

**COMMISSION MEETING
THURSDAY, MARCH 12, 2015**

PRESENT: **ANNE YON, PRESIDENT
ROBERT L. BAILEY, COMMISSIONER
NANCY CARTMILL, COMMISSIONER
WILLIAM WATSON, COUNTY ATTORNEY
CHRIS TATUM, COUNTY MANAGER
RHONDA MONTANEZ, PURCHASING ASSISTANT**

Anne Yon, President, called the meeting of the Cabell County Commission to order at 10:00 a.m.

APPROVE:

Chris Tatum, County Manager, stated the Executive Session, which was scheduled last on the agenda, would need to be the first item handled.

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

Nancy Cartmill, Commissioner, **moved to approve purchase orders #15-63732 through #15-64023 and pay jackets.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Robert L. Bailey, Commissioner, **moved to approve erroneous assessments; land consolidations; split tickets; and probate documentation.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, **moved to approve ACH Drafts; EBSO Weekly Claims Experience/ Administration Cost Invoices.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

CITIZENS TO SPEAK

Vickie Newman appeared before the Commission to request the Sheriff be removed as Administrator of her mother's estate and that she be appointed in his place.

Tammy Edwards appeared on behalf of the Sheriff's Department to discuss the status of the estate. Mrs. Edwards stated the liabilities against the estate far outweighed the assets, and they were in the process of having a hearing to discuss selling the home to pay off some of the debt. Mrs. Edwards stated everything was being handled as it should, but things of this nature do take some time to be resolved.

**COMMISSION MEETING
THURSDAY, MARCH 12, 2015
PAGE TWO**

William Watson, County Attorney, stated it was his recommendation to allow the Sheriff's Department to continue trying to resolve the matter. Mr. Watson went on to say the County Commission had elected to turn the matter over to Sheriff, and the bottom line was that it was now in their hands.

642 EXECUTIVE SESSION

Nancy Cartmill, Commissioner, **moved to approve going into Executive Session at 10:10 a.m.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

The Commission returned from Executive Session at 10:38 a.m., with no action taken.

Robert L. Bailey, Commissioner, **moved to approve going back into regular session.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#634 ESTATE OF MILDRED N. HILL

**RE: MOTION TO SCHEDULE HEARING,
REMOVAL OF PERSONAL REPRESENTATIVE**

Nancy Cartmill, Commissioner, **moved to approve setting the hearing date for the Estate of Mildred N. Hill for April 23, 2015, at 10:00 a.m.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#635 LETTER, RESOLUTION AND GRANT CONTRACT,
CABELL COUNTY COMMISSION**

**RE: FY 2015 COMMUNITY PARTICIPATION GRANT-
CONTRACT WV SOCCER ASSOCIATION-
IRRIGATION SYSTEM FOR SOCCER FIELDS
PROJECT NUMBER: 09LEDA0875N- \$25,000.00**

Robert L. Bailey, Commissioner, **moved to approve the Community Participation Grant Contract for the WV Soccer Association.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (A)**

**#636 LETTER, RESOLUTION AND GRANT CONTRACT,
CABELL COUNTY COMMISSION**

**RE: FY 2015 COMMUNITY PARTICIPATION GRANT-
CONTRACT COX LANDING PUBLIC LIBRARY
PROJECT NUMBER: 08CPGP0851N- \$25,000.00**

**COMMISSION MEETING
THURSDAY, MARCH 12, 2015
PAGE THREE**

Nancy Cartmill, Commissioner, **moved to approve the Community Participation Grant Contract for Cox Landing Public Library.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

#637

**LETTER, RESOLUTION- CABELL COUNTY
COMMISSION**

**RE: FY 2015- JUSTICE ASSISTANCE GRANT (JAG)
APPLICATION- \$76,500.00**

Chris Tatum, County Manager, explained the funding would provide the continued salaries of two Cabell County Sheriff's Department Deputies, and one Barboursville Police Department Deputy for the Drug Task Force in Cabell County.

Robert L. Bailey, Commissioner, **moved to approve the Justice Assistance Grant Application.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (C)**

#638

**LETTER, SEAN "CORKY" HAMMERS, PROSECUTING
ATTORNEY**

**RE: EMPLOYMENT- CONTRACT BASIS
MISTY ANN MARRA, INVESTIGATOR
JASON MICHAEL CHUTE, INVESTIGATOR
KELLY JANE BEATTY, INVESTIGATOR
TERRY W. FENGER, INVESTIGATOR**

Chris Tatum, County Manager, explained there would be no additional cost to the county for employment of these individuals, aside from the \$1 per year contract agreement.

Sean "Corky" Hammers, Cabell County Prosecuting Attorney, stated he had only recently begun utilizing the services of the Marshall University Forensic Center for DNA testing, but felt being able to use this service in the future would be very beneficial to his department. Mr. Hammers stated he had received the results for the DNA samples he had submitted within four days, as opposed to the normal turnaround time of approximately six months. Mr. Hammers stated he felt this service would have a huge positive impact on his department.

