

**COMMISSION MEETING
THURSDAY, AUGUST 28, 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.

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 #15-59978 through #15-60190 and pay jackets.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Anne Yon, Commissioner, **moved to approve the minutes from the July 15, 2014, regular Commission meeting; July 24, 2014, special Commission meeting; July 30, 2014, special Commission meeting; August 14, 2014, 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 and Guardian 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.

“OPEN BIDS”- CABELL COUNTY 911 MOTOROLA MIP5000 DISPATCH CONSOLE SYSTEM

Chris Tatum, County Manager, stated two bids had been received and were as follows:

F&L ELECTRONICS	HUNTINGTON, WV	\$44,850.25
B&C COMMUNICATIONS	ASHLAND, KY	\$45,999.36

Mr. Tatum stated he would give the bids to JR VanOoteghem and Mike Tatum, Cabell County Emergency Services Directors, to review. Mr. Tatum stated if Mr. VanOoteghem and Mr. Tatum arrived at a decision before the end of the meeting, they could then return and present their selection to the Commission.

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#507

**PETITION FOR HEARING- DANNY FIELDS, EXECUTOR
APPEARING- REQUEST TO BE REMOVED AND APPOINT
SHERIFF AS EXECUTOR- ESTATE OF MABEL VIRGINIA
FIELDS**

William Watson, County Attorney, stated there were multiple claims against the Estate of Mabel Virginia Fields and, from what he gathered, no assets to pay them. Mr. Watson stated that removing someone as Executor would be a very lengthy process, and since there were no assets in the estate; he felt it would be best to file a petition to have the estate declared as insolvent. Mr. Watson explained to Danny Fields, Executor of the Estate of Mabel Virginia Fields, that he would need to speak to Richard Hurley, Supervisor of the Probate Department, about closing the estate due to insolvency in lieu of resigning as Executor.

Mr. Fields stated he was concerned there would be monies remaining in the estate once all issues had been resolved. Mr. Fields explained that he had spoken with a representative from the state Medicaid department and had been informed the agency would be willing to accept a settlement for approximately 50% of the total balance.

Mr. Watson asked Mr. Fields if there were assets available to pay the debts owed by the estate.

Mr. Fields said his mother's home was the only asset of the estate.

Mr. Watson stated since there were assets in the estate the recommendation he had given earlier no longer applied. Mr. Watson explained to Mr. Fields the first step he would need to take would be to file an appraisal with the Probate department.

Mr. Fields stated he had made multiple attempts to enter the home, but his sister had refused to allow him entry.

Mr. Watson explained that as Executor of the Estate Mr. Fields had the right to enter the residence. Mr. Watson recommended that Mr. Fields contact the Sheriff's Department and request a deputy accompany him to the residence.

Mr. Watson stated the matter would need to be tabled to allow Mr. Fields time to file his appraisal.

Robert L. Bailey, Commissioner, **moved to table the item regarding the Estate of Mabel Virginia Fields.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

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**#508 MOTION FOR HEARING- REMOVAL OF PERSONAL
REPRESENTATIVE- ESTATE OF CARMINE JERUSHA
HUNTER**

William Watson, County Attorney, explained multiple petitions had been filed by heirs of the Estate of Carmine Jerusha Hunter. Mr. Watson explained all petitions were requesting removal of Candice Whitney as Administratrix. Mr. Watson stated it was his recommendation to refer the estate to a Fiduciary Commissioner.

