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.
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.
#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 Manager, 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.
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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#404 ADOPTION OF LEVY ORDER AND RATE SHEET

Robert L. Bailey, Commissioner, moved to approve the adoption of the levy order and rate sheet. Nancy Cartmill, President, seconded the motion and the vote was unanimous.

Exhibit (D)

#405 LETTER, RESOLUTION, GRANT APPLICATION

RE: FY 2013 COMMUNITY PARTICIPATION GRANT PROGRAM-APPLICATION
BUFORD CHAPTER NATIONAL SOCIETY
PROJECT NUMBER: 13LEDA0298

Chris Tatum, County Manager, explained the funds would be used by the Buford Chapter of the Daughters of the American Revolution for repairs to the log cabin in which the first meeting of the organization had been held in 1817.

Nancy Cartmill, President, moved to approve the grant application for the Buford Chapter of the Daughters of the American Revolution. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. Exhibit (E)

PLACE ON RECORD:

Robert L. Bailey, Commissioner, moved to place on record minutes from the Salt Rock PSD, March 11, 2014, regular meeting; minutes from the Cabell Huntington Health Department, March 2014, regular meeting. Nancy Cartmill, President, seconded the motion and the vote was unanimous.

COMMISSIONER’S REPRESENTATION REPORTS

Robert L. Bailey, Commissioner, stated a special Commission meeting would need to be held on Monday, April 28, 2014, at 10:00 a.m. Commissioner Bailey explained the purpose of the meeting would be to discuss the vacancy of the Commission appointed member on the Cabell County Deputy Sheriffs’ Civil Service Commission Board.

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.
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.

KSC:ksf