

**COMMISSION MEETING**

**TUESDAY, DECEMBER 21, 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 meeting of the Cabell County Commission to order at 10:00 a.m.

**APPROVE:**

Stephen Zoeller, County Manager, informed the Commission that an item needed to be added to the agenda regarding acceptance of a sub-grant for Homeland Security Grant Funds.

Nancy Cartmill, Commissioner, **moved to approve amending the agenda to include an item regarding an adjustment to the Homeland Security Grant.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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

Robert L. Bailey, Commissioner, **moved to approve purchase orders 11-29269 through #11-29574 and pay jackets.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, **moved to approve the minutes from the December 9, 2010 regular Commission meeting, erroneous assessments, land consolidations, split tickets and probate documentation.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Robert L. Bailey, 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.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

**#397**

**APPEARING, PAUL RYKER, ESQUIRE**

**RE: PETITION FOR APPOINTMENT OF GUARDIAN**

**IN THE ESTATE OF SARAH MARIE GIFFORD EICH**

Paul Ryker, Attorney, requested that the Commission dismissed without prejudice this item because it should have been filed in the Circuit Court.

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Nancy Cartmill, Commissioner, **moved to dismiss without prejudice the petition, regarding the Estate of Sarah Marie Gifford Eich.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#398**

**PUBLIC HEARING**

**RE: TO CONDUCT A PUBLIC HEARING TO RECEIVE  
COMMENTS WITH RESPECT TO THE ISSUANCE  
OF THE ALLOCATION OF RECOVERY ZONE  
FACILITIES BONDS ALLOCATED UNDER  
SECTION 1400U-1(a)(3)(A) OF THE CODE AND FOR  
THE ISSUANCE OF RECOVERY ZONE FACILITIES  
BONDS FOR A COMMERCIAL PROJECT KNOWN  
AS RIVER PLACE HUNTINGTON, LLC**

W. Scott Bias, President, asked if there were anyone who would like to speak for or against this matter and as there were no objections, President Bias closed the public hearing.

**#399**

**RESOLUTION, CABELL COUNTY COMMISSION**

**RE: CONSIDERATION FOR ADOPTION OF A RESOLUTION  
APPROVING THE ISSUANCE OF THE ALLOCATION  
OF RECOVERY ZONE FACILITY BONDS ALLOCATED  
UNDER SECTION 1400U-(a)(3)(A) OF THE CODE AND  
FOR THE ISSUANCE OF RECOVERY ZONE FACILITY  
BONDS FOR A COMMERCIAL PROJECT KNOWN  
AS RIVER PLACE HUNTINGTON, LLC**

Brad Burgess, representative for the River Place Project, informed the Commission that the financing for this project has not been completed, therefore, they would like for this matter to be tabled until a later date.

Robert L. Bailey, Commissioner, **moved to table this matter until a later date.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

**#400 LETTER, TOM CANTERBURY, MAYOR, CITY OF MILTON**

**RE: REQUEST FUNDS FOR ADDITIONAL EXPENSES FOR  
THE GIRL SCOUT CAMP WATER LINE EXTENSION**

Robert L. Bailey, Commissioner, **moved to approve funds to cover the additional expenses on the waterline extension for the Girl Scout Camp.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

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**#401 RESOLUTION, CABELL COUNTY COMMISSION**

**RE: IN THE MATTER OF THE BOARD OF EQUALIZATION  
AND REVIEW CABELL COUNTY PROPERTY TAX**

## ASSESSMENTS FOR TAX YEAR 2011

Nancy Cartmill, Commissioner, **moved to approve the dates for the Board of Equalization and Review to review the property assessments made by the Assessor for tax year 2011.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (A)**

**#402**

**LETTER, RESOLUTION AND GRANT CONTRACT**

**RE: COMMUNITY PARTICIPATION GRANT PROGRAM**

**PAUL AMBROSE TRAIL (PATH)**

**GRANT #09LEDA0071 - \$17,000.00**

Robert L. Bailey, Commissioner, **moved to approve the grant contract, in the amount of \$17,000.00, for the Paul Ambrose Trail.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

**#403**

**LETTER, RESOLUTION AND GRANT CONTRACT**

**RE: COMMUNITY PARTICIPATION GRANT PROGRAM**

**WV GARDEN CLUB**

**GRANT #09CPGP0006 - \$5,000.00**

Nancy Cartmill, Commissioner, **moved to approve the grant contract, in the amount of \$5,000.00, for the West Virginia Garden Club to provide for a Blue Star Memorial in the Memory Garden at the VA Hospital.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (C)**

#404

**RESOLUTION, CABELL COUNTY COMMISSION**

**RE: APPOINTMENT-HUNTINGTON AREA DEVELOPMENT**

Nancy Cartmill, Commissioner, stated that she did not understand why the Commission was making appointments and reappointments that had not expired and there had not been any resignations.

