COMMISSION MEETING
THURSDAY, MAY 14, 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:

Nancy Cartmill, 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 #15-64747 through #15-65208 and pay jackets. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, moved to approve the minutes from the April 9, 2015, regular Commission meeting; minutes from the April 23, 2015, 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 ACH Drafts: EBSO Weekly Claims Experience/ Administration Cost Invoices. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

CITIZENS REGISTERED TO SPEAK

Mary Lyons, Huntington resident, appeared before the Commission with questions regarding her property located on US Route 60 in Huntington. Ms. Lyons stated she owned the land, but did not own the business located on property. Ms. Lyons stated she had a prospective buyer, Jim Walsh, who was interested in opening an adult oriented business at the location. Ms. Lyons stated Mr. Walsh had already invested approximately $300,000.00 in another property located along US Route 60, which he had failed to realize had been in violation of a Cabell County Ordinance. Ms. Lyons stated Mr. Walsh wished to open another adult oriented establishment at the business located on her property and asked the Commission if he would be grandfathered in since it was an existing business.

William Watson, County Attorney, stated since there was an existing business on the property, it would be grandfathered in.
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Tim Keaton, Grant Coordinator, stated Mr. Walsh had spoken with him on the day the public hearing regarding the Adult Emporium had been held. Mr. Keaton stated, at that time, he had informed Mr. Walsh that he would be grandfathered in if he were to purchase Ms. Lyons property.

Becky Howard, Regional Chief Development Officer American Red Cross, appeared before the Commission to request funding in the amount of $5,000.00. Ms. Howard stated 23 shelters had been opened by the American Red Cross during the first quarter of the calendar year. Ms. Howard stated 300 families had been assisted during the first quarter of the year, one third of which were within Cabell County. Ms. Howard stated a total of $23,000.00 in direct assistance had gone out to clients already this year. Ms. Howard stated she appreciated the Commission’s consideration.

#677

REMOVAL OF PERSONAL REPRESENTATIVE

RE: ESTATE OF MILDRED N. HILL

Lee Hill, son of Mildred N. Hill, appeared before the Commission to request his sister, Cathy Rogers, be removed as personal representative of his mother’s estate. Mr. Hill claimed his sister had spent approximately $20,000.00 of estate assets on unnecessary home upgrades, and had also kept the remaining assets for personal use.

William Watson, County Attorney, stated based on the appraisal included with the will, the only thing of value in the estate was the property. Mr. Watson asked Mr. Hill to explain where the $20,000.00 Ms. Rogers had allegedly spent had come from.

Mr. Hill stated he was uncertain of what items had been sold from the home, and did not feel the appraisal had been accurate.

Mr. Watson asked Mr. Hill what proof he could present to the Commission that there were different assets that had not been reported on the form.

Mr. Hill stated he had been informed that he would not be able to request banking information or anything further until a lawsuit had been filed. Mr. Hill stated Ms. Rogers had resided in his mother’s home, during which time she had failed to pay rent to the estate.

Mr. Watson stated if Ms. Rodgers had been residing in the home she would have been obligated to pay rent, otherwise it would be wasting an asset of the estate. Mr. Watson stated as executrix, Ms. Rodgers was charged with maximizing the assets of the estate.

Mr. Watson recommended the Commission defer judgement since Mr. Hill intended to take the matter to court.
MOTION TO APPROVE FINAL REPORT & NOTICE OF HEARING

RE: ESTATE OF EUGENE WHEELER RICHARDSON

Mr. Watson stated this was a final report that needed to go to the Probate Clerk’s Office and no action was needed by the Commission.

APPEARING, MATT BOGGS

RE: HEALING PLACE OF HUNTINGTON

Matt Boggs, Director of Development at Recovery Point (Formerly Healing Place of Huntington), appeared before the Commission requesting funding for the center. Mr. Boggs explained Recovery Point was a long term residential facility dedicated to helping men recovering from addiction. Mr. Boggs stated the center had graduated over 125 men since January 2011. Mr. Boggs stated he would like to introduce Joshua Morrison, the 3rd graduate from the center, who would like to speak about his experience at Healing Place.

Mr. Morrison stated he had been sentenced to serve ten years in prison, and would still be there today if it hadn’t been for Healing Place. Mr. Morrison stated while at Healing Place he gained the necessary tools to grow as a person and beat addiction. Mr. Morrison stated he was now 5½ years sober and held a supervisory position at Little Victories Animal Rescue. Mr. Morrison stated he would always be grateful for the life changing help he had received at Healing Place.

