COMMISSION MEETING  
THURSDAY, JULY 23, 2015

PRESENT: ANNE YON, PRESIDENT  
ROBERT L. BAILEY, COMMISSIONER  
NANCY CARTMILL, COMMISSIONER  
WILLIAM WATSON, COUNTY ATTORNEY  
BETH THOMPSON, COUNTY MANAGER

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 #15-66347 through #15-66658 and pay jackets. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, 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 the minutes from the July 9, 2015, regular Commission meeting. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, moved to approve ACH Drafts for Weekly Claims Experience/Administration Cost- EBSO and Handwritten Checks to Guardian and Mutual of Omaha, not to exceed $100,000.00. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

CITIZENS REGISTERED TO SPEAK

Steve Bartram, Attorney for Midland Meadows Senior Living, LLC, appeared before the Commission to explain an issue the facility was facing regarding recorded rights of access. Mr. Bartram stated the facility was involved in a financial transaction, and the title company for the bank had been unable to document the easement access rights on a parcel owned by the County Commission. Mr. Bartram asked if the County Commission would be willing to send a non-binding letter to Midland Meadows expressing the Commission’s readiness to negotiate reasonable access rights, if adequate recorded documentation could not be located.
William Watson, County Attorney, stated he had reviewed the documentation and felt comfortable with the fact that an easement had been substantiated in the past by Flynn, Max Law Firm. Mr. Watson stated he recommended the Commission sign the letter regarding access rights, as this would allow the funds to be released by the bank to Midland Meadows Senior Living, LLC. Mr. Watson stated a motion would need to be made to amend the agenda to include the emergency item.

Nancy Cartmill, Commissioner, moved to approve amending the agenda to include #766 as an emergency item. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#766 LETTER, STEVE BARTRAM, ATTORNEY FOR MIDLAND MEADOWS
RE: EASEMENT ACCESS RIGHTS

Robert L. Bailey, Commissioner, moved to approve signing the letter to Midland Meadows regarding access rights. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#754 APPEARING, JANIE MOORE
RE: MAGISTRATE SERVICES, WV SUPREME COURT

Janie Moore, Director of the Magistrate Division of the West Virginia Supreme Court, appeared before the Commission to discuss her concerns with the state of the Magistrate offices located in the courthouse. Ms. Moore explained there were countless safety and sanitation issues in the current facilities. Ms. Moore stated the Commission would need to renovate the offices or relocate them in another building, because the current conditions were unacceptable.

Robert L. Bailey, asked Ms. Moore if the State Supreme Court would provide financial assistance if the Commission had to purchase or construct another building.

Ms. Moore stated the State Supreme Court would help with the furnishings, but Mr. Fletcher Adkins would have to answer the questions about further financial assistance.

Fletcher Adkins, Director of Administrative Services for the West Virginia Supreme Court, stated support would be available for the Commission if they opted to make the requested upgrades. Mr. Adkins stated the Supreme Court could not help with the cost of construction, but would help with all the furnishings for the facility.
Ms. Moore stated the Supreme Court of Appeals would need a report from the Commission by September detailing how they intended to handle this issue.

#755  
**MOTION FOR HEARING- REMOVAL OF FRANCIS LORRAINE HAYES HONEYCUTT**  
**RE: ESTATE OF MARY KATHLEE MILLER**

Robert L. Bailey, Commissioner, moved to approve setting a hearing regarding the removal of Francis Lorraine Hayes Honeycutt as Personal Representative in the Estate of Mary Kathlee Miller, for August 13, 2015, at 10:00 a.m. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#756  
**LETTER, THOMAS MCCOMAS, SHERIFF**  
**RE: TRANSFER TAMMIE MOORE FROM CABELL COUNTY SHERIFF’S OFFICE LAW ENFORCEMENT DIVISION (PART-TIME POSITION) TO HOME CONFINEMENT DIVISION AS A FULL-TIME EMPLOYEE**

Nancy Cartmill, Commissioner, moved to approve the transfer of Tammie Moore from a part time position with the Cabell County Sheriff’s Office Law Enforcement Division to a full time position with the Home Confinement Division, effective August 1, 2015, at a rate of pay of $22,000.00 annually. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#757  
**RESOLUTION, CABELL COUNTY COMMISSION**  
**RE: REAPPOINTMENT CABELL COUNTY AIRPORT AUTHORITY: BRUCE SPROUSE**

