

**WEST VIRGINIA  
SECRETARY OF STATE  
JOE MANCHIN, III  
ADMINISTRATIVE LAW DIVISION**

Form #3

Do Not Mark In This Box  
**FILED**

2003 AUG -1 P 5:32

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: Department of Administration TITLE NUMBER: 148

CITE AUTHORITY: 5A-4-5

AMENDMENT TO AN EXISTING RULE: YES  NO

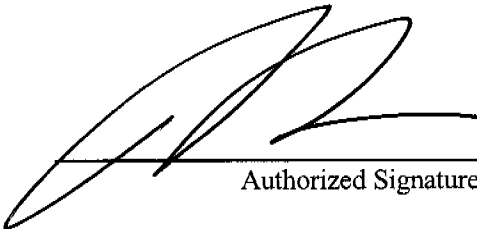
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 6

TITLE OF RULE BEING AMENDED: Parking

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.



Authorized Signature

**Agency:** Department of Administration  
**Rule Type:** Legislative

**Title Number:** 148  
**Cite Authority:** 5A-4-5

## **STATEMENT OF CIRCUMSTANCE AND BRIEF SUMMARY**

The Department of Administration is proposing to modify the Legislative rules relative to parking in order to make the monthly parking fees paid by employees the same throughout State government and to allow the funds received from the parking fines to be divided with one half going toward a handling fee to be used for operational purposes related to parking, including the costs associated with the enforcement of the parking rules.

**Agency:** Department of Administration  
**Rule Type:** Legislative

**Title Number:** 148  
**Cite Authority:** 5A-4-5

## **BRIEF SUMMARY OF COMMENTS RECEIVED; AGENCY RESPONSE; AND AMENDMENTS**

A voluminous amount of comments were received regarding the proposed parking rules. The vast majority of them were from employees of the Environmental Protection Agency and appeared to be a mass mailing with almost identical comments. I will briefly identify the comments herein.

### **Comments:**

- A. They protest the rule as they believe the Department of Administration would receive the revenues generated. This is inaccurate as the statute sets forth where the revenue goes. Additionally, the Department of Administration would assign parking and collect fees for the Capitol Complex and multiple use buildings only. It would be up to each spending unit to assign parking and collect fees for their unit.
- B. They believe their agency would be required to hire someone to assure that their spaces were not used by the public. The proposed rule would not require employing any additional staff. Each employee could be assigned a parking space and could enter the lot with an access card and the public would not have access to the lot.
- C. They believe that when DEP was securing a site for their new building they took parking into consideration and secured sufficient space to allow for free parking. The legislature passed the rule requiring spending agencies within the City of Charleston to pay monthly parking during the last legislative session. The current rule only reduces the amount that will be required to be paid.

- D. They indicate that making them pay parking would cause problems for land-owners and the mall because they would park in public areas rather than pay the monthly fee. The Department of Administration agrees that any employee not wishing to pay \$16.00 per month for a parking space right beside their office building does not have to do so. It is purely voluntary. However, we believe that most people are more than happy to pay the fee for the convenience of being close and the convenience of having a spot available to them any time they come and go throughout the day. There is plenty of public parking near the DEP building for those not wishing to pay the fee and there should be no spill-over into the neighborhood.
- E. They have five employees who are field-based and have permanently assigned vehicles who only work one day per week at the office and there is no exemption for them. The decision as to whether to provide a space for those five individuals would be up to their Cabinet Secretary. The Secretary could assign a number of spots for them and/or visitors.
- F. They believe that this will force them to pay parking when they move into the new building and they are not required to do so now. The Department of Administration would like to point out that employees who work at the Capitol Complex, downtown and at Worker's Compensation already pay a monthly fee and all state employees should be treated equally.
- G. They believe the Department of Administration is trying to be sneaky and slip rules by them. The Department of Administration has sent a mailing out to the Parking Coordinators of every agency to advise of the proposed rules and solicit comments.

### **Agency Response:**

The Department of Administration believes that there is a misunderstanding about the rule modifications being proposed. The only changes to the proposed rules are to decrease the amount that is already required to be paid from \$20.00 per month for off-site facilities to \$16.00. We are not establishing a new fee. In light of this no amendments are being made by the Department of Administration based upon the fact that the comments received as they are not relevant to the rule modification.

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have to employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners

who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

A handwritten signature in black ink that reads "Ann Baker". The signature is written in a cursive style with a large initial "A".

J. Ann Baker  
DEP - Nitro  
#10 McJunkin Road  
Nitro, WV 25143

Name: *DUANE STOWERS*  
Address: *463 CAMPBELLS CK DR.*  
City, State, Zip *CHARLESTON, WV 25304*

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

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I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

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Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

A handwritten signature in cursive script that reads "Duane Stowers". The signature is written in black ink and is positioned below the typed name "Duane Stowers".

**From:** "TERRIE SANGID" <TSANGID@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/24/03 9:36AM  
**Subject:** Terrie Sangid

Terrie Sangid  
4910 Virginia Avenue, SE  
Charleston, West Virginia 25304  
tsangid@dep.state.wv.us

July 24, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule (148 CSR 6)

Ms. Prunty:

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

I see it as a problem from two sides:

- 1) As a state employee (I currently work for the Department of Environmental Protection, which is moving into Kanawha City in approximately 18 months),
- 2) As a homeowner in the affected area (I currently live in Kanawha City).

I must protest this rule modification for the following reasons:

1) This proposed rule would increase Department of Environmental Protection's (DEP) overhead costs, because a parking guard will have to be hired to monitor the parking for our 600 employees and guests. Many of our programs have had significant budget cuts in recent years; therefore, I find it negligent of the Department of Administration to modify a rule that will result in increased overhead costs to these programs, and which could ultimately affect the taxpayers of West Virginia. DEP's funds should be used to protect and improve the environmental quality of life for all of West Virginia's citizens, not pay to police parking at a facility that was designed to provide ample parking for its employees and guests.

2) State employees will be paying the Department of Administration a fee for which that Department is rendering no services. DEP will, from my understanding of the rule, not receive any services (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant. I find this fact most egregious.

3) The new DEP building is located in the middle of a Kanawha City neighborhood. These homeowners were willing to allow a large state agency to move into their neighborhood with the expectation the agency had ample parking for its employees and guests. Under this modified rule, employees unwilling to pay the parking fee will simply park in the Kanawha Mall parking lot or throughout the neighborhood. This will create discord with local homeowners and businesses. The homeowners and businesses in the area will feel DEP representatives lied to them in order to gain their approval to locate the building at that site. I actually live in an area of Kanawha City that has already been impacted by the Workers Compensation

employees parking alongside the roads, in residential parking spaces and in local business parking lots. The City of Charleston has already had to post "No Parking" signs in locations around the area.

4) Title 148 CSR 6 was originally written to solve parking problems within the State Capital Complex. The rule modification simply expands the affected area to include "all state owned and leased properties within the Charleston city limits." This is discriminatory. Many of the locations affected by this change (the new DEP building being one) do not have a need to police the parking. If the Department of Administration is going to expand the scope of the rule, it should be expanded to include all owned and leased state properties across the state, not just a single area. If not, many lawsuits and grievances will be filed, which will again, probably adversely affect the taxpayers of West Virginia.

Sincerely,  
Terrie Sangid

**From:** "BECKY CHARLES" <bcharles@mail.dep.state.wv.us>  
**To:** <DPRUNTY@GWMAIL.STATE.WV.US>  
**Date:** 7/30/03 11:55AM  
**Subject:** Comment on 148 CSR 6

Ms. Prunty,  
Please find attached my comment on the proposed rule. I will also send a hard copy in the mail.

Becky

Ms. Prunty, Please find attached my comment on the proposed rule. I will also send a hard copy in the mail. Becky

Ms. Prunty, Please find attached my comment on the proposed rule. I will also send a hard copy in the mail. Becky

1614 Lexington Dr.  
Charleston, WV, 25303

July 30, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I am writing this comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned or leased property within the confines of the City of Charleston, Kanawha County. I have several objections to this rule.

First, the rule does not do what it purports to do - i.e. it does not make parking fees paid by employees the same throughout State government. Instead, only those employees who work in the city limits of Charleston are burdened with this fee. For instance, the Department of Environmental Protection currently has office buildings throughout the state. The two main offices of the DEP are located in Nitro and Charleston. Those employees in Nitro will not be forced to pay for parking until they move to the new building in Charleston. Under the proposed rule, those employees in Charleston must begin to pay now. This will create an inequitable situation for a single Department - and all the other Departments and state agencies similarly situated with field agencies in different towns.

Second, the rule removes an employee benefit from me which I specifically inquired about when I was hired and accepted employment - other employees in our agency were also informed that parking was included for their job, at no charge. I do not believe that it is appropriate to remove a benefit bargained for by employees of the state who happen to work within the city limits of Charleston. I also do not think that the rule is equitable to all employees in Charleston - wherever they park. The rate of charge, if there must be any, should be based upon salary. Sixteen dollars a month has greater impact, for instance, on someone in paygrade 2 than someone in paygrade 25. Any such fee should be based on a sliding scale according to paygrade. Alternatively, a parking lot plan should have spaces priced according to their location. Similar to the way seats at a concert are priced. Those closest to building entrances should be priced higher (they generally are assigned to upper management anyway) and those further away should be priced more modestly for those who may not be able to afford \$16 as easily. This would ease the strain on those who don't make as much money and others who don't mind walking a little further.

Third, I understand that under the rule, agencies that have free and open public parking in their lots will not be regulated under the proposed regulation. However, where several separate agencies, under separate Departments share a building and parking area, must all agencies come to a single agreement for the parking area or may the agencies decide to set aside an area for free, open public parking and an area for those employees who wish to pay for an individual space? This would enable each agency to decide for itself what it wishes to do regarding parking. In some cases, consensus among several state agencies under different Departments, who simply share facilities, will not be possible.

Fourth, nowhere in the rule is it indicated that the Department promulgating this regulation will provide any benefits to the agencies whose employees must pay to park. Such benefits that should come with the fee include snow removal and parking enforcement. It is not uncommon for our employees to not have a location to park because members of the public take the parking spaces. Unless lots of time is spent patrolling our parking area to enforce and tow offenders, the employees paying may receive no benefit or will lose part of benefits when someone parks in their space. Further, if this regulation is put into place, there should be a mechanism whereby an employee can recoup his/her pro rata share for days that they are unable to park in their space due to: unassigned person parking in the space; member of public parking in space; construction or maintenance on building or parking lot that blocks parking space; snow/ice cover making parking lot inaccessible.

I object to the proposition stated in the Fiscal Note for this rule that there is no estimated total cost to the state with this rule. This cannot be so. If employees must pay for parking spaces, the parking lots must be patrolled or the employees will, in some cases, be paying for spaces that they cannot use due to unlawful use by others. Thus, my agency will probably have to employ someone to prevent others from parking in the spaces assigned for public parking, or in another's space. Parking patrol monitors will need to be hired for all the state owned buildings in Charleston. This will be at a great increase to the state budget for increased personnel and equipment (patrol cars or vehicles). If parking monitors are not hired, this rule is without force or effect. Extra snow removal equipment and personnel will also be required to maintain conditions in the parking lot. Last year for instance, with no snow removal supplied, many employees in our building were not able to park in the parking lot for a few days.

Fifth, I object that there is no mention or regards for handicapped parking for employees. Under this rule, handicapped employees will have to pay since, by virtue of their handicap they may not be able to park off-site like other employees. However, it may not be fair to non-handicap employees if handicap employees get free parking. I think this issue needs to be addressed in the rule and not left up to the discretion of individual agencies.

Lastly, I object to the way in which the proposed rule as well as the previous rule (effective date July 1, 2003) have been promulgated. Although I have seen that the previous rule and this rule have undergone the minimum requirements necessary for rule promulgation, I expect more from the Department of Administration when it proposes a rule that affects state employees like this proposed rule. These rules should have been publicized more so that the

employees would have been aware of what was being proposed. No one in my building knew that the previous rule had been promulgated until last week. By the time we discovered this rule we had less than 2 weeks to comment on changes to it.

My agency also promulgates legislative rules. We do this regularly. We widely publicize our rules by putting it out on our web site – it's a cheap and effective means of communication. The Department of Administration, in promulgating these rules, could have done this and gone beyond the bare minimum required to promulgate a rule. I noticed that the Department of Administration publishes a newsletter for state employees and it is on the Department's web site. There was barely a mention in the newsletter of the passage of House Bill 2592 which authorized the rule that became effective this July. The mention was that this rule concerned "parking." Nothing any more specific than this was said in the newsletter.

I think that the Department of Administration owes more to state employees than bare minimum service. I know our state employees are challenged every day and by every agency to go the extra mile and provide more than the minimum service legally required. I believe that the comment period on this rule and the previous rule should be reopened for comment and that the rule should be sent to each agency at every building location and/or to the Public Information Officer for each agency. The proposed rule can be e-mailed fairly simply to do this and it can be put on your web site. While the process may have been legal, I feel that it was purposefully kept quiet and I do not think the process was fair to employees. I understand that you sent a notice to parking directors but not every agency, mine for instance, has such a person. Thus, I suspect many agencies did not get any notice. I know that none of the four agencies, under three separate Departments, in my building received notice of these rules other than the minimum notice legally required by publishing in the state register, etc.

In conclusion, I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol or budgetary shortages should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

Rebecca S. Charles

**From:** "BOB COONTZ" <BCOONTZ@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/30/03 11:12AM  
**Subject:** Parking

Robert Coontz  
1560 Kanawha Boulevard East  
Charleston, WV 25311

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty,

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on property owned or leased by the state or its agencies within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration. The new rule would also impact our current leased property at 1560 Kanawha Boulevard East. The DEP in securing a site for the new facility took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. Also, parking is included with our lease at the Kanawha Boulevard office for which our program is paying the lease.

I must protest this rule. We would be paying for parking at least twice and would be paying the Department of Administration a fee for which no service is being rendered by that Department. Even if DEP chose to charge for parking, why would the revenue not be paid to the DEP. Employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and possible assignment and tracking of space assignments. Also, if it is fair to charge Charleston employees, why would the new rule not apply state wide.

We also have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

Robert Coontz

Name: David Kersey  
Address: 2135 Cleveland Avenue  
St. Albans WV 25177

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

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I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

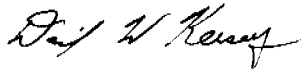
Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

A handwritten signature in cursive script, appearing to read "David W. Kersey".

David W. Kersey

Charles Rollins  
PO Box 7286  
Cross Lanes, WV 25356

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

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I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

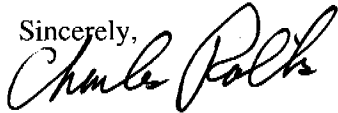
Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles Polk". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Name: Brenda S. Fisher  
Address: Box 121  
City, State, Zip Liberty, WV 25124

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

Tina J. Perdue  
1977 Kelmont Lane  
Sissonville, WV 25320

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

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I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that the public does not use employee assigned parking spaces, we will have to hire additional employees to prevent employees from parking in the spaces assigned for public parking, or in another's space.

**Second, our employees would be paying the Department of Administration a fee for which that Department is rendering no service.** Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

**Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees.** It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

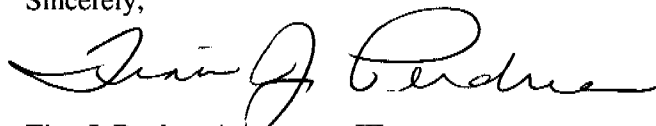
Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

Another aspect is that in my case, my husband works at the Capitol, meaning we would be paying \$40 per month to park. And I KNOW there will not be any type of pay raise to cover these costs. I would imagine this would be the case for quite a few state employees.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tina J. Perdue".

Tina J. Perdue, Accountant III  
WV Department of Environmental Protection  
Division of Water and Waste Management  
State Revolving Fund  
1560 Kanawha Blvd, East  
Charleston, WV 25311

Rosalie Brodersen  
C/o WV DEP  
1560 Kanawha Blvd. East  
Charleston WV 25311

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space. Collection is another expense that will be incurred.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again (double billing). If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers. Much like the protests that occurred when Wal-Mart tried to enter the area.


Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

Sixth, who is to pay for parking for the state vehicles? The pool vehicles are not assigned to any one person. The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past as well as other state employees. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

**In addition**, the rule penalizes married people (much like the federal and state income taxes) in that both will have to pay \$20 for a total of \$40 a month for parking. Was this taken into consideration? How like the state!

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Brodeur".

Name: Shante' Hall  
Address: 1536 Hansford Street  
Charleston, WV 25301

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

I have been with the DEP for 20 years I am 61 years old and cannot afford to pay this fee I have not had a in five years. Please don't ask us to pay this fee that we are not going to get any service for.

Sincerely,

*Shante' Hall*

Debbie Pickens  
172 Oak Street  
Dunbar, WV 25064

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exhorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

A handwritten signature in cursive script that reads "Debbie Pickens". The signature is written in dark ink and is positioned above the printed name.

Debbie Pickens

July 22, 2003

**Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305**

**RE: Proposed Change to Legislative Rule Series 6 Parking**

**Ms. Prunty;**

**I would like a quick response to my questions please.**

**First of all, who sponsored this sneaky, underhanded, outrageous rule change? And, why isn't there any public comment sessions scheduled?**

**Are you aware that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by this appalling change. If DEP owns its facility, why are we being required to make payment to the Department of Administration, including fees and all associated fines?**

**Now, we must assign parking spaces to 600 people at our new facility. Who is going to be responsible for making sure the public does not park in employee assigned spaces, Department of Administration or is this one more added cost to DEP? Is the Department of Administration going to be responsible for snow removal? Will the Department of Administration provide a parking attendant?**

**The DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an enormous fee for parking, but not for a simple lot where the profits for such venture go to an overgrown, narcissistic entity that seriously needs to be cut back.**

**The new location for DEP is right beside a mall and has off street parking in the vicinity. Most DEP employees will be unwilling to pay this fee and will find another place to park my car. Now, instead of being a force that will positively impact the Kanawha City folks, we will be seen as an irritant. Presently we have a field office in Kanawha City beside Big Lots. Can you just imagine the confusion that would come with all those folks parked on that lot in order to avoid your dastardly fee? With all of the phone calls coming into your agency complaining that folks using state vehicles are shopping at Big Lots, why, you would probably need to hire someone to manage those phone complaints!**

**What about our field-based employees who are permanently assigned state vehicles and work one day per week at the office. There appears to be no exception for those employees who will rarely use the space. I call that smart thinking on behalf of some devious legislators.**

**The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. Not. Employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, likely our employees will see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.**

**I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.**

**Awaiting your comments,**

**C. Elaine Ranson  
3729 Spring Fork Drive  
Charleston, West Virginia  
[eranson@mail.dep.state.wv.us](mailto:eranson@mail.dep.state.wv.us)**

Stuart Brian Shamblen  
2614 Roselane Drive  
Charleston, WV  
25302

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have to employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which **no service** is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant, nor will security of any kind be provided.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. This will also cause hardship to low income employees who will be unwilling to take, in essence, a pay cut of \$192.00-\$240.00 a year to fund this. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

A handwritten signature in cursive script that reads "Stuart Brian Shamblen". The signature is written in black ink and is positioned above the printed name.

Stuart Brian Shamblen

**WEST VIRGINIA  
SECRETARY OF STATE  
JOE MANCHIN, III  
ADMINISTRATIVE LAW DIVISION**

Form #2

Do Not Mark In This Box

**FILED**

2003 JUL -2 P 12:09

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: Department of Administration TITLE NUMBER: 148

RULE TYPE: Legislative CITE AUTHORITY: 5A-4-5

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 6

TITLE OF RULE BEING AMENDED: Parking

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON Aug 1, 2003 AT 10:00 am ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Donna Prunty, Executive Coordinator

Department of Administration

1900 Kanawha Boulevard, East

Room E-119

Charleston, WV 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

  
\_\_\_\_\_  
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

Name: Helen Hardman  
Address: 1356 Hansford  
City, State, Zip Chas WV 25301

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

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I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exhorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

A handwritten signature in cursive script that reads "Helen Hardman".

Name: Judith L. Weese  
Address: 503 Kanawha Ave. S.  
City, State, Zip Nitro, WV 25143

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government,

Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

*Judith L. Weese*

Name: JESSE D. BOYD  
Address: BX 520 CABIN CR.  
City, State, Zip W.V. 25035

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exhorbitant fee for parking, but not for a simple lot.

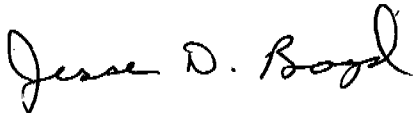
Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government,

Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely, 

Thomas R. McCarthy  
5 Monterey Lane  
Cross Lanes, West Virginia 25313

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty:

Regarding the proposed change to the Legislative Rule (148CSR6) on parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County, I would like to comment.

The Department of Environmental Protection, for whom I work, is in the process of constructing a building in Kanawha City, within the city limits of Charleston. Every DEP employee will be severely impacted by this change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility, and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule for several reasons. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have to employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space. This is an unnecessary expense to the DEP.

Second, our employees would be paying the Department of Administration a fee for which no apparent service is being rendered by your Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. The DEP has always had free parking. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging a fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. State employees are not highly paid, and another monthly bill for the privilege to work for the State is devastating to many. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities outside of the Complex.

Sincerely,

A handwritten signature in cursive script that reads "Thomas R. McCarthy". The signature is written in dark ink and is positioned above the printed name.

Thomas R. McCarthy

July 21, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have to employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

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Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased

Laurie Lewis  
833 Whispering Way  
South Charleston, WV 25303

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant. I would like to know what the intensions of the monies received and how it will be used

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

*Laurie Lewis*

Sheri Richardson  
5317 Nesting Way  
Cross Lanes, WV 25313

July 22, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

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again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

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The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,



Sheri Richardson  
Department of Environmental Protection  
Administration/Human Resources



Michael Richardson  
Department of Environmental Protection  
Office of Abandoned Mine Lands



Office of Explosives and Blasting  
10 McJunkin Road  
Nitro, WV 25143  
(304) 759-0595  
(304) 759-0587

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## West Virginia Department of Environmental Protection

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Bob Wise  
Governor

Stephanie R. Timmermeyer  
Cabinet Secretary

July 22, 2003

Donna Prunty, Ex. Coordinator  
Dept. of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Parking Rule  
Public Comment

Dear Ms. Prunty:

I am a Field Based Employee with the WVDEP/OEB. I am required to report to the office one day a week or four days a month. Today I received an e-mail from our Adm. Service Mgr., Melinda Campbell concerning this matter. This controversial issue has not made the papers or news, which tells me it, is being kept hush-hush.

My concerns are: I am a field-based employee with the WVDEP/OEB; I drive a state vehicle with statewide responsibilities. I some times won't make it into the office until mid-morning and again it is only four days a month. If you are not going to give me an assigned parking space, there will not be one available and why should I have to pay the same to park for four days out of the month as someone parking daily. I am a registered voter and feel this is unfair. I have a state vehicle and pay a users fee for four days usage a month. There is no way you will guarantee me a parking space in the new Kanawha City Location and I will probably end up parking at the Kanawha Mall. I also understand that the money goes to the Capitol Complex and won't go to maintenance to our parking lot or the DEP in general, which in turn could be used for raises.

If the state wants to take money from one hand and give it to the other, that is fine, but you are taking it out of my families mouth and my hands. This is not right and that's why it has been kept so quiet. As a voter in this state, I am totally against this action!! Now that you have taken two hours out of my day, and every other employee in the state of WV, this is my closing statement: If this fee is assessed from my paycheck with out my approval, I will enter a class action lawsuit with a number of state employees who feel the same way.

Sincerely,

Philip L. Keffer  
Inspector Specialist, OEB



West Virginia Department  
of Environmental Protection

"Promoting a healthy environment."

---

June Absten  
4932 Dempsey Drive  
Cross Lanes, WV 25313

July 22, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

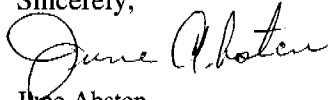
Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

A handwritten signature in cursive script that reads "June Absten". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

June Absten

July 22, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Change to Legislative Rule Title 148 Series 6

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. Our Department will be forced to assign parking spaces to each of its 600 employees. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. What justification can be used for this fee?

The DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

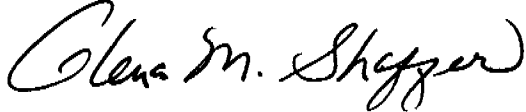
The new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Donna Prunty, Executive Coordinator  
Department of Administration  
July 22, 2003  
Page 2

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I do not believe that this rule represents the best interests of employees of the State of West Virginia or their surrounding neighbors and neighborhoods. If the language of this rule cannot be amended, I would ask that the Secretary grant an exception which would allow, as approved in the proposed building's plans, for free parking for employees and visitors at DEP's new Kanawha City location.

Sincerely,

A handwritten signature in cursive script that reads "Glenna M. Shaffer". The signature is written in black ink and is positioned above the typed name and address.

Glenna M. Shaffer  
1356 Hansford Street  
Charleston, WV 25301

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to protest the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

The DEP, in its search for an appropriate site for the new facility, secured a site with sufficient space to allow free parking of all of its employees. With all good changes come positive benefits; it is twisted to force DEP employees to lose income to earn a paycheck, at a new, improved site. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated to pay for the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face the same issue.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, political subdivisions, or the Public at large. However, employees of the DEP will see a financial impact in the form of parking fees they have never had to pay in the past. This will have a large, negative impact, on field-based employees, driving permanently assigned state vehicles, who work in the office only one day per week. There appears to be no exemption for these employees to, not pay, for parking even though they would rarely use the space. Also, the DEP is likely to see increased costs associated with enforcement of this policy and assignment and tracking of space assignments.

Will the Department assign parking spaces to each of its 600 employees that are assigned to the new facility? What measures will be used to prevent employees from parking in spaces designated as "visitor" parking? What measures will be used to prevent the general public from parking in spaces designated as "employee only" parking?

Donna Prunty, Executive Coordinator  
Department of Administration  
July 23, 2003  
page 2

Note that, DEP employees would be paying a fee to the Department of Administration – a department, from my understanding of the rule, that offers no service in return.

Most importantly, the new location is right beside a mall and has off street parking in the near vicinity. Employees unwilling to pay this fee (who does?) will, more than likely, to simply park in one of these available areas to avoid paying the parking fee. Without doubt, the invasion of another's space will create conflict with local homeowners and the owners of the mall parking, both of whom have the expectation that parking will be provided to DEP employees. Living near one of the area hospitals, I can personally assure you that this issue is VERY REAL AND MUST BE TAKEN SERIOUSLY. Complaints from local residents to local police soon become bothersome – and a constant nuisance. On-going complaints create a problem that will only serve to diminish any positive feelings between the public and the creator of the problem, the West Virginia Department of Environmental Protection.

Please answer the following questions. Why is this fee necessary? Be specific. Who proposed this legislation? Be specific. Who supported the legislation? Be specific.

I request that, in accordance with Title 148 Series 6, Subsection 7.4, the Secretary of the West Virginia Department of Environmental Protection grants an exception to this Rule: to eliminate the monthly parking fee.

On the side, Section 148-6.4 Metered Parking states “the amount to be charged for parking at meters shall be .50 cents per hour.” Although realistically, this language should be “0.50 dollars per hour”, or “50 cents per hour”, could a person challenge this fee based on this law? This is simply a question.

Sincerely,



Carol J. Bakanas  
1356 Hansford Street  
Charleston, WV 25309

July 22, 2003

Mr. Sudhir Patel  
1356 Hansford St.  
Charleston, WV 25301

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have to employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

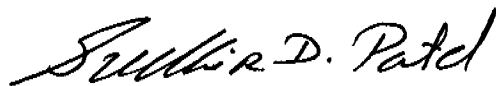
Ms. Prunty  
July 22, 2003  
Page 2

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

A handwritten signature in cursive script that reads "Sudhir D. Patel".

Sudhir Patel



Division of Land Restoration  
1356 Hansford Street  
Charleston, WV 25301-1401  
Telephone: (304) 558-2508  
Fax Number: (304) 558-3998

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## West Virginia Department of Environmental Protection

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Bob Wise  
Governor

Stephanie R. Timmermeyer  
Cabinet Secretary

Mr. Warren E. Knotts, PG, PM  
Division of Land Restoration  
Office of Environmental Remediation  
Superfund Group  
1356 Hansford Street  
Charleston, WV 25301-1401

Ms. Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule, Title 148 Series 6 - Parking

Dear Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148 CSR 6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility. It is also my understanding all parking fees (and fines) collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will need to employ someone to prevent the public from parking in the a space assigned to a DEP employee, or in another's DEP employee's parking space.

Second, our employees would be paying the Department of Administration a fee for which the Department of Administration is rendering no service. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and purchased sufficient acreage to provided free parking for all of its employees. It makes no sense that DEP has paid for employee and visitor parking space, as well as space to park state pool vehicles when there not in use, and is now being required to make its employees pay for parking again. If a parking garage were built,



West Virginia Department  
of Environmental Protection

"Promoting a healthy environment."

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one may be able to understand charging such an absorbent fee for parking, but not for a paved lot that was included in the original sale of the DEP property.

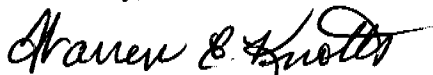
Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling (and unable) to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall businesses, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact from inconvenience due the numbers of DEP employees who will choose park on their streets rather than in the lot DEP bought lock, stock and barrel. It's also important to note state employees have been under a pay increase freeze for the last two and one half years. At the same time we have watched our insurance premiums and co-payments soar above what industry is charging its employees for better coverage. You know it's getting pretty bad when working people vote to have their medical insurance premiums taken out of their salaries twice monthly so they don't starve one 15-day pay period per month. Gas prices are soaring at all time highs, increasing the cost of everything we purchase, since the cost of energy has a profound impact on the cost of other commodities. If the state is so poor it has to start renting parking spaces to balance its financial spreadsheet, then maybe we need to reassess where to trim off some pork where there's a little fat, and not from meagerly paid DEP employees who are doing a good job protecting our state's environment for future generations.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking space. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face similar problems.

Sincerely,



Mr. Warren E. Knotts, PG, PM  
Division of Land Restoration  
Office of Environmental Remediation  
Superfund Group  
1356 Hansford Street  
Charleston, WV 25301-1401

July 22, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

As an employee of the Department of Environmental Protection (DEP), I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the DEP, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have to employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs

associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

It seems to me that this is just a way for the Department of Administration to make some easy money at the expense of State employees.

Sincerely,

A handwritten signature in cursive script that reads "Gloria J. Shaffer". The signature is written in dark ink and is positioned above the typed name and address.

Gloria J. Shaffer  
1602½ Lakeland Terrace  
Sissonville, WV 25320

July 23, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room #-119  
Charleston, WV 25305

Re: Proposed change to Legislative Rule Series 6  
Parking

Dear Ms. Prunty:

This letter is in regard to the above referenced rule. I wanted to protest this rule and this reduction in my paycheck. I live in Clay Co. and drive approximately 100 miles a day round trip to work, the drive, wear & tear on the car, and cost of the gasoline is hardship enough without having to pay for parking my car. It should be one of the benefits of your job to have a free place to park your car.

This seems like you are penalizing people for working in Charleston and the rest of the state workers are not affected. What about the people that don't drive or they are lucky enough to have someone to car pool with, have you not taken that into consideration? The new DEP building that is being constructed in Kanawha City was supposed to have adequate free parking and now this fee is going to be collected to fill the state's coffers. Every time there's a tax break, then something else goes up to take it away.....

I now have an assigned parking space with the Department of Environmental Protection that is too small, I hardly have room to get out of my car after it's parked. So if we are required to pay this unfair charge, you could at least let us choose where we park and give us a regular sized space for our money and have security and maintenance for the parking area. It's not fair for the City of Charleston based state employees to pay for the parking problem at the capitol when not all employees work there. Why not distribute the cost to all employees statewide, this would require a smaller salary reduction for each employee.

