COMMISSION MEETING
THURSDAY, FEBRUARY 14, 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 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 #13-47566 through #13-48004 and pay jackets. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Anne Yon, Commissioner, moved to approve the minutes from the regular Commission meetings of January 10, 2013 and January 24, 2013. 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.

“PUBLIC HEARING”  RE: THE ENLARGEMENT OF THE BOUNDARIES OF THE PEA RIDGE PUBLIC SERVICE DISTRICT

Ron Flora, Pea Ridge Public Service District, appeared before the Commission to request approval of the enlargement of the boundaries of the Pea Ridge Public Service District. Mr. Flora explained no other utilities serviced this area, and this was simply the next natural expansion of the district. Mr. Flora explained the Commission had the jurisdiction to enlarge the district, but if at any time felt the enlargement was not in the best interest of the public they also had the ability to reduce the boundaries.

Jonathon Carpenter, Thrasher Engineering, presented a map to the Commission which illustrated both the current boundaries and the areas of enlargement.
Howard Pullen, customer of the Pea Ridge Public Service District, appeared before the Commission to voice his concern over possible issues regarding overlapping of boundary lines. Mr. Pullen stated he had visited the office yesterday where he viewed the map and also received a description of the boundary lines. Mr. Pullen stated he then came to the courthouse and researched documents containing those descriptions. Mr. Pullen said his research showed the boundary lines proposed were part of a document that was rescinded due to an overlap with Huntington Water Corporation. Mr. Pullen said this gave him reason to question whether the southern portion of the area of enlargement was even a viable area for the district. Mr. Pullen also stated there was an additional overlap in the area with Salt Rock Public Service District.

Mr. Flora stated a licensed surveyor and engineering company had been enlisted to help determine where the boundaries of the Pea Ridge Public Service District lied. Mr. Flora stated he felt the confusion with the wording in the document was probably due to the fact that in the document Huntington was the water utility and Pea Ridge was the sewer utility, as was the same instance with the document regarding Salt Rock. Mr. Flora also stated the Commission had the authority at any time to reduce or enlarge the boundaries of the district, so if at any time an overlap was determined, the boundaries could be reduced to eliminate it.

Nancy Cartmill, President, stated if no one else wished to speak on the issue the hearing would be over. President Cartmill stated she would like to thank everyone for their input on the issue.

#024

RESOLUTION, CABELL COUNTY COMMISSION

RE: RELEASE AND SUBSTITUTION OF COLLATERAL BONDS- FIRST SENTRY BANK

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

#025

LETTER, IRV JOHNSON, CABELL COUNTY ASSESSOR

RE: EMPLOYMENT- JENNIFER WHEELER

Robert L. Bailey, Commissioner, moved to approve the employment of Jennifer Wheeler as Office Manager in the Assessor’s Office, retroactive to January 31, 2013. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.
Anne Yon, Commissioner, moved to approve the equitable sharing agreement and certification in the amount of $2,800,000.00. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Anne Yon, Commissioner, moved to approve the employments of Gregory Alan Taylor, as a per diem EMT, effective February 15, 2013, at a rate of pay of $8.3521 per hour, Nia Brae Smith, as a per diem EMT, effective February 15, 2013, at a rate of pay of $8.2021 per hour, Larrecsa Ann Cox, as a per diem EMT, effective February 15, 2013, at a rate of pay of $8.2021 per hour, Adam Richard Davis, as a per diem EMT, effective 15, 2013, at a rate of pay of $8.2021, Heath Alan Ware, as a per diem EMT, effective February 15, 2013, at a rate of pay of $8.2021, Gregory Robert Hendry, as a per diem EMT, effective February 15, 2013, at a rate of pay of $8.2021 per hour, Adam Daniel Dixon, as a per diem EMT, effective February 15, 2013, at a rate of pay of $8.2021 per hour, Zachariah Kent Finley, as a per diem EMT, effective February 15, 2013, at a rate of pay of $8.2021 per hour; the reclassifications of Mary Victoria Ball as a full-time EMT, effective February 15, 2013, at a rate of pay of $13.0317 per hour, and Donald Flynn as a per diem EMT, effective January 31, 2013, at a rate of pay of $8.3521 per hour. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.
COMMISSION MEETING
THURSDAY, FEBRUARY 14, 2013
PAGE FOUR

#028  CABELL COUNTY COMMISSION – LETTER, RESOLUTION, GRANT CONTRACT

RE: FY 2012 COMMUNITY PARTICIPATION GRANT PROGRAM
ARTS RESOURCES FOR THE TRI-STATE
PROJECT NUMBER: 12LEDA0016 - $2,500.00

Tim Keaton, Grant Coordinator, explained the funds would be used by the Arts Resources for the Tri-State to purchase a set of stage legs and a scrim backdrop that would allow pictures, images and color to be produced on stage for productions.

