COMMISSION MEETING  
THURSDAY, NOVEMBER 12, 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 #16-68387 through #16-68773 and pay jackets; erroneous assessments; land consolidations; split tickets; probate documentation. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, moved to approve the minutes from the October 22, 2015, regular Commission meeting; minutes from the October 20, 2015, Board of Assessment Appeals meeting. 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.

#850 MOTION FOR HEARING
RE: ESTATE OF JOHN ADKINS

Nancy Cartmill, Commissioner, moved to approve setting the date and time for the hearing regarding the Estate of John Adkins as November 24, 2015, at 10:00 a.m. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#851 MOTION FOR HEARING
RE: ESTATE OF WALTER FELTY

Nancy Cartmill, Commissioner, moved to approve setting the date and time for the hearing regarding the Estate of Walter Felty as November 24, 2015, at 10:00 a.m. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.
APPOINTMENT OF SUBSTITUTE TRUSTEE, JULIA BOLLING

RE: BERTHA E. DODDS, TESTAMENTARY TRUST

Robert L. Bailey, Commissioner, moved to approve naming Julia Bolling as Substitute Trustee for the Testamentary Trust of Bertha E. Dodds. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

APPROVAL OF PROBATE FOR LOST WILL

RE: ESTATE OF DONALD RAY CALL

Robert L. Bailey, Commissioner, moved to approve allowing a conformed copy of the Will of Donald Ray Call to be probated. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

LETTER, SEAN HAMMERS, PROSECUTING ATTORNEY

RE: EMPLOYMENT
    PEGGY BROWN- PART TIME ASSISTANT PROSECUTING ATTORNEY

Nancy Cartmill, Commissioner, moved to approve the employment of Peggy Brown as a part time Assistant Prosecuting Attorney, beginning November 15, 2015, at a rate of pay of $48,500.00 annually. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

MEMORANDUM TO KAREN COLE, CABELL COUNTY CLERK

RE: ESTABLISHMENT OF ACCOUNT- PORT SECURITY GRANT PROGRAM $166,722.00

Nancy Cartmill, Commissioner, moved to approve the memorandum to Karen Cole, County Clerk, regarding the establishment of an account for a Port Security Grant. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.
RESOLUTION, CABELL COUNTY COMMISSION

RE: BOARD OF ASSESSMENT APPEALS
APPROVAL OF PROPERTY VALUES FOR TAX YEAR 2015

Robert L. Bailey, Commissioner, moved to approve the property values established by the Board of Assessment Appeals for tax year 2015. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (A)

LETTER, IRV JOHNSON, ASSESSOR

RE: ADDITIONAL COMPENSATION- SHEEP & GOAT TAX- OCTOBER 2015 $3.60

Nancy Cartmill, Commissioner, moved to accept the letter from Assessor Irv Johnson regarding additional compensation for sheep & Goat Tax collections. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

NOTICE OF HEARING, CITY OF HUNTINGTON, WV

RE: ANNEXATION APPLICATION
CERTAIN REAL PROPERTY OWNED BY THE CABELL COUNTY BOARD OF EDUCATION, LOCATED IN THE GUYANDOTTE DISTRICT, WITHIN THE COUNTY OF CABELL, STATE OF WEST VIRGINIA, AND CONTAINING 63 ACRES, MORE OR LESS

Scott Damron, Huntington City Attorney, presented the Commission the necessary documentation to the Commission. Mr. Damron stated the Cabell County Board of Education had given their approval of the annexation by unanimous vote.

William Watson, County Attonrey, stated he had reviewed the documentation and everything appeared to be in proper order. Mr. Watson stated it was his recommendation to approve the application for annexation.

Nancy Cartmill, Commissioner, moved to approve the annexation application submitted by the city of Huntington for certain real property owned by the Cabell County Board of Education located in the Guyandotte District within the county of Cabell, state of West Virginia, and containing 63 Acres more or less. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.
#859
LETTER, CHARLIE MCKINNEY, ASSISTANT CHIEF INSPECTOR, CHIEF INSPECTOR DIVISION, OFFICE OF THE STATE AUDITOR

RE: AGREEMENT FOR COUNTY AUDITOR'S TO ACCESS STATE AUDITOR'S RECORDS FOR THE AUDIT ENGAGEMENT PERIOD FISCAL YEAR ENDED JUNE 30, 2014

Nancy Cartmill, Commissioner, moved to accept the letter from Charlie McKinney, Assistant Chief Inspector, West Virginia State Auditor’s Office. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#860
RESOLUTION, CABELL COUNTY COMMISSION

RE: RECLASSIFICATION
SETH SPEARS- FULL TIME EMT

Robert L. Bailey, Commissioner, moved to approve the reclassification of Seth Spears as a full time EMT, effective November 13, 2015, at a rate of pay of $14.9548 per hour. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#861
LETTER, RESOLUTION, GRANT CABELL COUNTY COMMISSION

RE: DIVISION OF JUSTICE & COMMUNITY SERVICES (VOCA)- $77,383.00

Nancy Cartmill, Commissioner, moved to approve the Division of Justice and Community Services (VOCA) Grant. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (B)

Anne Yon, President, explained the Commission would skip item #862 and complete the remainder of the agenda, while they waited for Karen Cole, County Clerk, to arrive.

