

**COMMISSION MEETING
THURSDAY, APRIL 24, 2014**

PRESENT: **NANCY CARTMILL, PRESIDENT
ROBERT L. BAILEY, COMMISSIONER
WILLIAM WATSON, COUNTY ATTORNEY
CHRIS TATUM, COUNTY MANAGER**

ABSENT: **ANNE YON, COMMISSIONER**

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

APPROVE:

Nancy Cartmill, President, **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 #14-57084 through #14-57476 and pay jackets.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

Robert L. Bailey, Commissioner, **moved to approve the minutes from the April 10, 2014, regular Commission meeting; erroneous assessments; land consolidation; split tickets; and probate documentation.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

Nancy Cartmill, President, **moved to approve handwritten checks to Highmark West Virginia and Fort Dearborn Life Insurance 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.

CITIZENS REGISTERED TO SPEAK

#389 ESTATE OF CHARLES POLAN

**RE: PETITION TO REMOVE ADMINISTRATOR AND APPOINT
A FIDUCIARY COMMISSIONER**

Abe Saad, Counsel for D.M.R. Jewels, Inc, appeared before the Commission to request William J.M. Polan be removed as Administrator of the Estate of Charles Polan.

After a lengthy discussion with both parties attorneys, Nancy Cartmill, President, asked if William Polan was the sole heir to the estate.

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Michael Paesani, Counsel for William Polan, stated his client was the sole heir and he knew of no reason he should be removed as Administrator of the Estate of Charles Polan.

Robert L. Bailey, Commissioner, **moved to deny the petition to remove William Polan as Administrator of the Estate of Charles Polan.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

#390

ESTATE OF BRENDA G. DAILEY

**RE: PETITION FOR REMOVAL OF FIDUCIARY & AWARDING
COSTS/ APPOINTMENT OF SUCCESSOR FIDUCIARY,
ORDER, NOTICE OF HEARING**

William Watson, County Attorney, explained both parties involved had requested the item be postponed until the meeting of May 22, 2014.

Nancy Cartmill, President, **moved to approve rescheduling the item regarding the Estate of Brenda G. Dailey, to the meeting of May 22, 2014.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#391

APPEARING, PAUL RYKER, ESQUIRE

**RE: ESTATE OF BARRY ALAN COOK
ORDER SEEKING DISMISSAL/REJECTION OF
TESTIMONY INSTRUMENT**

Paul Ryker, Counsel for Samantha Cook, appeared before the Commission to request that a holographic will, submitted by Bryan Cook, cousin of the decedent, be rejected.

William Watson, County Attorney, stated his recommendation would be to refer the matter to a Fiduciary Commissioner. Mr. Watson stated the Commission would then proceed based upon the recommendation received from the Fiduciary Commissioner.

Nancy Cartmill, President, **moved to refer the Estate of Barry Alan Cook to the next Fiduciary Commissioner in rotation, which was Matt Woelfel.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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#392 LETTER, RESOLUTION, GRANT APPLICATION

**RE: FY 2014 COMMUNITY PARTICIPATION GRANT
PROGRAM- CONTRACT
TRI-STATE LITERACY PROGRAM- EDUCATIONAL
MATERIAL
PROJECT NUMBER: 14LEDA0037**

Chris Tatum, County Manger, explained the funds would be used by the Tri-State Literacy Council to purchase educational materials and supplies relevant to their tutoring programs.

Robert L. Bailey, Commissioner, **moved to approve the grant application for the Tri-State Literacy Program.** Nancy Cartmill, President, seconded the motion and the vote was unanimous. **Exhibit (A)**

#397 LETTER, IRV JOHNSON, ASSESSOR OF CABELL COUNTY

**RE: ADDITIONAL COMPENSATION- DOG/GOAT TAGS-
JANUARY, FEBRUARY, MARCH 2014- \$130.58**

Robert L. Bailey, Commissioner, **moved to approve additional compensation for Irv Johnson, Assessor of Cabell County, for collection of dog/goat tax for the months of January, February and March 2014.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

**#394 LETTER, PROSECUTING ATTORNEY, SEAN "CORKY"
HAMMERS**

RE: ANNUAL LEAVE

Chris Tatum, County Manager, explained a request had been received from Sean "Corky" Hammers, Cabell County Prosecuting Attorney, for monetary compensation of annual leave he had acquired during his time as Assistant Prosecuting Attorney. Mr. Tatum explained Mr. Hammers now maintained an elected position which did not have the benefit of annual leave. Mr. Tatum stated that was why Mr. Hammers was simply requesting to receive monetary compensation for those remaining hours.

Nancy Cartmill, President, stated the State Auditor would need to be contacted to make sure payout of annual leave would not put Prosecuting Attorney Hammers' annual salary above the maximum annual amount.

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Robert L. Bailey, Commissioner, **moved to approve monetary compensation for remaining annual leave, pending approval by the West Virginia State Auditor's Office.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

#395 LETTER, KAREN COLE, COUNTY CLERK

RE: APPOINTMENT OF NINE (9) EARLY VOTING CLERKS

Nancy Cartmill, President, **moved to approve the appointment of nine (9) early voting clerks.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#400 RESOLUTION, CABELL COUNTY COMMISSION

RE: EMPLOYMENT:

**RAYMOND JESSE CARROLL- PER DIEM PARAMEDIC
JASON PAUL GLANVILLE- PER DIEM EMT
BLAKE JENNINGS HICKS- PER DIEM EMT
ROBERT BENSON MORRIS- PER DIEM PARAMEDIC**

Robert L. Bailey, Commissioner, **moved to approve the employment of Raymond Jesse Carroll as a per diem paramedic, effective April 25, 2014, at a rate of pay of \$12.0744 per hour; Jason Paul Glanville as a per diem EMT, effective April 25, 2014, at a rate of pay of \$8.9643 per hour; Blake Jennings Hicks as a per diem EMT, effective April 25, 2014, at a rate of pay of \$8.9643 per hour; Robert Benson Morris as a per diem paramedic, effective April 25, 2014, at a rate of pay of \$12.0744 per hour.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

**#401 RESOLUTION, CABELL COUNTY COMMISSION- COUNTY
BUDGET REVISION #15**

Nancy Cartmill, President, **moved to approve County Budget Revision #5.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

**#402 RESOLUTION, CABELL COUNTY COMMISSION- STATE
BUDGET REVISION #13**

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

#403 ENTERTAINING OBJECTIONS TO LEVY RATE

There were no objections to the levy rate.

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Nancy Cartmill, President, stated she would prefer the meeting be held on Tuesday, April 29, 2014 at 10:00 a.m. President Cartmill stated this date would work better with her schedule, and felt it would probably be better for Commissioner Yon as well, as she would just have returned from vacation that day.

Commissioner Bailey stated he was fine with scheduling the meeting for Tuesday, April 29, 2014, at 10:00 a.m.

Nancy Cartmill, President, adjourned the meeting of the Cabell County Commission at 11:20 a.m., until the next regularly scheduled meeting.

PRESIDENT, COUNTY COMMISSION

KSC:ksf