I understand that money is an issue in this matter, but the solution should not be placed on the very people that keep the state government operational. Please make my protest known to anyone that may be considering this matter, as it is important that the state employees be heard.

Sincerely,



L. Evelyn Hopkins  
DEP, Div. Of Water & Waste Management  
414 Summers Street  
Charleston, WV 25305

July 23, 2003

Kimberly A. Akers  
133 Swarthmore Avenue  
Charleston, WV 25302

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

Included in this letter are my comments on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection (DEP), which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

This rule will force our Department to assign parking spaces to each of its 600 employees at the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have to employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Our Agency's employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. The DEP will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant. **Please tell me what the benefit of this Rule is to us, except to place money in someone's pocket?**

The DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an overpriced fee for parking, but not for a simple lot.

Page 2

July 23, 2003

RE: Proposed Change to Legislative Rule Series 5 Parking

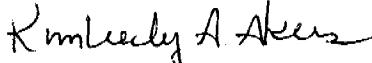
DEP's new building is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

There also appears to be no exemption for our field-based employees who are permanently assigned state vehicles, who work one day per week at the office or an exemption for those who don't even possess a drivers license and use public transportation or other means of getting to work each day.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

Although I understand there are parking restrictions that are in place at the Capitol due to the shortage of convenient parking, it is my feeling that no state employee should have to pay for parking at a state owned or leased facility. I find it ridiculous that any state employee having to go to the Capitol Complex to conduct their agency's business must pay to park. However, the solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such parking problems.

Sincerely,

  
Kimberly A. Akers

**From:** "LALENA PRICE" <lprice@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/24/03 2:43PM  
**Subject:** proposed parking changes

Dear Ms. Prunty,

I'm very distressed to learn about the proposed parking rule changes.

I came to the Department of Environmental Protection's Public Information Office in February. When I accepted the job offer, there was no mention that in 2004, when the agency moves into its new, environmentally sound building, that I would then suffer a \$240 cut in pay.

If I have to pay \$240 per year to park on a lot ALREADY owned by the taxpayers of the State of West Virginia, I, along with everyone else in this agency, will suffer a pay cut. For some people this will mean a pay cut to park as well as a longer drive to and from work. The drive we can handle. The parking fees are ridiculous. At a time when our state leadership has ceased merit raises and other rare perks for the hardworking state employees of West Virginia, this is just another slap in the face.

Most people adjust their lifestyles to live on what they earn. Many of us just get by. To adjust to a pay cut will be a challenge for many of us. While parked on a lot owned by the State of West Virginia, I, like so many others, will be doing a job for the citizens for which I am already paid less than my peers in private industry. I think you'll find that to be the case in much of state government -- good people doing good jobs for less money because they see the importance of a government run by well-educated, experienced people. If only good-paying private industry were to get the cream of the crop, where would government stand?

So it goes that we work here... and it's not for the money, but for the mission of helping to preserve and promote a healthy environment. But regardless, come fall of 2004, we could suffer a pay cut because of this parking rule. It's insulting as well as puzzling: There's no mention of why this must be and what the money would be used for. As a former news reporter and editor, it all sounds suspect to me. Typically if no good reasons are laid out, there are no good reasons.

Consider this my formal comment against the parking rule.

Lalena Price

Lalena Price  
Department of Environmental Protection  
Public Information Office  
304.558.0886 phone  
304.550.3552 cell phone  
304.558.4530 fax  
lprice@dep.state.wv.us  
Promoting a healthy environment.

**From:** "TERRIE SANGID" <TSANGID@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/24/03 9:37AM  
**Subject:** Terrie Sangid

Terrie Sangid  
4910 Virginia Avenue, SE  
Charleston, West Virginia 25304  
tsangid@dep.state.wv.us

July 24, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule (148 CSR 6)

Ms. Prunty:

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

I see it as a problem from two sides:

- 1) As a state employee (I currently work for the Department of Environmental Protection, which is moving into Kanawha City in approximately 18 months),
- 2) As a homeowner in the affected area (I currently live in Kanawha City).

I must protest this rule modification for the following reasons:

- 1) This proposed rule would increase Department of Environmental Protection's (DEP) overhead costs, because a parking guard will have to be hired to monitor the parking for our 600 employees and guests. Many of our programs have had significant budget cuts in recent years; therefore, I find it negligent of the Department of Administration to modify a rule that will result in increased overhead costs to these programs, and which could ultimately affect the taxpayers of West Virginia. DEP's funds should be used to protect and improve the environmental quality of life for all of West Virginia's citizens, not pay to police parking at a facility that was designed to provide ample parking for its employees and guests.
- 2) State employees will be paying the Department of Administration a fee for which that Department is rendering no services. DEP will, from my understanding of the rule, not receive any services (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant. I find this fact most egregious.
- 3) The new DEP building is located in the middle of a Kanawha City neighborhood. These homeowners were willing to allow a large state agency to move into their neighborhood with the expectation the agency had ample parking for its employees and guests. Under this modified rule, employees unwilling to pay the parking fee will simply park in the Kanawha Mall parking lot or throughout the neighborhood. This will create discord with local homeowners and businesses. The homeowners and businesses in the area will feel DEP representatives lied to them in order to gain their approval to locate the building at that site. I actually live in an area of Kanawha City that has already been impacted by the Workers Compensation

employees parking alongside the roads, in residential parking spaces and in local business parking lots. The City of Charleston has already had to post "No Parking" signs in locations around the area.

4) Title 148 CSR 6 was originally written to solve parking problems within the State Capital Complex. The rule modification simply expands the affected area to include "all state owned and leased properties within the Charleston city limits." This is discriminatory. Many of the locations affected by this change (the new DEP building being one) do not have a need to police the parking. If the Department of Administration is going to expand the scope of the rule, it should be expanded to include all owned and leased state properties across the state, not just a single area. If not, many lawsuits and grievances will be filed, which will again, probably adversely affect the taxpayers of West Virginia.

Sincerely,  
Terrie Sangid

**From:** "DOUG WOOD" <DWOOD@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>, "ALLYN TURNER"  
<ATURNER@mail.dep.state.wv.us>, "PATRICK CAMPBELL" <PCAMPBELL@mail.dep.state.wv.us>, "STEPHANIE TIMMERMEYER" <stimmermeyer@mail.dep.state.wv.us>  
**Date:** 7/24/03 4:51PM  
**Subject:** Parking charges.

I have not yet parked in the parking garage currently provided to employees of Water Resources assigned to the office building on Summers and Donnally Streets (even though I am one of those employees), nor do I intend to do so. Neither do I intend to park in the DEP parking area at the new Kanawha Mall location when that office building is completed, there being plenty of free parking in the mall parking area. These facts and the wording of the following section of the Legislative Parking Rule lead me to assert my right not to have money deducted from my paycheck for parking. I also request that whoever can effect removing my name from the list of employees with assigned parking spaces, please do so. I have no need of the parking pass currently in my possession, nor will I have need of one in the future. Consequently, I will need no assigned space, and it follows that I should not be charged, nor should any parking fee be deducted from my paycheck. If I have not contacted the appropriate person(s) and any one of you know who is the appropriate person to contact, please advise me of the same. Thanks for assisting with this matter.

#### §148-6-5. Parking

For locations outside the Capitol Complex, all spending units shall charge \$20.00 per month for parking unless the facility consists of all free, public access parking (i.e., shopping centers or other facilities approved by the Secretary).

Douglas McClure Wood

**From:** "DOUG WOOD" <DWOOD@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/24/03 4:54PM  
**Subject:** Charge for parking.

As you may have seen in a previous e-mail, I have taken steps to ensure that I do not have an assigned parking space in any state owned parking facility. Therefore, I expect to have the constitutional right to keep the earnings I am currently receiving in my paychecks, and to keep all future earnings regardless of the legislative parking rule. Since I am not willfully participating in the parking program, I expect not to pay the parking fees established by the legislature. If there is another person I should contact to expedite this matter, please advise me of the same. Thanks.

Douglas McClure Wood

**From:** "DOUG WOOD" <DWOOD@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>, "ALLYN TURNER"  
<ATURNER@mail.dep.state.wv.us>, "PATRICK CAMPBELL" <PCAMPBELL@mail.dep.state.wv.us>,  
"STEPHANIE TIMMERMEYER" <stimmermeyer@mail.dep.state.wv.us>  
**Date:** 7/24/03 4:51PM  
**Subject:** Parking charges.

I have not yet parked in the parking garage currently provided to employees of Water Resources assigned to the office building on Summers and Donnally Streets (even though I am one of those employees), nor do I intend to do so. Neither do I intend to park in the DEP parking area at the new Kanawha Mall location when that office building is completed, there being plenty of free parking in the mall parking area. These facts and the wording of the following section of the Legislative Parking Rule lead me to assert my right not to have money deducted from my paycheck for parking. I also request that whoever can effect removing my name from the list of employees with assigned parking spaces, please do so. I have no need of the parking pass currently in my possession, nor will I have need of one in the future. Consequently, I will need no assigned space, and it follows that I should not be charged, nor should any parking fee be deducted from my paycheck. If I have not contacted the appropriate person(s) and any one of you know who is the appropriate person to contact, please advise me of the same. Thanks for assisting with this matter.

#### §148-6-5. Parking

For locations outside the Capitol Complex, all spending units shall charge \$20.00 per month for parking unless the facility consists of all free, public access parking (i.e., shopping centers or other facilities approved by the Secretary).

Douglas McClure Wood

**From:** "LALENA PRICE" <lprice@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/24/03 2:43PM  
**Subject:** proposed parking changes

Dear Ms. Prunty,

I'm very distressed to learn about the proposed parking rule changes.

I came to the Department of Environmental Protection's Public Information Office in February. When I accepted the job offer, there was no mention that in 2004, when the agency moves into its new, environmentally sound building, that I would then suffer a \$240 cut in pay.

If I have to pay \$240 per year to park on a lot ALREADY owned by the taxpayers of the State of West Virginia, I, along with everyone else in this agency, will suffer a pay cut. For some people this will mean a pay cut to park as well as a longer drive to and from work. The drive we can handle. The parking fees are ridiculous. At a time when our state leadership has ceased merit raises and other rare perks for the hardworking state employees of West Virginia, this is just another slap in the face.

Most people adjust their lifestyles to live on what they earn. Many of us just get by. To adjust to a pay cut will be a challenge for many of us. While parked on a lot owned by the State of West Virginia, I, like so many others, will be doing a job for the citizens for which I am already paid less than my peers in private industry. I think you'll find that to be the case in much of state government -- good people doing good jobs for less money because they see the importance of a government run by well-educated, experienced people. If only good-paying private industry were to get the cream of the crop, where would government stand?

So it goes that we work here... and it's not for the money, but for the mission of helping to preserve and promote a healthy environment. But regardless, come fall of 2004, we could suffer a pay cut because of this parking rule. It's insulting as well as puzzling: There's no mention of why this must be and what the money would be used for. As a former news reporter and editor, it all sounds suspect to me. Typically if no good reasons are laid out, there are no good reasons.

Consider this my formal comment against the parking rule.

Lalena Price

Lalena Price  
Department of Environmental Protection  
Public Information Office  
304.558.0886 phone  
304.550.3552 cell phone  
304.558.4530 fax  
lprice@dep.state.wv.us  
Promoting a healthy environment.

**From:** "PAT BOYD" <PBOYD@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/23/03 2:48PM  
**Subject:** Legislative Rule, Title 148, Series 6, Parking

Attached are my personal comments regarding the above.

Attached are my personal comments regarding the above.

927 Harmony Lane  
South Charleston, WV 25303  
July 24, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

Dear Ms. Prunty:

With regard to the parking regulations recently distributed among employees of the Department of Environmental Protection (Legislative Rule, Title 148, Series 6, Parking), it is noted from the current filing date of April 17, 2003 and the Effective Date of July 01, 2003, that changes from the May 03, 1996 wording of the Rule have obviously been made to allow the Department of Administration to assign and charge for spaces at state property, or to delegate this responsibility, at locations other than the capitol complex within the County of Kanawha, West Virginia.

The Rule as mandated in 1996 was created with provisions to correct specific problems with parking "in conjunction with the state capitol..." at the state capitol complex, problems evolving from needs for employee parking, visitors parking and parking for legislators. The Rule is a plan for a positive step toward alleviating parking problems, including construction of a parking garage, which, as we are all aware, has come to fruition.

With the changes in the Rule, effective date July 01, 2003, the parking areas for the Environmental Protection building, which is currently under construction in Kanawha City, can be assigned and charged the monthly fee for employee parking. My understanding is the decision to build at the Kanawha City site was greatly influenced by the availability of sufficient land to provide parking for the 500+ employees who will be working at the new building. At the time, it was assumed the parking would be provided at no cost to employees. Now, it would seem this positive aspiration may well come crashing down. It would seem the timeliness of the changes in the Rule coincide well with the advent of the new building. To my knowledge, nothing has been published, to date, regarding the specifics of parking at the new building and it can't be determined as to whether the Department of Administration or the spending unit (Environmental Protection) would be in charge of administering the parking. It would appear that since Administration has initiated the changes to include additional state properties in the county, your department would likely be policing the parking. As an employee of Environmental Protection, my concerns are personal and are expressed herein as such with my objection to the charge for parking.

In any case, the wording to include any state property within Kanawha County brings in the new Environmental Protection property that is in no way connected with the capitol complex because of the location at the extreme eastern portion of Kanawha City. We will not add to the parking complexities and problems at the capitol complex. Additionally, why does the Rule, since it has been amended to include other state property, still specify only Kanawha County locations? If the Rule is to be enhanced to include other state properties, why haven't other remote state locations been included (i.e. Fairmont, Teays Valley, etc.)?

Donna Prunty, July 24, 2003, page 2

As Administration already has the means to police parking areas due to existing security personnel whose areas of responsibility could overlap to include the new site, it would appear the Kanawha City site is being included because security has been established for this purpose. To set up a parking policy and charge at remote sites outside Kanawha County would likely be cost-prohibitive because of the necessity of employing and maintaining security to monitor the parking. Is this policy being disseminated fairly when other sites are excluded because of the costs of administering, while local sites are required to pay for parking simply because it is easier and not cost prohibitive?

At my workplace, we were made aware of the current Legislative Rule wording only a couple of days ago, and at the same time were advised the public comment period is past (Missed it somewhere along the way, I guess?). I'm not certain how the changes got into the Legislature and passed with all that was purportedly dealt with in this year's special session, but apparently they did as you show the filing date to be in April with the effective date of July 01. At any rate, we should, timely or not, express our opinions of matters that impact us, and, in this specific case, economics is involved. To me, it makes no sense to pay employees for working at a site, such as the new Environmental Protection building, pave lots for parking and charge the employees to park when they have no choice but to park at that site (except for those who will choose to park at other locations within the area, depriving local residents and shoppers much-needed parking). Most likely, the addition of the 500+ employees to the area will have an impact on local businesses, which will, in turn, cause a demand for additional parking in the area. The Good Neighbor Policy may very well suffer.

My request, therefore, is that you give full and fair consideration to anticipated parking at the new Environmental Protection facility and that you will not, after weighing all the factors, give anticipation of moving to our beautiful new facility a black eye by charging for parking. Do the positive thing and make it known that parking will be provided for employees at the new location, period.

I appreciate the opportunity to openly express views regarding matters of state-related concern and, likewise, your attention to employee's concerns.

