COMMISSION MEETING
THURSDAY, AUGUST 8, 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.

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 #14-51684 through #14-51892 and pay jackets. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Anne Yon, Commissioner, moved to approve the minutes from the June 27, 2013, regular Commission meeting, minutes from the July 11, 2013, 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 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.

#177 MOTION FOR HEARING AND MOTION ORDER

RE: MOTION TO SCHEDULE A HEARING FOR THE ESTATE OF EMMA MARIE WILLIAMS- REMOVAL OF ADMINISTRATOR

Angela Gother, granddaughter of Emma Marie Williams and daughter of Ezra Eugene Williams, appeared to request the Commission remove her sister Amelia as Administratrix of both estates. Ms. Gother stated her sister would neither communicate with her nor provide information regarding either estate.

William Watson, County Attorney stated it was his recommendation to refer both the Estate of Emma Marie Williams and Ezra Eugene Williams to a Fiduciary Commissioner.
Robert L. Bailey, Commissioner, moved to approve referring the Estate of Emma Marie Williams to a Fiduciary Commissioner. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#178 MOTION FOR HEARING AND MOTION ORDER

RE: MOTION TO SCHEDULE A HEARING FOR THE ESTATE OF EZRA EUGENE WILLIAMS- REMOVAL OF ADMINISTRATOR

Robert L. Bailey, Commissioner, moved to approve referring the Estate of Ezra Eugene Williams to a Fiduciary Commissioner. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#179 LETTERS, IRV JOHNSON, ASSESSOR

RE: ADDITIONAL COMPENSATION- DOG TAGS- JULY 2013- $166.70
ADDITIONAL COMPENSATION- DOG TAGS- JULY 2013- $499.40
ADDITIONAL COMPENSATION- SHEEP & GOAT TAX- JULY 2013- $6.50

Anne Yon, Commissioner, moved to approve additional compensation for Irv Johnson, Cabell County Assessor. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#180 RESOLUTION, CABELL COUNTY COMMISSION

RE: PLEDGING COLLATERAL BONDS- FIRST SENTRY BANK-

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

#181 RESOLUTION, CABELL COUNTY COMMISSION

RE: RELEASE AND SUBSTITUTION OF COLLATERAL BONDS- FIRST SENTRY BANK
Anne Yon, Commissioner, moved to approve the release and substitution of collateral bonds by First Sentry Bank. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (B)

#182 AGREEMENT, CABELL COUNTY COMMISSION

RE: DEVELOP UPDATED APPROXIMATE FLOODPLAIN BOUNDARIES (ZONE A) IN CABELL COUNTY AS WELL AS WATER SURFACE ELEVATIONS AND DEPTH GRID DATA- HAVING A DRAINAGE AREA GREATER THAN TWO SQUARE MILES

Tim Keaton, Grant Coordinator, explained this was a pass-through grant from the Division of Homeland Security in the amount of $25,000.00. Mr. Keaton explained the funds would be used to develop advisory floodplains for Cabell County.

Robert L. Bailey, Commissioner, moved to approve the agreement to develop advisory floodplains for Cabell County. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#183 RESOLUTION, CABELL COUNTY COMMISSION

RE: EMPLOYMENT STATUS CHANGE
LINDSAY HARMON- FROM FULL TIME TO PER DIEM EMT

Anne Yon, Commissioner, moved to approve the reclassification of Lindsay Harmon as a per diem EMT, effective August 22, 2013, at a rate of pay of $8.9643 per hour. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#184 MOTION, CABELL COUNTY COMMISSION

RE: SUBSTITUTION OF COUNSEL- CY A. HILL, JR., AND MICHAEL P. MARKINS REPRESENTING THE CABELL COUNTY COMMISSION
CIVIL ACTION NO.: 13-C-356- MARGARET MCMILLAN V. THE CABELL COUNTY COMMISSION, ET AL.

William Watson, County Attorney, stated he was unaware what events transpired to bring the change, but all parties were in agreement. Mr. Watson stated it was his recommendation to approve the substitution of Counsel.
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Anne Yon, Commissioner, moved to approve the substitution of Counsel for the Cabell County Commission from Johnnie E. Brown and James A. Muldoon, to Cy A. Hill, Jr. and Michael P. Markins. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#185 APPROVAL OF ADDITIONAL HOTEL/MOTEL FUNDING REQUESTS- FY 2013-2014

Robert L. Bailey, Commissioner, moved to approve the additional Hotel/Motel funding requests for FY 2013-2014. The motion died due to lack of a second.

Nancy Cartmill, President, stated she was not comfortable giving her approval because of contradictory information provided by the Jeffrey George Comfort House. President Cartmill stated she would like clarification before she would give her approval.

