

COMMISSION MEETING

THURSDAY, FEBRUARY 16, 2012

PRESENT: **NANCY CARTMILL, PRESIDENT**
ROBERT L. BAILEY, COMMISSIONER
ANNE YON, COMMISSIONER
WILLIAM WATSON, COUNTY ATTORNEY
CHRIS TATUM, COUNTY MANAGER
RHONDA VANOOTEGHEM, PURCHASING ASSISTANT

Nancy Cartmill, President, called the regular meeting of the Cabell County Commission to order at 10:00 a.m.

APPROVE:

Anne Yon, 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 #12-39693 through #12-40057 and pay jackets.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Anne Yon, 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 handwritten checks to Mountain State Blue Cross and Blue Shield Company, not to exceed \$100,000.00, from the Cabell County Medical Insurance Fund.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

CITIZENS TO SPEAK

Jon Parlier, manager of Servpro, appeared before the Commission to offer a free emergency ready profile of the Courthouse. Mr. Parlier explained this profile would show where water and gas line shut offs are throughout the building, and could be utilized if problems with either were to occur.

#31 RESOLUTION, CABELL COUNTY COMMISSION

RE: IN THE MATTER OF THE PLEDGING OF COLLATERAL BONDS BY FIRST SENTRY BANK

Robert L. Bailey, Commissioner, **moved to approve the Pledging of Collateral Bonds by First Sentry Bank.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.
Exhibit (A)

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#32 LETTER, ADELL CHANDLER, CIRCUIT CLERK

RE: EMPLOYMENT

MADELINE EELLS, FULL-TIME DEPUTY CIRCUIT CLERK

Anne Yon, Commissioner, **moved to approve the employment of Madeline Eels as a full-time Deputy Circuit Clerk, effective February 21, 2012.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#33 LETTERS, T.W. MCCOMAS, SHERIFF AND OSCAR ADKINS,
DIRECTOR, ALTERNATIVE SENTENCING PROGRAM**

RE: EMPLOYMENT

**JUDY LINVILLE, FULL-TIME ALTERNATIVE SENTENCING
PROGRAM OFFICE STAFF**

RECLASSIFICATION

**GREGORY JOHNSON, FULL-TIME ALTERNATIVE
SENTENCING OFFICER**

Robert L. Bailey, Commissioner, **moved to approve the employment of Judy Linville for the position of full-time Alternative Sentencing Program office staff, effective February 16, 2012, at a rate of pay of \$20,000.00 per year, and the reclassification of Gregory Johnson as a full-time Alternative Sentencing Officer, effective February 16, 2012, with no changes to his salary.** Anne Yon, Commissioner, seconded the vote and the vote was unanimous.

#34 APPEARING, ANNA M. PRICE, ESQUIRE

**RE: PETITION TO FILE FINAL REPORT AND CLOSE ESTATE IN
THE ESTATE OF WILLIAM HOWARD TAYLOR**

Anna M. Price, Esquire, of Huddleston Bowlen, appeared to request that the estate of William Howard Taylor be closed. Ms. Price stated there were no claims against the Estate, no taxes owed on the estate, the estate had already been distributed to all beneficiaries, and all beneficiaries, with the exception of one individual, were deceased. Ms. Price said that the estate simply needed to be closed.

William Watson, County Attorney, said that he had reviewed the documentation and felt the estate was in posture to be closed.

Anne Yon, Commissioner, **moved to approve the closing of the Estate of William Howard Taylor.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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#35 APPEARING, GAYLE HENDERSON, ESQUIRE

RE: PETITION TO SUBSTITUTE CO-ADMINISTRATRIX IN THE

ESTATE OF JOSEPH JERMAINE PORTER

Gayle Henderson, Esquire, appeared before the Commission on behalf of the Estate of Joseph Jermaine Porter. Ms. Henderson requested the substitution of Nelson D. Radford and Levert Smith as Co-Administrators of the estate, due to illnesses affecting the present Co-Administratrixes. Ms. Henderson also requested that the bond on the estate be lifted, seeing as how there were no monies involved, but if monies were to be subsequently received a bond be required at that time.

William Watson, County Attorney, stated that would recommend approving the petition and the appointment of the new Co-Administrators to the Estate.

Robert L. Bailey, Commissioner, **moved to approve the Petition and the Appointment of two new Co-Administrators in the Estate of Joseph Jermaine Porter.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#36 ENTER ORDER GRANTING WRIT OF CERTIORARI IN THE ESTATE OF JOHN CLEDITH BECKLEHEIMER

William Watson, County Attorney, explained that this order, issued by the Honorable Paul T. Farrell, reversed the Commission's previous decision regarding the Estate of John Cledith Beckleheimer. Mr. Watson explained that Judge Farrell had remanded the matter back to the Commission to enter such ruling as his order. Mr. Watson recommended that the Commission move to approve the order.