Sincerely,

Arthur P. (Pat) Boyd

NOTE: I am employed with the Department of Environmental Protection, Division of Water and Waste Management, 1356 Hansford Street, Charleston, WV 25301-1401. Telephone (304) 558-5989, E-mail Address: [pboyd@dep.state.wv.us](mailto:pboyd@dep.state.wv.us)

**RICHARD CARTER**  
**Public Information Specialist**  
**Public Information**

304-759-0530 ( Work )  
304-759-0526 ( Preferred Fax )

R\_CARTE.HQ\_PO.DEP\_EMAIL ( Work Preferred )

Version  
2.1

X-GWTYPE  
USER

Formatted Name  
RICHARD CARTER

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Name  
Family: CARTER  
First: RICHARD  
Middle:  
Prefix:  
Suffix:

Title  
Public Information Specialist

Ms. Prunty; I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County. The Department of Environmental Protection, constructing a building in Kanawha City, will be subject to that change. My understanding of the proposed change is that the parking fee will be charged to all employees of the Department regardless of whether they choose to park on state property or even drive a vehicle to their state job, All parking fees and fines collected will be paid to the Department of Administration. I protest this rule as unfair and arbitrary if not discriminatory towards Kanawha County state workers. First, our Department will be forced to assign parking spaces to each of its employees assigned to the new facility. In order to assure that employees assigned parking spaces are not used by the public, we will have to employ someone to prevent employees from parking in the spaces assigned for public parking, or in another employees space. Second, DEP employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. DEP employees will not receive any service, snow removal, security or a parking attendant for the fee that is paid to the Department of Administration. Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging a fee for parking, but not for a much less costly lot. Fourth, the new location is right beside a mall and has off street parking in the vicinity. If an employee wishes to seek an alternative to paying the parking fee or does not drive to work there is no option. The fee is accessed to all employees. Fifth, we have field-based employees, permanently assigned state vehicles. These people would be charged to park a vehicle owned by the state. The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and the assignment of parking spaces. I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of parking space. I also understand parking in the parking garage is to fund the parking garage. The solution to whatever problems the Department of Administration faces with regard to parking at the Capitol should be sought without burdening state employees at facilities that do not face such problems.

Thank you Rich Carter     Rich Carter, PIO chief of staff

304 759-0559 office

304 759-0558 FAX

304 550-1270 cell

**From:** "RICHARD CARTER " <rcarter@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/23/03 11:23AM  
**Subject:** Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County. The Department of Environmental Protection, constructing a building in Kanawha City, will be subject to that change. My understanding of the proposed change is that the parking fee will be charged to all employees of the Department regardless of whether they choose to park on state property or even drive a vehicle to their state job. All parking fees and fines collected will be paid to the Department of Administration. I protest this rule as unfair and arbitrary if not discriminatory towards Kanawha County state workers.

First, our Department will be forced to assign parking spaces to each of its employees assigned to the new facility. In order to assure that employees assigned parking spaces are not used by the public, we will have to employ someone to prevent employees from parking in the spaces assigned for public parking, or in another employees space.

Second, DEP employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. DEP employees will not receive any service, snow removal, security or a parking attendant for the fee that is paid to the Department of Administration.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging a fee for parking, but not for a much less costly lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. If an employee wishes to seek an alternative to paying the parking fee or does not drive to work there is no option. The fee is accessed to all employees.

Fifth, we have field-based employees, permanently assigned state vehicles. These people would be charged to park a vehicle owned by the state.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and the assignment of parking spaces. I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of parking space. I also understand parking in the parking garage is to fund the parking garage.

The solution to whatever problems the Department of Administration faces with regard to parking at the Capitol should be sought without burdening state employees at facilities that do not face such problems.

Thank you Rich Carter

Rich Carter, PIO chief of staff  
304 759-0559 office  
304 759-0558 FAX  
304 550-1270 cell

Ms. Prunty; I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County. The Department of Environmental Protection, constructing a building in Kanawha City, will be subject to that change. My understanding of the proposed change is that the parking fee will be charged to all employees of the Department regardless of whether they choose to park on state property or even drive a vehicle to their state job, All parking fees and fines collected will be paid to the Department of Administration. I protest this rule as unfair and arbitrary if not discriminatory towards Kanawha County state workers. First, our Department will be forced to assign parking spaces to each of its employees assigned to the new facility. In order to assure that employees assigned parking spaces are not used by the public, we will have to employ someone to prevent employees from parking in the spaces assigned for public parking, or in another employees space. Second, DEP employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. DEP employees will not receive any service, snow removal, security or a parking attendant for the fee that is paid to the Department of Administration. Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging a fee for parking, but not for a much less costly lot. Fourth, the new location is right beside a mall and has off street parking in the vicinity. If an employee wishes to seek an alternative to paying the parking fee or does not drive to work there is no option. The fee is accessed to all employees. Fifth, we have field-based employees, permanently assigned state vehicles. These people would be charged to park a vehicle owned by the state. The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and the assignment of parking spaces. I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of parking space. I also understand parking in the parking garage is to fund the parking garage. The solution to whatever problems the Department of Administration faces with regard to parking at the Capitol should be sought without burdening state employees at facilities that do not face such problems.

Thank you Rich Carter     Rich Carter, PIO chief of staff

304 759-0559 office

304 759-0558 FAX

304 550-1270 cell

**From:** "FRED DURHAM" <FDURHAM@mail.dep.state.wv.us>  
**To:** <dprunty@gmail.state.wv.us>  
**Date:** 7/23/03 10:03AM  
**Subject:** Rule 148CSR6 - Parking

I am writing to express my strong opposition to the application of rule 148CSR6 outside of the immediate vicinity of the Capitol grounds or centralized downtown Charleston. In particular, the Department of Environmental Protection, which currently leases multiple locations in the Charleston area, should be exempt from parking fees under this rule. The present facilities are located off the Capitol grounds and most are sited away from the centralized downtown portion of Charleston. The agency is currently constructing a consolidated facility in Kanawha City which has endured a long-term economic downturn. There is little justification to apply parking fees to the current facilities or to the planned new one. However, if fees were applied to the new facility, many employees would likely park in the Kanawha Mall parking lot rather than pay a fee. This would create friction with store owners and operators.

If the Department of Administration goes forward with the collection of parking fees outside the area which the legislature originally authorized (i.e. the Capitol area), I intend to contact the District-30 Delegates and ask them to determine if the Dept. of Administration has overstepped the legislative intent.

Sincerely,  
Fred Durham  
Charleston, WV

**From:** "Steve Collins" <scollins@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/23/03 8:37AM  
**Subject:** Parking Rule

Dear Ms. Prunty:

I have seen many comments made by DEP employees about the proposed parking Rule that would charge Charleston-area State employees for parking. I agree with all of the objections I have read.

I have a different understanding than most of why this is being done. I believe it is simply a disguised \$240 per year pay cut for State employees designed to ease the budget shortage caused by irresponsible fiscal overcommitment during the boom time of the 1990's. Apparently the Rule was enacted in a way that blocked input from State employees and other members of the public. Since the Rule received no publicity before it was circulated on its effective date, July 1, 2003, a special effort must have been made to keep it out of the press.

Such undemocratic behavior is reprehensible. In how many other matters are the Governor and Legislature subverting the democratic process?

Steve Collins, Ph.D.

Steve Collins, Ph.D.  
Environmental Resources Specialist III  
WVDEP, Waste Management  
1356 Hansford Street  
Charleston, WV 25301-1401  
(304) 558-6350, ext. 272

**From:** "FAWN LIVELY" <FLIVELY@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/23/03 8:04AM  
**Subject:** Legislative Rule 148CSR6

Hey Donna - how are you doing? I am doing fine. The attached letter is regarding the parking fee. If you have any questions, email me.

Thanks  
Fawn

Fawn Lively  
HC 70 Box 18  
Elkview, WV 25071

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. E mployees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

Fawn Lively  
DEP - Office of Explosives and Blasting  
Nitro, WV

1614 Lexington Dr.  
Charleston, WV, 25303

July 30, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Dear Ms. Prunty:

I am writing this comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned or leased property within the confines of the City of Charleston, Kanawha County. I have several objections to this rule.

First, the rule does not do what it purports to do - i.e. it does not make parking fees paid by employees the same throughout State government. Instead, only those employees who work in the city limits of Charleston are burdened with this fee. For instance, the Department of Environmental Protection currently has office buildings throughout the state. The two main offices of the DEP are located in Nitro and Charleston. Those employees in Nitro will not be forced to pay for parking until they move to the new building in Charleston. Under the proposed rule, those employees in Charleston must begin to pay now. This will create an inequitable situation for a single Department - and all the other Departments and state agencies similarly situated with field agencies in different towns.

Second, the rule removes an employee benefit from me which I specifically inquired about when I was hired and accepted employment - other employees in our agency were also informed that parking was included for their job, at no charge. I do not believe that it is appropriate to remove a benefit bargained for by employees of the state who happen to work within the city limits of Charleston. I also do not think that the rule is equitable to all employees in Charleston - wherever they park. The rate of charge, if there must be any, should be based upon salary. Sixteen dollars a month has greater impact, for instance, on someone in paygrade 2 than someone in paygrade 25. Any such fee should be based on a sliding scale according to paygrade. Alternatively, a parking lot plan should have spaces priced according to their location. Similar to the way seats at a concert are priced. Those closest to building entrances should be priced higher (they generally are assigned to upper management anyway) and those further away should be priced more modestly for those who may not be able to afford \$16 as easily. This would ease the strain on those who don't make as much money and others who don't mind walking a little further.

Third, I understand that under the rule, agencies that have free and open public parking in their lots will not be regulated under the proposed regulation. However, where several separate agencies, under separate Departments share a building and parking area, must all agencies come to a single agreement for the parking area or may the agencies decide to set aside an area for free, open public parking and an area for those employees who wish to pay for an individual space? This would enable each agency to decide for itself what it wishes to do regarding parking. In some cases, consensus among several state agencies under different Departments, who simply share facilities, will not be possible.

Fourth, nowhere in the rule is it indicated that the Department promulgating this regulation will provide any benefits to the agencies whose employees must pay to park. Such benefits that should come with the fee include snow removal and parking enforcement. It is not uncommon for our employees to not have a location to park because members of the public take the parking spaces. Unless lots of time is spent patrolling our parking area to enforce and tow offenders, the employees paying may receive no benefit or will lose part of benefits when someone parks in their space. Further, if this regulation is put into place, there should be a mechanism whereby an employee can recoup his/her pro rata share for days that they are unable to park in their space due to: unassigned person parking in the space; member of public parking in space; construction or maintenance on building or parking lot that blocks parking space; snow/ice cover making parking lot inaccessible.

I object to the proposition stated in the Fiscal Note for this rule that there is no estimated total cost to the state with this rule. This cannot be so. If employees must pay for parking spaces, the parking lots must be patrolled or the employees will, in some cases, be paying for spaces that they cannot use due to unlawful use by others. Thus, my agency will probably have to employ someone to prevent others from parking in the spaces assigned for public parking, or in another's space. Parking patrol monitors will need to be hired for all the state owned buildings in Charleston. This will be at a great increase to the state budget for increased personnel and equipment (patrol cars or vehicles). If parking monitors are not hired, this rule is without force or effect. Extra snow removal equipment and personnel will also be required to maintain conditions in the parking lot. Last year for instance, with no snow removal supplied, many employees in our building were not able to park in the parking lot for a few days.

Fifth, I object that there is no mention or regards for handicapped parking for employees. Under this rule, handicapped employees will have to pay since, by virtue of their handicap they may not be able to park off-site like other employees. However, it may not be fair to non-handicap employees if handicap employees get free parking. I think this issue needs to be addressed in the rule and not left up to the discretion of individual agencies.

Lastly, I object to the way in which the proposed rule as well as the previous rule (effective date July 1, 2003) have been promulgated. Although I have seen that the previous rule and this rule have undergone the minimum requirements necessary for rule promulgation, I expect more from the Department of Administration when it proposes a rule that affects state employees like this proposed rule. These rules should have been publicized more so that the employees would have been aware of what was being proposed. No one in my building knew

that the previous rule had been promulgated until last week. By the time we discovered this rule we had less than 2 weeks to comment on changes to it.

My agency also promulgates legislative rules. We do this regularly. We widely publicize our rules by putting it out on our web site – it's a cheap and effective means of communication. The Department of Administration, in promulgating these rules, could have done this and gone beyond the bare minimum required to promulgate a rule. I noticed that the Department of Administration publishes a newsletter for state employees and it is on the Department's web site. There was barely a mention in the newsletter of the passage of House Bill 2592 which authorized the rule that became effective this July. The mention was that this rule concerned "parking." Nothing any more specific than this was said in the newsletter.

I think that the Department of Administration owes more to state employees than bare minimum service. I know our state employees are challenged every day and by every agency to go the extra mile and provide more than the minimum service legally required. I believe that the comment period on this rule and the previous rule should be reopened for comment and that the rule should be sent to each agency at every building location and/or to the Public Information Officer for each agency. The proposed rule can be e-mailed fairly simply to do this and it can be put on your web site. While the process may have been legal, I feel that it was purposefully kept quiet and I do not think the process was fair to employees. I understand that you sent a notice to parking directors but not every agency, mine for instance, has such a person. Thus, I suspect many agencies did not get any notice. I know that none of the four agencies, under three separate Departments, in my building received notice of these rules other than the minimum notice legally required by publishing in the state register, etc.

In conclusion, I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol or budgetary shortages should be sought without impacting employees at facilities that do not face such problems.

Sincerely,



Rebecca S. Charles

Cheryl A. Booker  
Permitting Engineer  
Division of Air Quality  
7012 MacCorkle Avenue., SE  
Charleston, WV 25304-2943

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

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Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

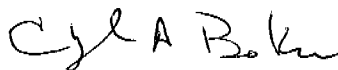
Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they

would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems. In addition, as a civil servant, I am not well paid and as such a place to park at work is one of the benefits I have come to expect as compensation for all my hard work.

Sincerely,

A handwritten signature in black ink that reads "Cheryl A. Booker". The signature is written in a cursive style with a large initial "C" and "B".

Cheryl A. Booker  
Permitting Engineer  
Division of Air Quality

**From:** "Gary Peterson" <GPETERSON@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.WV.us>  
**Date:** 7/23/03 8:00AM

Gary L. Peterson  
2419 Kanawha Terrace  
Saint Albans, West Virginia 25177

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. E employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

Gary L. Peterson

**From:** "ED TOLER" <etoler@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 3:45PM  
**Subject:** Parking Spaces

I wanted to thank Administration for the new parking charges. For 16 dollars a month, I am perfectly willing to ride a bus to work as soon as the charges take effect. I'll be walking 2/3 of a mile to the bus stop, and then again to get home. I'm sure my health will improve from the walking. I'll be burning far less gas, so I won't be paying as much in Taxes on Gasoline, which will save me more than a little money. I won't be driving to Charleston restaurants, so again, my health will improve, and I will save money by never eating out. All in all, I can't see any down side to this for me personally.

Ms. Prunty, Please find attached a letter protesting proposed changes to the above cited administrative rule. An original, signed copy of my letter is in the mail to you. Regards, Warren E. Knotts, PG, PM  
WV Department of Environmental Protection  
Division of Land Restoration  
Office of Environmental Remediation  
Superfund Group  
1356 Hansford Street  
Charleston, WV 25301-1401 Voice: 304.558.2508 Fax: 304.558.3998  
E-Fax: 509.463.2248  
E-mail: [wknott@den.state.wv.us](mailto:wknott@den.state.wv.us)



Division of Land Restoration  
1356 Hansford Street  
Charleston, WV 25301-1401  
Telephone: (304) 558-2508  
Fax Number: (304) 558-3998

## West Virginia Department of Environmental Protection

Bob Wise  
Governor

Stephanie R. Timmermeyer  
Cabinet Secretary

Mr. Warren E. Knotts, PG, PM  
Division of Land Restoration  
Office of Environmental Remediation  
Superfund Group  
1356 Hansford Street  
Charleston, WV 25301-1401

Ms. Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule, Title 148 Series 6 - Parking

Dear Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148 CSR 6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility. It is also my understanding all parking fees (and fines) collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will need to employ someone to prevent the public from parking in the a space assigned to a DEP employee, or in another's DEP employee's parking space.

