

**COMMISSION MEETING**

**THURSDAY, AUGUST 23, 2012**

**PRESENT:**            **NANCY CARTMILL, PRESIDENT**  
**ROBERT L. BAILEY, COMMISSIONER**  
**ANNE YON, COMMISSIONER**  
**WILLIAM WATSON, COUNTY ATTORNEY**  
**CHRIS TATUM, COUNTY MANAGER**

**ABSENT:**            **RHONDA VANOOTEGHEM, PURCHASING ASSISTANT**

Nancy Cartmill, President, called the regular meeting of the Cabell County Commission to order at 10:00 a.m.

**APPROVE:**

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

Robert L. Bailey, Commissioner, **moved to approve purchase orders #13-43885 through #13-44265 and pay jackets.** Anne Yon, 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.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Anne Yon, Commissioner, **moved to approve handwritten checks to Highmark West Virginia and Fort Dearborn, 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.

The presentation of the Distinguished Cabell County Resident Award was postponed until recipient, Oscar Adkins, could be in attendance.

**#220**

**APPEARING, STEVE STEWART, AMERICAN ELECTRIC  
POWER**

**RE: STORM DETAIL AND RESPONSE**

Steve Stewart, American Electric Power, appeared before the Commission to discuss different aspects of the storm. Mr. Stewart stated that he would first like to thank Gordon Merry, Director CCEMES, and his staff for all the help they provided during the storm. Mr. Stewart said that out of all counties involved, Cabell County was the most prepared and most professional.

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Mr. Stewart said that the storm was immense in size and caused an outage that affected 58% of their customers, something that had not happened in the company's 110 year history. Mr. Stewart stated that four storms followed, some of which were just as strong as the initial storm, which compounded the problems that already existed. Mr. Stewart said that he would be speaking with Mr. Merry to find ways to improve their response for future incidents.

Mr. Merry stated that American Electric Power did a wonderful job in handling the situation, and he felt the overall success could be attributed to the monthly Homeland Security meetings.

Nancy Cartmill, President, thanked Mr. Stewart for taking time to come and address the Commission.

**#221            ESTATE OF JOHN J. MCDANIEL**

**RE: ORDER ADOPTING FIDUCIARY COMMISSIONER'S REPORT**

Anne Yon, Commissioner, **moved to adopt the Fiduciary Commissioner's report regarding the Estate of John J. McDaniel.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#222            RESOLUTION, CABELL COUNTY COMMISSION**

**RE: IN THE MATTER OF THE RE-APPOINTMENT OF**

**RANDALL T. MOORE TO THE TRI-STATE TRANSIT**

**AUTHORITY**

Robert L. Bailey, Commissioner, **moved to re-appoint Randall T. Moore to the Tri-State Transit Authority.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (A)**

**#223 RESOLUTIONS, CABELL COUNTY COMMISSION**

**RE: EMPLOYMENT**

**BEVERLY ELLIOT, FULL-TIME EMT**

**RECLASSIFICATION**

**AARON MOORE, PER DIEM EMT**

**LINDSAY HARMON, 24-HOUR SHIFT EMT**

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Anne Yon, Commissioner, **moved to approve the employment of Beverly Elliot as a full-time EMT, effective August 24, 2012, at a rate of pay \$13.1817; reclassifications of Aaron Moore as a per-diem EMT effective August 23, 2012, at a rate of pay of \$13.1817 per hour; and Lindsay Harmon as a 24-hour shift EMT, effective September 9, 2012 at**

**a rate of pay of \$13.1817 per hour.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#224**

**RESOLUTION, CABELL COUNTY COMMISSION**

**RE: IN THE MATTER OF THE ALLOCATION OF SENIOR**

**CITIZEN PROJECTS AND PROGRAMS EXCESS LEVY  
TAX FUNDS TO THE AMERICAN LEGION POST 16**

Chris Tatum, County Manager, explained that the funds would be used by the Veterans Honor Guard for Post 16 American Legion.