Robert L. Bailey, Commissioner, moved to approve the reappointment of Bruce Sprouse to the Cabell County Airport Authority, for a five year term beginning immediately and ending July 22, 2020. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (A)
RESOLUTION, CABELL COUNTY COMMISSION

RE: NEW APPOINTMENT
REGION II PLANNING AND DEVELOPMENT COUNCIL:
BETH THOMPSON

Robert L. Bailey, Commissioner, moved to approve the appointment of Beth Thompson to the Region II Planning and Development Council, for a term beginning July 24, 2015 and ending July 23, 2021. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (B)

APPROVAL OF HOTEL/MOTEL FUNDING REQUEST

RE: MARSHALL ARTIST SERIES- $10,000.00

Nancy Cartmill, Commissioner, moved to approve the Hotel/Motel Tax funding request in the amount of $10,000.00 for the Marshall Artist Series. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (C)

APPROVAL OF HOTEL/MOTEL FUNDING REQUEST- FY 2015-2016

Robert L. Bailey, Commissioner, moved to approve Hotel/Motel Tax funding requests for FY 2015-2016. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (D)

APPROVAL OF SENIOR CITIZEN LEVY FUNDING REQUEST- FY 2015-2016

Nancy Cartmill, Commissioner, moved to approve Senior Citizen Levy funding requests for FY 2015-2016. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (F)

MEMORANDUM, KAREN COLE, COUNTY CLERK

RE: CORRECTION OF ACCOUNT

Nancy Cartmill, Commissioner, moved to accept the memorandum from Karen Cole, County Clerk, regarding the correction of an account. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (G)
Robert L. Bailey, Commissioner, moved to accept the memorandum from Karen Cole, County Clerk, regarding the re-establishment of accounts. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (H)

Nancy Cartmill, Commissioner, moved to approve State Budget revision #1. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (I)

Robert L. Bailey, Commissioner, moved to approve the employment of April Tooley as Assistant County Administrator, effective July 27, 2015, at a rate of pay of $40,000.00 annually. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, moved to approve placing on record Other Documentation to Be Recorded: Culloden Volunteer Fire Department Excess Levy Funds Reporting; Regions Bank (Providence Group-Marshall University Project) Series 2010 Bond Fund-Account Statement. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, stated the County Commissioner’s Association would be meeting August 9-12, 2015, and the Auditor’s training would take place on the final day.

William Watson, County Attorney, stated that inmates appearing in Magistrate Court were always escorted by a deputy, and armed security guards were located on that level of the courthouse as well. Mr. Watson stated there were some safety concerns that should be dealt with, but was not sure how the problems would be remedied if the funds were not available.
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Nancy Cartmill, Commissioner, stated the Commission had previously hired a company to investigate the possibility of mold being present in the facility, and none had been discovered. Commissioner Cartmill stated the wiring issue had also been addressed, and the Commission had been assured that it posed no risk.

GOOD AND WELFARE CABELL COUNTY

Nila Cobb, County Program Coordinator, stated the West Virginia Extension Office located at the Cabell County Farm was in disrepair, and she felt the upkeep of the facility had become a burden to the county. Ms. Cobb stated she would like to explore the possibility of relocating the offices, and had considered using the building located at the 4-H Camp. Ms. Cobb stated she was unsure of how they should move further, since the construction of the building had not been fully completed. Ms. Cobb stated she was uncertain how costly it would be to complete the construction, but she could obtain estimates for the project. Ms. Cobb explained WVU had stated they would provide the furnishings for the office, as well as the electronics.

Nancy Cartmill, Commissioner, stated this would be something the Commission would need to discuss further.

Robert L. Bailey, Commissioner, stated he thought it would be very costly to run water from the 4-H caretaker’s home to the building in question. Commissioner Bailey stated he did not see an issue with Ms. Cobb obtaining estimates, as this would provide the Commission with the projected cost.

Anne Yon, President, adjourned the meeting of the Cabell County Commission at 11:20 a.m, until the next regularly scheduled meeting.