

**COMMISSION MEETING  
THURSDAY, JANUARY 9, 2014**

**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.

**“NOMINATION/ELECTION OF PRESIDENT OF THE COUNTY COMMISSION FOR THE YEAR 2014”**

**“NOMINATION/ELECTION OF PRESIDENT PRO TEM OF THE COUNTY COMMISSION FOR THE YEAR 2014”**

Anne Yon, Commissioner, **moved to elect Nancy Cartmill as President and Robert L. Bailey as President Pro Tem of Cabell County Commission for the year 2014.**

Robert L. Bailey, Commissioner, stated he felt it was time for a change and that Anne Yon should serve as President of the Cabell County, since she had not had the opportunity to do so since being elected to the Commission. Commissioner Bailey stated he also felt it would be beneficial for the Commission to have a new outlook and perspective.

Nancy Cartmill, President, explained to Commissioner Bailey there was already a motion on the floor.

Nancy Cartmill, President, seconded the motion to election Nancy Cartmill as President and Robert L. Bailey as President Pro Tem for the year 2014 and the vote was as follows:

<b>NANCY CARTMILL, PRESIDENT</b>	<b><u>AYE</u></b>
<b>ROBERT L. BAILEY, COMMISSIONER</b>	<b><u>NAY</u></b>
<b>ANNE YON, COMMISSIONER</b>	<b><u>AYE</u></b>

**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 #14-55077 through #14-55258 and pay jackets.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

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Anne Yon, Commissioner, **moved to approve minutes from the December 12, 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.

**#294 APPEARING, PAUL A. RYKER, ESQUIRE**

Paul Ryker, Counsel to Samantha Cook, explained to the Commission his client was under the belief her father, Allen Barry Cook, had no existing will. Mr. Ryker informed the Commission a document, purported to be a holographic testamentary document constructed by the decedent, had recently been brought before the Probate Office by Brian Cook. Ms. Cook contends the decedent was not mentally competent at the time the document was allegedly executed.

Mr. Ryker stated it was the request of his client, that the Commission conduct a hearing in which Mr. Brian Cook would be required to establish the legitimacy of the document by sufficient proof.

William Watson, County Attorney, explained he had reviewed the statute and felt the proper approach would be for him to contact Mr. Cook and explain to him what needed to be done. Mr. Watson explained based upon the outcome, his recommendation would be for the Commission to then refer the matter to a Fiduciary Commissioner.

Anne Yon, Commissioner, **moved to approve advising County Attorney William Watson to contact Brian Cook, and based upon the response, the matter would then be referred to a Fiduciary Commissioner.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#295 MOTION/ORDER, CLOSE ESTATE AS INSOLVENT**

**RE: ESTATE OF SUSAN WISEMAN**

William Watson, County Attorney, stated he felt it would be best to not move forward on the matter until someone handling the matter was present.

Anne Yon, Commissioner, **moved to approve tabling the item regarding the Estate of Susan Wiseman.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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**#296**

**LETTER, IRV JOHNSON, ASSESSOR**

**RE: PETITION- HOMESTEAD PERSONAL PROPERTY  
EXEMPTION**

Irv Johnson, Assessor, explained he had received a petition from Erma Hayslette regarding denial of her request for Homestead Exemption for tax year 2014. Mr. Johnson explained the letter informed Ms. Hayslette she would not be eligible to receive Homestead Exemption for 2014, due to the fact the purchase agreement between her and the previous owner of her mobile home had not been recorded until November 27, 2013. Mr. Johnson stated the mobile home was also still titled to the previous owner as of July 1, 2013. Mr. Johnson explained the letter also explained to Ms. Hayslette her card would be kept in the office and the exemption would be applied to the 2015 tax year.

