

COMMISSION MEETING

THURSDAY, APRIL 29, 2010

PRESENT: **W. SCOTT BIAS, PRESIDENT**
ROBERT L. BAILEY, COMMISSIONER
NANCY CARTMILL, COMMISSIONER
WILLIAM WATSON, COMMISSIONER
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:

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

Nancy Cartmill, Commissioner, **moved to approve purchase orders #10-23214 through #10-23525 and pay jackets.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Robert L. Bailey, Commissioner, **moved to approve 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 and Fort Dearborn Life, 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.

#138

RESOLUTION, CABELL COUNTY COMMISSION

RE: IN THE MATTER OF THE RELEASE AND

SUBSTITUTION OF COLLATERAL BONDS

BY FIRST SENTRY BANK

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

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#139

LETTER, R. LEE BOOTEN, ESQUIRE

RE: STATE v. MICHAEL BROWN, 06-F-10

FAILURE TO RETURN SEIZED PROPERTY

William Watson, County Attorney, informed the Commission that in the letter from Mr. Booten it stated that a ring was missing when Mr. Brown's property was returned to him. Mr. Watson went on to say that Mr. Booten had signed a document for Mr. Brown stating that all the property had been received, therefore, Mr. Watson recommended the Commission deny the request for reimbursement.

Nancy Cartmill, Commissioner, **moved to deny the request for reimbursement for Michael Brown.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#140

APPEARING, STEVE RAWLINGS

RE: WEST VIRGINIA COUNTIES RISK POOL

Robert L. Bailey, Commissioner, **moved to table this item.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#141

RESOLUTION, CABELL COUNTY COMMISSION

RE: FINANCIAL STATEMENT OF CABELL COUNTY

AS OF JUNE 30, 2008

Robert L. Bailey, Commissioner, **moved to accept the letter from the West Virginia Auditor regarding the financial statement of Cabell County as of June 30, 2008.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#142

RESOLUTION, CABELL COUNTY COMMISSION

**RE: AUTHORIZE AN APPLICATION FOR RECOVERY
ZONE FACILITY BOND VOLUME CAP FOR A
PROJECT TO BE LOCATED BY RIVER PLACE, LLC
CABELL COUNTY**

Stephen Zoeller, County Manager, explained there were still funds available, regarding the recovery zone facility bonds, and River Place, LLC were requesting authorization to apply for those funds. Mr. Zoeller went on to say that the Commission would not be financially responsible.

Nancy Cartmill, Commissioner, **move to approve the application by River Place, LLC for Recovery Zone Facility Bonds.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

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#143

RESOLUTION, CABELL COUNTY COMMISSION

**RE: CONSIDERATION OF ENACTMENT OF AN
INDUCEMENT RESOLUTION PRELIMINARILY
APPROVING THE ISSUANCE BY THE COUNTY**

**COMMISSION OF ITS RECOVERY ZONE FACILITY
BONDS TO FINANCE AND REFINANCE THE
ACQUISITION, EQUIPPING, CONSTRUCTION AND
RENOVATION OF CERTAIN PROPERTY OR USED BY
TRI-STATE C-P SYSTEM, LLC d/b/a TRI-STATE
INSTITUTE OF PHARMACEUTICAL SCIENCES (“TIPS”)**

Anthony Caldwell, Attorney, explained that item #143 was a resolution in support of the project, item #144 was a correction and item #145 was an application for additional funds.

Robert L. Bailey, Commissioner, **moved to approve the resolution in support of the Tri-State Institute of Pharmaceutical Sciences.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (C)**

#144

RESOLUTION, CABELL COUNTY COMMISSION

**RE: CONSIDERATION OF ENACTMENT OF A
SUPPLEMENTAL RESOLUTION CORRECTING THE
ADOPTION DATE PROVIDED ON A RESOLUTION
ENTITLED “IN THE MATTER OF A RESOLUTION
DESIGNATING THE LOCAL SUBALLOCATIONS OF
RECOVERY ZONE FACILITY BOND VOLUME CAP
TO THE RAHALL TRANSPORTATION INSTITUTE
FOUNDATION, INC., AND HUNTINGTON INDUSTRIAL
CORPORATION AND RELATED MATTERS”**

Robert L. Bailey, Commissioner, **moved to approve the correction regarding the date on a resolution for the Rahall Transportation Institute.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (D)**

#145

RESOLUTION, CABELL COUNTY COMMISSION

**RE: CONSIDERATION OF ENACTMENT OF A
RESOLUTION DESIGNATING THE LOCAL
SUBALLOCATION OF THE VOLUME CAP WITH
RESPECT TO RECOVERY ZONE FACILITY BONDS
TO THE TRI-STATE C-P SYSTEM, LLC d/b/a/
TRI-STATE INSTITUTE OF PHARMACEUTICAL
SERVICES AND RELATED MATTERS**

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Robert L. Bailey, Commissioner, **moved to approve the request for additional funds for the Tri-State Institute of Pharmaceutical Services for the Recovery Zone Facility Bonds.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (E)**

#146

RESOLUTION, CABELL COUNTY COMMISSION

**RE: IN THE MATTER OF APPROVING FINANCING TERMS
FOR THE PURCHASE OF TWO (2) FORD 2010
EXPLORER VEHICLES**

Nancy Cartmill, Commissioner, **moved to approve the purchase of two Ford 2010 Explorer Vehicles for Home Confinement.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (F)**

#147 DISCUSSION/ACTION:

RE: APPROVAL OF ARMSTRONG CABLE AGREEMENT

Todd Barrett, Armstrong Cable General Manager, appeared before the Commission to request an agreement between Armstrong Utilities and the County Commission. Mr. Barrett also gave the Commission an update on Armstrong's services.

