

**AGENDA/Minutes**  
**LINCOLN COUNTY COMMISSION**  
**May 5, 2016 at 6:00 p.m.**

The Lincoln County Commission, Regular Session on May 5, 2016, 6:00 p.m. in room 108 of the Lincoln County Courthouse

**PLEDGE OF ALLEGIANCE**

**I. CALL TO ORDER**

The meeting was called to Order by: **Maria “Phoebe” Harless**

<b><u>MEMBERS</u></b>	<b><u>PRESENT</u></b>
Direl Baker, County Clerk	<u>  X  </u>
Phoebe Harless, President	<u>  X  </u>
Charles Vance, Commissioner	<u>  X  </u>
KK Matthews, Commissioner	<u>  X  </u>

**II. APPROVAL OF MINUTES**

Motion By: **Charles Vance**                      Second By: **KK Matthews**

To approve the minutes of the regular session of the Lincoln County Commission Meeting that was held on April 21, 2016, at 6:00 p.m.

Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

**III. PUBLIC COMMENT**

Wendy Greve regarding litigation resolution executive session anticipated

Motion By: **Charles Vance**                      Second By: **KK Matthews**

To enter into executive session at a time of 6:02 p.m.

Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Motion By: **Charles Vance**                      Second By: **KK Matthews**

To enter into back into regular session at a time of 6:37 p.m.with no decision made

Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Mike Callahan- not here

Rick Roberts with E.L. Robinson regarding Lower Mud River Water Project spoke with and answered Barbara McComas’ questions regarding the water project.

Jim Gabehart wanted to know if the Commission would fund the Bluegrass Festival. President Harless informed Jim to get on the Parks & Recreation agenda.

Howland Sharpe and the Commission presented Cheyenne with an award for helping in recycling.

#### **IV. DISCUSSION OF CONCERN/POSSIBLE ACTION**

Ric MacDowell regarding Farmland Protection Board

Motion By: **Charles Vance** Second By: **KK Matthews**

To send a letter to WV State Conservationist regarding the Ne-Nelse silt loam found in the Guyandotte River and its tributaries and give Maria Harless, President authorization to sign the letter.

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Allen Holder Flood Mitigation Grant – President Harless read letters submitted by Allen Holder recommending a committee be formed to review the applications for the FEMA “buy-out” program. Members being Francis Holton OES; Rick Helton, Flood Manager; KK Matthews, Commission; and a representative from the Assessor’s office. Allen Holder also wrote a letter requesting the Commission allocate up to \$10,000 to pay for appraisals for the Flood Mitigation program

Motion By: **Charles Vance** Second By: **KK Matthews**

To approve the committee as presented by Allen Holder, Director OES/911

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Charles Vance**

To approve to allocate up to \$10,000 to be used for the appraisals for the Flood Mitigation Program

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Lincoln County Coonhunters Association they would like to change a few details in the Lease they have for the property located at the Old Poor Farm on lower mud river.

Motion By: **Charles Vance** Second By: **KK Matthews**

To approve Maria Harless, President to make the suggested changes and then give to the prosecutor for review

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

#### **V. UNFINISHED BUSINESS/POSSIBLE ACTION**

None.

#### **VI. NEW BUSINESS**

Motion By: **KK Matthews** Second By: **Charles Vance**

To approve the bills as submitted for payment

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Charles Vance**

To approve the Appointments, Wills and Settlements as submitted by Darel Baker, County Clerk

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Charles Vance**

To approve the Exoneration Orders as submitted by Guy Browning, Assessor

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews**                      Second By: **Charles Vance**  
 To approve the Agreement between the Division of Culture and History for the Records Preservation Grant and give Maria Harless, president authorization to sign the document  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Motion By: **KK Matthews**                      Second By: **Charles Vance**  
 To approve to reopen the Estate of Gilmer E. Mosteller with no bond  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Motion By: **KK Matthews**                      Second By: **Charles Vance**  
 To approve to reopen the Estate of Thurman Ray Wright with a bond of \$1,000.00  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Motion By: **KK Matthews**                      Second By: **Charles Vance**  
 To approve the Resolution/Proclamation in Support of National Drug Court Month  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Motion By: **KK Matthews**                      Second By: **Charles Vance**  
 To approve to advertise to accept estimates for electrical work on the Annex  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Motion By: **KK Matthews**                      Second By: **Charles Vance**  
 To approve the State Budget Revision for General County as submitted by Mary Napier  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Motion By: **KK Matthews**                      Second By: **Charles Vance**  
 To approve to Re-open the Estate of Dewey Smith with a bond of \$1,000.00  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Motion By: **KK Matthews**                      Second By: **Charles Vance**  
 To approve to move \$55,000.00 from the Coal Severance Money Market to Coal Severance  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Motion By: **KK Matthews**                      Second By: **Charles Vance**  
 To approve to re-open the Estate of Levon Hudson with no bond as per will  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Motion By: **KK Matthews**                      Second By: **Charles Vance**  
 To approve to remove Levon Hudson from Mae Hudson's Estate and appoint Steve Hudson due to Levon Hudson's death with no bond as per will  
 Vote: Harless **Yes**      Vance **Yes**                      Matthews **Yes**

Motion By: **KK Matthews** Second By: **Charles Vance**

To approve the letter of support for the Federal Transit Administrator's Award for the Outstanding Rural Transit System for Tri-River Transit and give Maria Harless, President authorization to sign the letter

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Charles Vance**

To approve to transfer \$3,000.00 from the Lincoln County E911 account to the Harts TAF account to the Harts TAF account.

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Charles Vance**

To approve to pay Parks and Recreation \$10,000 for January, February and March payment

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Charles Vance**

To approve to Inner Office Budget Revision as submitted by Direl Baker, Clerk

From	To
001-413-341-100	001-413-108-100
Election Material	Election Overtime
\$8,000.00	\$8,000.00

And	
001-413-216-100	001-413-109-100
Main/Repair/Equip	Elections Extra Help
\$5,000.00	\$5,000.00

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

Motion By: **KK Matthews** Second By: **Charles Vance**

To approve Darrell Tudor as the Administratrix of the Estate of Jimmie D. McKinney with a bond of \$1,000.00

Vote: Harless **Yes** Vance **Yes** Matthews **Yes**

## **VII. OPEN DISCUSSION**

**Phoebe Harless** – wanted to invite everyone to the valve opening ceremony for the Alkol/Woodville water project on May 21, 2016.

**Charles Vance** – wanted to address a few points. Giving the Lincoln PSD the \$262,000. If the Commission would not have given that money to the PSD it would have cost us about \$12 million. Commissioner Matthews agreed and said we had to give them the money. This is the first time the Commission has heard any details regarding the Ashworth v. Farley case. This was the first time the Commission met with the attorney to discuss this case. The purchasing of the annex building. The Supreme Court informed the Commission they needed to make some improvements. At that time they were presented with different scenarios and purchasing the church and renovating it was the most cost efficient. This building will house several different offices. However, we were going to use coal severance money to renovate. With Coal severance almost being nonexistent the funds are limited.

**XI. ADJOURNMENT**Motion By: **KK Matthews**Second By: **Charles Vance**To adjourn this session of the Lincoln County Commission at the time of 7:17 p.m., until **May 19, 2016, at 6:00 p.m.**Vote: Harless **Yes**Vance **Yes**Matthews **Yes**