel for adjoining jurisdictions.

8) CHALLENGES/OBSTACLES:

The most substantial challenges are:

ONE: The system of indigent defense envisioned in 1989 has not been 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 because 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 and in Monongalia County 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 by the agency 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. Moreover, such centralized oversight would enable the agency to provide resources to the private counsel such as investigators, social workers, recovery coaches, or parental navigators.

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. With demonstrated success, sustained funding for the statewide implementation of the program will be sought in future legislative sessions. The agency's parental mentor program is now operating statewide and is being duplicated by the courts in areas that are not served or are underserved by public defender corporations. Parental mentors assist the clients of a designated Public Defender Corporation who are involved with child abuse and neglect proceedings in fulfilling their obligations in such proceedings with the hope that such proceedings are resolved more quickly; more parents are reunited with children; and, if necessary, the transition to adoption of the children is done with less traumatic effect.

10) OTHER INFORMATION:

The agency is also exploring (i) a potential pilot project for counsel at first appearance to reduce the number of jail days during the pretrial period and (ii) a potential pilot project to provide assistance to families who have needs that, if unmet, will result in a petition being filed by the Department of Human Services to remove children from the home with the hope that the need for formal process can be avoided.

11) LEADERSHIP:

Dana F. Eddy, Executive Director **304-558-3905 (o)**
Dana.F.Eddy@wv.gov

FY-2025 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 10 full-time employees: one Director, one Chief Administrative Law Judge (ALJ), four Administrative Law Judges, and four 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 2025 Budget: 100% General Revenue $1,213,226

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 20 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.

Level Three – Within 10 days of receiving a written Order of Unsuccessful Mediation 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 Administrative Law Judge Lara Bissett

7) CHALLENGES/OBSTACLES:

The agency received a minor increase for FY 2023 to offset the across the board raises. No increases in appro-

priations to account for increasing costs of goods and services. The grievance board continues to have challenges in updating its current database but continues to work towards solutions.

8) HIGHLIGHTS ABOUT AGENCY:

- Cost avoidance through successful alternative dispute resolution at level two.
- FY 2024, 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 2024, 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.

9) LEADERSHIP:

Michelle L. Bradley **304-352-1300**
Michelle.L.Bradley@wv.gov

FY-2025 FACT SHEET

ENABLING STATUTE:

W. Va. Code § 5-16 (PEIA and Finance Board)
W. Va. Code § 5-16D-1 through § 5-16D-7 (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 53 full-time employees:
8 - Administration (Management)
2 - Administration (Clerical)
5 - Clinical
2 - Legal
2 - Communications
5 - Premium Accounts
6 - Finance
3 - Mailroom/Imaging
10 - Eligibility/Operations
10 - Customer Solutions

3) KEY PERSONNEL:

Brian Cunningham, Director
Bill Hicks, General Counsel
Charlotte Stover, Deputy Director of Operations and Member Services
Felice Joseph, Pharmacy Director
Michelle Bauer, Communications Manager
Jason Haught, Chief Financial Officer
Dr. Lisa Newell, Medical Director
Trina Sweeney, Customer Solutions Manager
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) CHALLENGES/OBSTACLES:

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

7) HIGHLIGHTS ABOUT AGENCY:

- Wondr weight loss program - ongoing
- VirginPulse/Personify Wellness Platform that offers a wide variety of tools specific to each member to support a healthy lifestyle and offers members an opportunity to earn up to $100 per Plan Year in rewards

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:

Brian Cunningham, Director **304-558-7854 (o)**
Brian.A.Cunningham@wv.gov

FY-2025 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 maximize the use of taxpayer dollars by leading West Virginia's procurement process as experts, guiding and assisting agencies in the purchase of quality goods and services, and providing best practices to all state-funded entities.

2) STAFFING:

The Purchasing Division is staffed with 41 full-time employees:

- 16 in the Acquisition and Contract Administration section;
- Four in the Communication and Training section;
- Seven in the Business and Technical Services section;
- 12 in the Program Services section; and
- Two in the Administrative Office of the Director.

3) FUNDING/BUDGET:

FY2025 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) 2024 LEGISLATIVE SUMMARY:

During the 2023 Legislative Session, several bills impacting procurement were passed. The new laws made changes to the threshold for the bidding requirement of municipal public works projects, purchases made with certain higher education entities, and the negotiation of construction prices when all bids received exceed the maximum budget.

Senate Bill 544 raised the threshold for bid requirements of municipal public works projects from $25,000 to $50,000, including any municipal public utility projects, and for public service district projects; established the threshold at $50,000 for bids for projects under the Regional Water and Wastewater and Stormwater Authority Act; and exempted emergency repairs from bidding requirements. The bill took effect May 27, 2024.