Nancy Cartmill, Commissioner, **moved to approve the franchise agreement between Armstrong Utilities, Inc. and the Cabell County Commission.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (G)**

#148 RESOLUTIONS, CABELL COUNTY COMMISSION

RE: EMPLOYMENT – CCEMS

Robert L. Bailey, Commissioner, **moved to approve the employment of Joshua Paul Blevins as a temporary full time Paramedic, effective April 20, 2010, with a rate of pay of \$10.20 per hour; Channing Ross Bobst as a per diem EMT, effective April 30, 2010, with a rate of pay of \$7.59 per hour; reclassification of David B. McClure as a Paramedic, effective May**

7, 2010, with a rate of pay of \$10.20 per hour. Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#149

RESOLUTION, CABELL COUNTY COMMISSION

**RE: ADVERTISEMENT FOR BIDS/MOBILE COMMAND
POST VEHICLE FOR CABELL COUNTY SHERIFF'S
DEPARTMENT**

Connie Gray, Administrator for Grants, Planning and Permits, explained that the funds for this vehicle would come from a Homeland Security Grant.

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Robert L. Bailey, Commissioner, **moved to approve the advertisement for bids for a command post vehicle for the Sheriff's Department.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (H)**

#150

LETTER, RESOLUTION AND GRANT CONTRACT

**RE: HUNTINGTON LITTLE LEAGUE 3 - \$16,000.00
PROJECT #10LEDA0940**

Mrs. Gray stated that funds from this grant would be used for construction of bleachers, benches, fencing and completing the press box.

Robert L. Bailey, Commissioner, **moved to approve the grant contract, in the amount of \$16,000.00, for Huntington Little League 3.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (I)**

#151

LETTER, RESOLUTION AND GRANT CONTRACT

RE: FIFTH ANNUAL CABELL COUNTY DRUG

PREVENTION SUMMIT - \$1,500.00

PROJECT #10LEDA0401

Mrs. Gray informed the Commission that the funds from this grant would be to assist in the purchase of educational materials.

Nancy Cartmill, Commissioner, **moved to approve the grant contract, in the amount of \$1,500.00, for Cabell County Drug Prevention Summit.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (J)**

#152

RESOLUTION, CABELL COUNTY COMMISSION

RE: IN THE MATTER OF ESTABLISHMENT OF REGULAR

MEETINGS FOR THE CABELL COUNTY COMMISSION

FROM JULY 1, 2010 THROUGH DECEMBER 31, 2010

Stephen Zoeller, County Manager asked the Commission if they would like to change the December 23, 2010 meeting. The Commission decided to change the meeting to Tuesday, December 21, 2010.

Nancy Cartmill, Commissioner, **moved to approve the establishment and advertisement of the regular meetings of the Cabell County Commission, with the December 23, 2010 meeting changed to December 21, 2010.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (K)**

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#153

DISCUSSION/ACTION:

RE: APPROVAL OF 2010-2011 BUDGET FOR CABELL

COUNTY EMERGENCY RESPONSE CENTER

Mike Davis, E-911 Director, stated their budget was about the same as last year and they did not request a pay raise for the employees, however, they may wish to revisit the issue later.

Nancy Cartmill, Commissioner, **moved to approve the 2010-2011 Budget for Cabell County Emergency Response Center.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#154

RESOLUTION, GENERAL FUND, COUNTY BUDGET

REVISION #12, FY 2009-2010

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

#155

RESOLUTION, GENERAL FUND, STATE BUDGET

REVISION #13, FY 2009-2010

Nancy Cartmill, Commissioner, **moved to approve General Fund State Budget Revision #13.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (M)**

PLACE ON RECORD

Nancy Cartmill, Commissioner, **moved to approve placing on record the minutes from the Culloden Public Service District, Regular Meeting, February 17, 2010; Pea Ridge Public Service District, Regular Meeting, February 8, 2010, Pea Ridge Public Service District, Regular Meeting, March 11, 2010; Salt Rock Water Public Service District, Regular Meeting, March 9, 2010 and OTHER DOCUMENTATION TO BE RECORDED Cabell Huntington Health department, Clinic Monthly Report, January, 2010 and The Bank of New York Mellon, Various Trust Accounts, March 31, 2010.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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The Commission discussed complaints they had received about employees smoking in the entrance ways to the Courthouse.

W. Scott Bias, Commissioner, adjourned the regular Commission meeting at 10:45 a.m., until the next scheduled meeting on Thursday, May 13, 2010, at 10:00 a.m.

PRESIDENT, COUNTY COMMISSION

KSC:ar