Robert L. Bailey, Commissioner, moved to approve Other Documentation to be Recorded: Milton Volunteer Fire Department Excess Levy Funds Reporting F/Y Ended June 30, 2015. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#862
KAREN COLE, COUNTY CLERK
MEETING REGARDING 2016 ELECTION ISSUES
Karen Cole, County Clerk, stated there were several issues she needed to discuss with the Commissioners regarding the 2016 Election.

Karen Cole, County Clerk, stated there had been multiple complaints received regarding the lack of parking available at the Barnett Center. Ms. Cole stated her staff had spoken with the director of the facility about the issue, and he stated no other events would be scheduled at the center on Election Day. Ms. Cole stated her staff would also be contacting the Original Glorious Baptist Church, located next to the Barnett Center, to try and secure additional parking for Election Day.

Ms. Cole stated another issue had resulted from the closing of Peyton Elementary School. Ms. Cole stated Robert L. Bailey, Commissioner, had recommended relocating Precinct 28, which had previously been housed in Peyton Elementary, to the Odd Fellows Lodge located on Roby Road. Ms. Cole stated the only issue with the facility had been the lack of arm rails on the entrance ramps. Ms. Cole stated a temporary ramp and railing could be placed over the existing ramp for the day, if the Commission chose to use the facility.

Nancy Cartmill, Commissioner, moved to approve relocating Precinct 28 to the Odd Fellows Lodge, and the construction of a temporary ramp and railing at the facility. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Karen Cole, County Clerk, stated Precincts 31 & 38 had been housed at Geneva Kent Elementary, but the school was no longer in operation. Ms. Cole proposed moving Precinct 31 to Huntington East Middle School, and moving Precinct 38 to the Cabell County Vocational Technical Center. Ms. Cole stated both facilities had ample room available to house additional precincts.

Nancy Cartmill, Commissioner, moved to approve moving Precinct 31 to Huntington East Middle School and Precinct 38 to the Cabell County Vocational Technical Center. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, moved to approve permanently moving Precinct 31, Precinct 38, Precinct 29 and Precinct 30 to Huntington East Middle School. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.
Ms. Cole explained the majority of complaints received were related to the changes made to Precinct 57 and Precinct 58, located in the Barker’s Ridge area. Ms. Cole stated she understood the changes had created an inconvenience for some voters. Ms. Cole explained that in order to create new boundary lines, a clear geographical marker had to be used. Ms. Cole went on to say the only geographical marker identified in this area had been the center of the roadway. Ms. Cole stated if the Commission knew of an alternative geographical marker that could be used, they could make any changes they wished.

Robert L. Bailey, Commissioner, stated he felt the Commission needed to find a way to change the precincts, so no voter was inconvenienced. Commissioner Bailey stated voter turnout was already poor, and people did not need another obstacle that would deter them from voting.

Nancy Cartmill, Commissioner, stated regardless of where the boundary lines were placed, someone would be inconvenienced. Commissioner Cartmill stated she did not feel any changes could be made at this time and the matter should be taken under advisement.

Nancy Cartmill, Commissioner, moved to approve taking the changes regarding Precinct #57 and Precinct #58 under advisement. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Karen Cole, County Clerk, stated Precinct #62 and Precinct #66 located at Culloden Elementary, which had been temporarily moved to First Missionary Baptist Church, could now be moved back to Culloden Elementary.

Nancy Cartmill, Commissioner, moved to approve permanently moving Precinct #62 and Precinct #66 back to Culloden Elementary. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Karen Cole, County Clerk, stated she would like the Commission to consider having the voting terminals delivered to the precinct locations the night before Election Day, as opposed to having the election workers pick them up at the warehouse. Ms. Cole stated the machines would need to be picked up and brought back to the warehouse on election night as well. Ms. Cole stated she would like to check with the Assessor’s Office and other departments to see if they would be willing to allow her office use of their county vehicles.

Nancy Cartmill, Commissioner, stated she felt it would be a great idea, and told Ms. Cole to move forward with her plans.
Karen Cole, County Clerk, stated the last issue she wished to discuss had only recently been brought to her attention. Ms. Cole explained an internal battery located in each of the voting terminals would need to be replaced. Ms. Cole explained the estimated lifespan of the internal battery was only 5-7 years, and the units had been in use since 2004. Ms. Cole stated the battery kept the date and time current, and also allowed the calibration of the machine to be correct. Ms. Cole explained the majority of the issues her staff had encountered with the machines had been due to the failing internal batteries. Ms. Cole stated the cost to change the batteries in all of the units would be $30,000.00. Ms. Cole stated she did not have the money available in her budget, which is why she brought the issue before the Commission.

Nancy Cartmill, Commissioner, stated she did not know where the Commission would find the money to complete this project. Commissioner Cartmill stated there was no way to approve it at this time.

Karen Cole, County Clerk, stated she understood, but asked the Commission to make their final decision as soon as possible so, if approved, she could contact ES&S to be placed on their schedule. Ms. Cole explained multiple counties were having the batteries replaced on their terminals as well, and scheduling was limited.

Nancy Cartmill, Commissioner, thanked Ms. Cole for appearing.

Anne Yon, Commissioner, adjourned the meeting of the Cabell County Commission at 11:37, until the next regularly scheduled meeting.

PRESIDENT, COUNTY COMMISSION

KSC:ksf