Senate Bill 217, which became effective upon passage, authorized the state and its subdivisions to negotiate price for construction when all bids received exceed the maximum budget. The state and its subdivisions may establish a maximum budgeted amount available for each construction project, which is not disclosed to the vendor before the award of a contract. If all bids exceed the maximum budgeted amount, then a negotiated award may be made.

FY-2025 FACT SHEET

Finally, House Bill 5594 exempted agencies from competitive bidding if entering into agreements with West Virginia University, Marshall University, and the West Virginia Osteopathic School of Medicine.

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

7) HIGHLIGHTS ABOUT AGENCY:

- At the end of 2024, the Purchasing Division issued its first statewide contracts for vehicles since the COVID-19 pandemic.

8) OTHER INFORMATION:

There are 53 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:

Samantha Willis, Director & General Counsel **304-558-0492 (o)**
Samantha.L.Willis@wv.gov

Samantha Knapp, Assistant Purchasing Director **304-558-7022 (o)**
Samantha.S.Knapp@wv.gov

Greg Clay, Assistant Purchasing Director **304-558-8806 (o)**
Gregory.C.Clay@wv.gov

Frank Whittaker, Assistant Purchasing Director **304-558-2316 (o)**
Frank.M.Whittaker@wv.gov

Jessica Burns-McDonnell, Assistant Purchasing Director **304-356-2425 (o)**
Jessica.L.BurnsMcDonnell@wv.gov

FY-2025 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; 148 CSR NA (Travel Rules)

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 12 full-time employees, including one manager, two 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.

FY2025 Budget:

Special Revenue	$2,237,757
Reimbursements:	*$752,833
Net Revenue:	$1,484,924
Expenditures:	$1,494,186
Net Loss:	$9,262

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-2025 FACT SHEET

fiscal year was properly entered into the Fixed Asset System within *wv*OASIS. All state agencies must report the total number of vehicles in their fleet, on or before July 15th of every year.

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

5) RECENT CHANGES TO ORGANIZATION:

Surplus Property has undergone management changes in the last year with both a new Surplus Manager and a New Federal Surplus Program Manager recently starting at the beginning of the new fiscal year.

6) CHALLENGES/OBSTACLES:

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

7) HIGHLIGHTS ABOUT AGENCY:

- More than $4 million in federal surplus property was donated to West Virginia for federal Fiscal Year 2024. This raised $201,757 in service charges to help fund the Surplus Division.
- The WVSASP has conducted multiple webinars for small business veterans to help raise awareness of the Federal Donation program.
- The WVSASP presented at the 2024 State Purchasing Conference on the state surplus and federal donation programs and discussed how agencies can benefit and save using both programs.
- 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 recently started a social media campaign to make the public aware of the items that are for sale and how they can shop at the facility.
- 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.

Samantha Willis, Director & General Counsel **304-558-0492 (o)**
Samantha.L.Willis@wv.gov

FY-2025 FACT SHEET

Samantha Knapp, Assistant Purchasing Director **304-558-7022 (o)**
Samantha.S.Knapp@wv.gov

Jessica Burns-McDonnell, Assistant Purchasing Director **304-356-2425 (o)**
Jessica.L.BurnsMcDonnell@wv.gov

Greg Clay, Assistant Purchasing Director **304-558-8806 (o)**
Gregory.C.Clay@wv.gov

Frank Whittaker, Assistant Purchasing Director **304-558-2316 (o)**
Frank.M.Whittaker@wv.gov

FY-2025 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 collaborate with and 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: 192
Total number of vacancies: 79.5

3) KEY PERSONNEL:

- Chief Information Officer (CIO)
- Deputy CIO (DCIO)
- Chief Information Security Officer (CISO)
- Chief Operations Officer (COO)
- Deputy COO - Client Services
- Chief Digital Officer (CDO)
- Director of Information Services
- Chief Financial Officer (CFO)
- Director of Network Architecture and Engineering
- General Counsel
- Director of Professional Development

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
FY2024 Budget $39,321,583

2032 - Central Mail Operations
Non-appropriated Special Revenue derived from mail operations billed to other state agencies
FY2024 Budget $7,516,240

2222 - Telecommunications
Non-appropriated Special Revenue derived from telecommunications services billed by outside providers to other state agencies
FY2024 Budget $14,152,900

Org: 0231

Fund: 2531 - WVOT
Appropriated Special Revenue derived from fees associated with the IS&C Fund
FY2024 Budget $2,709,787

FY-2025 FACT SHEET

Fund: 2532 - Excess Lottery
FY2024 Budget $2,225,000

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 customer 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:

Throughout the year, under the leadership of CIO Heather Abbott, the Office of Technology has achieved a number of initiatives which align with the state's technology strategic goals of customer experience, digital government, technology optimization, enterprise services, and cybersecurity. Some of these achievements include the continued modernization of legacy platforms improving the state's cyber posture. WVOT continues to lead 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 a supplement provided by the Legislature in 2023, WVOT has had the ability to keep rates down and make improvements to our environment. In the fall of 2024 we also received a supplemental appropriation that will allow us to start to replace aging hardware, procure critical software and enable us to create a roadmap that will lead to a migration to the cloud as well as upgrades/replacements of outdated critical software.

