

COMMISSION MEETING

THURSDAY, OCTOBER 28, 2010

PRESENT: **W. SCOTT BIAS, PRESIDENT**
ROBERT L. BAILEY, COMMISSIONER
NANCY CARTMILL, COMMISSIONER
WILLIAM WATSON, COUNTY ATTORNEY
STEPHEN ZOELLER, COUNTY MANAGER
CHRIS TATUM, ASSISTANT COUNTY MANAGER
RHONDA MONTANEZ, PURCHASING ASSISTANT

W. Scott Bias, President, called the regular scheduled meeting of the Cabell County Commission to order at 10:00 a.m.

APPROVE:

Robert L. Bailey, Commissioner, **moved to approve the agenda as presented.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, **moved to approve purchase orders #11-27937 through #11-28247 and pay jackets.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Robert L. Bailey, 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 handwritten checks to Mountain State Blue Cross and Blue Shield Company, not to exceed \$100,000.00, from the Cabell County Medical Insurance Fund.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Adell Chandler, Circuit Clerk, presented Oattie Adkins, Cabell County Assessor, with a plaque from the Courthouse Facilities Authority, for his years of service.

#335 LETTER, KAREN S. COLE, COUNTY CLERK

RE: CONVENE AS BOARD OF CANVASSERS

Robert L. Bailey, Commissioner, **moved to convene as the Board of Canvass for the 2010 General Election on Monday, November 8, 2010, at 9:00 a.m.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

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#336 APPEARING, RONALD J. FLORA, ESQUIRE

**RE: PETITION TO REMOVE THE EXECUTOR OF THE ESTATE
OF JOSEPH E. MARTIN**

Ronald Flora, Attorney, appeared before the Commission to request the removal of Angela D. Harmon as the Executor of the Estate of Joseph E. Martin and to appoint Lisa C. Gamby as the Administratrix to said estate.

Mr. Flora stated that an appraisal and inventory of the estate had been filed in 2007, however, no finalization had been made and attempts to contact the Executor had not been successful. Mr. Flora went on to say all parties had been notified of the proceedings.

Robert L. Bailey, Commissioner, **moved to approve the removal of Angela D. Harmon as the Executor of the Estate and to appoint Lisa C. Gamby as the Administratrix of the Estate of Joseph E. Martin, and that bond be posted by Ms. Gamby.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#337 ESTATE OF GAYNEL LLOYD

**RE: MOTION TO REMOVE ADMINISTRATOR, JOHN CHESTER
RAY, DECEASED AND APPOINT BARBARA BATES AS
ADMINISTRATRIX**

William Watson, County Attorney, stated that the former Administrator, John C. Ray, was deceased and Barbara Bates would need to be appointed as the Administratrix for the Estate of Gaynel Lloyd.

Nancy Cartmill, Commissioner, **moved to approve the removal of John C. Ray as the Administrator of said estate and to appoint Barbara Bates as the Administratrix of the Estate of Gaynel Lloyd.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#338

**LETTER, DAVID A. CAROVILLANO, WEST VIRGINIA
AMERICAN WATER COMPANY**

**RE: MAIN EXTENSION AGREEMENT FOR COOPER
ROAD (CO. RTE 11/1) LESAGE**

Chris Tatum, Assistant County Manager, informed the Commission this agreement was for approval of an agreement for a water main extension line for Cooper Road.

Nancy Cartmill, Commissioner, **moved to approve the agreement with West Virginia American Water Company for a water main extension line for Cooper Road.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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#339

LETTER, RESOLUTION AND GRANT APPLICATION

**RE: WEST VIRGINIA COUNTY RECORDS MANAGEMENT
AND PRESERVATION GRANT PROGRAM
APPLICATION – REQUEST FOR FUNDS IN THE
AMOUNT OF \$10,000.00**

Connie Gray, Administrator of Grants, Planning and Permits, informed the Commission this grant would provide funds for the County Clerk to microfilm old deed books.

