COMMISSION MEETING
THURSDAY, DECEMBER 12, 2013

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

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

Chris Tatum, County Manager, stated the agenda would need to be amended to include approval of the November 14, 2013, regular Commission meeting. Mr. Tatum stated the addition of an $83.00 correction by Mike Davis would need to be included in item #293, County Budget Revision #6.

APPROVE:

Anne Yon, 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 #14-54500 through #14-54747 and pay jackets. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Anne Yon, Commissioner, moved to approve the minutes from the November 14, 2013, and November 26, 2013, regular Commission meetings, 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 Highmark West Virginia, not to exceed $100,000.00, from the Cabell County Medical Insurance Fund. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#282 APPEARING, DARRELL L. LEGG

RE: ESTATE OF CAROL ANN HOLLAND

William Watson, County Attorney, stated since no one was in attendance to speak on the matter, he felt it should be tabled until the next meeting.
Robert L. Bailey, Commissioner, moved to table the item regarding the Estate of Carol Ann Holland until the next regular scheduled meeting. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#283 APPEARING, PAUL RYKER, ESQUIRE

RE: ESTATE OF NELL M. BAUMGARDNER

William Watson, County Attorney, explained the order confirmed the actions taken by Fiduciary Commissioner, Steve Flesher. Mr. Watson stated he recommended the Commission approve the order.

Anne Yon, Commissioner, moved to approve the order regarding the Estate of Nell M. Baumgardner. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#284 APPEARING, THOMAS F. WILKINSON

RE: ESTATE OF VIRGINA W. WILKINSON

Thomas F. Wilkinson, son of the late Virginia W. Wilkinson, appeared before the Commission to request a conformed copy of his mother’s last will and testament be allowed to be probated. Mr. Wilkinson explained the family had performed a search and no one had been able to locate the original will.

William Watson, County Attorney, explained affidavits from close friends of Ms. Wilkinson were attached, each stating she did not intend to change the original will. Mr. Watson stated it was his recommendation the Commission allow the conformed copy of the will to be probated.

Nancy Cartmill, President, moved to approve probating the conformed copy of the Last Will and Testament of Virginia W. Wilkinson. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.
#285  
**MOTION FOR HEARING SEEKING REMOVAL OF PERSONAL REPRESENTATIVE**  
**RE: ESTATE OF NANCY JACKSON WADE**  

Robert L. Bailey, Commissioner, moved to approve scheduling a hearing for the removal of Personal Representative in the Estate of Nancy Jackson Wade, on December 23, 2013 at 10:00 a.m. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#286  
**RESOLUTION, CABELL COUNTY COMMISSION**  
**RE: FIRST READING/ AMENDING CABELL COUNTY FLOODPLAIN ORDINANCE**  

Tim Keaton, Grant Coordinator, explained very few changes had been made to the ordinance. Mr. Keaton stated the changes made simplified the code, which made it easier for people to understand.

Anne Yon, Commissioner, moved to approve the first reading/amending of the Cabell County Floodplain ordinance. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. EXHIBIT (A)

#287  
**RESOLUTION, CABELL COUNTY COMMISSION**  
**RE: COMMERCIAL DEVELOPMENT IMPROVEMENT AND REFUNDING REVENUE BOND SERIES 2013 (FOSTER FOUNDATION PROJECTS)**  

Fred Williams, Steptoe and Johnson, explained the County Commission would not be held liable for the repayment of the bonds, the Foster Foundation is solely responsible. Mr. Williams explained the under the federal tax law the County Commission had to be the issuer of the bonds in order for the interest to be tax exempt. Mr. Williams explained the action would refinance the current debt at a lower interest rate and also provide an additional $6,000,000.00 for improvements for the new facility.

William Watson, County Attorney, explained the Commission would need to open the floor for a hearing. Mr. Watson stated if no one opposed the matter, the Commission would then need to approve the resolution.

Nancy Cartmill, President, opened the floor for a public hearing. President Cartmill asked if anyone in attendance wished to speak for or against the matter.
No one in attendance wished to speak on the matter.

Robert L. Bailey, Commissioner, moved to approve the Commercial Development Improvement and Refunding Revenue Bond Series 2013(Foster Foundation Projects.) Anne Yon, Commissioner, seconded the motion and the vote was unanimous. EXHIBIT (B)

#288 RESOLUTION, CABELL COUNTY COMMISSION
RE: IN THE MATTER OF THE RELEASE OF COLLATERAL BONDS- FIRST SENTRY BANK

Robert L. Bailey, Commissioner, moved to approve the release of collateral bonds by First Sentry Bank. Anne Yon, Commissioner, seconded the motion and the vote was unanimous. EXHIBIT (C)

#289 RESOLUTION, CABELL COUNTY COMMISSION
RE: RECLASSIFICATION:
JORDAN WALKER, FULL TIME PARAMEDIC

Anne Yon, Commissioner, moved to approve the reclassification of Jordan Walker as a full time paramedic, effective December 13, 2013, at a rate of pay of $12.0744 per hour. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#290 DISCUSSION/ACTION, CABELL COUNTY COMMISSION
RE: HOLIDAY TURKEYS FOR EMPLOYEES

Chris Tatum, County Manager, explained the cost of the turkeys would be approximately $4,500.00, which was comparable to what it had been previously.

Anne Yon, Commissioner, moved to approve providing holiday turkeys for all employees. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.
DISCUSSION/ACTION, CABELL COUNTY COMMISSION

RE: HOLIDAY HOURS

County Manager, Chris Tatum, stated due to holiday travel, the Commission meeting scheduled for Thursday, December 26, 2013, would need to be rescheduled for Monday, December 23, 2013. Mr. Tatum stated it was also his recommendation for the courthouse to be closed on both Christmas Eve and New Year’s Eve.

Robert L. Bailey, Commissioner, moved to approve closing the Cabell County Courthouse on both Tuesday, December 24, 2013, and Tuesday, December 31, 2013. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

RESOLUTION, STATE BUDGET REVISION #7

Robert L. Bailey, Commissioner, moved to approve State Budget Revision #7 FY 2013-2014. Anne Yon, Commissioner, seconded the motion and the vote was unanimous. EXHIBIT (D)

RESOLUTION, COUNTY BUDGET REVISION #6

Anne Yon, Commissioner, moved to approve County Budget Revision #6 FY 2013-2014. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. EXHIBIT (E)

EXECUTIVE SESSION

Robert L. Bailey, Commissioner, moved to approve going into executive session at 10:18 a.m. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, President, reconvened the meeting of the Cabell County Commission at 10:59 a.m., with no action taken.

Thomas Wilkinson, son of Virginia W. Wilkinson, appeared before the Commission once more to request the Commission waive the bond requirement for his mother’s Estate. William Watson, County Attorney, explained the Commission would need to amend the motion previously made to include waiving the bond on the Estate of Virginia W. Wilkinson.

Anne Yon, Commissioner, moved to approve amending the motion for item #284 to include waiving the bond requirement for the Estate of Virginia W. Wilkinson. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.
PLACE ON RECORD

Robert L. Bailey, Commissioner, moved to approve placing on record the Green Acres Regional Center Levy Report January, February, March; and Green Acres Regional Center Levy Report July, August, and September. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, President, adjourned the meeting of the Cabell County Commission at 11:10 a.m., until the next regular scheduled meeting.