Second, our employees would be paying the Department of Administration a fee for which the Department of Administration is rendering no service. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and purchased sufficient acreage to provided free parking for all of its employees. It makes no sense that DEP has paid for employee and visitor parking space, as well as space to park state pool vehicles when there not in use, and is now being required to make its employees pay for parking again. If a parking garage were built, one may be able to understand charging such an absorbent fee for parking, but not for a paved lot that



West Virginia Department  
of Environmental Protection

"Promoting a healthy environment."

was included in the original sale of the DEP property.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling (and unable) to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall businesses, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact from inconvenience due to the numbers of DEP employees who will choose park on their streets rather than in the lot DEP bought lock, stock and barrel. It's also important to note state employees have been under a pay increase freeze for the last two and one half years. At the same time we have watched our insurance premiums and co-payments soar above what industry is charging its employees for better coverage. You know it's getting pretty bad when working people vote to have their medical insurance premiums taken out of their salaries twice monthly so they don't starve one 15-day pay period per month. Gas prices are soaring at all time highs, increasing the cost of everything we purchase, since the cost of energy has a profound impact on the cost of other commodities. If the state is so poor it has to start renting parking spaces to balance its financial spreadsheet, then maybe we need to reassess where to trim off some pork where there's a little fat, and not from meagerly paid DEP employees who are doing a good job protecting our state's environment for future generations.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking space. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face similar problems.

Sincerely,

Mr. Warren E. Knotts, PG, PM  
Division of Land Restoration  
Office of Environmental Remediation  
Superfund Group  
1356 Hansford Street  
Charleston, WV 25301-1401

**From:** "WARREN KNOTTS" <wknott@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 3:27PM  
**Subject:** Protest of Changes to Title 148 Series 6 Administrative Rule -Parking

Ms. Prunty,

Please find attached a letter protesting proposed changes to the above cited administrative rule. An original, signed copy of my letter is in the mail to you.

Regards,

Warren E. Knotts, PG, PM  
WV Department of Environmental Protection  
Division of Land Restoration  
Office of Environmental Remediation  
Superfund Group  
1356 Hansford Street  
Charleston, WV 25301-1401

Voice: 304.558.2508 Fax: 304.558.3998  
E-Fax: 509.463.2248  
E-mail: wknott@dep.state.wv.us

**From:** "ALAN SNYDER" <asnyder@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 3:06PM  
**Subject:** Legislative Rule 148CSR6 - Parking

From:  
Alan R. Snyder  
10 McJunkin Road  
Dept. of Environmental Protection  
Division of Mining and Reclamation  
Permitting Section  
Nitro, West Virginia 25143

To:  
Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) regulating parking by state employees on state owned property, within the City of Charleston, Kanawha County, West Virginia.

It appears that the West Virginia Department of Environmental Protection (DEP), which is in the process of constructing a building in Kanawha City, and technically within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the DEP who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration (DOA). The intent of this rule was to manage parking in the areas adjacent to, and incorporated within, the surrounding state Capitol complex, as alluded to in item 148-6-2(d) of the rule. To extend this rule to the future home of the DEP, which is well removed from the congested state Capitol complex area, would reek of a greedy money grab. I would like to protest the application of this rule upon the future Kanawha City DEP parking area, based upon the above comments, as well as the items addressed below..

1) The DEP will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, or other state employees, at least one individual will need to be hired to monitor and enforce the assigned parking assignments. Further, the parking spaces will need to be marked in some manner as to individually identify assign parking spaces. Both of these issues would translate into significant additional state funding.

2) DEP employees would be paying a fee for which no service is being rendered by the DOA. From my understanding of the rule, the DEP facility would not receive any services (i.e. snow removal, maintenance, parking attendant) for the fee that is paid to the DOA.

3) The DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow free parking for all of its employees. It unjustifiable that the DEP, having made provisions for the ample parking space, must now have it's employees charged for that which amounts to a privilege tax. Further, the amount being sought by the DOA, would be an unreasonably high amount (\$20.00/month) for a "service" with no human labor or with no form of maintenance involved.

4) It is my understanding of the rule that the Secretary may institute payroll deductions to collect the

parking fee. DEP employees who do not drive to work, or those who commute would be charged for unneeded parking privilege. In addition those who work four-day work weeks, those who use their vacation and sick days, those inspectors who are only in-office one day per week, would all be charged equally, yet unfairly. The only fair way to implement the parking fee, in the scenario of the future DEP facility, would be to install a gated parking system capable of monitoring parking use, which would result in further human and mechanical cost to the state.

The proposed rule indicates that there are no cost increases and no economic impact on state government, political subdivisions, or the public at-large. However, employees of the DEP will see an economic impact in the form of unreasonable parking fees, which they have never had to pay in the past. Also, the DEP is likely to see increased costs directly associated with the enforcement of the policy and assignment/tracking of parking space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees or visitors who may park on their streets, rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to problems that the DOA faces, with regard to parking at the Capitol area, should be sought without impacting employees at facilities that do not contribute to those problems.

Sincerely,

Alan R. Snyder

**From:** "JEFF MCCORMICK" <JMCCORMICK@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 2:46PM  
**Subject:** Parking

Please consider this email as a request for a waiver of parking fees for the new WVDEP building in Kanawha City scheduled for completion in 2004. This fee will place an additional hardship on state employees as well as the general public. We have many visitors to our headquarters office that do not have the extra money to pay for parking. We also have single mothers that cannot endure additional tariffs on their already subpar paychecks. Thank you for allowing me to comment.

**From:** "JEFF MCCORMICK" <JMCCORMICK@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 2:46PM  
**Subject:** Parking

Please consider this email as a request for a waiver of parking fees for the new WVDEP building in Kanawha City scheduled for completion in 2004. This fee will place an additional hardship on state employees as well as the general public. We have many visitors to our headquarters office that do not have the extra money to pay for parking. We also have single mothers that cannot endure additional tariffs on their already subpar paychecks. Thank you for allowing me to comment.

**From:** "Penny Harris" <pharris@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 2:42PM  
**Subject:** parking rule

We have been unable to get any questions answered conclusively regarding the applicability of this new rule to state vehicles. Would drivers of state vehicles be subject to these fees at any time? What if you drive your personal vehicle to work (fee 1) and have a state vehicle that you use for work purposes parked there (fee 2) wouldn't that be double dipping? If I, a state employee must travel to Charleston in a state vehicle, on state business, why should I be penalized for doing my job? What if I refuse to travel to Charleston because I did not want to have to pay? The money making plan won't work when we start scheduling meetings at field offices instead of Charleston. Or, what if you have a paid parking space at a Charleston office, and usually spend one day a week or more at another Charleston area office, why would you have to pay for the second place when you have a paid spot already? Wouldn't the state have to provide a space for you there as well? What about pay-as-you-go parking passes that would allow you to park at several different Charleston offices on any particular day so if I have to go to Hansford Street, Washington Street, and Summers Street offices, I wouldn't have to pay each time? Availability of parking spaces is also not assured in this rule except for monthly-leased spaces, so I feel there is a problem there. Why tell me I have to pay to park, when there's no where to park? This rule is clearly a fund-raiser that provides no real benefit in return. Tax dollars in WV pay plenty enough that parking at Charleston Offices and the Capitol Complex should be free to WV citizens and state employees. Obviously whoever came up with this rule forgot that state employees pay their salary. I'd appreciate an answer to state employees for the questions I've posed here. But, in it's current form, this rule and anyone who voted for it gets a big thumbs down from me the taxpayer.

**From:** "BECKY CHARLES" <bcharles@mail.dep.state.wv.us>  
**To:** <DPrunty@gwmail.state.wv.us>  
**Date:** 7/23/03 2:04PM  
**Subject:** Re: Parking Spaces

Ed,

I guess you could say Ms. Prunty was almost speechless!!!! :) That's funny!

Becky

>>> "Donna Prunty" <DPrunty@gwmail.state.wv.us> 07/23/03 12:31PM >>>  
Thank you for your comments.

>>> "ED TOLER" <etoler@mail.dep.state.wv.us> 07/22/03 03:44PM >>>  
I wanted to thank Administration for the new parking charges. For 16 dollars a month, I am perfectly willing to ride a bus to work as soon as the charges take effect. I'll be walking 2/3 of a mile to the bus stop, and then again to get home. I'm sure my health will improve from the walking. I'll be burning far less gas, so I won't be paying as much in Taxes on Gasoline, which will save me more than a little money. I won't be driving to Charleston restaurants, so again, my health will improve, and I will save money by never eating out. All in all, I can't see any down side to this for me personally.

**From:** "Yvonne Dozier" <ydozier@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/23/03 12:49PM  
**Subject:** Parking

I disagree with having to pay for parking when it is our building that we have constructed and will be housed in. There are several field guys that have company vehicles. Will they have to pay as well.

**From:** "TERRIE SANGID" <TSANGID@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/24/03 9:37AM  
**Subject:** Terrie Sangid

Terrie Sangid  
4910 Virginia Avenue, SE  
Charleston, West Virginia 25304  
tsangid@dep.state.wv.us

July 24, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule (148 CSR 6)

Ms. Prunty:

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

I see it as a problem from two sides:

- 1) As a state employee (I currently work for the Department of Environmental Protection, which is moving into Kanawha City in approximately 18 months),
- 2) As a homeowner in the affected area (I currently live in Kanawha City).

I must protest this rule modification for the following reasons:

- 1) This proposed rule would increase Department of Environmental Protection's (DEP) overhead costs, because a parking guard will have to be hired to monitor the parking for our 600 employees and guests. Many of our programs have had significant budget cuts in recent years; therefore, I find it negligent of the Department of Administration to modify a rule that will result in increased overhead costs to these programs, and which could ultimately affect the taxpayers of West Virginia. DEP's funds should be used to protect and improve the environmental quality of life for all of West Virginia's citizens, not pay to police parking at a facility that was designed to provide ample parking for its employees and guests.
- 2) State employees will be paying the Department of Administration a fee for which that Department is rendering no services. DEP will, from my understanding of the rule, not receive any services (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant. I find this fact most egregious.
- 3) The new DEP building is located in the middle of a Kanawha City neighborhood. These homeowners were willing to allow a large state agency to move into their neighborhood with the expectation the agency had ample parking for its employees and guests. Under this modified rule, employees unwilling to pay the parking fee will simply park in the Kanawha Mall parking lot or throughout the neighborhood. This will create discord with local homeowners and businesses. The homeowners and businesses in the area will feel DEP representatives lied to them in order to gain their approval to locate the building at that site. I actually live in an area of Kanawha City that has already been impacted by the Workers Compensation

employees parking alongside the roads, in residential parking spaces and in local business parking lots. The City of Charleston has already had to post "No Parking" signs in locations around the area.

4) Title 148 CSR 6 was originally written to solve parking problems within the State Capital Complex. The rule modification simply expands the affected area to include "all state owned and leased properties within the Charleston city limits." This is discriminatory. Many of the locations affected by this change (the new DEP building being one) do not have a need to police the parking. If the Department of Administration is going to expand the scope of the rule, it should be expanded to include all owned and leased state properties across the state, not just a single area. If not, many lawsuits and grievances will be filed, which will again, probably adversely affect the taxpayers of West Virginia.

Sincerely,  
Terrie Sangid



Division of Water and Waste Management  
414 Summers Street  
Charleston, WV 25301  
Telephone Number 304-558-2108  
Fax Number 304-558-2780

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**West Virginia Department of Environmental Protection**

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Bob Wise  
Governor

Stephanie R.  
Timmermeyer  
Cabinet Secretary

24 July 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property situated within the City of Charleston, Kanawha County.

My employer, the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I vehemently protest this rule for several reasons.

First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that the public does not use employee-assigned parking spaces, and vice versa, we will have to employ someone to police the parking area at all times.

Second, our employees would be paying the Department of Administration a fee for which that Department is rendering no service. Our agency will not, from my understanding of the rule, receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as attendants.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.



West Virginia Department  
of Environmental Protection

"Promoting a healthy environment."

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Fourth, the new location is adjacent to a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

Sixth, the proposed rule would discourage car-pooling, making no provision for a single space to be assigned to more than one vehicle and the cost divided among the drivers using that space. This omission is contrary to both good environmental stewardship and fair play.

Seventh, the City of Charleston is said to be proposing a municipal tax of \$20.00 per month upon each person employed within the city limits, similar to that recently imposed by Huntington. The two penalties combined will reduce the annual income of every state employee in Charleston by \$480.00 per year, simply for being in the wrong place at the wrong time. Over the span of years worked by an individual, this is a draconian sum to be extorted from already substandard incomes.


The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Furthermore, if the costs of supporting the Capitol parking garage must be borne by state employees not receiving benefits there from, fairness dictates that the burden be distributed equally among ALL state employees and not just the ones unfortunate enough to work within the confines of the City of Charleston. This would have the additional benefit of requiring a smaller salary reduction for each employee.

The Department of Administration should calculate the inevitable financial ramifications attendant with the grievances, challenges, and other litigation that such a flawed and inequitable rule is certain to spawn. Also, this issue is certain to be revisited at election time.

Sincerely,



Payanne L. Pettigrew  
Groundwater/UIC

25 July 2003  
63 Valley Drive  
Elkview,  
West Virginia 25071

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston,  
West Virginia 25305

RE: Unasked for Parking Expenses

Dear Ms. Prunty:

I would like to wish to comment on the proposed Legislative Rule 148-CSR-6, which would require state employees to pay a monthly fee of \$20 when parking in state-owned garages (or on state-owned property) within the City of Charleston. In addition, it is my understanding that the City may also soon begin charging their own parking fee of \$20 per month.

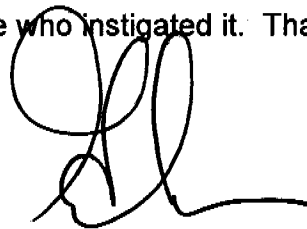
The bottom line here, to me, is money. I am caught in a pay freeze and allowed no cost-of-living raises, etc., and now the State and the City have decided (without any chance of representation from myself) to charge me an annual tax of \$480. My life's only propose, it seems, is to pay taxes to the entities that make up the State of West Virginia.

Such a parking tax is unfair, exorbitant, unreasonable, callous, and creates an unreasonable financial hardship on state employees! All it does is allow the various government bodies to line their own pockets while I have to make do with less and less. The bottom-line result is that I have just been handed an-almost \$500 pay cut. Find some other way of paying for this parking!!

I would also like to note that such fees are being distributed unequally on different State agencies (some people are paying \$16, some \$17, and we are paying \$20 per month), there is no provision for people who ride the bus or car pool, and we are allowed to park in an assigned parking spot that is more than 0.6 miles from the entrance of the parking garage.

If this policy cannot be changed, at least tell me who instigated it. That way I can vote for someone else in the next election.

Sincerely,



George Dasher  
Department of Environmental Protection  
Division of Water Resources



Office of Explosives and Blasting  
10 McJunkin Road  
Nitro, WV 25143  
(304) 759-0595  
(304) 759-0587

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## West Virginia Department of Environmental Protection

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Bob Wise  
Governor

Stephanie R. Timmermeyer  
Cabinet Secretary

July 22, 2003

Donna Prunty, Ex. Coordinator  
Dept. of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Parking Rule  
Public Comment

Dear Ms. Prunty:

I am a Field Based Employee with the WVDEP/OEB. I am required to report to the office one day a week or four days a month. Today I received an e-mail from our Adm. Service Mgr., Melinda Campbell concerning this matter. This controversial issue has not made the papers or news, which tells me it, is being kept hush-hush.

My concerns are: I am a field-based employee with the WVDEP/OEB; I drive a state vehicle with statewide responsibilities. I some times won't make it into the office until mid-morning and again it is only four days a month. If you are not going to give me an assigned parking space, there will not be onc available and why should I have to pay the same to park for four days out of the month as someone parking daily. I am a registered voter and feel this is unfair. I have a state vehicle and pay a users fee for four days usage a month. There is no way you will guarantee me a parking space in the new Kanawha City Location and I will probably end up parking at the Kanawha Mall. I also understand that the money goes to the Capitol Complex and won't go to maintenance to our parking lot or the DEP in general, which in turn could be used for raises.

If the state wants to take money from one hand and give it to the other, that is fine, but you are taking it out of my families mouth and my hands. This is not right and that's why it has been kept so quiet. As a voter in this state, I am totally against this action!! Now that you have taken two hours out of my day, and every other employee in the state of WV, this is my closing statement: If this fee is assessed from my paycheck with out my approval, I will enter a class action lawsuit with a number of state employees who feel the same way.

