

**COMMISSION MEETING**

**THURSDAY, MARCH 18, 2010**

**PRESENT:**            **W. SCOTT BIAS, PRESIDENT**  
**ROBERT L. BAILEY, COMMISSIONER**  
**NANCY CARTMILL, COMMISSIONER**  
**WILLIAM WATSON, COUNTY ATTORNEY**  
**STEPHEN ZOELLER, COUNTY MANAGER**  
**SHARON ROSS, ASSISTANT COUNTY MANAGER**  
**FOR BILLABLES AND PAYABLES**  
**CHRIS TATUM, ASSISTANT COUNTY MANAGER**  
**FOR PERSONNEL AND PURCHASING**

W. Scott Bias, President, called the regular meeting of the Cabell County Commission to order at 10:00 a.m.

**APPROVE:**

Stephen Zoeller, County Manager, informed the Commission an item needed to be added to the agenda concerning the recommendation for awarding the bid for the Milton Ambulance Station.

Robert L. Bailey, Commissioner, **moved to approve amending the agenda to include awarding the bid for the Milton Ambulance Station.** Nancy Cartmill, Commissioner, seconded the motion and vote was unanimous.

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

Nancy Cartmill, Commissioner, **moved to approve purchase orders #10-22168 through #10-22535 and pay jackets.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Robert L. Bailey, Commissioner, **moved to approve the minutes from the February 26, 2010 special meeting, minutes of the March 4, 2010 regular meeting, erroneous assessments, land consolidations, split tickets and probate documentation.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, **moved to approve handwritten checks to Blue Cross and Blue Shield 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.

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**“OPEN BIDS FOR 13 PANASONIC TOUGHBOOK 30 – CORE 2 DUO SL9300  
MODEL #CF30KCPRO2M COMPUTERS”**

Stephen Zoeller, County Manager, informed the Commission nine bids had been received and they were as follows:

1. Southern Computer Warehouse, GA	Unit Price	\$4,341.51
	Total	\$56,439.63
2. PC Mall, Canada	Unit Price	\$4,229.00
	Total	\$55,887.00
3. ZHAI Network Parametrix, IL	Unit Price	\$4,190.00
	Total	\$54,470.00
4. Rugged Depot, TX	Unit Price	\$4,150.00
	Total	\$53,950.00
5. Diskomp Computer, FL	Unit Price	\$5,055.00
	(Plus Freight)	
6. Berry Weinstein, NY	Unit Price	\$4,488.00
	Total	\$58,334.00
7. PCS, TN	Unit Price	\$4,667.00
	Total	\$60,671.00



#081

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

**RE: APPOINTMENT OF EMERGENCY BALLOT  
COMMISSIONER**

Mrs. Cole informed the Commission that the Democrat Executive Committee had nominated Carolyn Hager and Irene Keller and that the Republican Executive Committee had nominated Nora Ankrom and April Black to serve as Emergency Ballot Commissioners for the Primary Election.

Robert L. Bailey, Commissioner, **moved to approve appointing Carolyn Hager, Irene Keller, Nora Ankrom and April Black as Emergency Ballot Commissioners for the 2010 Primary Election.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#082

**APPOINTMENT AND APPROVAL OF 2010 PRIMARY  
ELECTION POLL WORKERS**

Robert L. Bailey, Commissioner, **moved to approve the appointments of the 2010 Primary Election Poll Workers.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#083

**APPEARING, JASON LEASURE, ESQUIRE**

**RE: PETITIONER, DEBORAH CHRISTIAN'S EXCEPTION  
TO THE REPORT OF FIDUCIARY COMMISSIONER  
THE ESTATE OF JERRY L. CHRISTIAN**

**APPEARING, PAUL RYKER, ESQUIRE**

**RE: EXCEPTIONS OF RESPONDENTS TO AMENDED  
REPORT OF FINDINGS AND RECOMMENDATIONS  
OF FIDUCIARY COMMISSIONER IN THE ESTATE  
OF JERRY L. CHRISTIAN**

Jason Leasure, Attorney for Deborah Christian, stated this was a complicated estate matter and his client had taken exception with the report from the Fiduciary Commissioner regarding the issue of the commuted value of the petitioner's retirement. Mr. Leasure further stated he believed there was a need for clarification concerning the fees and expenses.

Mr. Leasure requested that the Commission reject the findings of the Fiduciary Commission and that the matter be submitted to another Fiduciary Commissioner.

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Paul Ryker, Attorney for Michael and Ricky Christian, stated that his clients were in agreement with the findings of the Fiduciary Commission, however, they would like a clarification regarding the fees and expenses.

Robert L. Bailey, Commissioner, **moved to accept the Fiduciary Commissioner's findings regarding the Estate of Jerry L. Christian and that the expenses be divided between the petitioner and the respondents.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Paul Ryder stated he would prepare an order for this matter for Mr. Watson and Mr. Leasure to review and for the Commission to sign, if all parties agreed.

