COMMISSION MEETING
THURSDAY, APRIL 13, 2017

PRESENT:  ROBERT L. BAILEY, PRESIDENT
JIM MORGAN, COMMISSIONER
NANCY CARTMILL, COMMISSIONER
WILLIAM WATSON, COUNTY ATTORNEY
BETH THOMPSON, COUNTY ADMINISTRATOR

Robert L. Bailey, President, called the meeting of the Cabell County Commission to order at 10:00 a.m.

APPROVE:

Nancy Cartmill, Commissioner, moved to approve the agenda as presented. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

Jim Morgan, Commissioner, moved to approve the minutes from the February 23, 2017, Regular Commission Meeting; March 7, 2017, Special Commission Meeting; and March 8, 2017 Special Commission Meeting. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Jim Morgan, Commissioner, moved to approve erroneous assessments; land consolidations; split tickets; and probate documentation. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, moved to approve purchase orders #17-77573 through #17-77949 and pay jackets; ACH Drafts for Weekly Claims Experience/Administration Cost-HMBCBS. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

CITIZENS REGISTERED TO SPEAK

Jeff O’Malley, Associate Athletic Director of Marshall University, appeared before the commission requesting financial support in the effort to bring the Mountain East Conference Basketball Tournament. Mr. O’Malley stated there would be 20 teams participating in the event over a 5 day span, which would bring many visitors to the area. Mr. O’Malley stated he would like to make a request of $10,000.00 for the 2018 year.

Robert L. Bailey, President, stated the commission was unable to take action at this time, as the item had not been on the agenda. President Bailey stated Mr. O’Malley would need to submit a letter of request to the commission, along with a budget for the event. President Bailey stated the commission would be reviewing requests for Hotel/Motel funding in the coming month.
Beth Thompson, County Administrator, stated the Commission would need to rescind the motion previously made to approve minutes. Mrs. Thompson stated the minutes had been lost due to a computer crash, and would need to be rewritten. Mrs. Thompson stated the Commission would need to table the item.

Nancy Cartmill, Commissioner, moved to rescind the motion approving the minutes from the February 23, 2017, Regular Commission Meeting; March 7, 2017, Special Commission Meeting; and March 8, 2017, Special Commission Meeting. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, moved to table the approval of minutes from the February 23, 2017, Regular Commission Meeting; March 7, 2017, Special Commission Meeting; and March 8, 2017, Special Commission Meeting. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

“OPEN BIDS FOR RADIO MICROWAVE EQUIPMENT AND SYSTEMS INSTALLATION- SECOND PHASE BARBOURSVILLE TO MILTON LINK”

Gordon Merry, Director, stated the item had been placed on the agenda prematurely, and would need to be tabled until the next regular schedule Commission meeting.

Nancy Cartmill, Commissioner, moved to table opening bids for Radio Microwave Equipment and Systems Installation- Second Phase Barboursville to Milton Link until the next regular schedule commission meeting. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

#373

ESTATE OF MARCIA GAYLE JOHNSTON

RE: REPORT FINDINGS AND RECOMMENDATIONS OF FIDUCIARY COMMISSIONER

William Watson, County Attorney, stated there was an outstanding claim from Wallace Funeral Home against the Estate of Marcia Gayle Johnston Wallace Funeral Home. Mr. Watson went on to say the Fiduciary had signed the contract with Wallace Funeral Home in their individual capacity, not as Fiduciary of the estate. Mr. Watson added there were no guidelines set forth in the will to dictate how funeral expenses were to be paid. Mr. Watson stated Fiduciary Commissioner, Steve Flesher, indicated the claim from Wallace Funeral Home should be disallowed, as it was not a claim the estate should be responsible for. Mr. Watson stated it was his recommendation to accept the findings and recommendations of the Fiduciary Commissioner.
Nancy Cartmill, Commissioner, moved to accept the findings and recommendation of Fiduciary Commissioner, Steve Flesher, for the Estate of Marcia Gayle Johnston. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

#374 PROCLAMATION, CABELL COUNTY COMMISSION

RE: HONORING THE HUNTINGTON HIGH SCHOOL’S VARSITY GIRLS BASKETBALL TEAM WV CLASS “AAA” STATE BASKETBALL CHAMPIONSHIP

Robert L. Bailey, President, stated he would like to recognize three of the top coaches in the state of West Virginia: Lonnie Lucas, Huntington High School Girls Basketball Coach; Ron Hess, Huntington High School Boys Basketball Coach; and Shannon Lewis, St. Joe High School Girls Basketball Coach. President Bailey presented each of the coaches with a plaque to celebrate their team’s accomplishments.

