

**COMMISSION MEETING
THURSDAY, JULY 25, 2013**

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

ABSENT: **ANNE YON, COMMISSIONER**

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

APPROVE:

Nancy Cartmill, President, **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 #14-51326 through #14-51683 and pay jackets.** Nancy Cartmill, President, 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, President, seconded the motion and the vote was unanimous.

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

CITIZENS REGISTERED TO SPEAK

Vickie Collins, widow of Jack Lee Collins, appeared before the Commission to ask what steps she could take to remove the current Executor of her late husband's estate. Ms. Collins explained a motion for continuance had been approved during the June 13, 2013 regular Commission meeting. Ms. Collins stated she never received any information telling her the date in which the hearing would be rescheduled. Ms. Collins stated after a few weeks with no word she decided to contact the County Commission. Ms. Collins stated during the conversation she was informed the hearing had taken place during the meeting of June 27, 2013. Ms. Collins stated had she known the date of the hearing she would have been present to plead her case.

William Watson, County Attorney, told Ms. Collins if she would leave copies of the information she had, he would review it and contact her with his opinion regarding the matter.

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Karen Nance, Recording Secretary for the Madie Carroll House, appeared to answer questions to answer any questions the Commission might have regarding the request for Hotel Motel funds.

President Cartmill Stated the Commission had no questions at this time and thanked Ms. Nance for taking the time attend the meeting.

#164 MOTION FOR HEARING AND MOTION ORDER

**RE: ESTATE OF NEIL V. SANBURY- REMOVAL OF
PERSONAL REPRESENTATIVE**

William Watson, County Attorney, stated since no one appeared to speak on the Estate of Neil V. Sansbury or the Estate of Irene B. Sansbury, both should be continued to another meeting.

Robert L. Bailey, Commissioner, **moved to table item #164 until a subsequent Commission meeting.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

#165 MOTION FOR HEARING AND MOTION ORDER

**RE: ESTATE OF IRENE B. SANBURY- REMOVAL OF
PERSONAL REPRESENTATIVE**

Robert L. Bailey, Commissioner, **moved to table item #165 until a subsequent Commission meeting.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

#166 MOTION FOR HEARING AND MOTION ORDER

RE: ESTATE OF JOHN L. DAVIS- REMOVAL OF PERSONAL

Elizabeth Lucas, granddaughter of John L. Davis, appeared before the Commission to request Mary Leigh Sparks be removed as Executrix of the Estate. Ms. Lucas stated Ms. Sparks had failed to provide an accounting of the estate after numerous requests. Ms. Lucas went on to say Ms. Sparks had listed the home of John L. Davis with Old Colony Real Estate Agency without coming to an agreed upon selling price with all other heirs. Ms. Lucas stated once the listing with the real estate company ran out, Ms. Sparks then put the home up for sale herself. Ms. Lucas also explained she recently discovered Ms. Sparks had failed to pay the property taxes on the home and it could possibly be put up for auction in October.

William Watson, County Attorney, stated it was his recommendation to remove Mary Leigh Sparks as Executrix of the Estate of John L. Davis, and to appoint the Sheriff as Administrator.

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Robert L. Bailey, Commissioner, **moved to approve removal of Mary Leigh Sparks as Executrix of the Estate of John L. Davis, and to appoint Sheriff Tom McComas as Administrator.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

#167 LETTER, T.W. MCCOMAS, SHERIFF

RE: CERTIFICATION OF TAX COLLECTIONS FY 2012-2013

Robert L. Bailey, Commissioner, **moved to accept the certification of tax collections FY 2012-2013.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

#168 RESOLUTION, CABELL COUNTY COMMISSION

**RE: AMENDMENT TO DEPUTY SHERIFF'S CIVIL SERVICE COMMISSION
CHARLES "CHUCK" ZERKLE TO A TWO (2) YEAR TERM**

Robert L. Bailey, Commissioner, **moved to approve amending Charles "Chuck" Zerkle appointment to the Civil Service Commission to a two year term, as prescribed by law.** Nancy Cartmill, President, seconded the motion and the vote was unanimous. **Exhibit (A)**

#169 RESOLUTION, CABELL COUNTY COMMISSION

RE: CABELL COUNTY PLANNING COMMISSION- NAME CHANGE FROM WILLIAM "BUD" DANIELS TO DORSEY W. DANIELS JR.

Robert L. Bailey, Commissioner, **moved to approve changing the name on the appointment to the Cabell County Planning Commission from William "Bud" Daniels to Dorsey W. Daniels, Jr.** Nancy Cartmill, President, seconded the motion and the vote was unanimous. **Exhibit (B)**

**#170 APPROVAL OF HOTEL/MOTEL FUNDING REQUESTS-
FY 2013-2014**

Robert L. Bailey, Commissioner, stated he would like to wait until all organizations requesting funding had an opportunity to send in the proper information.