Mr. Boggs explained the daily cost of sponsoring a bed at Recovery Point was $32.50 per day, which was much lower than the daily cost of $48.50 per inmate at the Western Regional Jail. Mr. Boggs stated the annual cost for four beds at the Western Regional Jail was $70,810.00, while four beds at Recovery Point only cost $47,200.00 annually. Mr. Boggs stated this would not only present a savings to the Commission, but would also allow the opportunity for someone to turn their life around. Mr. Boggs explained the center only helped those who truly wanted to be helped, so that people who don’t want assistance don’t waste the opportunity for those who do. Mr. Boggs stated Putnam County and Kanawha County each currently sponsored two beds at an annual rate of $11,800.00 per bed.

Robert L. Bailey, Commissioner, asked Chris Tatum, County Manager, if the county had funds available to sponsor beds at the facility. Commissioner Bailey stated he felt this was a good organization that helped save the county money.

Mr. Tatum stated if the Commission chose to sponsor beds at Recovery Point, the funds could be taken from the jail line.
Nancy Cartmill, Commissioner, stated the Commission would be unable to vote on the item at this time, but would take it under advisement.

Anne Yon, President, stated the Commission would take the item under advisement. President Yon thanked Matt Boggs and Josh Morrison for appearing.

#680 LETTER, RESOLUTION AND GRANT CONTRACT, CABELL COUNTY COMMISSION

RE: FY 2015 COMMUNITY PARTICIPATION GRANT PROGRAM- APPLICATION/ GRANT CULLODEN VOLUNTEER FIRE DEPARTMENT PROJECT NUMBER: 15LEDA0025- $7,500.00

Nancy Cartmill, Commissioner, moved to approve the grant contract for the Culloden Volunteer Fire Department. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#681 RESOLUTION, CABELL COUNTY COMMISSION

RE: RECLASSIFICATION
JESSICA SOPER- FULL TIME PERMANENT TELECOMMUNICATOR

Robert L. Bailey, Commissioner, moved to approve the reclassification of Jessica Soper as a full time permanent telecommunicator, effective April 16, 2015, at a rate of $14.52 per hour. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#682 RESOLUTION, CABELL COUNTY COMMISSION

RE: RECLASSIFICATION
MERRI HENRY- FULL TIME EMT
BETH MILLAY- FULL TIME EMT
VALERY BURKHOLDER- PER DIEM PARAMEDIC

Nancy Cartmill, Commissioner, moved to approve the reclassification of Merri Henry as a full time EMT, effective May 15, 2015, at a rate of pay of $14.9548 per hour; Beth Millay as a full time EMT, effective May 15, 2015, at a rate of pay of $14.9548 per hour; Valery Burkholder as a per diem paramedic, effective May 15, 2015, at a rate of pay of $12.6817 per hour. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.
RESOLUTION, CABELL COUNTY COMMISSION

RE: EMPLOYMENT
   JIMMY LEE FILLINGER- FULL TIME MAINTENANCE

Robert L. Bailey, Commissioner, moved to approve the employment of Jimmy Lee Fillinger as a full time Maintenance employee for the Cabell County Commission, effective May 18, 2015, at a rate of pay of $25,000.00. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

RESOLUTION, CABELL COUNTY COMMISSION

RE: EMPLOYMENT
   SANDRA K. DAVIS- PURCHASING ASSISTANT

Robert L. Bailey, Commissioner, moved to approve the employment of Sandra K. Davis as a Purchasing Assistant for the Cabell County Commission, effective May 18, 2015, at a rate of pay of $32,000.00 annually. Anne Yon, President, seconded the motion and the vote was unanimous.

LETTER, T.W. MCCOMAS, SHERIFF

RE: EMPLOYMENT
   CLIFTON J. STEWART- FULL TIME DEPUTY

Robert L. Bailey, Commissioner, moved to approve the employment of Clifton J. Stewart as a full time Deputy with the Cabell County Sheriff’s Law Enforcement Division, effective May 16 2015, at a rate of pay of $34,261.68. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

LETTER, T.W. MCCOMAS, SHERIFF

RE: EMPLOYMENT
   ALLEN CHAFFIN- FULL TIME HOME CONFINEMENT OFFICER

Nancy Cartmill, Commissioner, moved to approve the employment of Allen Chaffin as a full time Home Confinement Officer with the Cabell County Sheriff’s Office Alternative Sentencing Division, effective May 16, 2015, at a rate of pay of $24,000.00 annually. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.
RESOLUTION, CABELL COUNTY COMMISSION

RE: REAPPOINTMENT
KYOVA INTERSTATE PLANNING COMMISSION

Robert L. Bailey, Commissioner, moved to approve the reappointment of Nancy Cartmill to the Executive Committee Board of the KYOVA Interstate Planning Commission for a term beginning May 14, 2015 and ending with her elected term of office on May 15, 2020. Anne Yon, President, seconded the motion and the vote was unanimous. Exhibit (B)