Nancy Cartmill, Commissioner, **moved to approve the West Virginia Records Management and Preservation Grant, in the amount of \$10,000.00, for the County Clerk's office.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (A)**

**#340 LETTER, PHOBE PATTON RANDOLPH, CONNECTOR,
CREATE HUNTINGTON**

**RE: TRANSFER OF HOTEL/MOTEL FUNDING TO
HUNTINGTON-IRONTON EMPOWERMENT ZONE**

Robert L. Bailey, Commissioner, **moved to approve the transfer of Hotel/Motel funding, in the amount of \$1,000.00, to the Huntington-Ironton Empowerment Zone from Create Huntington.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#341 RESOLUTIONS, CABELL COUNTY COMMISSION

RE: RECLASSIFICATIONS – CCEMS

Nancy Cartmill, Commissioner, **moved to approve the reclassifications of William Q. Couch as a full time EMT, effective October 29, 2010, with a rate of pay of \$7.8948 per hour; Amy Beth Gwinn as a temporary full time EMT, effective October 29, 2010, with a rate of pay of \$12.4604 and Jeffrey Madden as a per diem Paramedic, effective October 22, 2010, with a**

rate of pay of \$11.0049 per hour. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#342 RESOLUTIONS, CABELL COUNTY COMMISSION

RE: REAPPOINTMENT

Robert L. Bailey, Commissioner, **moved to approve the reappointment of Bruce Sprouse to the Cabell County Airport Authority for a term beginning immediately and ending June 30, 2015.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

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#343 RESOLUTION, CABELL COUNTY COMMISSION

RE: REAPPOINTMENT

Nancy Cartmill, Commissioner, **moved to approve the reappointment of Geraldine Perry to the Salt Rock Sewer Public Service District for a term beginning immediately and ending September 30, 2016.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (C)**

#344 RESOLUTIONS, CABELL COUNTY COMMISSION

RE: REAPPOINTMENTS

Robert L. Bailey, Commissioner, **moved to approve reappointments to the Enhanced Emergency System Advisory Board (E-911) of A. Gordon Merry for a term beginning immediately and ending June 30, 2013; W. H. “Skip” Holbrook for a term beginning immediately and ending February 26, 2013 and Dale Stephens for a term beginning immediately and ending June 30, 2013.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (D)**

#345

CABELL COUNTY CLERK

RE: FOOTNOTES – 2009/2010 FINANCIAL STATEMENTS

Nancy Cartmill, Commissioner, **moved to approve the footnotes for the 2009/2010 financial statement.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#346

RESOLUTION, CABELL COUNTY COMMISSION

RE: APPOINTMENTS

Robert L. Bailey, Commissioner, **moved to approve the appointments of Karen Cole, Betty Bates and Stephen Zoeller to the Cabell County Audit Committee to procure audit services for Cabell County.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (E)**

#347

RESOLUTION, CABELL COUNTY COMMISSION

RE: JUSTICE ASSISTANCE GRANT PROGRAM

CONTRACT PROJECT #08-JAG-17 - \$96,250.00

Connie Gray, Administrator for Grants, Planning and Permits, stated the funds from this grant would be used for the salaries of two deputies and one prosecuting attorney on the Drug Task Force.

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Nancy Cartmill, Commissioner, **moved to approve the grant contract, in the amount of \$96,250.00, from the Justice Assistance Grant Program for salaries in the Drug Task Force.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (F)**

#348 **RESOLUTION, GENERAL FUND STATE BUDGET**
REVISION #4, FY 2010-2011

Robert L. Bailey, Commissioner, **moved to approve General Fund State Budget Revision #4.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (G)**

#349 **RESOLUTION SPECIAL FUNDS BUDGET**
REVISION #3, FY 2010-2011

Nancy Cartmill, Commissioner, **moved to approve Special Funds Budget Revision #3 for CCEMS.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (H)**

PLACE ON RECORD

Nancy Cartmill, Commissioner, **moved to approve placing on record the minutes from the Culloden Public Service District, Special Meeting, September 8, 2010; Culloden Public Service District, Regular Meeting, September 15, 2010; Pea Ridge Public Service District, Regular Meeting, September 15, 2010; Salt Rock Water Public Service District, Regular Meeting, August 10, 2010; Salt Rock Water Public Service District, Regular Meeting, September 21, 2010 and OTHER DOCUMENTATION TO RECORDED Independent Accountant's Report on Applying Agreed-Upon Procedures, Ohio River Road Volunteer Fire Department and the Cabell County Commission and the Bank of New York Mellon, Various Accounts, September 30, 2010.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

William Watson, County Attorney, informed the Commission that he had filed an appeal regarding the former Correctional Officers' sick leave suit and the decision to accept the appeal should be made in January or February of 2011.

W. Scott Bias, President, adjourned the regular Commission meeting at 10:45 p.m., until the next scheduled meeting on Thursday, November 10, 2010, at 10:00 a.m.

PRESIDENT, COUNTY COMMISSION

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