**#084**

**PETITION AND NOTICE OF HEARING**

**RE: ESTATE OF CAROL GERALDINE DENNISON**

**REQUEST TO CLOSE ESTATE AS INSOLVENT**

John Stapleton, Attorney, appeared before the Commission requesting that the Estate of Geraldine Dennison be closed due to insufficient funds. Mr. Stapleton stated an appraisal had been filed for this estate.

William Watson, County Attorney, informed the Commission that since the estate did not have any assets, the only way for the Administrator and the claims to be discharged would be for the Commission to close said estate.

Nancy Cartmill, Commissioner, **moved to close the Estate of Geraldine Dennison due to lack of assets.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#085**

**PROCLAMATION, CABELL COUNTY COMMISSION**

**RE: IN THE MATTER OF DECLARING APRIL, 2010 AS**

**FAIR HOUSING MONTH IN CABELL COUNTY**

Robert L. Bailey, Commissioner, **moved to approve the proclamation “In the Matter of Declaring April, 2010, Fair Housing Month in Cabell County.”** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (A)**

**#086**

**LETTER, A. GORDON MERRY, III, CABELL COUNTY**

**EMERGENCY MEDICAL SERVICE**

**RE: REQUEST APPROVAL OF UPDATED CCEMS VEHICLE**

**FLEET POLICY**

Gordon Merry, CCEMS Director, stated the revised guidelines were at the request of the CCEMS insurance carrier.

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Robert L. Bailey, Commissioner, **moved to approve the updated Vehicle Fleet Policy for CCEMS.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

**#087**

**RESOLUTIONS, CABELL COUNTY COMMISSION**

**RE: RECLASSIFICATIONS – CCEMS**

Nancy Cartmill, Commissioner, **moved to approve the reclassification of Jeff Holley as a per diem EMT, retroactive to March 6, 2010, and the reclassification of Corie Cremeans as a per diem EMT, retroactive to February 28, 2010, with a rate of pay of \$7.59 per hour for both employees and \$11.98 per hour when working on transport squad.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#088**

**LETTER, CABELL COUNTY COMMISSIONER**



**RE: IN SUPPORT OF THE CONSTRUCTION OF A SENIOR  
CENTER COMPLEX AT THE FORMER WEST MIDDLE  
SCHOOL SITE**

Robert L. Bailey, Commissioner, **moved to approve the letter of support for construction of a senior center on the West Middle School site.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

**#089**

**RESOLUTION, CABELL COUNTY COMMISSION**

**RE: IN THE MATTER OF ALLOCATING SENIOR CITIZEN  
PROJECTS AND PROGRAMS EXCESS LEVY TAX  
FUNDS TO CCCSO - \$6,000.00**

Robert L. Bailey, Commissioner, **moved to approve allocating \$6,000.00 from the Senior Citizen Excess Levy Funds for CCCSO.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

**#090**

**DISCUSSION/ACTION:**

**RE: FY 2010 COURT SECURITY GRANT FUNDS**

Stephen Zoeller, County Manager, stated the funds from this grant would be to purchase cameras for areas in the Courthouse, portable radios, tasers and a computer/monitor/printer for the Court Marshals.



**ASSOCIATION/EQUIPMENT, PROMOTION AND  
STAGING – PROJECT #10LEDA0026 - \$5,000.00**

Robert L. Bailey, Commissioner, **moved to approve the grant application, in the amount of \$5,000.00, for the Cabell/Wayne Beekeepers Association to purchase beekeeping equipment.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (D)**

**#093 LETTER, RESOLUTION, AND GRANT APPLICATION**

**RE: FY 2010 COMMUNITY PARTICIPATION GRANT**

**PROGRAM CABELL/WAYNE BEEKEEPERS**

**ASSOCIATION PROJECT #10LEDA0406 - \$7,500.00**

Nancy Cartmill, Commissioner, **moved to approve the grant application, in the amount of \$7,500.00, for the Cabell/Wayne Beekeepers Association.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (E)**

**#094 AGREEMENT, CABELL COUNTY COMMISSION**

**RE: KINDRED CHARITIES**

**EASTER EGG HUNT-MARCH 27, 2010**

Robert L. Bailey, Commissioner, **moved to approve the use of the Courthouse grounds by Kindred Charities for an Easter Egg Hunt, March 27, 2010 from 7:30 a.m. until 1:00 p.m.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.





**PLACE ON RECORD:**

Robert L. Bailey, Commissioner, **moved to approve placing on record the minutes from the Culloden Public Service District, Special Meetings, January 6, 2010 and January 27, 2010, Culloden Public Service District, Regular Meeting, January 20, 2010; Cabell County Regional Operation Committee, Inc., April, 2009 through November, 2009; Salt Rock Sewer PSD Meetings, May, 2009 through January, 2010; Salt Rock Water PSD Meetings, December 8, 200, January 12, 2010, February 9, 2010 and February 17, 2010 and OTHER DOCUMENTATION TO BE RECORDED: The Bank of New York Mellon, Various Trust Accounts, February 28, 2010.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

W. Scott Bias, President, adjourned the regular Commission meeting at 10:50 a.m., until the next scheduled meeting on Thursday, April 1, 2010, at 10:00 a.m.

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**PRESIDENT, COUNTY COMMISSION**

**KSC:ar**