COMMISSION MEETING
THURSDAY, AUGUST 25, 2016

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

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

APPROVE:

Beth Thompson, County Administrator, stated the agenda would need to be amended, to remove the reclassification of Jeffery Vallance from Item #148.

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

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

Robert L. Bailey, Commissioner, moved to approve purchase orders #17-73480 through #17-73958 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.

Nancy Cartmill, Commissioner, moved to approve handwritten checks to HMBCBS; handwritten checks to Guardian for $17,634.82 and to Mutual of Omaha for $8,823.72; ACH drafts for Weekly Claims Experience/Administration Cost- EBSO; ACH drafts for Weekly Claims/Administration Cost- HMBCBS. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

“OPEN BIDS FOR PROPOSALS FOR ASBESTOS INSPECTION ONLY IN THREE DWELLINGS IN THE BARBOURSVILLE AREA OF CABELL COUNTY”

Beth Thompson, County Administrator, stated no bids had been received, so the item would need to be put back out to bid.
#144  
**PETITION OF JOHN F. MCCUSKY AND JOSEPH T. CRAMER REQUESTING REFERRAL TO FIDUCIARY COMMISSIONER FOR FURTHER ADMINISTRATION**

RE: ESTATE OF RICHARD TYSON

William Watson, County Attorney, stated an appraisement had been filed for the Estate of Norma Tyson, and no action would be needed.

#145  
**PETITION OF JOHN F. MCCUSKY AND JOSEPH T. CRAMER REQUESTING REFERRAL TO FIDUCIARY COMMISSIONER FOR FURTHER ADMINISTRATION**

RE: ESTATE OF NORMA TYSON

William Watson, County Attorney, stated an appraisement had been filed for the Estate of Norma Tyson, and no action would be needed.

#146  
**PRESENTATION, CABELL-HUNTINGTON HEALTH DEPARTMENT, MICHAEL KILKENNY, MD**

RE: HEALTHY VISION 2020: A COMPREHENSIVE COMMUNITY HEALTH IMPROVEMENT PLAN FOR CABELL COUNTY

Michael Kilkenny M.D., Director Cabell Huntington Health Department, appeared before the commission to showcase Healthy Vision 20/20: A Comprehensive Community Health Improvement Plan for Cabell County. Dr. Kilkenny stated the plan would focus on six main health issues: COPD, diabetes, mental health, physical activity, substance abuse and tobacco. Dr. Kilkenny stated the goal of the plan was aimed toward improving the lives of all Cabell County residents, by guiding the health improvement efforts of the entire county.

#147  
**LETTER, IRV JOHNSON, ASSESSOR**

RE: TRANSFER VEHICLE #227 TO HOME CONFINEMENT  
TRANSFER VEHICLE #228 TO PROCESS SERVER

Robert L. Bailey, Commissioner, moved to accept the letter from Irv Johnson, Assessor, regarding the transfer of vehicles. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.
RESOLUTION, CABELL COUNTY COMMISSION

#148 RE: RECLASSIFICATION

DAKOTA JONES- PER DIEM- PARAMEDIC
ADAM R. CLARK- FULL TIME- PARAMEDIC
MICHAEL S. GOEDEL- FULL TIME- EMT
JEFFERY VALLANCE- PER DIEM- PARAMEDIC

Nancy Cartmill, Commissioner, moved to approve the reclassification of Dakota Jones as a per diem paramedic, retroactive to August 18, 2016, at a rate of pay of $12.6817 per hour; Adam R. Clark as a full time paramedic, effective August 26, 2016, at a rate of pay of $12.5317 per hour; Michael S. Goedel as a full time EMT; effective August 29, 2016, at a rate of pay of $14.9548 per hour; Jeffery Vallance as a per diem paramedic, effective August 27, 2016, at a rate of pay of $12.6817 per hour. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#149 RE: ADDENDUM TO THAT CERTAIN AGREEMENT BETWEEN THE CITY OF HUNTINGTON, WEST VIRGINIA, AND THE COUNTY OF CABELL, WEST VIRGINIA CONCERNING THE ALLOCATION OF THE 2016 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

Robert L. Bailey, Commissioner, moved to approve the addendum to that certain agreement between the City of Huntington, West Virginia, and the County of Cabell, West Virginia concerning the allocation of the 2016 Byrne Justice Assistance Grant (JAG) Program Award. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (A)

#150 RE: AMENDING THE FEE SCHEDULE FOR FREEDOM OF INFORMATION ACT (FOIA) REQUESTS FOR CABELL COUNTY PURSUANT TO WV CODE §29B-1-3(5)

Nancy Cartmill, Commissioner, moved to approve amending the fee schedule for Freedom of Information Act (FOIA) requests for Cabell County pursuant to WV Code §29B-1-3(5). Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (B)
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#151

RESOLUTION, CABELL COUNTY COMMISSION

RE: AN ORDER REGARDING PREVIOUS APPROVAL TO PLACE SB 298 (BRUNCH BILL) AS A COUNTY OPTION ELECTION IN THE COUNTY OF CABELL COUNTY, WEST VIRGINIA

Robert L. Bailey, Commissioner, moved to approve the order placing SB298 (Brunch Bill) as a County Option Election in the County of Cabell County, West Virginia. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. Exhibit (C)

#152

LETTER, JEFFERY HOOD, CIRCUIT CLERK

RE: EMPLOYMENT
LOGAN BROWN- PART-TIME FILE CLERK

Nancy Cartmill, Commissioner, moved to approve the employment of Logan Brown as a part time file clerk in the Circuit Clerk’s Office, retroactive to August 23, 2016. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#153