Nancy Cartmill, Commissioner, **moved to approve the employment of Misty Ann Marra, Jason Michael Chute, Kelly Jane Beatty and Terry W. Fenger, all on a contract basis of \$1.00 per year.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**COMMISSION MEETING
THURSDAY, MARCH 12, 2015
PAGE FOUR**

#639

**LETTER, IRV JOHNSON, ASSESSOR OF CABELL
COUNTY**

**RE: ADDITIONAL COMPENSATION:
SHEEP/GOAT TAX- FEBRUARY, 2015- \$0.50
DOG TAGS- FEBRUARY, 2015- \$47.30**

Nancy Cartmill, Commissioner, **moved to approve additional compensation for Irv Johnson for sheep/goat tax and dog tags for February 2015.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#640

**RESOLUTION, CABELL COUNTY COMMISSION-
COUNTY BUDGET REVISION**

Nancy Cartmill, Commissioner, **moved to approve County Budget Revision #11.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (D)**

#641

**RESOLUTION, CABELL COUNTY COMMISSION- STATE
BUDGET REVISION #10**

Nancy Cartmill, Commissioner, **moved to approve State Budget Revision #10.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (E)**

PLACE ON RECORD

Nancy Cartmill, Commissioner, **moved to approve placing on record minutes from the January 12, 2016, Pea Ridge Public Service District, regular Board meeting; additional documentation to be recorded: Cabell Huntington Health Department, Administrative Report to the Board of Directors, February 25, 2015.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

COMMISSIONER'S REPRESENTATION REPORTS

Nancy Cartmill, Commissioner, stated the past week of the Legislative Session had been very interesting. Commissioner Cartmill stated most of the bills that would have a negative impact on the counties had died, but new bills surfaced almost daily. Commissioner Cartmill stated the bill regarding homestead exemption had died, but would be studied for a year. Commissioner Cartmill stated most felt certain the bill that would allow residents to carry a concealed weapon without a permit would pass.

**COMMISSION MEETING
THURSDAY, MARCH 12, 2015
PAGE FIVE**

William Watson, County Attorney, stated the situation regarding the addition of a Fiduciary Commissioner had been discussed a few meetings prior; and it had been decided the Committee overseeing the situation would meet, and prepare responses to the Commissioner's questions. Mr. Watson stated Karen Cole, County Clerk, would not be returning to work until mid-April, so in the meantime he had met with the two current Fiduciary Commissioners, Steve Flesher and Greg Howard. Mr. Watson stated he had received a letter from Mr. Flesher stating he would be preparing a report which outlined the status of the estates re-referred to him since the termination of Matt Woelfel and Kent Bryson, and also the status of the estates directly referred to him. Mr. Watson stated Mr. Flesher explained he had also sent an email to Greg Howard suggesting he also prepare a report for the Commission. Mr. Watson stated that Mr. Flesher hoped this would show the estates had been cleaned up and new referrals were being handled capably and timely. Mr. Watson stated Mr. Flesher's letter indicated he did not feel the appointment of a new Fiduciary Commissioner would be warranted at this time. Mr. Watson went on to say he had heard nothing negative since Mr. Flesher and Mr. Howard had been appointed, and he felt they had been doing a wonderful job.

Commissioner Cartmill stated the Commission had received a very kind letter from Justin Lockwood, son of the late David Lockwood, commending Cabell County Emergency Medical Services workers who responded to the call for his father. Commissioner Cartmill stated Gordon Merry, Director CCEMS, and the all of the CCEMS staff did a wonderful job and deserved to be recognized.

All of the Commissioners thanked Mr. Lockwood for taking the time to submit the letter.

Chris Tatum, County Manager, stated the furnaces located at the 4-H Camp were very old and needed to be replaced. Mr. Tatum stated since the furnaces were so old, it was becoming difficult to find replacement parts. Mr. Tatum stated Matt Keefer, 4-H Camp Director, and Wes Linville, Maintenance Supervisor, had contacted three vendors about the project. Mr. Tatum stated the only bid received was from Curry and Johnson at a total cost of \$11,208.00, which was below the bid threshold. Mr. Tatum stated there was money in the budget to replace the furnaces if the Commission chose to do so.

Commissioner Cartmill stated she served on the Courthouse Facilities Improvement Committee, a group which had provided substantial grant funds to the county over the years. Commissioner Cartmill stated there were limited funds available each year, so each interested county had to submit an application to be considered for funding. Commissioner Cartmill stated there was a scale of importance for the ranking the improvement being requested. Commissioner Cartmill stated an improvement for life safety would be ranked first and improvement regarding handicapped accessibility ranked last. Commissioner Cartmill stated after pressure from the State Supreme Court and several attorneys, handicap accessibility had been moved directly under life safety in importance. Commissioner Cartmill stated this would need to be kept in mind when applying for funding in the upcoming year.

**COMMISSION MEETING
THURSDAY, MARCH 12, 2015
PAGE SIX**

Anne Yon, Commissioner, adjourned the meeting of the Cabell County Commission at 11:12 a.m., until the next regularly scheduled meeting.

PRESIDENT, COUNTY COMMISSION

KSC:ksf