Jim Morgan, Commissioner, moved to approve the Proclamation honoring the Huntington High School’s Varsity Girls Basketball Team WV Class “AAA” State Basketball Championship. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (A)

#375 PROCLAMATION, CABELL COUNTY COMMISSION

RE: HONORING THE HUNTINGTON HIGH SCHOOL’S VARSITY BOYS BASKETBALL TEAM WV CLASS “AAA” STATE BASKETBALL CHAMPIONSHIP

Jim Morgan, Commissioner, moved to approve the Proclamation honoring the Huntington High School’s Varsity Boys Basketball Team WV Class “AAA” State Basketball Championship. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (B)

#376 PROCLAMATION, CABELL COUNTY COMMISSION

RE: HONORING THE ST. JOE HIGH SCHOOL’S GIRLS BASKETBALL TEAM CLASS “A” CHAMPIONSHIP

Jim Morgan, Commissioner, moved to approve the Proclamation honoring the St. Joe High School’s Girls Basketball Team WV Class “A” State Basketball Championship. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (C)
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#377 PROCLAMATION, CABELL COUNTY COMMISSION
RE: HONORING SERVICE RECOGNITION DAY

Nancy Cartmill, Commissioner, moved to approve the Proclamation honoring Service Recognition Day. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous. Exhibit (D)

#378 AGREEMENT, CABELL COUNTY COMMISSION
RE: USE OF COURTHOUSE GROUNDS PERMIT, NATIONAL DAY OF PRAYER- MAY 4, 2017- 10:00 A.M.- 1:00 P.M.

Nancy Cartmill, Commissioner, moved to approve the Use of Courthouse Ground Permit, for National Day of Prayer. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

#379 AGREEMENT, CABELL COUNTY COMMISSION
RE: USE OF COURTHOUSE GROUNDS PERMIT, EASTER EGG HUNT- 93.7 THE DAWG- APRIL 15, 2017- 8:00 A.M.- 11:00 A.M.

Nancy Cartmill, Commissioner, moved to approve the Use of Courthouse Ground Permit, for the 93.7 The Dawg Easter Egg Hunt. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

#380 RESOLUTION, CABELL COUNTY COMMISSION
RE: TO ESTABLISH A NO-SMOKING POLICY ON ALL PROPERTIES AND IN ALL MOTOR VEHICLES OWNED AND/OR LEASED BY THE CABELL COUNTY COMMISSION

Beth Thompson, County Administrator, stated, if approved, the no-smoking policy would go into effect on July 1, 2017.

Jim Morgan, Commissioner, moved to approve the establishment of a No-Smoking Policy on all properties and in all motor vehicles owned and/or leased by the Cabell County Commission. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (E)
#381 DISCUSSION/ACTION

RE: OLD JAIL BUILDING

Chuck Zerkle, Sheriff, stated the old jail building had been a financial burden on the county for years. Sheriff Zerkle stated the structure itself was not sound, and he had already invested several thousand dollars in it since he had taken office. Sheriff Zerkle explained the building could be torn down immediately if the county were to incur the total cost of the project, but if state or federal monies were to be used, the building would have to first be decommissioned from the historical registry. Sheriff Zerkle stated he had received some estimates on the cost of the project if the commission wished to move forward with the project.

Nancy Cartmill, Commissioner, moved to approve moving forward with removal of the old jail building. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

#382 DISCUSSION/ACTION

RE: SECURITY AT NEW FAMILY COURT SPACE

Chuck Zerkle, Sheriff, stated he had applied for grant funding in excess of $100,000.00 to fund security at the new family court space, but those funds would not be available until July 1, 2017, if approved.

Robert L. Bailey, President, stated no action would need to be taken on the item at this time.

#383 RESOLUTION, CABELL COUNTY COMMISSION

RE: PUBLIC HEARING “SARA TITLE III- COMMUNITY RIGHT-TO-KNOW ACT OF 1986”- FOR THE CABELL/WAYNE LEPC

Jim Morgan, Commissioner, moved to approve the Public Hearing “Sara Title III-Community Right-To-Know of 1986”- for the Cabell/Wayne LEPC. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (F)

#384 LETTER, GORDON MERRY, CCEMS

RE: DONATE (1) VEHICLE/TITLE- ONA VOLUNTEER FIRE DEPARTMENT
2004 JEEP LIBERTY, VIN: 1J4GL48KL4W317687
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Nancy Cartmill, Commissioner, moved to accept the letter from Gordon Merry, CCEMS, regarding the donation of a 2004 Jeep Liberty to the Ona Volunteer Fire Department. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

#385 LETTER, IRV JOHNSON, CABELL COUNTY ASSESSOR
RE: ADDITIONAL COMPENSATION:
DOG FUND- MARCH 2017- $8.70

Jim Morgan, Commissioner, moved to accept the letter from Irv Johnson, Assessor, regarding additional compensation from the Dog Fund. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#386 APPROVAL, CABELL COUNTY COMMISSION
RE: AMENDMENT TO ARTICLES OF INCORPORATION OF CABELL HUNTINGTON HOSPITAL, INC.
REQUEST FOR APPROVAL BY THE CABELL COUNTY COMMISSION