RESOLUTION, CABELL COUNTY COMMISSION

RE: APPROVAL OF APPOINTMENT TERMS
THE CABELL- HUNTINGTON- WAYNE COUNTY,
HOME INVESTMENT PARTNERSHIP TRUST FUND
(“HOME” PROGRAM) BOARD

Robert L. Bailey, Commissioner, moved to approve the following reappointments to the Cabell Huntington Wayne County Home Investment Partnership Trust Fund Board; Bob Bailey for a term beginning immediately and ending December 31, 2015; Edward Rahall for a term beginning immediately and ending December 31, 2016; Chris Tatum for a term beginning immediately and ending December 31, 2017. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (C)

RESOLUTION, CABELL COUNTY COMMISSION

RE: SUPPORT FOR A GRANT REQUEST BY THE
HUNTINGTON AREA DEVELOPMENT COUNCIL
(HADCO) TO THE WEST VIRGINIA DEVELOPMENT
OFFICE FOR INDUSTRIAL ACCESS ROAD FUNDS

Nancy Cartmill, Commissioner, moved to approve the resolution supporting a grant request by HADCO to the West Virginia Development Office for Industrial Access Road Funds. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (D)

RESOLUTION, CABELL COUNTY COMMISSION

RE: ESTABLISHMENT OF REGULAR MEETING DAYS-
JULY 1, 2015 THROUGH DECEMBER 31, 2015
Robert L. Bailey, Commissioner, moved to approve the establishment of regular meeting days for the period of July 1, 2015 through December 31, 2015. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (E)

#691 LETTER, T.W. MCCOMAS SHERIFF
RE: LIST OF REAL ESTATE AND OTHER TAXES DELINQUENT FOR FY 2014

Nancy Cartmill, Commissioner, moved to accept the list of real estate and other taxes delinquent for FY 2014. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#692 SPECIAL FUNDS BUDGET REVISION- CCERC

Nancy Cartmill, Commissioner, moved to approve Special Funds Budget Revision CCERC. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (F)

#693 RESOLUTION, CABELL COUNTY COMMISSION- COUNTY BUDGET REVISION #15

Robert L. Bailey, Commissioner, moved to approve County Budget Revision # 15. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (G)

#694 RESOLUTION, CABELL COUNTY COMMISSION- STATE BUDGET REVISION #12

Nancy Cartmill, Commissioner, moved to approve State Budget Revision #12. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (H)

#695 APPROVAL OF HOTEL/ MOTEL FUNDING REQUESTS- FY 2014-2015
RE: MARSHALL ARTIST SERIES

Robert L. Bailey, Commissioner, moved to approve the Hotel/ Motel Funding Request FY 2014-2015, for the Marshall Artist Series. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (I)
#696 APPROVAL OF SENIOR LEVY FUNDING REQUEST- FY 2014-2015

RE: SOUTHWESTERN COMMUNITY ACTION COUNCIL, INC.

Nancy Cartmill, Commissioner, moved to approve the Senior Levy Funding Request, FY 2014-2015 for the Southwestern Community Action Council, Incorporated. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (J)

#697 COAL SEVERANCE BUDGET REVISION #2

Nancy Cartmill, Commissioner, moved to approve Coal Severance Budget Revision #2. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (K)

PLACE ON RECORD

Nancy Cartmill, Commissioner, moved to approve placing on record minutes from the March 4, 2015, Culloden Public Service District, special meeting; minutes from the March 18, 2015, Culloden Public Service District, regular meeting; minutes from the March 9, 2015, Pea Ridge Public Service District, regular meeting; Additional Documentation to be Recorded: Cabell Huntington Health Department Environmental Health/ Threat Preparedness/ IT Narrative March 2015; February 2015, Pea Ridge Public Service District, Field Report; March 2015, Pea Ridge Public Service District, Manager’s Report; Period 9, Year Ending 2015, Pea Ridge Public Service District, Balance Sheet & Income Report. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Chris Tatum, County Manager, stated he would like to say how nice it was to have County Clerk Karen Cole in attendance.

Ms. Cole expressed her appreciation for all the support she had received from the County Commission throughout her recovery.

Robert L. Bailey, Commissioner, stated he had recently attended the reading of the names in memory of the Holocaust Victims held at the B’Nai Sholom Temple. Commissioner Bailey stated he felt this was an event everyone should attend.
Nancy Cartmill, Commissioner, moved to go into Executive Session at 10:55 a.m. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

The Commission returned from executive session at 11:26 a.m. with no action taken.

Anne Yon, President, adjourned the meeting of the Cabell County Commission at 11:45 a.m., until the next regularly scheduled meeting.