Anne Yon, Commissioner, **moved to approve allocating \$2000.00 from the Senior Citizens Excess Levy Tax to the American Legion Post 16.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

**#225**

**RESOLUTION, CABELL COUNTY COMMISSION**

**RE: IN THE MATTER OF THE ALLOCATION OF  
COMMUNITY DEVELOPMENT FUNDS TO THE  
CITY OF MILTON**

Chris Tatum, County Manager, explained that the funds would be used by the city of Milton to begin the process of getting Morris Memorial listed on the Historic Registry.

Robert L. Bailey, Commissioner, **moved to approve allocating Community Development Funds in the amount of \$5,000.00, to the City of Milton.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (C)**

#226

**LETTER, RESOLUTION, AND GRANT CONTRACT**

**RE: JUSTICE ASSISTANCE GRANT (JAG) PROGRAM**

**AMOUNT: \$85,000.00**

Connie Gray, Grant Coordinator, explained the funds would be used by Cabell County and Barboursville for the salaries of two deputies and one prosecuting attorney for the Drug Task Force.

Anne Yon, Commissioner, **moved to approve the grant contract in the amount of \$85,000.00.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (D)**

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#227

**SALES VERIFICATION FORM**

**RE: 6 ADA COURT, CULLODEN, WV- FEMA BUYOUT**

Connie Gray, Grant Coordinator, explained this was a form sent from the assessor's office that required a signature from Nancy Cartmill.

William Watson, County Attorney, explained this would authorize tax exemption on the property.

Robert L. Bailey, Commissioner, **moved to approve signing the sales verification form.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

**#228**

**OFFUTT, NORD, PLLC**

**RE: 2008 COURT ORDERED TRAINING**

William Watson, County Attorney, explained the bill was submitted initially in 2008, and somehow never paid. Mr. Watson stated that he resubmitted the bill to Rhonda Vanooteghem, Purchasing Assistant, who then passed the bill onto Thomas McComas, Sheriff, who had refused to authorize payment on the bill. Mr. Watson stated that some sort of resolution needed to be made so that payment could be issued.

Robert L. Bailey, Commissioner, stated that he did not understand what the bill was regarding.

Sheriff Tom McComas stated that he would explain it to the Commission because he had looked into the matter before refusing to authorize payment. Sheriff McComas stated that there was a lawsuit back in 2005 or 2006, in which the former Sheriff had entered into an agreement to attend training held by the law firm to settle the suit. Sheriff McComas stated that the bill was recently brought to him, but since it originated before his time he felt that it was not his responsibility to pay it. Sheriff McComas stated that he could not authorize a payment that was from a bill that originated before his term began, and that he had no finances or line item to take the payment from.

Nancy Cartmill, President, stated that payment was owed to this company and did need to be made.





**RE: ADVERTISEMENTS FOR POSITIONS CONTROLLED BY  
THE CABELL COUNTY COMMISSION**

Chris Tatum, County Manager, explained that due to various retirements within the next year and little response received for the Budget/Financial Analyst position, authorization needed to be given to advertise for these positions and to re-advertise for the Budget Financial/Analyst position.

Anne Yon, Commissioner, **moved to approve advertisements for positions controlled by the Cabell County Commission.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

**#231 EXECUTIVE SESSION**

Anne Yon, Commissioner, **moved to approve going into Executive Session to discuss personnel matters.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Chris Tatum, County Manager, called Judge Farrell to attend the meeting.

The Commission recessed at 10:35 a.m.

The Commission reconvened at 11:10 with no action taken.

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**PLACE ON RECORD**

Robert L. Bailey, Commissioner, **moved to place on record minutes from the Culloden Public Service District, regular meetings, June 27, 2012 and July 18, 2012, special meetings, July 11, 2012, and July 25, 2012; Salt Rock Water Public Service District, regular meeting, July 10, 2012; and OTHER DOCUMENTATION TO BE RECORDED The Green Acres Regional Center Levy Report- April, May, June 2012, BB&T Cabell County WV Lease Revenue Bonds (WV-American Water Co Project), and The Bank of New York, Various Trust Accounts, July 31, 2012.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, President, adjourned the meeting of the Cabell County Commission at 11:15 a.m. until the next regular scheduled meeting on September 13, 2012.

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**PRESIDENT, COUNTY COMMISSION**

**KSC:ss**