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W. Scott Bias, President, **moved to approve the appointment of Robert Bailey to the Board of Directors of the Huntington Area Development Council.** Robert L. Bailey, Commissioner, seconded the motion and the vote was as follows: **Exhibit (D)**

<b>W. Scott Bias, President</b>	<b><u>aye</u></b>
<b>Robert L. Bailey, Commissioner</b>	<b><u>aye</u></b>
<b>Nancy Cartmill, Commissioner</b>	<b><u>nay</u></b>

**#405**

**RESOLUTION, CABELL COUNTY COMMISSION**

**RE: APPOINTMENT-CABELL-WAYNE PORT AUTHORITY**

W. Scott Bias, President, **moved to approve the appointment of Robert L. Bailey to the Cabell/Wayne Port District, Inc., Board of Directors.** Robert L. Bailey, Commissioner, seconded the motion and the vote was as follows: **Exhibit**

**(E)**

<b>W. Scott Bias, President</b>	<b><u>aye</u></b>
<b>Robert L. Bailey, Commissioner,</b>	<b><u>aye</u></b>
<b>Nancy Cartmill, Commissioner</b>	<b><u>nay</u></b>

**#406**

**RESOLUTION, CABELL COUNTY COMMISSION**

**RE: REAPPOINTMENT-GREAT KANAWHA RC&D**

Robert L. Bailey, Commissioner, **moved to approve the reappointment of Donald F. McCroskey to the Great Kanawha Resource Conservation and Development Council.** W. Scott Bias, President, seconded the motion and the vote was as follows: **Exhibit (F)**

<b>W. Scott Bias, President</b>	<b><u>aye</u></b>
<b>Robert L. Bailey, Commissioner</b>	<b><u>aye</u></b>
<b>Nancy Cartmill, Commissioner</b>	<b><u>nay</u></b>

**#407**

**RESOLUTION, CABELL COUNTY COMMISSION**

**RE: REAPPOINTMENT-CABELL HUNTINGTON HOSPITAL**

Nancy Cartmill, Commissioner, stated that this term did not expire until January 2012.

Robert L. Bailey, Commissioner, **moved to table the reappointment.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

**#408 RESOLUTION, CABELL COUNTY COMMISSION**

**RE: REAPPOINTMENT-TRI-STATE TRANSIT AUTHORITY**

Nancy Cartmill, Commissioner, stated this term did not expire until February 25, 2011.

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Robert L. Bailey, Commissioner, **moved to approve the reappointment of Bernard Queen to the Tri-State Transit Authority Board of Directors.** W. Scott Bias, President, seconded the motion and the vote was as follows: **Exhibit (G)**

<b>W. Scott Bias, President</b>	<b><u>aye</u></b>
<b>Robert L. Bailey, Commissioner</b>	<b><u>aye</u></b>
<b>Nancy Cartmill, Commissioner</b>	<b><u>nay</u></b>

**#409 RESOLUTION, CABELL COUNTY COMMISSION**

**RE: IN THE MATTER OF ALLOCATING SENIOR CITIZEN  
PROJECTS AND PROGRAMS EXCESS LEVY TAX  
FUNDS TO VETERANS OF FOREIGN WARS - \$5,000**

Robert L. Bailey, Commissioner, **moved to approve the allocation of funds, in the amount of \$5,000.00, from the Senior Citizens Excess Levy Funds for the Veterans of Foreign Wars Post 9738.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.  
**Exhibit (H)**

**#410                    AUTHORIZE SIGNATURE/CHANGE OF SCOPE FOR  
WATERLINE PROJECT**

Nancy Cartmill, Commissioner, **moved to approve the change of scope for the Waterline Project.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#411                    RESOLUTION, GENERAL FUND, COUNTY BUDGET  
REVISION #6, FY 2010-2011**

Nancy Cartmill, Commissioner, **moved to approve General Fund County Budget Revision #6.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.  
**Exhibit (I)**

**#412                    RESOLUTION, CABELL COUNTY COMMISSION  
  
RE: ACCEPTANCE OF A SUB-GRANT ADJUSTMENT  
NOTICE FOR THE PROVISION OF HOMELAND**

**SECURITY GRANT FUNDS - \$40,000.00 - #07-LE-23**

Tom McComas, Sheriff, informed the Commission the funds would be used for additional equipment for the Sheriff's Department Mobile Command Center.

Nancy Cartmill, Commissioner, **moved to approve the acceptance of \$40,000.00 from a sub-grant adjustment regarding a Homeland Security Grant to purchase additional equipment for the Mobile Command Center.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (J)**

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**PLACE ON RECORD:**

Robert L. Bailey, Commissioner, **moved to place on record the minutes from the Culloden Public Service District, Regular Meetings, October 20, 2010 and November 17, 2010; Special Meetings, October 1, 2010 and October 27, 2010 and OTHER DOCUMENTATION TO BE RECORDED Cabell-Huntington Health Department Clinic Monthly Report, October, 2010 and The Bank of New York Mellon, Trust Account, November 30, 2010.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Robert L. Bailey, Commissioner, presented out-going Commissioner, W. Scott Bias, with a Key to the County and thanked President Bias for his good work while serving on the Commission.

W. Scott Bias, President, adjourned the regular meeting of the Cabell County Commission at 10:30 a.m., until the next scheduled meeting on Thursday, January 6, 2011, at 10:00 a.m.

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**PRESIDENT, COUNTY COMMISSION**

**KSC:ar**