Anne Yon, Commissioner, moved to approve the grant contract in the amount of $2,500.00 to the Arts Resources for the Tri-State. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (B)

#029  CABELL COUNTY COMMISSION – LETTER, RESOLUTION, GRANT CONTRACT

RE: FY 2012 COMMUNITY PARTICIPATION GRANT PROGRAM
COLLIS P. HUNTINGTON RAILROAD HISTORICAL SOCIETY
PROJECT NUMBER: 12LEDA0268 - $2,500.00

Tim Keaton, Grant Coordinator, explained the funds would be used by the Collis P. Huntington Historical Society to paint, preserve and install safety railing to Locomotive #1308.

Anne Yon, Commissioner, moved to approve the grant contract in the amount of $2,500.00 to the Collis P. Huntington Railroad Historical Society. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (C)

#030  CABELL COUNTY COMMISSION – LETTER, RESOLUTION AND GRANT CONTRACT

RE: FY 2013 COMMUNITY PARTICIPATION GRANT PROGRAM
GREEN ACRES FOUNDATION, INC – EQUIPMENT AND SUPPLIES
PROJECT NUMBER: 12LEDA0022 - $6,500.00
Tim Keaton, Grant Coordinator, explained the funds would be used by the Green Acres Foundation to purchase equipment and supplies to enhance their lawn care, landscaping and agricultural programs.

Anne Yon, Commissioner, moved to approve the grant contract in the amount of $6,500.00 to Green Acres Foundation, Inc. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (D)

#031 RESOLUTION, CABELL COUNTY COMMISSION

RE: HUNTINGTON AREA DEVELOPMENT COUNCIL-
APPOINTMENT
BOB BAILEY

Anne Yon, Commissioner, moved to approve the appointment of Bob Bailey, to the Huntington Area Development Council, effective immediately, and ending coextensive with his term of office ending December 31, 2019. Nancy Cartmill, President, seconded the motion and the vote was unanimous. Exhibit (E)

#032 RESOLUTION, CABELL COUNTY COMMISSION

RE: KYOVA INTERSTATE PLANNING COMMISSION-
APPOINTMENT BOB BAILEY

Anne Yon, Commissioner, moved to approve the appointment of Bob Bailey to the KYOVA Interstate Planning Commission for a term beginning February 14, 2013 and ending coextensive with his term of office ending December 31, 2019. Nancy Cartmill, President, seconded the motion and the vote was unanimous. Exhibit (F)

#033 RESOLUTION, CABELL COUNTY COMMISSION

RE: PEA RIDGE PSD - APPOINTMENT
CHARLES WOOLCOCK

Anne Yon, Commissioner, moved to approve the appointment of Charles Woolcock to the Pea Ridge PSD, for a term beginning February 14, 2013 and ending February 13, 2019. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (G)
#034  RESOLUTION, CABELL COUNTY COMMISSION

RE: REGION II PLANNING & DEVELOPMENT COUNCIL
THREE APPOINTMENTS
BOB BAILEY
CHRIS TATUM
PHOEBE RANDOLPH

Anne Yon, Commissioner, moved to approve the re-appointment of Bob Bailey, to the Region II Planning & Development Council for a term beginning immediately and ending December 31, 2019; and the appointments of Chris Tatum and Phoebe Randolph to the Region II Planning and Development Council for terms beginning February 14, 2013 and ending February 13, 2019. Nancy Cartmill, President, seconded the motion and the vote was unanimous. Exhibit (H)

#035  RESOLUTION, CABELL COUNTY COMMISSION

RE: CABELL COUNTY COMMUNITY SERVICES ORGANIZATION – APPOINTMENT
ANNE YON

Nancy Cartmill, President, moved to approve the appointment of Anne Yon to the Cabell County Community Services Organization, for a term beginning February 14, 2013 and ending coextensive with her term of office ending December 31, 2017. Anne Yon, Commissioner, seconded the motion and the vote was as follows:

