

**COMMISSION MEETING
THURSDAY, JULY 10, 2014
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#466

LETTER, CABELL COUNTY COMMISSION

**RE: COURT SECURITY FUND GRANT
APPROVED FUNDING \$79,253.00
PROJECT NUMBER 14-CS-04**

Tim Keaton, Grant Coordinator, explained the funds would be used to complete the first phase of security updates throughout the building.

Robert L. Bailey, Commissioner, **moved to approve the grant contract between the Division of Justice and Community Services, and the Cabell County Commission.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#467

LETTER, CABELL COUNTY DRUG COURT

RE: FUNDING

Chris Tatum, County Manager, stated funding requests had been received from both Prosecuting Attorney Sean “Corky Hammers and The Honorable Patricia Keller. Mr. Tatum stated the letters explained the funding would be used to provide drug screenings for the Drug Court program, and Mr. Hammer’s letter stated he would contribute \$6,000.00 from his Drug Forfeiture account if the Commission were willing to match that amount.

Robert L. Bailey, Commissioner, **moved to approve funding for drug screenings for the Drug Court program.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#468

**APPROVE FY 2014/2015 HOME CONFINEMENT BUDGET
FOR CABELL COUNTY**

Anne Yon, Commissioner, **moved to approve the 2014/2015 Home Confinement Budget.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#469

**APPROVE FY 2014/2015 SPECIAL FUNDS BUDGET FOR
CABELL COUNTY**

Anne Yon, Commissioner, **moved to approve the 2014/2015 Special Funds Budget.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

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#470

RESOLUTION, CABELL COUNTY COMMISSION

RE: EMPLOYMENT

**JOY LAVON ROSS- PER DIEM EMT
MERRI CHRISTINA HENRY- PER DIEM EMT
BETH ANNE MILLAY- PER DIEM EMT
ZACHARY ALLEN CHANCEY- PER DIEM EMT
ANTHONY DALE JOHNSON- PER DIEM EMT
DAVID LEE SIMMONS- PER DIEM PARAMEDIC**

RECLASSIFICATION

RAYMOND CARROLL- FULL TIME PARAMEDIC

Robert L. Bailey, Commissioner, moved to approve the employment of Joy Lavon Ross as a per diem EMT, effective July 11, 2014, at a rate of pay of \$9.1168 per hour; Merri Christina Henry as a per diem EMT, effective July 11, 2014, at a rate of pay of \$9.1168 per hour; Beth Anne Millay as a per diem EMT, effective July 11, 2014, at a rate of pay of \$9.1168 per hour; Zachary Allen Chancey as a per diem EMT, effective July 11, 2014, at a rate of pay of \$9.1168 per hour; Anthony Dale Johnson as a per diem EMT, effective July 11, 2014, at a rate of pay of \$9.1168 per hour; David Lee Simmons, Jr. as a per diem paramedic, effective July 11, 2014, at a rate of pay of \$12.2268 per hour; the reclassification of Raymond Carroll as a full time paramedic, effective July 11, 2014, at a rate of pay of \$12.2268 per hour. Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#471

DISCUSSION/ACTION

RE: FIDUCIARY FILES/CASE

Chris Tatum, County Manager, stated there were several estates currently pending in probate. Mr. Tatum stated these estates were in different phases; moving at different speeds. Mr. Tatum explained 10 of the cases needed to be left in their current state, but the rest would need to be divided.

William Watson, County Attorney, stated he and County Clerk Karen Cole had went over various statutes and determined a large part were not being abided by. Mr. Watson stated he and Ms. Cole also discussed the option of putting a Fiduciary Supervisor in place.

County Manager Chris Tatum stated he had also had lengthy discussions with Ms. Cole and agreed a solution needed to be found.

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Anne Yon, Commissioner, **moved to approve keeping the 10 referenced cases in place and dispersing the remaining estates between the Fiduciary Commissioners.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#472 RESOLUTION, CABELL COUNTY COMMISSION

**RE: IN THE MATTER OF THE DONATION OF A 2004
DODGE DURANGO TO THE OHIO RIVER ROAD
VOLUNTEER FIRE DEPARTMENT**

Robert L. Bailey, Commissioner, **moved to approve donating a 2004 Dodge Durango to the Ohio River Road Volunteer Fire Department.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

**#473 PURCHASE AGREEMENT CABELL COUNTY
COMMISSION/ WV DEPARTMENT OF
TRANSPORTATION, DIVISION OF HIGHWAYS**

RE: NON CONTROLLED ACCESS RIGHT OF WAY

Robert L. Bailey, Commissioner, **moved to approve the purchase agreement for a non-controlled access right of way between the Cabell County Commission and the West Virginia Division of Highways.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

#474 ESTATE OF DELBERT MARTIN

Paul Biser, Attorney for Kyra Sue Martin, stated he did not feel there was just cause for his client to be removed as representative of the Estate of Delbert Martin. Mr. Biser stated the estate had been closed, but there was an ongoing asbestos claim stemming back to 1993. Mr. Biser explained after her husband's death Mr. Martin's wife had been receiving the checks from the claim, but upon her passing it had necessitated the reopening of the estate. Mr. Biser explained since Mrs. Delbert Martin's passing, his client had received 5 checks from the asbestos settlement. Mr. Biser explained his client had deposited each of the checks into the estate account, divided the amount of the deposit by three, and cut individual checks for each of the heirs. Mr. Biser stated he had provided letters regarding each check from the law office that handled the settlement, copies of the each check, copies of each of the checks written out to the heirs, and also a copy of the check register for the estate account. Mr. Biser stated his client objected to her removal as representative of the Estate of Delbert Martin.

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William Watson, County Attorney, stated he felt Kyra Martin had done everything correctly and there was no just cause for her removal. Mr. Watson stated it was his recommendation to deny the motion to have all three of Delbert Martin's children serve as representatives and to leave Kyra Martin in place as representative.

Robert L. Bailey, Commissioner, **moved to accept the accounting and have Kyra Martin remain as representative of the Estate of Delbert Martin.** Anne Yon, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, President, adjourned the meeting of the Cabell County Commission at 10:43 a.m., until the next regularly scheduled meeting.

PRESIDENT, COUNTY COMMISSION

KSC:ksf