

**COMMISSION MEETING**

**THURSDAY, APRIL 14, 2011**

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

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

**APPROVE:**

Chris Tatum, County Manager, stated an item needed to be added to the agenda regarding the renewal of the County's liability insurance.

Robert L. Bailey, Commissioner, **moved to approve amending the agenda to include an item regarding the liability insurance.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Robert L. Bailey, Commissioner, **moved to approve the agenda as amended.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Anne Yon, Commissioner, **moved to approve purchase orders #11-32128 through #11-32486 and pay jackets.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Robert L. Bailey, Commissioner, **moved to approve the minutes of the March 31, 2011 regular Commission meeting, erroneous assessments, land consolidations, split tickets and probate documentation.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Anne Yon, Commissioner, **moved to approve handwritten checks to Mountain State Blue Cross and Blue Shield Company and Fort Dearborn Medical Life, not to exceed \$100,000, from the Cabell County Medical Insurance Fund.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#108 RESOLUTION, CABELL COUNTY COMMISSION**

**RE: IN THE MATTER OF THE RELEASE AND  
SUBSTITUTION OF COLLATERAL BONDS  
FIRST SENTRY BANK**

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

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**#109 LETTER, KAREN S. COLE, COUNTY CLERK**

**RE: EMPLOYMENT – EARLY VOTING CLERKS**

Anne Yon, Commissioner, **moved to approve the employments of Johnna Leffingwell, Judy Mabe, Sharon Hurley and Connie Pridemore as Early Voting Clerks for the 2011 Special Primary Election.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#110**

**APPEARING, MIKE DAVIS, E-911 DIRECTOR**

**RE: TELECOMMUNICATOR OF THE YEAR**

**AWARD FOR 2010**

Mike Davis, E-911 Director, informed the Commission that this week E-911 had been celebrating National Telecommunicator's Week with several different events. Mr. Davis went on to say the Cabell County E-911 operators take 300,000 calls annually, work for seven fire departments, five police departments, one ambulance service and Home Confinement twenty-four hours a day.

Mr. Davis stated that E-911 employee, Caleb Stevens, had received the Telecommunicator Award for 2010 from the West Virginia 911 Enhanced Council.

**#111**

**PROCLAMATION, CABELL COUNTY COMMISSION**

**RE: IN THE MATTER OF DECLARING APRIL 11-15, 2011**

**AS NATIONAL TELECOMMUNICATOR'S WEEK**

Anne Yon, Commissioner, moved to approve the adoption of a proclamation “Declaring April 11-15, 2011, as National Telecommunicator’s Week in Cabell County.” Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

**#112**

**APPEARING, BRUCE L. STOUT, ESQUIRE**

**RE: ESTATE OF NELL REEVES MOORE – NOTICE AND  
PETITION FOR REMOVAL OF EXECUTRIX – MOTION  
TO COMPEL ACCOUNTING AND MOTION FOR  
DEFAULT JUDGMENT**

Dick Fredeking, representing the Estate of Nell Reeves Moore and David Tyson, Attorney, requested that this matter be continued as he just received the case this morning and had not been able to file the appropriate answers.

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Bruce Stout, representing the Alzheimer’s Association, stated that the Executor had not filed an accounting for the estate. Mr. Stout further stated that the house was being sold and he had concerns about this issue. Mr. Stout went on to say that he was very concerned over attorney fees and would like the Commission to address the issue.

William Watson, County Attorney, stated that when the final accounting was filed, they could take exception and the Commission could send this back to Fiduciary Commissioner, Dan Yon, who had knowledge of this matter.

Robert L. Bailey, Commissioner, **moved to approve that an accounting be submitted by May 12, 2011 and that this matter be set for hearing on May 26, 2011.** Nancy Cartmill, President, seconded the motion and the vote was as follows:

Nancy Cartmill, President	<u>Aye</u>
Robert L. Bailey, Commissioner	<u>Aye</u>
Anne Yon, Commissioner	<u>Abstained</u>

#113

**APPEARING, PAUL A. RYKER, ESQUIRE**

**RE: ESTATE OF BONNIE L. WALTERS**

**EXCEPTIONS OF PETITIONER, LINDA POST TO  
FINDINGS AND RECOMMENDATIONS OF FIDUCIARY  
COMMISSIONER**

**APPEARING, RICHARD L. VITAL, ESQUIRE**

**RE: ADMINISTRATOR, JACK WALTERS, RESPONSE  
TO EXCEPTIONS OF PETITIONER, LINDA POST**

Paul Ryker, Attorney for Linda Post, stated that Ms. Post took exceptions with the findings of the Fiduciary Commissioner, Matthew J. Woelfel. Mr. Ryker requested that the Commission reject





**Investment Trust Funds.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (C)**

**#117 RESOLUTION, CABELL COUNTY COMMISSION**

**RE: APPOINTMENT**

Anne Yon, Commissioner, **moved to approve the appointment of Robert L. Bailey to the Tri-State County Route 10 Coalition.** Nancy Cartmill, President, seconded the motion and the vote was unanimous. **Exhibit (D)**

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**#118 RESOLUTIONS, CABELL COUNTY COMMISSION**

**RE: APPOINTMENTS**

Robert L. Bailey, Commissioner, **moved to approve the appointments of Nancy Cartmill, Anne Yon, Chris Tatum and Phoebe Patton Randolph to the Region II Planning and Development Council.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (E)**

**#119 RESOLUTIONS, CABELL COUNTY COMMISSIONER**

**RE: RECLASSIFICATIONS**





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**#123**

**EXECUTIVE SESSION REGARDING LITIGATION**

Robert L. Bailey, Commissioner, **moved to go into Executive Session regarding litigation.**  
Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

The Commission went into Executive Session at 10:40 a.m.

Robert L. Bailey, Commissioner, left the meeting at 11:25 a.m.

The Commission came back into regular session at 11:28 a.m., with not action taken.

**#124**

**INSURANCE RENEWAL – WELLS FARGO**

Anne Yon, Commissioner, **moved to approve the insurance renewal with Wells Fargo.**  
Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, President, adjourned the regular Commission meeting at 11:38 a.m., until the next scheduled meeting on Tuesday, April 19, 2011 at 10:00 a.m., to Lay the Levy.

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**PRESIDENT, COUNTY COMMISSION**

**KSC:ar**