Nancy Cartmill, Commissioner, moved to approve the Amendment to the Articles of Incorporation of Cabell Huntington Hospital, Inc. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

#387 CITY NATIONAL BANK OF WEST VIRGINIA
RE: RENEWAL OF SURETY BOND

Jim Morgan, Commissioner, moved to approve the renewal of Surety Bond with City National Bank. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#388 LETTER, KAREN COLE, CABELL COUNTY CLERK
RE: EMPLOYMENT
KYLE F. CHANDLER- FULL-TIME EMPLOYEE

Nancy Cartmill, Commissioner, moved to approve the employment of Kyle F. Chandler as a full-time employee in the County Clerk’s Office, effective April 17, 2017, at a rate of pay of $25,000.00. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.
#389  LETTER, CHUCK ZERKLE, CABELL COUNTY SHERIFF

RE: EMPLOYMENT
JUSTIN PETRONKO- FULL-TIME DEPUTY

Jim Morgan, Commissioner, moved to approve the employment of Justin Petronko as a full-time Deputy Sheriff, effective April 17, 2017, at a rate of pay of $34,261.68 annually. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#390  RESOLUTION, CABELL COUNTY COMMISSION

RE: NEW APPOINTMENT
SALT ROCK WATER PUBLIC SERVICE DISTRICT
CHARLES CROW

Jim Morgan, Commissioner, moved to approve the appointment of Charles Crow to the Salt Rock Water Public Service District, for a term beginning May 1, 2017, and ending April 31, 2023. Nancy Cartmill, Commissioner, seconded the motion and the vote is unanimous.

Exhibit (G)

#391  AGREEMENT BETWEEN THE DIVISION OF CULTURE AND HISTORY FOR AND ON BEHALF OF ARCHIVES AND HISTORY FOR AND ON BEHALF OF THE RECORDS MANAGEMENT AND PRESERVATION BOARD AND THE CABELL COUNTY COMMISSION

Jim Morgan, Commissioner, moved to approve the agreement between the Division of Culture and History for and on behalf of Archives and History for and on behalf of the Records Management and Preservation Board and the Cabell County Commission. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#392  RESOLUTION, CABELL COUNTY COMMISSION

RE: NEW APPOINTMENTS
CABELL/WAYNE LOCAL EMERGENCY PLANNING COMMITTEE
JESSICA BARTON
BRIAN ELSWICK
SHIRLEY LAWSON
TIM WATSON
Jim Morgan, Commissioner, moved to approve the appointments of Jessica Barton, Brian Elswick, Shirley Lawson, and Tim Watson to the Cabell/Wayne Local Emergency Planning Committee. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (H)

#393 RESOLUTION, CABELL COUNTY COMMISSION-COUNTY BUDGET REVISION #9

Jim Morgan, Commissioner, moved to approve County Budget Revision #9. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (I)

#394 RESOLUTION, CABELL COUNTY COMMISSION- STATE BUDGET REVISION #6

Jim Morgan, Commissioner, moved to approve State Budget Revision #6. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (J)

#395 SPECIAL FUNDS BUDGET REVISION (FUND 29) #1

Jim Morgan, Commissioner, moved to approve Special Funds Budget Revision (Fund 29) #1. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#396 SPECIAL FUNDS BUDGET REVISION (FUND 8) #1

Nancy Cartmill, Commissioner, moved to approve Special Funds Budget Revision (Fund 8) #1. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

#397 EXECUTIVE SESSION

RE: PERSONNEL, WAYNE COUNTY COMMISSION- DAY REPORT

Nancy Cartmill, Commissioner, moved to go into Executive Session at 10:40 a.m., to discuss Personnel, Wayne County Commission- Day Report. Jim Morgan, Commissioner, seconded the motion and the vote was unanimous.

Jim Morgan, Commissioner, moved to return to regular session at 12:03 p.m., with no action taken. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.
PLACE ON RECORD

Jim Morgan, Commissioner, **moved to approve placing on record minutes from the February 13, 2017, Pea Ridge Public Service District Board Meeting; Other Documentation to be Recorded: Cabell-Huntington Board of Health Report- March 2017; Monthly Statement of Assessor Cabell County, WV for the Month of March 2017; Pea Ridge Public Service District General Ledger Income Statement & Balance Sheet Period: 8, Year Ending: 2017; Pea Ridge Manager’s Report & Field Report January 2016.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

COMMISSIONER’S REPRESENTATIVE REPORTS

Robert L. Bailey, President, stated he would like to announce his friend Bill Bare had recently purchased property located on 5th Street Road in Huntington, which would serve as the new location for his business Bare Arms. President Bailey stated the future facility would house an indoor gun range, offer concealed carry classes, and also be a retail store for firearms.

Robert L. Bailey, President, adjourned the meeting at 12:33 p.m., until the next regular schedule meeting.

PRESIDENT, COUNTY COMMISSION

KSC:ksf