Sincerely,

Philip L. Keffer  
Inspector Specialist, OEB



West Virginia Department  
of Environmental Protection

"Promoting a healthy environment."

---

**From:** "PHIL KEFFER" <pkeffer@mail.dep.state.wv.us>  
**To:** <aathompson@mail.dep.state.wv.us>, <AAZEVEDO@mail.dep.state.wv.us>, <abrogan@mail.dep.state.wv.us>, <acarducci@mail.dep.state.wv.us>, <achapman@mail.dep.state.wv.us>, <afortner@mail.dep.state.wv.us>, <AGALE@mail.dep.state.wv.us>, <agreen@mail.dep.state.wv.us>, <agrimm@mail.dep.state.wv.us>, <akee@mail.dep.state.wv.us>, <akuhn@mail.dep.state.wv.us>, <ALODER@mail.dep.state.wv.us>, <ambailey@mail.dep.state.wv.us>, <anminor@mail.dep.state.wv.us>, <arobinson@mail.dep.state.wv.us>, <ARODEBAUGH@mail.dep.state.wv.us>, <ATURNER@mail.dep.state.wv.us>, <avest@mail.dep.state.wv.us>, <AWEAKS@mail.dep.state.wv.us>, <AWOOD@mail.dep.state.wv.us>, <barthur@mail.dep.state.wv.us>, <BBAILEY@mail.dep.state.wv.us>, <BBATES@mail.dep.state.wv.us>, <bbeaver@mail.dep.state.wv.us>, <bbeller@mail.dep.state.wv.us>, <BBRANNON@mail.dep.state.wv.us>, <bcampbell@mail.dep.state.wv.us>, <BCHAMBERS@mail.dep.state.wv.us>, <bcharles@mail.dep.state.wv.us>, <bcinalli@mail.dep.state.wv.us>, <bcline@mail.dep.state.wv.us>, <BCOX@mail.dep.state.wv.us>, <bduffield@mail.dep.state.wv.us>, <BGILL@mail.dep.state.wv.us>, <BGRAFTON@mail.dep.state.wv.us>, <BHALL@mail.dep.state.wv.us>, <bhauer@mail.dep.state.wv.us>, <bhunley@mail.dep.state.wv.us>, <BI\_MORGA@mail.dep.state.wv.us>, <bknierim@mail.dep.state.wv.us>, <BLITTLE@mail.dep.state.wv.us>, <BLONG@mail.dep.state.wv.us>, <blowman@mail.dep.state.wv.us>, <BMCKEONE@mail.dep.state.wv.us>, <BMOORE@mail.dep.state.wv.us>, <BMORGAN@mail.dep.state.wv.us>, <botey@mail.dep.state.wv.us>, <BROEHER@mail.dep.state.wv.us>, <BROSEWELL@mail.dep.state.wv.us>, <BSAGRAVES@mail.dep.state.wv.us>, <BSCROGGIE@mail.dep.state.wv.us>, <BSIMMONS@mail.dep.state.wv.us>, <BSWIGER@mail.dep.state.wv.us>, <btaphabock@mail.dep.state.wv.us>, <btimmermeyer@mail.dep.state.wv.us>, <bupdegrave@mail.dep.state.wv.us>, <BWILES@mail.dep.state.wv.us>, <BZICKEFOOSE@mail.dep.state.wv.us>, <B\_CARNE@mail.dep.state.wv.us>, <B\_Curry@mail.dep.state.wv.us>, <CARRINGTON@mail.dep.state.wv.us>, <cbailey@mail.dep.state.wv.us>, <cboard@mail.dep.state.wv.us>, <CBUNTING@mail.dep.state.wv.us>, <CCOMBS@mail.dep.state.wv.us>  
**Date:** 7/22/03 10:02AM  
**Subject:** Re: Parking Rule

We still need to respond to this mater! Voice your opinion to Donna Prunty by letter ASAP.

>>> Melinda CAMPBELL 07/22/03 09:42AM >>>

Ms. Prunty who is listed as the person to send public comments to with regard to the parking rule change has indicated to a DEP employee who called with questions that there is no public comment period.

I'm not sure how that is since the notice of public comment is attached to the rule that was posted on the employee bulliten board here in Nitro, but it appears that this is a done deal.

I've had lots of responses back from my previous email. Please don't respond back to this one as I really don't know anything about the rule except what I sent previously and Ms. Prunty's statement that there is no public comment period.

Melinda

I have worked with the state for 20 years and now you are asking us to start paying parking I have not had a raise in 5 years I cannot afford this I am trying to retire but don't think I can please don't make us pay this PLEASE

**From:** "SHANTE HALL" <SHALL@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 10:19AM  
**Subject:** Fwd: Re: Parking Rule

I have worked with the state for 20 years and now you are asking us to start paying parking I have not had a raise in 5 years I cannot afford this I am trying to retire but don't think I can please don't make us pay this PLEASE

**From:** "Jeff Schoolcraft" <jschoolcraft@mail.dep.state.wv.us>  
**To:** <DPRUNTY@GWMAIL.STATE.WV.US>  
**Date:** 7/22/03 10:08AM  
**Subject:** Inquiry

I understand that all State Employee's will be charged for parking on State property. How is it that when a State Employee receives increments such as those offered by Cecil Underwood that the State takes it back either through insurance or other burdens such as State vehicles or this bill?

I hope this bill also applies to the WV State Troopers as well in addition to the teachers since they have received numerous raises over the past 7 years vs. the State Employees. We serve the public as much as the WV Legislature does so I feel that the Legislature should also remove the orange bags on the meters surrounding the Capitol and stand alongside that bill. If the bill is not intended to hurt the average hard working state employee then it should bare no threat on the three entities I spoke of. Thank you for your time.

-----Original Message-----

**From:** Melinda CAMPBELL [mailto:mcampbell@mail.dep.state.wv.us]

**Sent:** Monday, July 21, 2003 3:33 PM

**To:** aathompson@mail.dep.state.wv.us; AAZEVEDO@mail.dep.state.wv.us; abrogan@mail.dep.state.wv.us; acarducci@mail.dep.state.wv.us; achapman@mail.dep.state.wv.us; afortner@mail.dep.state.wv.us; AGALE@mail.dep.state.wv.us; agreeen@mail.dep.state.wv.us; agrimm@mail.dep.state.wv.us; akce@mail.dep.state.wv.us; akuhn@mail.dep.state.wv.us; ALODER@mail.dep.state.wv.us; ambailey@mail.dep.state.wv.us; anminor@mail.dep.state.wv.us; arobinson@mail.dep.state.wv.us; ARODEBAUGH@mail.dep.state.wv.us; ATURNER@mail.dep.state.wv.us; avest@mail.dep.state.wv.us; AWEAKS@mail.dep.state.wv.us; AWOOD@mail.dep.state.wv.us; barthur@mail.dep.state.wv.us; BBAILEY@mail.dep.state.wv.us; BBATES@mail.dep.state.wv.us; bbeaver@mail.dep.state.wv.us; bbeller@mail.dep.state.wv.us; BBRANNON@mail.dep.state.wv.us; bcampbell@mail.dep.state.wv.us; BCHAMBERS@mail.dep.state.wv.us; bcharles@mail.dep.state.wv.us; bcinalli@mail.dep.state.wv.us; bcline@mail.dep.state.wv.us; BCOX@mail.dep.state.wv.us; bduffield@mail.dep.state.wv.us; BGILL@mail.dep.state.wv.us; BGRAFTON@mail.dep.state.wv.us; BHALL@mail.dep.state.wv.us; bhauer@mail.dep.state.wv.us; bhunley@mail.dep.state.wv.us; BI\_MORGA@mail.dep.state.wv.us; bknerim@mail.dep.state.wv.us; BLITTLE@mail.dep.state.wv.us; BLONG@mail.dep.state.wv.us; blowman@mail.dep.state.wv.us; BMCKEONE@mail.dep.state.wv.us; BMOORE@mail.dep.state.wv.us; BMORGAN@mail.dep.state.wv.us; botey@mail.dep.state.wv.us; BROEHER@mail.dep.state.wv.us; BROSEWELL@mail.dep.state.wv.us; BSAGRAVES@mail.dep.state.wv.us; BSCROGGIE@mail.dep.state.wv.us; BSIMMONS@mail.dep.state.wv.us; BSWIGER@mail.dep.state.wv.us; btcephabock@mail.dep.state.wv.us; btimmermeyer@mail.dep.state.wv.us; bupdegrave@mail.dep.state.wv.us; BWILES@mail.dep.state.wv.us; BZICKEFOOSE@mail.dep.state.wv.us; B\_CARNE@mail.dep.state.wv.us; B\_Curry@mail.dep.state.wv.us; CARRINGTON@mail.dep.state.wv.us; cbailey@mail.dep.state.wv.us; cboard@mail.dep.state.wv.us; CBUNTING@mail.dep.state.wv.us; CCOMBS@mail.dep.state.wv.us

**Subject:** proposed parking rule open for public comment!

I thought everyone in the Charleston area might be interested in seeing a copy of the proposed legislative rule change that might impact us all when we move to the new building. Those of you who are not from Charleston/Nitro, but who will periodically visit the new facility in Kanawha City might also be impacted.

As I understand it, the proposed change to the Legislative Rule (Title 148 Series 6, Parking) will require that all employees parking on lots owned or leased by a state agency pay a parking fee. This would include us when we move into the new building in Kanawha City.

From my reading of it, it also looks as if all parking fees go to the Department of Administration at the Capitol, but it's not clear if they will provide any service for the monthly fee we'll pay to park on the DEP lot.

The rule is attached. The proposed change is open for public comment until 10:00 a.m. August 1, 2003. I've submitted my own comment and would encourage each of you to consider doing the same if this rule impacts you. This would be a good time to ask the questions you'd like answered about the impact of this rule.

Comments may be sent to:

Donna Prunty, Executive Coordinator

Department of Administration

1900 Kanawha Boulevard, East

Room E-119

Charleston, WV 25305

Melinda

Donna,

Sorry to bother you but your name came attached to the following email as a contact person for the above subject.

So I thought I'd ask you a few questions before I sent my "public comments". Those questions are:

- Is this proposed nonsense REAL????
- If so does it apply to, for example, my place of employment WVDOH District One office on Smith Street?
- How does it affect certain individuals that drive state vehicles home and such?

Any information you can provide would be beneficial.

Thanks for your time and consideration.

Ron Stanevich

-----Original Message-----

**From:** David Keatley

**Sent:** Tuesday, July 22, 2003 8:51 AM

**To:** Ronald L. Stanevich

**Subject:** FW: proposed parking rule open for public comment!

**From:** "Ronald L. Stanevich" <RsTANEVICH@dot.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 9:50AM  
**Subject:** FW: proposed parking rule open for public comment!

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From: David Keatley  
Sent: Tuesday, July 22, 2003 8:51 AM  
To: Ronald L. Stanevich  
Subject: FW: proposed parking rule open for public comment!

-----Original Message-----

From: Melinda CAMPBELL [mailto:mcampbell@mail.dep.state.wv.us]  
Sent: Monday, July 21, 2003 3:33 PM

To: aathompson@mail.dep.state.wv.us; AAZEVEDO@mail.dep.state.wv.us;  
abrogan@mail.dep.state.wv.us; acarducci@mail.dep.state.wv.us;  
achapman@mail.dep.state.wv.us; afortner@mail.dep.state.wv.us;  
AGALE@mail.dep.state.wv.us; agreeen@mail.dep.state.wv.us;  
agrimm@mail.dep.state.wv.us; akee@mail.dep.state.wv.us;  
akuhn@mail.dep.state.wv.us; ALODER@mail.dep.state.wv.us;  
ambailey@mail.dep.state.wv.us; anminor@mail.dep.state.wv.us;  
arobinson@mail.dep.state.wv.us; ARODEBAUGH@mail.dep.state.wv.us;  
ATURNER@mail.dep.state.wv.us; avest@mail.dep.state.wv.us;  
AWEAKS@mail.dep.state.wv.us; AWOOD@mail.dep.state.wv.us;  
barthur@mail.dep.state.wv.us; BBAILEY@mail.dep.state.wv.us;  
BBATES@mail.dep.state.wv.us; bbeaver@mail.dep.state.wv.us;  
bbeller@mail.dep.state.wv.us; BBRANNON@mail.dep.state.wv.us;  
bcampbell@mail.dep.state.wv.us; BCHAMBERS@mail.dep.state.wv.us;  
bcharles@mail.dep.state.wv.us; bcinalli@mail.dep.state.wv.us;  
bcline@mail.dep.state.wv.us; BCOX@mail.dep.state.wv.us;  
bduffield@mail.dep.state.wv.us; BGILL@mail.dep.state.wv.us;  
BGRAFTON@mail.dep.state.wv.us; BHALL@mail.dep.state.wv.us;  
bhauer@mail.dep.state.wv.us; bhunley@mail.dep.state.wv.us;  
BI\_MORGA@mail.dep.state.wv.us; bknierim@mail.dep.state.wv.us;  
BLITTLE@mail.dep.state.wv.us; BLONG@mail.dep.state.wv.us;  
blowman@mail.dep.state.wv.us; BMCKEONE@mail.dep.state.wv.us;  
BMOORE@mail.dep.state.wv.us; BMORGAN@mail.dep.state.wv.us;  
botey@mail.dep.state.wv.us; BROEHER@mail.dep.state.wv.us;  
BROSEWELL@mail.dep.state.wv.us; BSAGRAVES@mail.dep.state.wv.us;  
BSCROGGIE@mail.dep.state.wv.us; BSIMMONS@mail.dep.state.wv.us;  
BSWIGER@mail.dep.state.wv.us; btephabock@mail.dep.state.wv.us;  
btimmermeyer@mail.dep.state.wv.us; bupdegrave@mail.dep.state.wv.us;  
BWILES@mail.dep.state.wv.us; BZICKEFOOSE@mail.dep.state.wv.us;  
B\_CARNE@mail.dep.state.wv.us; B\_Curry@mail.dep.state.wv.us;  
CARRINGTON@mail.dep.state.wv.us; cbailey@mail.dep.state.wv.us;  
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1900 Kanawha Boulevard, East

Room E-119

Charleston, WV 25305

Melinda

-----Original Message-----

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**Sent:** Monday, July 21, 2003 3:33 PM

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Donna Prunty, Executive Coordinator

Department of Administration

1900 Kanawha Boulevard, East

Room E-119

Charleston, WV 25305

Melinda

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- How does it affect certain individuals that drive state vehicles home and such?

Any information you can provide would be beneficial.

Thanks for your time and consideration.

Ron Stanevich

-----Original Message-----

**From:** David Keatley

**Sent:** Tuesday, July 22, 2003 8:51 AM

**To:** Ronald L. Stanevich

**Subject:** FW: proposed parking rule open for public comment!

**From:** "HELEN HARDMAN" <HHARDMAN@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 9:19AM  
**Subject:** parking

i object to paying for parking, being assigned a parking spot at the farthest corner of the lot and having money deducted from my minuscule paycheck. furthermore we who are going to kanawha city can make free parking arrangements.

**From:** "Kelli Doyle" <kdoyle@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 8:24AM  
**Subject:** Comments on proposed parking rule

Good Morning,

I understand that the proposed parking rule is open for comments until August 1, 2003, therefore, I would like to state my opinion.

The State of WV is taking advantage of it's employees by forcing a parking fee. We have to park and are given no choice but to pay. Why should we have to pay to park in front of our own place of employment? Not only is this extremely unfair but the proposed \$20 is excessive.

I work for Environmental Protection and we currently do not have to pay to park at any of our buildings. This is right and fair. I worry that this new rule will effect us once we move into our new Kanawha City building. The DOA should let DEP continue to respect our employees by not forcing us with a mandatory parking fee.

I also don't understand why the Department of Administration is the one to collect this fee. If we do have to pay to park at our new building, I wouldn't be half as upset if the money were going directly to DEP for our use.