DISCUSSION, LETTER, KAREN COLE, COUNTY CLERK

RE: INSURANCE QUESTION
ELECTION ISSUE

Karen Cole, County Clerk, appeared before the Commission to discuss issues regarding the spousal surcharge. Ms. Cole stated the paperwork regarding the spousal surcharge had been collected by County Commission employees, and the information collected had not been received by her payroll department until July 25, 2016. Ms. Cole stated due to the fact the paperwork had been received so late in the month, the spousal fee had not been deducted from general county employees until the July 30th pay. Ms. Cole stated the spousal fee for the first CCEMS pay in July would also need to be recouped, as it had not been collected either. Ms. Cole explained there were three employees who had not been charged the spousal fee at any time. Ms. Cole stated this issue was an oversight on the part of the payroll clerk, and accepted full responsibility for the mistake. Ms. Cole stated she would like the Commission to determine how they would like the spousal fees, that had not been charged for the first payroll run in July, to be collected. Ms. Cole explained the fee could be collected in one lump sum or could be spread out over several pay periods.

William Watson, County Attorney, stated he felt the spousal fee should be collected in payments, as opposed to taking the entire amount owed in one fell swoop.
Ms. Cole stated she and several of her staff members had reviewed the spreadsheet provided to her office by County Commission employees, and had come to realize many employees had not returned the spousal surcharge form at all. Ms. Cole stated there were also instances in which the employee had stated they would be removing their spouse, but had failed to do so. Ms. Cole stated in these situations the spouse remained covered, and the spreadsheet indicated the spousal surcharge was not to be applied. Ms. Cole stated some employees had provided letters indicating their spouse had not been eligible for coverage through their employer, while others who claimed the same had provided no verification. Ms. Cole stated the spreadsheet indicated some employees still needed to provide a letter, yet also stated the surcharge was not to be applied. Ms. Cole said this conflicting information made it very difficult for the payroll clerk to know when the fee should be applied and when it should not.

Beth Thomas, County Administrator, stated she had been working on this issue since January. Mrs. Thompson stated she had worked with Highmark every step of the way, and she and April Tooley, Assistant County Administrator, had worked with Sheila Reynolds, Payroll Clerk, as well.

Karen Cole, County Clerk, stated payroll was the responsibility of her office and she felt the forms should have been received by her department. Ms. Cole stated her office had not received any information regarding which employees were to be charged the spousal surcharge until July 25, 2016.

Ms. Cole stated she would provide the commission with a list of the employees who needed to submit a spousal surcharge form, and also those employees who had indicated they would remove their spouse, but had not. Ms. Cole stated she did not have the authority to remove the spouse until the employee came in and filled out a change of coverage form themselves. Ms. Cole stated she would like to know if additional documentation would need to be collected from the employees who had stated their spouse was not eligible for coverage through their employer. Ms. Cole also asked if a form from the spouse’s employer indicating the dates of open enrollment would need to be submitted.

Nancy Cartmill, Commissioner, stated she felt the repayment of the missed fees should be collected in $25 increments over multiple pays. Commissioner Cartmill stated she felt the form filled out by the employee which listed the open enrollment dates, and eligibility status should be the only information needed. Commissioner Cartmill stated she also felt the County Commission and the County Clerk’s office should work together to get the situation straightened out.
Ms. Cole stated she also needed to discuss early voting at the satellite voting precinct. Ms. Cole explained she did not feel she would have enough manpower or available funds to operate the satellite voting precinct. Ms. Cole stated in the past, when she had depleted her election budget she had the ability to pull funds from her 402 County Clerk budget, to make up for the excess cost. Ms. Cole stated she had also lost an employee who had been an integral part of the election process, and could not spare another employee at this time.

Nancy Cartmill, Commissioner, stated she would like to take time to discuss the situation with Ms. Cole and hopefully be able to work together to find a way to still operate the satellite precinct.

Nancy Cartmill, Commissioner, moved to approve the repayment of the spousal surcharge fees in $25 dollar per pay increments until the total amount owed had been collected. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#154

EXECUTIVE SESSION

RE: LEGAL MATTERS

Nancy Cartmill, Commissioner, moved to approve going into executive session to discuss legal matters at 10:51 a.m. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

The Commission returned from Executive Session at 11:30 a.m., with no action taken.

Robert L. Bailey, Commissioner, moved to approve going back into regular session at 11:30 a.m. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

PLACE ON RECORD

Robert L. Bailey, Commissioner, moved to approve placing on record minutes from the July 12, 2016, Salt Rock Public Service District, regular meeting; minutes from the July 13, 2016, Pea Ridge Public Service District, regular meeting; minutes from the June 23, 2016, Pea Ridge Public Service District, special meeting; minutes from the June 1, 2016, Culloden Public Service District, special meeting; minutes from the June 15, 2016, Culloden Public Service District, regular meeting; minutes from the July 6, 2016, Culloden Public Service District, special meeting; minutes from the July 20, 2016, Culloden Public Service District; and additional documentation to be recorded: Pea Ridge Public Service District, Manager’s Report, May 2016; Pea Ridge Public Service District, Manager’s Report, May 2016; Pea Ridge Public Service District, Balance Sheet and Income Statement, Period 12, Year Ending 2016. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.
April Tooley, Assistant County Manager, stated she would like to clarify, as to avoid any confusion, that four payroll deductions of $25 would be applied to the employees who had not paid the initial spousal surcharge fee. Mrs. Tooley went on to say that she was still uncertain why three employees had not been charged the spousal surcharge at all, but from the information she had received it appeared the payroll clerk had not felt it would be fair to charge those employees the new hire rate and the spousal surcharge.

Anne Yon, President, adjourned the meeting of the Cabell County Commission at 12:00 p.m., until the next regularly scheduled meeting.