

COMMISSION MEETING

THURSDAY, FEBRUARY 18, 2010

PRESENT: **W. SCOTT BIAS, PRESIDENT**
ROBERT L. BAILEY, COMMISSIONER
NANCY CARTMILL, COMMISSIONER
WILLIAM WATSON, COUNTY ATTORNEY
STEPHEN ZOELLER, COUNTY MANAGER
SHARON ROSS, ASSISTANT COUNTY MANAGER
FOR BILLABLES AND PAYABLES
CHRIS TATUM, ASSISTANT COUNTY MANAGER
FOR PERSONNEL AND PURCHASING

W. Scott Bias, President, called the regular meeting of the Cabell County Commission to order at 10:00 a.m.

APPROVE:

Stephen Zoeller, County Manager, informed the Commission that an item needed to be added to the agenda regarding a grant for the Prosecuting Attorney's office.

Nancy Cartmill, Commissioner, **moved to approve amending the agenda to include a grant for the Prosecuting Attorney's office.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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 #10-21101 through #10-21875 and pay jackets.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Robert L. Bailey, Commissioner, **moved to approve the minutes from the February 4, 2010 regular Commission meeting, the minutes from the Special Commission meeting of February 8, 2010, minutes of the Board of Equalization and Review, January 29 to February 16, 2010, 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 handwritten checks to Mountain State Blue Cross and Blue Shield Company, not to exceed \$100,000.00, from the Cabell County Medical Insurance Fund.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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#050

RESOLUTION, CABELL COUNTY COMMISSION

**RE: PLEDGING OF COLLATERAL BONDS BY
FIRST SENTRY BANK**

Robert L. Bailey, Commissioner, **moved to approve the pledging of collateral bonds by First Sentry Bank.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (A)**

#051 LETTER, KAREN S. COLE, COUNTY CLERK

**RE: REMOVE SHELIA MCOWEN AS THE DEMOCRAT
BALLOT COMMISSIONER**

APPOINT: CAROLYN HAGER AS HER REPLACEMENT

Nancy Cartmill, Commissioner, **moved to place the letter on record removing Shelia McOwen as the Democrat Ballot Commissioner and appointing Carolyn Hager as her replacement.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#052 LETTER AND RESOLUTION, CABELL COUNTY
COMMISSION**

**RE: IN THE MATTER OF THE CABELL COUNTY
COMMISSION SITTING AS A BOARD OF
EQUALIZATION AND REVIEW – JANUARY 29
THROUGH FEBRUARY 16, 2010**

Robert L. Bailey, Commissioner, **moved to approve the matter of the Cabell County Commission sitting as a Board of Equalization and Review from January 29, 2010 through February 16, 2010.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

#053

LETTER, KAREN S. COLE, COUNTY CLERK

RE: EMPLOYMENT

Nancy Cartmill, Commissioner, **moved to approve the employment of Valerie Perdue as Payroll Administrator, effective February 9, 2010.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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#054

RESOLUTION, CABELL COUNTY COMMISSION

**RE: LOCAL SUB-ALLOCATION OF THE VOLUME CAP
WITH RESPECT TO RECOVERY ZONE FACILITY
DEVELOPMENT BONDS TO THE RAHALL**

**TRANSPORTATION INSTITUTE FOUNDATION AND
OTHERS AND RELATED MATTERS**

Fred Williams, Attorney with Steptoe & Johnson, appeared before the Commission to explain the bond resolution and the allocation of funds for certain projects. Mr. Williams informed the Commission they would not be responsible for payment.

Robert L. Bailey, Commissioner, **moved to approve the local sub-allocation of the volume cap with respect to recovery zone facility development bonds to the Rahall Transportation Institute Foundation and others and related matters.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (C)**

#055

CABELL COUNTY COMMISSION

**RE: PRELIMINARY CERTIFICATION FOR RECOVERY
ZONE FACILITY BONDS**

Stephen Zoeller, County Manager, informed the Commission this item was the certification for the state regarding the recovery bonds.

Nancy Cartmill, Commissioner, **moved to approve the preliminary certification for recovery zone facility bonds.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#056

LETTER, THOMAS W. MCCOMAS, SHERIFF

RE: EMPLOYMENT – ALTERNATIVE SENTENCING

Robert L. Bailey, Commissioner, **moved to approve the employment of Gregg F. Mullins as a part time Alternative Sentencing Officer, effective March 1, 2010, with a rate of pay of \$12.21 per hour.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

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#057

APPEARING, MICHAEL ADKINS

RE: ESTATE OF HAZEL KATHERINE ADKINS

NOTICE OF HEARING AND PETITION TO APPOINT

MICHAEL ADKINS AS SUCCESSOR ADMINISTRATOR

TO THE ESTATE

Michael Adkins appeared before the Commission requesting to be appointed as Administrator of the Estate of Hazel Adkins. Mr. Adkins stated that Ms. Adkins' sister had been appointed as the administratrix, however, she died before the estate was closed.