The other issue that arises is that if we do have a fee at our new building does this mean that we will have assigned spots? This system has always been unfair. The directors and people with connections always get the spots closest to the building while the Office Assistants and new hires get placed as far away as possible. If this rule does force us to pay, I feel that the lot should remain first come first serve. We have not had any complaints or problems with this at any of our current buildings.

Thank you for taking the time to let me voice my opinion on this matter.

Kelli Doyle  
Information Systems Specialist

Customer Support Services  
WV Dept. of Environmental Protection  
1356 Hansford Street, Charleston, WV 25301  
(304) 558-5929 x212

**From:** "MIKE JOHNSON" <MJOHNSON@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 2:06PM  
**Subject:** Legislative Rule Series 6 "Parking"

I must protest the proposed change to this Legislative Rule (148CSR6) which will require state employees to pay for parking within the confines of the City of Charleston. This is outrageous. The rule as presently written is grossly unfair to any number of state employees, especially those who rides the bus, those who park in public areas already, those who's spouse already pays to park on the capitol grounds, those whose hard earned money will now go to the Dept. of Administration for God knows what purpose. Will the Administration use this extra money for the thousands of grievances and lawsuits that will be filed as a result of this rule change? This kind of government makes me sick to my stomach and I have worked here 29 years. What else can I say but please do not implement this rule. No one will gain including your agency and certainly not the Governor's Office. Sincerely.....

**From:** "Natalya Chertkovsky" <nchertkovsky@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 2:06PM  
**Subject:** Parking rule comment

Name: Natalya Chertkovsky  
Address: 61 Stone Ridge Dr.  
Hurricane WV 25526

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection, which is in the process of constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by the change. My understanding of the proposed change is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exhorbitant fee for parking, but not for a simple lot.

Fourth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State

Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

Sincerely,

Natalya Chertkovsky

**From:** "JAMIE STEVENS" <JSTEVENS@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 1:40PM  
**Subject:** Dear MS Prunty

Dear MS Prunty

We can not afford this extra expense. thanks jamie stevens

**From:** "BARBARA MILES" <BMILES@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 1:39PM  
**Subject:** Comment on Legislative Rule

I wish to comment on the change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

I must protest this rule. our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have to employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space. DEP took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

This is just a way for the State to take advantage of the Federal Tax credit, even though small, that was given to hard working people. I have noticed everytime there is a raise given or tax relief given there is something that always eats it up. Monthly medical insurance premiums go up or something always happens to take any increase in our paychecks.

Employees that have not been paying parking will have enough impact of additional gasoline and maintenance to their vehicles by moving to Kanawha City without having to pay a manditory additional parking fee. Will the Governor be giving an "across the board" cost of living for all state employees in the new future?

Barbara A. Miles  
Fiscal Services  
phone: 304-759-0506  
bmiles@mail.dep.state.wv.us

**From:** "GIL SATTLER" <GSATTLER@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 1:28PM  
**Subject:** Parking Regs

I wish to comment on the change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

It appears that the Department of Environmental Protection which has offices within the city limits of Charleston will be impacted by the change. My understanding of the change is that the parking fee will be charged to all employees of the department who wish to park on the lots at the DEP facilities and that all parking fees and all fines collected will be paid to the Department of Administration.

I must protest this rule. First, our Department will be forced to assign parking spaces to each of its employees assigned to the facilities. In order to assure that employee assigned parking spaces are not used by the public, we will have employ someone to prevent employees from parking in the spaces assigned for public parking, or in another's space.

Second, our employees would be paying the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, the DEP, in securing sites for their facilities, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

Fourth, the new DEP location in Kanawha City is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

On the surface it appears that the Department of Administration is seeking a financial source to replace what they have lost due to the governor's mandatory fleet reduction. The Department of Administration no longer has the income from the inflated lease rates that they were charging the agencies and now is set to

replace that revenue by taking from the state employees in Charleston. So now we are expected to use our own vehicles for state business which increases the wear and tear and maintenance on our personal cars in addition to having increased auto insurance rates and we pay for the privilege of parking the car.

Additionally, this is discriminatory against the workers in Charleston. If you are going to charge why are you not charging all state employees? There are state offices all over the state.

Sincerely,

Gil W. Sattler

**From:** "Jeff Schoolcraft" <jschoolcraft@mail.dep.state.wv.us>  
**To:** <DPrunty@gwmail.state.wv.us>  
**Date:** 7/22/03 1:20PM  
**Subject:** Thank you

Thank you Diana for listening. I'm sorry I really have nothing personal against you or your Division. You're a State employee also and you know as much as I do how State Employees seem to have to carry the burden all the time while the Teachers and Troopers get a way with salary increases. I work as a Grievance Coordinator, EEOC Coordinator, Financial Disclosure Investigator, Chairperson of the Educational Reimbursement Committee, among other hats that I wear to save the agency money while I'm raising my 16 year old daughter on my own and it seems like anything a State Employee receives to help make ends meet has a portion of that taken back. I'm usually quiet though and really don't get out much to protest much of anything. I was charged for vehicle parking when I worked for Dept. of Labor at the Capitol Complex and accepted it but I just feel the government's way out of economic turmoil is to not burden the tax payer as much as its own employee's. I really appreciate your professionalism and your kindness. Thanks for allowing me to vent.

>>> "Donna Prunty" <DPrunty@gwmail.state.wv.us> 07/22/03 12:32PM >>>  
Thank you very much for your comments.

>>> "Jeff Schoolcraft" <jschoolcraft@mail.dep.state.wv.us> 07/22/03  
10:06AM >>>

I understand that all State Employee's will be charged for parking on State property. How is it that when a State Employee receives increments such as those offered by Cecil Underwood that the State takes it back either though insurance or other burdens such as State vehicles or this bill?

I hope this bill also applies to the WV State Troopers as well in addition to the teachers since they have received numerous raises over the past 7 years vs. the State Employees. We serve the public as much as the WV Legislature does so I feel that the Legislature should also remove the orange bags on the meters surrounding the Capitol and stand alongside that bill. If the bill is not intended to hurt the average hard working state employee then it should bare no threat on the three entities I spoke of. Thank you for your time.

**From:** "BOBBIE SCROGGIE" <BSCROGGIE@mail.dep.state.wv.us>  
**To:** <DPrunty@gwmail.state.wv.us>  
**Date:** 7/22/03 1:14PM  
**Subject:** Re: Parking Clarification

Ms. Prunty;

I wish to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

I must protest the proposed changes to the rule. The DEP will be forced to assign parking spaces to each of its employees assigned to the new facility. We have been told the number of parking spaces at the new facility was based on the assumption that 80% of the employees show up on any given day. That means there won't be enough spaces to assign each person their own space. It also failed to take into account employees who are assigned to regional locations who must come to the headquarters once a month. Where will they park if each employee who is regularly assigned to the headquarters have all the spaces? Also, there are field-based employees, permanently assigned state vehicles, who work one day per week at the office. There appears to be no exemption for those employees to not pay for parking even though they would rarely use the space.

I also have a personal reason for protesting assigned parking spaces. I am female and start work at 7 AM. For most of the year, that means I arrive while it is still dark outside. If I am assigned a parking spot that is away from the building, especially if it is near shrubs that may surround the parking lot, I will be in danger. If the parking spaces are not assigned, I can simply park closer to the entrance to make it safer.

The DEP took parking into consideration when purchasing the current site to allow for free parking for all of its employees. It makes no sense that DEP has paid for the parking space and now must make its employees pay again. If a parking garage were built, one could understand charging such an exorbitant fee for parking, but not for a simple lot.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. However, employees of the DEP will see an economic impact in the form of parking fees they have never had to pay in the past. Also, the DEP is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments. The homeowners who reside near the new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in the lot.

Sincerely,  
Bobbie Scroggie

>>> "Donna Prunty" <DPrunty@gwmail.state.wv.us> 07/22/03 12:51PM >>>

I was forwarded an e-mail which stated that I told an employee that there was no comment period on parking. That is inaccurate. Someone called me this morning about a \$20.00 fee that was going to be charged to employees in Charleston. That employee thought the DOA was trying to set that fee with the current proposed rules. I told the employee that the legislature had passed that a year ago and that was not what we were seeking comments on now. As a matter of fact, I also told the employee that I had even filed an emergency rule that made all employees of state government paying the same.

There are proposed legislative rules that have been filed and there is

a comment period on them. The proposed rules were mailed to all parking coordinators and I would encourage all employees who want to see what is proposed to get with their coordinators.

The legislature already made the decision to charge employees for parking during the last session. It is already the law. What the DOA is seeking to do now is to modify those rules so that there is no difference in the amounts paid among employees and to establish how the revenues are divided.

Please take the time to look at the proposed changes and send me your comments as soon as possible.

Thank you very very much.

**From:** "John Waggoner" <jwaggoner@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 1:11PM  
**Subject:** parking fees

Nuts

**From:** "CYNTHIA REYNOLDS" <creynolds@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 12:56PM  
**Subject:** Proposed parking rule

Ms. Prunty:

Please accept this letter as demonstration of my opposition to the new, proposed, parking rule. This is a typical example of why West Virginia is in such a "rut". Instead of finding new ways to enrich our state and generate revenue the "powers-that-are" think that assessing the already lowly paid State Workers will somehow help our current situation.

One thing that West Virginia has is dedicated workers. Why anyone would put something like this into law is beyond my reasoning. Employees at the capitol complex pay for parking. I opted to hire into the State at another location, due in part to the parking fee. Are those employees that are fortunate enough to drive state vehicles going to pay the fee or will they continue to be even more privileged? Is that just another "perk"?

Not only is the fee itself ridiculous but to begin at \$16.00 and top off at \$20.00 per month/vehicle is adding insult to injury. How much money will this generate? There will be 400+ employees at the new DEP building. This alone at \$16.00 per month, over a one year period, will generate over \$76,800.00 from that location. Where is the money going to go? Will it help to protect my job? How will parking off of the lot be examined? The new DEP building is located across from the Kanawha Mall and I know that I will attempt to park there should I be charged to do my daily duties. The State is suppose to pay ME. The profit is gained by my hard work. Maybe someone in Administration forgot that we are taxpayers. The current administration needs to get busy and stop picking on the people that normally support them.

Sincerely,

Cynthia L. Reynolds,  
Dept. of Env. Protection

**From:** "Diana Smith" <dsmith@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 1:00PM  
**Subject:** proposed parking rule

Please see attached comment and thank you for your time to read this.

Diana

July 22, 2003

Donna Prunty, Ex. Coordinator  
Dept. of Administration  
1900 Kanawha Blvd., East  
Room E-119  
Charleston, WV 25305

RE: Proposed Parking Rule  
Public Comment

Dear Ms. Prunty:

I am a concerned employee with the WV Department of Environmental Protection located in Nitro, WV. I wanted to state my opinion on this matter. I feel it is wrong to make employees pay to park when there is free parking available around the office. I can see paying if we have to park inside a parking building or such, which would be the individual's choice to do so. Other wise, no I do not see paying to park that is like paying the state to work and I also do not see these fees coming out of some ones paycheck.

Why not attach this fee and all parking fees to the teachers of WV since we pay into their retirement (1% fee is added to our personal property taxes for their retirement.) I imagine this one, I could not pay anything toward a retirement for myself until recently (I could not afford any spare money to do so), but since 1993 I am told I have paid into theirs, which was hidden behind other charges until recently.

Please let me inform you now of my decision, I wish not to participate in the parking arrangement that was proposed for us at the new location in Kanawha City. If I have to pay, I will park elsewhere. In addition, if this fee is assessed from my paycheck without my approval, which I do not approve of. I will enter a class action lawsuit with a number of employees that feel the same way I do.

Sincerely,

*Diana Smith*

Diana Smith  
Office Assistant III



West Virginia Department  
of Environmental Protection

"Promoting a healthy environment."

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**From:** "CYNTHIA REYNOLDS" <creynolds@mail.dep.state.wv.us>  
**To:** <dprunty@gwmail.state.wv.us>  
**Date:** 7/22/03 12:56PM  
**Subject:** Proposed parking rule

Ms. Prunty:

Please accept this letter as demonstration of my opposition to the new, proposed, parking rule. This is a typical example of why West Virginia is in such a "rut". Instead of finding new ways to enrich our state and generate revenue the "powers-that-are" think that assessing the already lowly paid State Workers will somehow help our current situation.

One thing that West Virginia has is dedicated workers. Why anyone would put something like this into law is beyond my reasoning. Employees at the capitol complex pay for parking. I opted to hire into the State at another location, due in part to the parking fee. Are those employees that are fortunate enough to drive state vehicles going to pay the fee or will they continue to be even more privileged? Is that just another "perk"?

Not only is the fee itself ridiculous but to begin at \$16.00 and top off at \$20.00 per month/vehicle is adding insult to injury. How much money will this generate? There will be 400+ employees at the new DEP building. This alone at \$16.00 per month, over a one year period, will generate over \$76,800.00 from that location. Where is the money going to go? Will it help to protect my job? How will parking off of the lot be examined? The new DEP building is located across from the Kanawha Mall and I know that I will attempt to park there should I be charged to do my daily duties. The State is suppose to pay ME. The profit is gained by my hard work. Maybe someone in Administration forgot that we are taxpayers. The current administration needs to get busy and stop picking on the people that normally support them.

Sincerely,

Cynthia L. Reynolds,  
Dept. of Env. Protection

Melinda S. Campbell  
340 Sunset Drive  
Elkview, WV 25071

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 6 Parking

Ms. Prunty;

I am writing to comment on the proposed change to the Legislative Rule (148CSR6) with regard to parking by state employees on state owned property within the confines of the City of Charleston, Kanawha County.

From my reading of the proposed change it appears that the Department that I work for (and its employees) would be impacted by the change. The Department of Environmental Protection is in the process of constructing a building in Kanawha City (within the city limits of Charleston).

My understanding is that the proposed parking fee will be charged to all employees of the Department who wish to park on the lot at the Kanawha City facility. I further understand the all parking fees will be paid to the Department of Administration and all fines collected also paid to the Department of Administration.

I have several concerns with this. First, our Department will be forced to assign parking spaces to each of its 600 employees assigned to the new facility. In order to assure that employee assigned parking spaces are not used by the public, we will have to construct a fence or other barrier to prevent non-employees from parking in employee designated areas. We do not currently employ a security guard or parking attendant to assure that individuals park in appropriate spaces, therefore some form of barrier would be necessary to separate employee from public parking. This would result in additional cost for construction and maintenance of such a barrier system. Also, we would have to employ someone to prevent employees from parking in the spaces assigned for public parking.

Second, our employees would be paying to the Department of Administration a fee for which no service is being rendered by that Department. Our agency will, from my understanding of the rule, not receive any service (i.e. snow removal or the services of a parking attendant) for the fee that is paid to the Department of Administration. Likewise, I am assuming that the Department of Administration will not assign staff to man our parking lot as an attendant.

Third, our Department, in securing a site for the new facility, took parking into consideration and secured sufficient space to allow for free parking of all of its employees. There is sufficient parking at the facility for all employees and the public. It seems a waste to me that DEP has paid for the parking space and now must make its employees pay again.

Forth, the new location is right beside a mall and has off street parking in the vicinity. Employees unwilling to pay this fee will simply park in one of these available areas to avoid paying the parking fee. This will create discord with local homeowners and the owners of the mall parking, both of whom have the expectation that DEP employees will be provided with parking and not avail themselves of the other public parking spaces available for homeowners and shoppers.

Fifth, we have field based employees, permanently assigned state vehicles, who have 1 office day per week. There appears to be no exemption for those employees to not pay for parking even though they'd rarely use the space.

The proposed rule indicates that there are no cost increases and no economic impact on State Government, Political Subdivisions, or the Public at large. I would disagree.

Employees of my department will surely see an economic impact in the form of parking fees that they have never had to pay in the past. Our Department is likely to see increased costs associated with enforcement of the policy and assignment and tracking of space assignments.

Likewise, the homeowners who reside near our new facility will face an impact in the form of inconvenience due the numbers of DEP employees who will choose to park on their streets rather than in our lot.