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Nancy Cartmill, President, stated the reason some of the organizations were not on the list for approval were due to minor technicalities. President Cartmill stated once the organizations cleared up the issues they could then be approved. President Cartmill stated today would give approval to all organizations who had met the necessary requirements and once the other organizations submitted proper paperwork showing they met the required guidelines they could be approved.

Robert L. Bailey, Commissioner, stated he would like the record to show the organizations which were not approved at today's meeting. Commissioner Bailey stated the organizations and amounts were as follows: Arts Resources for the Tri State- \$8,000.00, Beekeepers Association- \$10,000.00, Huntington Little League- \$7,500, Swinefest- \$4,000.00, and the State Wrestling Tournament- \$10,000.00.

Robert L. Bailey, Commissioner, **moved to approve the Hotel/Motel funding requests FY 2013-2014 which met the required guidelines.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

**#171 APPROVAL OF SENIOR CITIZENS LEVY FUNDING
REQUESTS- FY 2013-2014**

Robert L. Bailey, Commissioner, stated he strongly opposed not allocating funds to the Jeffrey George House.

Nancy Cartmill, President, stated the Jeffrey George House was another organization that needed to provide further information. President Cartmill explained the first page of documentation provided stated 85% of those serviced were Cabell County seniors, yet the second stated to be eligible for lodging you must live at least 50 miles outside of Cabell County. President Cartmill explained in order to qualify for Senior Citizen Levy funds the money must be for projects and programs that benefit the seniors of Cabell County.

Commissioner Bailey stated he also stated he did not agree with not funding the Salt Rock Senior Center in the amount of \$15,000.00.

President Cartmill stated the Salt Rock Senior Center was owned by CCSCO and she did not feel the County should be responsible for paying the mortgage. President Cartmill went on to state a mortgage payment did not qualify for Senior Citizen Levy Funds, because it was neither a project nor a program for seniors of Cabell County.

Nancy Cartmill, President, **moved to approve the Senior Citizen Levy funding requests FY 2-13-2014 which met the required guidelines.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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#172 RESOLUTIONS, CABELL COUNTY COMMISSION

**RE: RECLASSIFICATIONS:
CHRISTOPHER SHAYNE VAUGHN- FULL TIME EMT
ANDREW TYLER CLARK- FULL TIME EMT**

Nancy Cartmill, President, **moved to approve the reclassification of Christopher Shayne Vaughn as a full time EMT, retroactive to July 16, 2013, at a rate of pay of \$8.9643 per hour; Andrew Tyler Clark as a full time EMT, retroactive to July 16, 2013, at a rate of pay of \$8.9643 per hour.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#173 APPROVE: FY 2013-2014 SPECIAL FUNDS BUDGETS FOR CABELL COUNTY

Nancy Cartmill, President, **moved to approve the FY 2013-2014 Special Funds Budgets.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#174 DISCUSSION/ACTION- REQUIREMENT OF TOWING COMPANIES TO BE PLACED IN CALL ROTATION FOR THE CITY OF HUNTINGTON

Chris Tatum, County Manager, explained this was a request from the City of Huntington to adopt a towing policy. Mr. Tatum stated the policy would mirror the policy the county adopted approximately two years ago.

Nancy Cartmill, President, **moved to approve adoption of the towing policy for the City of Huntington.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#175 RESOLUTION, STATE BUDGET REVISION #1

Nancy Cartmill, President, **moved to approve State Budget Revision #1.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (C)**

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#176

LETTER, KAREN COLE, CABELL COUNTY CLERK

RE: PRESENTATION OF CARRYOVER 2012-2013

Robert L. Bailey, Commissioner, **moved to approve accepting the letter from Karen Cole, Cabell County Clerk, regarding the 2012-2013 General Fund Carryover.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

PLACE ON RECORD

Robert L. Bailey, Commissioner, **moved to approve minutes from the Culloden Public Service District, Special meeting, May 1, 2013, Culloden Public Service District, Regular meeting, May 15, 2013, Salt Rock Water Public Service District, Regular meeting, June 4, 2013, Culloden Volunteer Fire Department- Audit Report- FY ending June 30, 2012, Cabell-Huntington Health Department- Clinical Monthly Report- April and May 2013, Bank of New York Mellon- Various Accounts- June 1, 2013.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

COMMISSIONER'S REPRESENTATION REPORTS

Robert L. Bailey, Commissioner, stated he had received a letter from a couple who lived in Pea Ridge regarding the proposed rate increase by the electric company. Commissioner Bailey stated the letter just requested the support of the Commission. Commission Bailey said he would definitely support Cabell County residents in their attempts to stop the rate increase.

Nancy Cartmill, President, adjourned the meeting at 11:25 a.m., until the next regular schedule meeting on August 8, 2013 at 10:00 a.m.

PRESIDENT, COUNTY COMMISSION

KSC:ksf