Chris Tatum, County Manager, explained he had spoken with Jo Fannin, President of the Jeffrey George Comfort House, and she had told him people staying in the facility were required to live at least 50 miles outside of Cabell County. Mr. Tatum stated Ms. Fannin explained on many occasions lodging would be provided for out of county individuals who were providing care for a Cabell County senior hospitalized at St Mary’s Hospital. Mr. Tatum stated Ms. Fannin explained without the assistance of those family members the seniors would go without a caregiver.

President Cartmill stated she would still like clarification on this issue.

Mr. Tatum stated it might be best to have someone from the Jeffrey George Comfort House to come before the Commission to provide a better explanation.

President Cartmill explained she had just returned from a County Commissioner’s Conference where the State Auditor’s Office had made it abundantly clear money should not just be handed out. President Cartmill stated the State Auditor’s stressed the fact the Commission is required to make sure the money given to different organizations is used properly, or each Commissioner could personally face criminal charges.

Anne Yon, Commissioner, stated she would still like to see a written request from the Beekeepers Association and would also like clarification on the request from the Jeffrey George Comfort House.

Anne Yon, Commissioner, moved to table the item. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.
#186 RESOLUTION, STATE BUDGET REVISION #2

Anne Yon, Commissioner, moved to approve State Budget Revision #2. Nancy Cartmill, President, seconded the motion and the vote was unanimous. Exhibit (C)

#187 RESOLUTION, COUNTY BUDGET REVISION #1

Anne Yon, Commissioner, moved to approve County Budget Revision #1. Nancy Cartmill, President, seconded the motion and the vote was unanimous. Exhibit (D)

#188 APPROVE: FY 2013-2014- SPECIAL FUNDS BUDGET REVISION- CCEMS

Gordon Merry, Director CCEMS, explained to the Commission he would like the item to be tabled so he could review the numbers and make sure everything was correct.

Anne Yon, Commissioner, moved to table item #188. Nancy Cartmill, President, seconded the motion and the vote was unanimous.

#189 APPROVE: FY 2013-2014- SPECIAL FUNDS BUDGET REVISION- CCERC

Anne Yon, Commissioner, moved to approve Special Funds Budget Revision FY 2013-2014 CCERC #1. Nancy Cartmill, President, seconded the motion and the vote was unanimous. Exhibit (E)

#190 DISCUSSION- ACTION- SETTING DATE AND TIME FOR TRICK OR TREAT (HALLOWEEN)

Anne Yon, Commissioner, moved to approve setting the date and time for trick or treat as Thursday, October 31, 2013, from 6:00 p.m. to 8:00 p.m. Nancy Cartmill, President, seconded the motion and the vote was unanimous.

#191 DISCUSSION- ACTION- PURCHASING CARD

Nancy Cartmill, President, stated Cabell County had recently received a rebate check in the amount of $35,474. President Cartmill stated this rebate came solely from using the Government Purchasing Card. President Cartmill stated since this program had been so successful and so profitable, she would like to expand the program by giving all elected officials their own personal card. President Cartmill, stated this would help to alleviate some of the workload placed on Karen Cole’s office as well.
Anne Yon, Commissioner, moved to approve expanding the Government Purchasing Card program to include all elected officials. Nancy Cartmill, President, seconded the motion and the vote was as follows:

- NANCY CARTMILL, PRESIDENT  AYE
- ROBERT L. BAILEY, COMMISSIONER  NAY
- ANNE YON, COMMISSIONER  AYE

GOOD AND WELFARE

Nancy Cartmill, President, stated she would like to thank Connie Gray for returning from her retirement to do the secretarial work for the Commission. President Cartmill stated unfortunately Ms. Gray had worked the maximum amount of hours she could and still remain eligible for her retirement benefits. President Cartmill stated Ms. Gray would be greatly missed.

COMMISSIONER’S REPRESENTATION REPORTS

Nancy Cartmill, President, stated she recently attended a conference held by the County Commissioner’s Association. President Cartmill explained the training had been conducted by the West Virginia State Auditor’s Office. President Cartmill stated the training had been very informative, hitting on several current issues. President Cartmill stated a representative from the IRS had explained all fringe benefits received by county employees should be taxed. President Cartmill explained one county had recently been fined $30,000.00 for failing to tax these benefits. President Cartmill stated someone from the Commission would be contacting the IRS to ask for assistance in implementing the tax and getting things in proper order.

Nancy Cartmill, President, adjourned the meeting at 11:11 a.m., until the next regular schedule Commission meeting on August 22, 2013.

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PRESIDENT, COUNTY COMMISSION

KSC:ksf