Anne Yon, Commissioner, **moved to approve referring the Estate of Carmine Jerusha Hunter to a Fiduciary Commissioner.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#509 RESOLUTION, CABELL COUNTY COMMISSION

**RE: RECLASSIFICATION:
ANTHONY JOHNSON- FULL TIME EMT.
JOHNATHAN RABEL- PER DIEM PARAMEDIC**

Robert L. Bailey, Commissioner, **moved to approve the reclassification of Anthony Johnson as a full time paramedic, effective August 29, 2014, at a rate of pay of \$9.1168 per hour; Jonathan Rabel as a per diem paramedic, effective August 31, 2014, at a rate of pay of \$12.3768 per hour.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#510 LETTER, IRV JOHNSON, ASSESSOR

**RE: EMPLOYMENT:
JUDY MCNEIL, FULL TIME CLERK**

Robert L. Bailey, Commissioner, **moved to approve the employment of Judy McNeil as a full time clerk in the Assessor's Office, effective immediately.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#511 APPROVAL OF HOTEL/MOTEL FUNDING REQUEST

RE: HUNTINGTON SYMPHONY ORCHESTRA

Anne Yon, Commissioner, **moved to approve the allocation of Hotel/Motel tax funding for the Huntington Symphony Orchestra.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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#512 LETTER, CABELL COUNTY COMMISSION

RE: TAX SALE CERTIFICATES

Chris Tatum, County Manager, stated upon approval, the Commission would issue a letter to Sheriff McComas permitting him to issue duplicate tax sale certificates. Mr. Tatum stated the duplicates were being issued upon the request individuals who were unable to locate their original certificates.

Anne Yon, Commissioner, **moved to approve the letter to Sheriff Tom McComas regarding issuance of duplicate tax sale certificates.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#513 RESOLUTION, CABELL COUNTY COMMISSION

RE: FIDUCIARY COMMISSIONERS

Chris Tatum, County Manager, stated after meeting with members from the County Clerk's office and speaking with Counsel, the recommendation was to lower the number of Fiduciary Commissioners from four to two. Mr. Tatum stated all Fiduciary Commissioners had been informed of the proposed change, and none were opposed. Mr. Tatum went on to say that both of the remaining Fiduciary Commissioners were Republicans. Mr. Tatum explained that was allowed; the code read that no more than two Fiduciary Commissioners could be affiliated with the same political party.

Robert L. Bailey, Commissioner, stated he did not mind reducing the number of Fiduciary Commissioner's to two, but felt there should be representatives from both political parties.

Nancy Cartmill, President, stated she did not feel that party affiliation was relevant to the position. President Cartmill stated she felt the situation was finally moving in the right direction and could be adjusted in the future if problems were to arise.

Commissioner Bailey asked if either of the Democrat Fiduciary Commissioners had any formal complaints filed against them.

Mr. Tatum explained that one of the attorneys did in fact have an ethical complaint filed against him with the Bar Association.

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Anne Yon, Commissioner, **moved to approve reducing the number of Fiduciary Commissioner's from four to two.** Nancy Cartmill, President, seconded the motion and the vote was as follows:

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

Exhibit (A)

#514 DISCUSSION/ACTION SETTING DATE AND TIME FOR TRICK OR TREAT (HALLOWEEN)

Chris Tatum, County Manager, stated after speaking with several representatives from Huntington, Barboursville, and Milton; he recommended trick or treat in Cabell County be set for Thursday, October 30, 2014, from 6:00 p.m. to 8:00 p.m.

Anne Yon, Commissioner, **moved to approve setting the date for trick or treat in Cabell County as Thursday, October 30, 2014, from 6:00 p.m. to 8:00 p.m.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#515 DISCUSSION/ACTION DEPUTY SHERIFF SALARIES

Robert L. Bailey, Commissioner, **moved to approve an across the board salary increase in the amount of \$1,000.00 for all Cabell County Deputy Sheriffs, plus a replacement uniform provided by the Commission, if damaged in the line of duty.** Anne Yon, Commissioner, seconded the motion.

Nancy Cartmill, President, stated she did agree the deputies deserved a pay raise, but she had many concerns regarding the issue. President Cartmill stated requests had been made by all agencies and elected officials for employee pay increases, with the only increase given being \$500 across the board. President Cartmill stated she questioned where the money would come from, and questioned if the Commission were to award an additional pay increase why it would not be for all employees.

Commissioner Bailey stated he would be for a pay increase for all employees as well, but all department heads and elected officials would need to come forward individually before the Commission with their request. Commissioner Bailey stated he felt if a raise was to be given; it should be given first to those on the front line who put their lives at risk on a daily basis.

