

**COMMISSION MEETING
THURSDAY, FEBRUARY 27, 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 at 10:00 a.m.

APPROVE:

Chris Tatum, County Manager, stated the minutes from the February 13, 2014, regular Commission meeting and the February 19, 2014, special emergency Commission meeting, would need to be stricken from the agenda. Mr. Tatum went on to say the awards presentation to those who aided in the water crisis would need to be moved to the front of the agenda.

Robert L. Bailey, Commissioner, **moved to approve the agenda as amended.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Anne Yon, Commissioner, **moved to approve purchase orders #14-55925 through #14-56220 and pay jackets.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Anne Yon, Commissioner, **moved to approve 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 and Fort Dearborn Life Insurance Company, not to exceed \$100,000.00, from the Cabell County Medical Insurance Fund.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

CITIZENS REGISTERED TO SPEAK

Andy Fisher and Laura Gillium, United Way, appeared before the Commission requesting support and possible funding for the United Day of Fitness event planned for June 21, 2014.

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#335

CABELL COUNTY COMMISSION PRESENTATION

Nancy Cartmill, President, stated she would like to extend her gratitude to all of the county employees who assisted in the water crisis, such as Chris Tatum and Gordon Merry. President Cartmill stated it was the efforts of many that help sustain the community during the time of need. President Cartmill presented plaques to the following groups and agencies: Culloden Elementary School, Hurricane Equipment, Cabell County Sheriff's Department, Huntington Area Food Bank, West Virginia National Guard Unit 57, 84 Lumber Company, Foodfair Barboursville, Town of Milton, Culloden Volunteer Fire Department, Eagle Distributing Company, and CCEMS.

#329

APPEARING, LEON K. OXLEY ESQUIRE

**RE: ESTATE OF OLIVIA K. BACK
NOTICE OF HEARING AND PETITION TO APPOINT
ADMINISTRATOR DBNCTA**

Leon K. Oxley, Esquire, appeared on behalf of his client Kim Curry Furbish to request the Commission reopen the estate of her mother, Olivia K. Back. Mr. Oxley explained additional assets had been discovered, and in order to distribute these assets to the rightful parties the estate would need to be reopened. Mr. Oxley also requested the Commission appoint his client Kim Curry Furbish as Administratrix of the Estate.

William Watson, County Attorney, stated it was his recommendation to reopen the Estate of Olivia K. Back and to appoint Kim Curry Furbish as Administratrix.

Robert L. Bailey, Commissioner **moved to approve reopening the Estate of Olivia K. Back and the appointment of Kim Curry Furbish as Administratrix of the Estate.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#330

APPEARING NEIL BOUCHILLION, ESQUIRE

**RE: ESTATE OF JOHNDRA LOU BROWN
PETITION TO APPOINT SHERIFF OF CABELL
COUNTY ADMINISTRATOR**

Neil Bouchillion, Esquire, appeared before the Commission on behalf of his clients, Gary and Marilyn Meadows. Mr. Bouchillion explained Mr. and Mrs. Meadows had been involved in a motor vehicle accident with the late Johndra Lou Brown, and were requesting the Sheriff be appointed as Administrator of her estate so their claims could be processed.

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William Watson, County Attorney, stated it was his recommendation to appoint Sheriff Thomas McComas as Administrator of the Estate of Johndra Lou Brown.

Robert L. Bailey, Commissioner, **moved to approve the appointment of Sheriff Thomas McComas as Administrator of the Estate of Johndra Lou Brown.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#331

LETTER, RESOLUTION AND APPLICATION

**RE: FY 2014 COMMUNITY PARTICIPATION GRANT
PROGRAM
MADIE CARROLL HOUSE- MAINTENANCE/
IMPROVEMENTS
PROJECT NUMBER: 14LEDA0030- \$5,000.00**

Tim Keaton, Grant Coordinator, explained the funds would be used by the Madie Carroll House Preservation Board to convert the barn and Civil War Soldiers Quarters into the Rick Whisman Civil War Museum.

Anne Yon, Commissioner, **moved to approve the grant application for the Madie Carroll House.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (A)**

#332

LETTER, RESOLUTION AND APPLICATION

RE: FY 2014 VICTIM ASSISTANCE GRANT- \$77,383.00

Tim Keaton, Grant Coordinator, explained the funds would be used by the Cabell County Prosecuting Attorney's Office to provide the salaries of three full-time victim advocates.

Anne Yon, Commissioner, **moved to approve the grant application for the Cabell County Prosecuting Attorney's Office.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

#333

**LETTER, CHUCK RICKS, EXECUTIVE DIRECTOR
CCCSO**

**RE: SENIOR LEVY FUNDING REQUEST
REPAIR OF HVAC UNIT AT MILTON SENIOR
CENTER**

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Chris Tatum, County Manager, stated the lowest bid received by CCCSO for the repairs was \$4,019.46 from Pierson Technical.