I understand that there are parking restrictions that must be in place at the Capitol due to the shortage of convenient parking. I also understand that it is likely that the assignment of spaces and the charging of fees at the Capitol have likely led to grievance activity. The solution to whatever problems that the Department of Administration faces with regard to parking at the Capitol should be sought without impacting employees at facilities that do not face such problems.

It seems to me that solving the problem of one Department by creating many and varied problems for other Departments is not an efficient method of problem solving. I would propose that the imposition of these rule changes will create far more problems than it solves and wish to lodge my protest.

Sincerely,



Melinda S. Campbell



Office of Administration/Human Resources  
10 McJunkin Road  
Nitro, WV 25143  
Telephone Number: (304) 759-0508  
Fax Number: (304) 759-0562

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## West Virginia Department of Environmental Protection

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Bob Wise  
Governor

Stephanie R. Timmermeyer  
Cabinet Secretary

July 23, 2003

### MEMORANDUM

To: Donna Prunty, Executive Coordinator  
Department of Administration  
Room E-119  
Capitol Complex

From: Stephanie Burdette, Administrative Services Asst.  
Department of Environmental Protection  
Human Resources Office 

Subject: Proposed Rule Title 148, Series 6, Parking

I have been given notification that there is currently a comment period for the proposed Parking Rule amendment. As both a citizen and more important a WV state employee who will be affected by this rule I do have some comments and questions regarding the proposed changes.

First, under the section addressing the Parking Areas, items C & D, if the agencies are paying a lease of a building does it not already include fees to include parking? Then why will the employees be charged for fees that their agency is already paying? Item D, states, "Any other property now or subsequently owned or lease by the State or any of its agencies". The Department of Environmental Protection has purchased (without any additional funding from the state) property and is building a new office to incorporate all of the Charleston offices within DEP. These consolidations are saving the agency and state a large amount of money and making it easier for the citizens of WV to have access to all of DEP's offices under one roof.



Why should the state require the employees to pay for parking after our agency already paid for the privileges of parking with our new building? Why does this rule pertain to just the agencies that are within the City of Charleston, why not all state agencies? Most agencies that are housed within the City of Charleston, including the move of DEP's offices to Kanawha City, are situated in Charleston to make the access for their Cabinet Secretaries easier for Legislative purposes and to make inter-agency communication more effective.

Secondly, under the Personnel section it states, "The Secretary shall employ such persons as he or she considers necessary to enforce this parking rule." Does this mean that the Secretary will be employing individual(s) to enforce the parking rule at each agency parking area? If so, who will actually have to pay these individuals salaries? Will the salary be taken from the fees that have been paid or will these individual agencies have to be accountable for these additional salaries? How can the "Effect of Proposed Rule" show "no costs will be associated with the passage of the proposed rule" if there will be additional employees hired? This section does not say anything about the salaries of the additional employees.

Lastly, under the Penalties section it states, "Revenues received from the fines shall be split on a 50/50 basis with one half going toward the current account (general revenue?) and the other one half going toward a handling fee to be used to maintain the parking facilities and for the costs associated with enforcement for the parking rules." Does this mean that the state will be paying for up keep on a parking lot including snow removal, pothole damages, etc. for each agency? Who decides on when an agency should get their parking lot fixed? Also if 50% of the fees will be placed into the general revenue will those agencies that were asked to cut their general revenue budgets receive any of this money back in their budgets?

I appreciate the consideration that Department of Administration will give to my comments and questions. It would be appreciated if there can be some answers to the questions that I have raised. I know that other employees within the Department of Environmental Protection have had some of the same questions.

July 23, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

RE: Proposed Change to Legislative Rule Series 5 Parking

Ms. Prunty:

I would like to submit my comments on the proposed change to the Legislative Rule (148CSR6) regarding parking by Department of Environmental Protection State employees on the state owned property in Kanawha City.

It appears that the DEP, which is constructing a building in Kanawha City, within the city limits of Charleston, will be impacted by this change. My understanding of the proposed change is that the parking fee will be charged to all employees of the Department who park on the lot at the Kanawha City office and that all parking fees and fines collected will be paid to the Department of Administration.

Our Department will be forced to assign parking for all of its employees in this building (600 people). In order to assure that the employee assigned to each parking space will not lose their space when someone from the public decides to park in it, we will have to employ someone to prevent this situation.

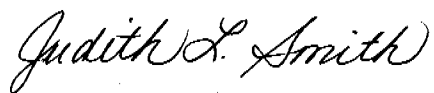
I would like to know what the monies will be used for that is collected from the employees of DEP. Does the Department of Administration pay for a security guard at our DEP office? Does the Department of Administration hire someone to keep the parking clear of snow and ice in the winter? **What benefit do we get for our money?**

It is the employees understanding that the monies to purchase the property and build a new building was including ample parking for the employees that worked in the building, and was to allow FREE PARKING. I understand that there are parking restrictions due to limited space at the Capitol. I also understand parking assignments and fees were instated due to the parking garage that was built at the Capitol. This is not the case at the Kanawha City DEP office.

This will create a hardship on many people that are now going to drive many more miles a day, plus pay additional monies to park. This is also not going to be something that the homeowners in the area will be accepting. Folks that chose not to park on the DEP lot will be looking for parking spaces on the streets in the residential areas. There will be numerous complaints that DEP and the Department of Administration will have to deal with on a regular basis.

The solution to the shortage of parking at the Capitol area should not be inflicted on the employees of DEP.

Sincerely,

A handwritten signature in cursive script that reads "Judith L. Smith".

Judith L. Smith  
137 Joyce Road  
Scott Depot, WV 25560

July 22, 2003

Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305

Dear Ms. Prunty:

I am writing in opposition to the proposed changes to Legislative rule Title 148 Series 6 regarding parking for state employees.

Your parking proposal is actually a \$240 pay cut for state employees. In the rule, there is no clear indication as to what the Department of Administration will do with the funds collected, nor what services may be afforded to the employee paying the parking fee. If I'm paying \$240 per month for a service, I need a clear understanding as to what I'm paying for.

From my interpretation, the proposal assumes that every state employee drives to work and parks in a state-owned or leased lot. While I do drive to work every day, many of my colleagues take the bus, car pool, ride with a spouse or walk to work. Requiring them to pay the parking fee would be unfair. In my agency, we also have a significant number of field personnel who work every day, but are in the office only one or two days out of the week. For those employees, would there be a different rate?

This proposed legislation leaves a lot of questions unanswered and calls into question the motivation behind a parking fee for state employees who would otherwise be able to park for free.

I request that you pull the proposal from the 2004 legislative agenda and consider more carefully its ramifications.

Sincerely,



Jessica Greathouse  
P.O. Box 907  
Elkview, WV 25071

TITLE 148  
LEGISLATIVE RULE  
DEPARTMENT OF ADMINISTRATION

SERIES 6  
PARKING

FILED  
2003 AUG -1 P 5:32  
OFFICE WEST VIRGINIA  
SECRETARY OF STATE

§148-6-1. General.

1.1. Scope. -- This legislative rule provides for the regulation of parking of motor vehicles by the Secretary of the Department of Administration on property owned or leased by the State of West Virginia, or any of its agencies, in the city of Charleston, Kanawha County, West Virginia, including penalties.

1.2. Authority -- W. Va. Code §5A-4-5.

1.3. Filing Date. --

1.4. Effective Date. -- \_\_\_\_\_

The Secretary of Administration may also designate any area as a parking or no parking area, as he or she determines for the conduct of business at the capitol or any state office buildings in the City of Charleston on a daily basis or for special occasions, as they may arise, except as provided in Sub Section 2.2 of this rule.

2.2. Legislative Sessions. During sessions of the Legislature, including regular, extended, extraordinary and interim sessions, parking in the following areas is designated for legislators and employees of the Legislature and subject to rules promulgated jointly by the Speaker of the House of Delegates and President of the Senate:

§148-6-2. Parking Areas.

2.1. General. Parking on property owned by the State of West Virginia in the City of Charleston, Kanawha County, West Virginia is subject to this rule and includes but is not limited to:

(a). The east side of Greenbrier Street between Kanawha Boulevard and Washington Street, East;

(b). The west side of California Avenue between Kanawha Boulevard and Washington Street, East;

(c). State-owned or leased grounds upon which state office buildings.

(d). Any other property now or subsequently owned or leased by the State or any of its agencies and used for parking purposes in conjunction with the state capitol or any state office buildings.

(a). The east side of Greenbrier Street between Kanawha Boulevard and Washington Street, East;

(b). The Science and Culture Center parking lot;

(c). The north side of Kanawha Boulevard between Greenbrier Street and California Avenue; and

(d). The west side of California Avenue between Kanawha Boulevard and Washington Street, East;

§148-6-3. Personnel

The Secretary shall employ such persons as he or she considers necessary to enforce this parking rule. The persons employed by the Secretary have authority to direct traffic and issue tickets in violation of this rule, as well as any other authority determined by the Secretary.

**§148-6-4. Metered Parking.**

The Secretary may install metered parking in any areas designated for parking he or she considers prudent to permit convenient parking spaces for visitors to the state capitol or any state office buildings in the City of Charleston. The amount to be charged for parking at meters shall be .50 cents per hour.

**§148-6-5. Parking**

Parking may be provided, at the discretion of the Secretary, to state spending units. The spending unit shall issue individual parking spaces in accordance with the parking allocation policies of the spending unit, subject to this rule. The fee to park shall be sixteen dollars (\$16.00) per month as of July 1, 2003; seventeen dollars (\$17.00) per month as of July 1, 2004; eighteen dollars (\$18.00) per month as of July 1, 2005; nineteen dollars (\$19.00) per month as of July 1, 2006; twenty dollars (\$20.00) per month as of July 1, 2007. Payment by the employees shall be made through payroll deduction, unless otherwise authorized by the Secretary. The Secretary may charge a reasonable fee to replace a parking tag or access card issued to a public officer or employee.

For locations outside the Capitol Complex, the spending units shall issue individual parking spaces in accordance with the parking allocation policies of the spending unit subject to this rule and the fee to park shall be the same as the fees for employees who park on the Capitol Complex Campus all spending units shall charge \$20.00 per month for parking unless the facility consists of all free, public access parking (i.e., shopping centers or other facilities approved by the Secretary) or unless they have a contractual obligation in which case the Secretary of Administration may set a different fee.

**§148-6-6. Violations.**

6.1. General. The owner of any motor vehicle parked in violation of this rule is subject to the penalty specified in Section 7 of this rule and is responsible for the payment of any fines, penalties or costs assessed, regardless of whether

the owner was operating the motor vehicle at the time of the violation. The Secretary may waive the violation and assessed fines, penalties and costs, in his or her discretion. Further, the Secretary may authorize the removal, immobilization, or any other remedy considered necessary, at owner expense, of any motor vehicle parked in violation of this rule. For the purpose of this subdivision, a motor vehicle parked in violation of this rule shall include a motor vehicle owned by a person who owes more than ten (10) unpaid violations and is parked on property described in subsection 2.1 of this rule. The Secretary may also authorize the revocation of a state issued parking space of a vehicle whose owner owes more than ten (10) unpaid violations.

6.2. Metered Parking. The owner of a motor vehicle parked at metered parking with elapsed time during the hours of 8:00 a.m. through 5:00 p.m. Monday through Friday, except holidays, is subject to overtime parking fine(s) in accordance with Section 7 of this rule or other hours as the Secretary considers appropriate. In no event may a singular vehicle at a single parking meter be ticketed more than four times in one working day.

6.3. Designated Area Parking. The owner of a motor vehicle parked at any time in an area designated handicapped parking, legislative parking, or reserved parking is subject to parking fine(s) in accordance with Section 7 of this rule.

6.4. Parking in Travel Lanes. The owner of a motor vehicle parked in a travel lane is subject to a parking in travel lane parking fine in accordance with Section 7 of this rule.

6.5. Other Violations. The owner of a motor vehicle parked in a space that has not been assigned for purpose of parking that vehicle is subject to an improper parking fine in accordance with Section 7 of this rule.

**§148-6-7. Penalties.**

7.1. Fines. A person who violates this rule is subject to the ~~following fines:~~ fines identified below. Revenues received from the fines shall be

split on a 50/50 basis with one half going toward the current account and the other one half going toward a handling fee to be used to maintain the parking facilities and for the costs associated with enforcement for the parking rules.

Handicapped Area	\$100.00
Legislative Parking Area	10.00
Reserved Parking Area	10.00
Parking in Travel Lane	10.00
Overtime Parking	5.00
No Parking Area	10.00
Improper Parking	10.00
Other Violations	10.00

7.2. Payment. Payment of fines is required within ten days (10) of the time the ticket was issued to either the ticket receipt boxes provided by the Department of Administration or to the address printed on the ticket. Fines not paid within ten days (10) are subject to double additional fines not to exceed twenty dollars (\$20.00) each. A summons may be issued for tickets not paid within fourteen (14) days.

7.3. Jurisdiction. Magistrates in Kanawha County, West Virginia have jurisdiction of violations and offenses of this rule.

7.4. Exceptions. The Secretary may grant necessary exceptions to this Rule.

## QUESTIONNAIRE

**DATE:** August 1, 2003

**TO:** Legislative Rule-Making Review Committee

**FROM:** Donna Prunty, Executive Coordinator  
Department of Administration  
1900 Kanawha Boulevard, East  
Room E-119  
Charleston, WV 25305  
304-558-3392

**LEGISLATIVE RULE TITLE:** 148, Series 6, Parking

1. Authorizing statute(s) citation 5A-4-5

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:

July 1, 2003

b. What other notice, including advertising, did you give of the hearing?

Mailing to Parking Coordinators for all State Agencies

c. Date of Public Hearing(s) or Public Comment Period Ended:

July 31, 2003

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached  X  No comments received \_\_\_\_\_

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

August 1, 2003

f. Name, title, address and phone/fax/e-mail numbers of agency person(s) to receive all written correspondence regarding this rule: (please type)

Donna Prunty, Executive Coordinator

Department of Administration

1900 Kanawha Boulevard, East

State Capitol, Room E-119

Charleston, WV 25305

304-558-3392

g. IF DIFFERENT FROM ITEM "f", please give Name, title, address and phone number(s) of agency person(s) who wrote and/or has responsibility for the contents of this rule: (please type)

David Tincher, Director of Purchasing

2019 Washington Street, East

Charleston, WV 25301

304-558-2538

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing or comment period:

July 1, 2003 through July 31, 2003

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

N/A

d. Attach findings and determinations and reasons:

Attached See attached

## APPENDIX B

### FISCAL NOTE FOR PROPOSED RULES

**Rule Title:** Title 148, Series 6, Parking

**Type of Rule:**  **Legislative**  **Interpretive**  **Procedural**

**Agency:** Department of Administration

**Address:** 1900 Kanawha Boulevard, East  
Building 1, Room E-119  
Charleston, WV 25305

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**1. Effect of Proposed Rule:**

	ANNUAL FISCAL YEAR				
	Increase	Decrease	Current	Next	Thereafter
ESTIMATED TOTAL COST	-0-	-0-	-0-	-0-	-0-
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

**2. Explanation of Above Estimates:**

No costs will be associated with the passage of the proposed rule. Although increasing the monthly fees for off-site parking would have generated additional revenues to the state, those additional revenues would have been offset by costs associated with potential grievances filed due to the disparity of the monthly fees. It is estimated that the costs to the state to defend each grievance filed would be \$2,000 to \$5,000 depending upon how many levels the grievance advances.

**3. Objectives of These Rules:**

To make the monthly parking fees paid by employees the same throughout State government.

**4. Explanation of Overall Economic Impact of Proposed Rule:**

**A. Economic Impact on State Government:**

None

**B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:**

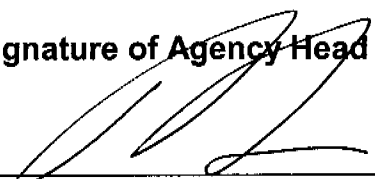
None

**C. Economic Impact on Citizens/Public at Large.**

None

Date: 8-1-03

**Signature of Agency Head or Authorized Representative:**

  
\_\_\_\_\_  
Tom Susman, Acting Cabinet Secretary  
Department of Administration