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President Cartmill stated she had been through the budget countless times looking for additional monies to fund salary increases for the employees, but all of the funds were allocated. President Cartmill stated she simply did not understand how the County would be able to fund the increase.

Robert L. Bailey, Commissioner stated he had been told there were funds available in the budget. Commissioner Bailey asked Chris Tatum, County Manager, if there were available funds.

Mr. Tatum responded there were funds available, but there were things that would need to be considered by the Commissioners when making their decision.

Robert L. Bailey, Commissioner, **moved to call for the question.** Anne Yon, seconded the motion and the vote was unanimous.

Robert L. Bailey, Commissioner, **moved to approve an across the board salary increase in the amount of \$1,000.00 for all Cabell County Deputy Sheriffs, plus a replacement uniform provided by the Commission, if damaged in the line of duty.** Anne Yon, Commissioner, seconded the motion and the vote was as follows:

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

**#516 RESOLUTION, CABELL COUNTY COMMISSION- COUNTY
BUDGET REVISION #2**

Anne Yon, Commissioner, **moved to approve County Budget Revision #2, FY 2014/2015.**
Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

**#517 RESOLUTION, CABELL COUNTY COMMISSION- STATE
BUDGET REVISION #3**

Anne Yon, Commissioner, **moved to approve State Budget Revision #3, FY 2014/2015.**
Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (C)**

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PLACE ON RECORD

Robert L. Bailey, Commissioner, **moved to approve placing on record minutes from the July 8, 2014, Salt Rock Public Service District, regular meeting; June 4, 2014, Culloden Public Service District, special meeting; June 25, 2014, Culloden Public Service District, regular meeting; and other documentation to be recorded: Salt Rock Sewer Public Service District Operating Budget, FY ending June 30, 2014.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

COMMISSIONER'S REPRESENTATION REPORTS

Robert L. Bailey, Commissioner, said he would like to recognize Huntington City Councilman, Dave Ball, who was in the audience.

City Councilman Ball thanked Commissioner Bailey for his introduction and asked if he would be able to address the Commission at the current time.

City Councilman Ball explained the Appalachian Uprising festival that had previously been held in Scotttown, Ohio, had recently ended its thirteen year run. Councilman Ball stated the City of Huntington would now be holding the event, renamed as the "Jewel City Jamboree," in the amphitheater at the Harris River Front Park. He explained the event would support the Honor Flight of Huntington. Councilman Ball stated the event had been successful in the past and had drawn large crowds. He went on to say with the event scheduled to be held in a much nicer venue, they were anticipating the Jewel City Jamboree to draw even larger crowds. Councilman Ball stated that would mean more money coming into the city and county. Councilman Ball explained he understood it would be coming in past the due date, but he was requesting an allocation from the Hotel/Motel tax funding in the amount of \$4,000.00. Councilman Ball explained the funds would be used to build the entire stage, which would be named "The Cabell County Commission Stage."

Nancy Cartmill, President, stated the Commission would need to see a copy of the budget for the event, but they would be glad to take it into consideration. President Cartmill wished Councilman Ball luck and much success with the event.

President Cartmill stated she had recently attended a dinner function for the Regatta in which the Commission had been recognized for their support of the boat races. President Cartmill presented the award received to the other members of the Commission.

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“AWARD BID”

Chris Tatum, County Manger, explained J.R. VanOoteghem and Mike Tatum had come to a decision regarding the bids received for the Motorola MIP5000 Dispatch System.

Mr. Vanooteghem stated both he and Mr. Tatum had selected F&L Electronics for the project. Mr. Vanooteghem went on to say F&L had been the low bidder and had met all required specifications.

Robert L. Bailey, Commissioner, **moved to award the bid for the Cabell County 911 Motorola MIP5000 Dispatch Console System to F&L Electronics.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, President, adjourned the meeting of the Cabell County Commission at 11:12 a.m., until the next regularly scheduled meeting.

PRESIDENT, COUNTY COMMISSION

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