William Watson, County Attorney, stated that since an accounting of the estate had not been submitted, he was concerned for Mr. Adkins in taking on the responsibility of probating the estate.

Mr. Adkins assured Mr. Watson, he understood Mr. Watson's concern, however, he believed he could take care of the matter and he did have the support from relatives.

W. Scott Bias, President, asked if there were any objections to appointing Mr. Adkins as the administrator and there were no objections.

Robert L. Bailey, Commissioner, **moved to approve the appointment of Michael Adkins as the Administrator for the Estate of Hazel Katherine Adkins.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#058

PRESENTATION, CABELL COUNTY COMMISSION

RE: OPEB (OTHER PUBLIC EMPLOYEE BENEFITS)

LIABILITY – LOCKSTONE ADVISORS LLC,

DAVE BARTON, SHENANDOAH VALLEY GROUP

David Rumas, representing Lockstone Advisors LLC, explained that his company had been hired to evaluate the postretirement health plan and to determine if the county's obligations and cost were in accordance with the government standard for GASB 45. Mr. Rumas presented his findings to the Commission and they took it under advisement.

#059

LETTER, RESOLUTION, GRANT APPLICATION

RE: COMMUNITY PARTICIPATION GRANT PROGRAM

UNITED WAY OF THE RIVER CITIES, INC.

SUBSTANCE ABUSE PREVENTION - \$1,500.00

PROJECT #10LEDA0401

Connie Gray, Administrator for Grants, Planning and Permits, stated the funds from this grant would be used to purchase educational materials regarding substance abuse.

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Carmilla Herrera, Pretera Center, appeared before the Commission and explained some of the drug prevention programs available for the public and how important the grant would be to Pretera Center.

Nancy Cartmill, Commissioner, **moved to approve the grant application for funds, in the amount of \$1,500.00, for the United Way of the River Cities, Inc.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (D)**

#060

DISCUSSION/ACTION:

RE: REGARDING ADMINISTRATIVE FEES FOR

HOMELAND SECURITY GRANT

Stephen Zoeller, County Manager, stated a letter had been received from Homeland Security regarding the administrative salary for Connie Gray. Mr. Zoeller further stated that Homeland Security had approved the method by which Mrs. Gray had been paid, however, they now have decided the county should include the administrative fees in Mrs. Gray's salary and the county would be reimburse by Homeland Security. Mr. Zoeller went on to say that the salary increase would just be for the duration of the grant and after the grant ended, Mrs. Gray's salary would go back to her previous salary.

Robert L. Bailey, Commissioner, **moved to approve increasing Connie Gray's salary to include the administrative fee for the duration of the Homeland Security Grant, with reimbursement by Homeland Security.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#061

DISCUSSION/ACTION:

RE: ALLOCATION OF SENIOR LEVY FUNDS TO

BARBOURSVILLE SENIOR CENTER

Nancy Cartmill, Commissioner, **moved to approve the allocation of funds for the Barboursville Senior Center from the Senior Levy Tax Funds.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#062

RESOLUTION, GENERAL FUND, COUNTY BUDGET

REVISION #9, FY 2009-2010

Robert L. Bailey, Commissioner, **moved to approve General Fund County Budget Revision #9.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (E)**

**FUNDING THE EMPLOYMENT OF A JUVENILE
PROSECUTOR**

Nancy Cartmill, Commissioner, **moved to approve the filing of an application for a grant, in the amount of \$19,000.00, to fund the employment of a Juvenile Prosecutor.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (H)**

PLACE ON RECORD

Robert L. Bailey, Commissioner, **moved to approve placing on record the minutes from the Culloden Public Service District, Special Meeting, December 2, 2009; Culloden Public Service District, Regular Meeting, December 16, 2009; Pea Ridge Public Service District, Regular Meeting, December 14, 2009; Pea Ridge Public Service District, Regular Meeting, January 11, 2010 and OTHER DOCUMENTATION BB&T Account Statement, August 31, 2009 through January 31, 2010 and The Bank of New York Mellon, Various Accounts, January 1, 2010 through January 31, 2010.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

William Watson, County Attorney, informed the Commission that the Supreme Court granted the county's appeal in the two court cases, regarding the low income tax credit property, and remanded them back to the Circuit Court.

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W. Scott Bias, President, adjourned the Commission meeting at 11:00 a.m., until the next regular scheduled meeting on Thursday, March 4, 2010, at 10:00 a.m.

PRESIDENT, COUNTY COMMISSION

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