Robert L. Bailey, Commissioner, **moved to approve the letter to Erma Hayslette regarding her request for Homestead Exemption.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

**#297**

**RESOLUTION, CABELL COUNTY COMMISSION**

**RE: PUBLIC HEARING "SARA TITLE II-  
COMMUNITY RIGHT-TO-KNOW ACT OF 1986"-  
FOR THE CABELL/WAYNE LEPC**

Anne Yon, Commissioner, **moved to approve the publication of the notice regarding the public hearing held by the Cabell Wayne LEPC.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (A)**

**#298**

**RESOLUTION, CABELL COUNTY COMMISSION**

**RE: FY 2014 COMMUNITY PARTICIPATION GRANT  
PROGRAM- APPLICATION  
HARMONY HOUSE DAY SHELTER  
PROJECT NUMBER: 14LEDA0034- \$4,000.00**

Tim Keaton, Grant Coordinator, explained the funds would be used by the Harmony House Day Shelter to renovate the existing showers and make them handicap accessible.

Robert L. Bailey, Commissioner, **moved to approve the grant application for the Harmony House Day Shelter.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

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**#299**

**RESOLUTION, CABELL COUNTY COMMISSION**

**RE: IN THE MATTER OF THE BOARD OF  
EQUALIZATION AND REVIEW CABELL COUNTY  
PROPERTY TAX ASSESSMENTS FOR TAX YEAR  
2014**

Chris Tatum, County Manager, stated approval of the item would establish hearing dates for the Board of Equalization and Review for tax year 2014, and authorize the publication of a public notice.

Anne Yon, Commissioner, **moved to approve establishment and publication of hearing dates for the Board of Equalization and Review for tax year 2014.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (C)**

**#300**

**LETTER, KAREN COLE, COUNTY CLERK**

**RE: 2012- 2013 FINANCIAL STATEMENT  
FOOTNOTES**

Robert L. Bailey, Commissioner, **approved entering into record the footnotes for the 2012-2013 Financial Statement.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

**#301**

**LETTER, CITY OF HUNTINGTON POLICE  
DEPARTMENT**

**RE: TOWING POLICY**

Chris Tatum, County Manager, explained the City of Huntington wished to establish a towing rotation between the seven towing companies currently being utilized. Mr. Tatum stated he had written the name of each of the companies on strips of paper which he would fold and place in a bowl. Mr. Tatum stated he would then have County Attorney William Watson, randomly draw from the bowl and then he would read the name aloud. Mr. Tatum explained the first name he read would be the company which would be contacted on Sunday, followed by the other companies in chronological order, which was as follows: Professional Towing- Sunday, Nicely's Towing- Monday, Cogan's- Tuesday, River Cities Towing- Wednesday, Thompson's- Thursday, Reyburn's Towing- Friday, J.B.'s Towing- Saturday.

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Anne Yon, Commissioner, **approved the towing rotation for the City of Huntington Police Department.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#302**

**RESOLUTION, IN THE MATTER OF THE  
NOMINATION AS A MEMBER OF THE CABELL/  
WAYNE LOCAL EMERGENCY PLANNING COMMITTEE**

**RE: JON FANNIN- PROGRAM DIRECTOR, AIR EVAC  
LIFETEAM**

Robert L. Bailey, Commissioner, **moved to approve the appointment of Jon Fannin as a member of the Cabell/Wayne Local Emergency Planning Committee.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (D)**

**#303**

**RESOLUTION, CABELL COUNY COMMISSION**

**RE: MODIFICATION OF VEHICLE UTILIZATION  
POLICY**

Nancy Cartmill, President, stated she felt the policy approved at the previous Commission meeting should remain in place and this item should be tabled indefinitely.

Nancy Cartmill, President, **moved to table indefinitely the item regarding modification of the vehicle utilization policy.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

**#304**

**RESOLUTION, COUNTY BUDGET REVISION #8**

Anne Yon, Commissioner, **moved to approve County Budget Revision #8 FY 2013-2014.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (E)**

**#305**

**RESOLUTION, STATE BUDGET REVISION #8**

Anne Yon, Commissioner, **moved to approve State Budget Revision #8 FY 2013-2014.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (F)**

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**PLACE ON RECORD**

Robert L. Bailey, Commissioner, **moved to approve placing on record minutes from the November 20, 2013, Culloden Public Service District, regular board meeting.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, President, adjourned the meeting at 11:20, until the next regularly scheduled meeting.

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**PRESIDENT, COUNTY COMMISSION**

**KSC:ksf**