<table>
<thead>
<tr>
<th></th>
<th>AYE</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>NANCY CARTMILL, PRESIDENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ROBERT L. BAILEY, COMMISSIONER</td>
<td></td>
<td>NO</td>
</tr>
<tr>
<td>ANNE YON, COMMISSIONER</td>
<td></td>
<td>AYE</td>
</tr>
</tbody>
</table>

Robert L. Bailey, Commissioner, stated he would like the record to show he voted “no” due to the legality of the issue. Exhibit (I)

#036  RESOLUTION, CABELL COUNTY COMMISSION

RE: SOUTHWESTERN WEST VIRGINIA REGION 2 WORKFORCE INVESTMENT BOARD – APPOINTMENT
ANNE YON
Robert L. Bailey, Commissioner, moved to approve the appointment of Anne Yon to the Southwestern West Virginia Region 2 Workforce Investment Board, for a term beginning February 14, 2013, and ending coextensive with her term of office ending December 31, 2017. Nancy Cartmill, President, seconded the motion and the vote was unanimous. Exhibit (J)

#037 RESOLUTION, CABELL COUNTY COMMISSION

RE: LOCAL ELECTED OFFICIALS BOARD OF THE REGION 2 WORKFORCE INVESTMENT BOARD
APPOINTMENT
ANNE YON

Robert L. Bailey, Commissioner, moved to approve the appointment of Anne Yon to the Local Elected Officials Board of the Region 2 Workforce Investment Board, for a term beginning February 14, 2013 and ending coextensive with her term of office ending December 31, 2017. Nancy Cartmill, President, seconded the motion and the vote was unanimous. Exhibit (K)

#038 RESOLUTIONS, CABELL COUNTY COMMISSION

RE: CABELL HUNTINGTON CONVENTION AND VISITORS BUREAU BOARD OF DIRECTORS – APPOINTMENTS
AUDRA CONLEY – RAMADA LIMITED
ALISA SIZEMORE – SUPER 8

Robert L. Bailey, Commissioner, moved to approve the appointments of Audra Conley and Alisa Sizemore to the Managing Board of the Cabell-Huntington Convention and Visitors Bureau, for terms beginning February 14, 2013 and ending December 31, 2013. Anne Yon, Commissioner, seconded the motion and the vote was unanimous. Exhibit (L)

#039 RESOLUTION, CABELL COUNTY COMMISSION

RE: CABELL COUNTY PUBLIC LIBRARY – APPOINTMENT
CHRIS TATUM

Anne Yon, Commissioner, moved to approve the appointment of Chris Tatum to the Board of Directors of the Cabell County Public Library, for a term beginning February 14, 2013, and ending June 30, 2016. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (M)
COMMISSION MEETING
THURSDAY, FEBRUARY 14, 2013
PAGE EIGHT

#040 RESOLUTION, CABELL COUNTY COMMISSION

RE: EMPLOYMENT – ASSISTANT COUNTY ADMINISTRATOR

Anne Yon, Commissioner, moved to approve the employment of Ryan Cole as Assistant County Administrator, effective February 19, 2013, at a rate of pay of $40,000.00 annually. Nancy Cartmill, President, seconded the motion and the vote was as follows:

  NANCY CARTMILL, PRESIDENT                      AYE
  ROBERT L. BAILEY, COMMISSIONER                  NO
  ANNE YON, COMMISSIONER                         AYE

Robert L. Bailey, Commissioner, stated he felt the Commission should consider hiring within, as opposed to seeking outside employment. Exhibit (N)

#041 DISCUSSION/ACTION:

TRANSFER OF (2) VEHICLES/TITLES – HTGN./CABELL/WAYNE ANIMAL SHELTER; (1) HOME CONFINEMENT-VEHICLE #419; (1) MAINTENANCE – VEHICLE #805

Chris Tatum, County Manager, stated all vehicles were being donated by the Sheriff’s Department.

#042 RESOLUTION, CABELL COUNTY COMMISSION – COUNTY BUDGET REVISION #9

Anne Yon, Commissioner, moved to approve County Budget Revision #9. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (O)

Nancy Cartmill, President, adjourned the regular meeting of the Cabell County Commission at 10:56 a.m., until the next scheduled meeting on February 28, 2013.

_________________________________________________
PRESIDENT, COUNTY COMMISSION

KSC: ksf