WVOT has put an emphasis on the services they provide, by implementing a governance framework to monitor, create and enhance technology services provided to our Agency Partners. Governance enhances the customer experience by creating efficiencies in delivery and support time, transparency and innovation of services. Our goals for this effort were to formulate a consistent approach to conducting meetings, to cut out duplicative efforts by our various teams, and to effectively utilize resources (both staff and data).

7) OVERVIEW OF REQUESTS FOR POTENTIAL LEGISLATIVE CHANGES:

As the use of technology increases in state government, so does the cost. In order to not impact other departments' budgets through rate increases, the WVOT plans to pursue an annual general revenue fund appropriation to cover costs associated with statewide needs, such as cybersecurity, and fixed overhead costs.

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.
- Data Retention: Recent outside events have shown the importance of well-defined processes and improved education of procedures for electronic data retention to better enable Department understanding of responsibility and need.
- Artificial Intelligence (AI): Challenges with providing guidance and guardrails around the evolution and growing adoption of AI in everyday software. The increased adoption of AI in almost all facets of technology

creates both an opportunity and a unique challenge, the goal being to utilize the power of the technology without compromising user data.

- Cost of Hardaware/Software and Support: The ever growing cost of doing business with hardware, software, and support vendors makes keeping costs down for our customers a challenge. Technology costs have increased every year, this impacts our cost recovery model as the dollars we spend on technology has to be passed on to the agencies who consume the products and services. A couple of examples include: 1) the support cost for VMware has gone up 500% since Broadcom took over in 2024 and 2) Microsoft support cost (Unified contract) tripled this year and will increase again with the next contract renewal.

9) HIGHLIGHTS ABOUT AGENCY:

The WVOT provides technology 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
- Productivity Platform Suite (Email)
- Network/telephony support
- Enterprise Print Shop
- Data Center
- Backup and Recovery Services
- Mainframe
- Training
- Records Management

10) 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.

11) LEADERSHIP:

Heather Abbott, Chief Information Officer **304-558-8100**
WV Office of Technology
1900 Kanawha Blvd. East
Bldg. 5, 10th Floor
Charleston, WV 25305

FY-2025 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 one vacant)

3) KEY PERSONNEL:

Arlie Hubbard, Executive Director
Brett Clutters, Leasing Manager
Gail Delmaar, Operations Manager

4) FUNDING/BUDGET:

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

Actual FY2024 Budget	**$1,576,772**
57% General Revenue	$ 902,771
41% Special Revenue from parking	$ 649,501
2% Special Revenue from PLC	$ 24,500

5) CORE FUNCTIONS OF AGENCY:

The Real Estate Division administers 513 leases around the state totaling $42.3 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 $22.4 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 state agencies for each employee's parking on the Capitol campus, totaling $409,398.90; collecting all money from the parking meters, totaling $107,769; collecting fines for parking citations, totaling $18,805; collecting other monies for parking permits, placards, access cards, etc. totaling $2,280; and overseeing the maintenance of all parking on the Capitol Complex.

Total revenue generated by the parking section for Fiscal Year 2024 is $538,252.

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-2025 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 *wv*OASIS 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:

Arlie Hubbard, Executive Director **304-558-3490 (o)**
Arlie.O.Hubbard@wv.gov

Brett Clutters, Leasing Manager **304-352-2307 (o)**
Brett.D.Clutters@wv.gov

BOARDS AND COMMISSIONS UNDER THE AUTHORITY OF THE DEPARTMENT OF ADMINISTRATION

FY-2025 FACT SHEET

ENABLING STATUTE: W. Va. Code § 5-22A-1, 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) HIGHLIGHTS ABOUT AGENCY:

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

7) LEADERSHIP:

Chad Riley, CEO of the Thrasher Group, Chairman of the Design-Build Board

Misty Peal, Deputy General Counsel **304-558-4331**
Misty.Peal@wv.gov.

FY-2025 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 **304-558-0400**

Kim.P.Nuckles@wv.gov

FY-2025 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 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:

Misty Peal, Deputy General Counsel **304-558-4331**
Misty.Peal@wv.gov.