Robert L. Bailey, Commissioner, **moved to approve the order granting Writ of Certiorari in the Estate of John Cledith Beckleheimer.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#37 RESOLUTION, CABELL COUNTY COMMISSION

RE: RECLASSIFICATION

WILLIAM HELD, PARAMEDIC

Anne Yon, Commissioner, **moved to approve the reclassification of William Held as a per diem Paramedic, retroactive to February 10th, with a rate of pay of \$10.65 per hour.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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#38 RESOLUTION, CABELL COUNTY COMMISSION

RE: APPOINTMENT

NANCY CARTMILL, TRI-STATE AIRPORT AUTHORITY

BOARD OF DIRECTORS

Robert L. Bailey, Commissioner, **moved to approve the appointment of Nancy Cartmill to the Tri-State Airport Authority Board of Directors.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

#39 **POLICY AND PROCEDURES, CABELL COUNTY COMMISSION**
RE: ADOPTION OF POLICY REGARDING TEXTING/EMAILING
WHILE DRIVING COUNTY-OWNED VEHICLES

Anne Yon, Commissioner, **moved to approve the adoption of the Policy regarding texting/emailing while driving county-owned vehicles.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#40 **LETTER, NOTICE OF AWARD, AGREEMENT AND NOTICE TO**
PROCEED, CABELL COUNTY COMMISSION
RE: NEW FIRE ALARM SYSTEM- CABELL COUNTY
COURTHOUSE

Robert L. Bailey, Commissioner, **moved to approve the notice of award for bid and agreement with Dixon Electrical Systems & Contracting, Inc., in the amount of \$153,500.00 for Cabell County Courthouse New Fire Alarm System.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#41 **LETTER, RESOLUTION AND GRANT APPLICATION**
RE: VICTIM ASSISTANCE GRANT APPLICATION
FISCAL YEAR 2012/2013- \$69,383.00

Robert L. Bailey, Commissioner, **moved to approve the application for funding in the amount of \$63,383.00, for the salaries of three full time victim advocates.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (C)**

**#42 RESOLUTION, GENERAL FUND, COUNTY BUDGET REVISION #9,
FY 2011-2012**

Anne Yon, Commissioner, **moved to approve County Budget Revision #9, FY 2011-2012.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (D)**

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**#43 RESOLUTION, GENERAL FUND, STATE BUDGET REVISION #7,
2011-2012**

Robert L. Bailey, Commissioner, **moved to approve State Budget Revision #7, 2011-2012.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (E)**

PLACE ON RECORD

Robert L. Bailey, Commissioner, **moved to place on record the minutes from the Culloden Public Service District, Regular Meeting December 21, 2011; Pea Ridge Public Service District, Field Report, November, 2011; Pea Ridge Public Service District, Regular Meeting, December 12, 2011; Salt Rock Water Public Service District, Regular Meeting, December 13, 2011 and OTHER DOCUMENTATION TO BE PLACED ON RECORD Branch Banking and Trust Company, Trustee Cabell County WV Lease Rev. Bonds WV-**

American Water Company Project, August 1, 2011 to January 31, 2012; Bank of New York, Mellon, Trust Accounts, January 31, 2012. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

GOOD AND WELFARE

Robert L. Bailey, Commissioner, stated that three weeks ago, Precincts 1 and 1A were combined. Mr. Bailey stated that the City of Huntington has made it known that this has proven to be problematic in the election of City Council for District 1 and 2. Commissioner Bailey said that he did not want City Council to try and blame the Commission for the problems that they are encountering because the Commission followed the guidelines set forth by the state and completed the project within the allotted time frame. Chris Tatum, County Manager, stated that he had been communicating with City Council for several months prior to the redistricting, and had even given them documentation of the proposed precinct changes as early as October. Mr. Tatum stated that this allowed the City the opportunity to act at the same time as the Commission. Mr. Tatum stated that the changes were made available for public inspection in the County Clerk's office, and were also run twice in the newspaper, at which time there was a thirty day comment period, and no comments were made, from the City of Huntington or the general public, regarding the changes.

Thomas McComas, Sheriff, appeared before the Commission to thank them for the additional space his office was given on the first floor. Sheriff McComas stated that this would assist his staff in their ability to better serve the public. Sheriff McComas also wanted to thank the Maintenance staff for the repairs that they have done to the office.

PRESIDENT, COUNTY COMMISSION

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