Robert L. Bailey, Commissioner, **moved to approve funding for repair of the HVAC unit at the Milton Senior Center.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#334 RESOLUTION, CABELL COUNTY COMMISSION

**RE: RECLASSIFICATION
JUSTIN CHAPMAN- FULL TIME EMT
MICHAEL SHAWN MARCUM- FULL TIME
PARAMEDIC
CHARLES MARSH- FULL TIME PARAMEDIC**

Anne Yon, Commissioner, **moved to approve the reclassification of Justin Chapman as a full time EMT, effective February 28, 2013, at a rate of pay of \$8.9643 per hour; Michael Shawn Marcum as a full time paramedic, effective February 28, 2013, at a rate of pay of \$12.2244 per hour; Charles Marsh as a full time paramedic, effective February 28, 2014, at a rate of pay of \$12.6244 per hour.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#336 LETTER, RESOLUTION- CABELL COUNTY
COMMISSION**

**RE: BOARD OF EQUALIZATION AND REVIEW-
APPROVAL OF PROPERTY VALUES AND MINUTES**

Robert L. Bailey, Commissioner, **moved to approve the property values and minutes from the 2014 Board of Equalization and Review.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#337 RESOLUTIONS, CABELL COUNTY COMMISSION

**RE: IN THE MATTER OF CHANGES TO VOTING
PRECINCTS
PRECINCTS 29 & 30
PRECINCTS 41A & 41B**

Robert L. Bailey, Commissioner, **moved to approve the changes to voting precincts 29, 30, 41A and 41B.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.
Exhibit (C)

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#338 RESOLUTIONS, CABELL COUNTY COMMISSION

RE: RELEASE AND SUBSTITUTION OF COLLATERAL BONDS- FIRST SENTRY

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 (D)**

#339 CCEMS, WV HOMELAND SECURITY APPLICATION

RE: DISASTER PREPAREDNESS

Anne Yon, Commissioner, **moved to approve the CCEMS Homeland Security Application, Disaster Preparedness.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#340 RESOLUTION, CABELL COUNTY COMMISSION

RE: EMPLOYMENT- MAINTENANCE

Nancy Cartmill, President, stated the Commission would need to move into Executive Session to discuss this matter. President Cartmill stated the Commission would move on with the remainder of the agenda and hold the executive session after all other items had been discussed. **Exhibit (E)**

#341 RESOLUTION, CABELL COUNTY COMMISSION- COUNTY BUDGET REVISION #12

Robert L. Bailey, Commissioner, **moved to approve County Budget Revision #12, FY 2013-2014.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (F)**

#342 LETTER, IRV JOHNSON, ASSESSOR OF CABELL COUNTY

RE: DOG FUND

Irv Johnson, Assessor of Cabell County, appeared before the Commission to request a disbursement from the Dog Fund in the amount of \$20,000.00. Mr. Johnson stated he would like to allocate the \$20,000.00 to the Cabell Wayne Animal Shelter due to their extreme needs and meager operating budget.

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Robert L. Bailey, Commissioner, **moved to approve the request for disbursement from the Dog Fund.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

**#343 PROCLAMATION, CABELL COUNTY COMMISSION
RE: VACANCY, OFFICE CABELL COUNTY
PROSECUTING ATTORNEY**

Robert L. Bailey, Commissioner, **moved to approve proclamation declaring a vacancy in the office of the Cabell County Prosecuting Attorney.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (G)**

**#344 RESOLUTION, CABELL COUNTY COMMISSION
RE: APPOINTMENT, CABELL COUNTY PROSECUTING
ATTORNEY**

Robert L. Bailey, Commissioner, stated he was honored to have the opportunity to submit the name of Sean “Corky” Hammers for the position of Cabell County Prosecuting Attorney.

Robert L. Bailey, Commissioner, **moved to approve the appointment of Sean Hammers as Cabell County Prosecuting Attorney.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, President, stated the meeting would be recessed to allow the Commission to attend the swearing in of Sean Hammers as Cabell County Prosecuting Attorney. President Cartmill stated the Commission would reconvene directly after the ceremony.

Nancy Cartmill, President, recessed the meeting of the Cabell County Commission at 10:30 a.m.

Nancy Cartmill, President, reconvened the meeting of the Cabell County Commission at 10:50 a.m.

Robert L. Bailey, Commissioner, **moved to approve going into Executive Session to discuss personnel matters.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (H)**

The Cabell County Commission went into Executive Session at 10:51 a.m.

Nancy Cartmill, President, reconvened the meeting of the Cabell County Commission at 11:00 am.

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Robert L. Bailey, Commissioner, **moved to approve the employment of Kole D. Labor for a Maintenance Position with the Cabell County Commission, effective February 28, 2014, at a rate of pay of \$25,000.00 annually.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

PLACE ON RECORD

Anne Yon, Commissioner, **moved to approve placing on record minutes from the January 2014, Cabell Huntington Health Department, regular board meeting; January 2, 2014, special meeting, and January 15, 2014, regular meeting of the Culloden Public Service District.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Chris Tatum, County Manager, stated the minutes submitted for the Board of Equalization and Review had not been completed by the Clerk's office. Mr. Tatum explained the minutes for the Board of Equalization and Review and Board of Assessment hearings must be done by the Clerk's office. Mr. Tatum stated the minutes completed by the Clerk's office would be the official copy and the only set that would be approved by the Cabell County Commission.

Nancy Cartmill, President, stated item #336 regarding the Board of Equalization and Review would be stricken from the record and handled at a subsequent meeting.

Nancy Cartmill, President, adjourned the meeting of the Cabell County Commission at 11:30 a.m., until the next regularly scheduled meeting.

PRESIDENT, COUNTY COMMISSION

KSC:ksf