

**COMMISSION MEETING**

**THURSDAY, SEPTEMBER 2, 2010**

**PRESENT:**           **ROBERT L. BAILEY, PRESIDENT PRO-TEM**  
**NANCY CARTMILL, COMMISSIONER**  
**WILLIAM WATSON, COUNTY ATTORNEY**  
**STEPHEN ZOELLER, COUNTY MANAGER**  
**CHRIS TATUM, ASSISTANT COUNTY MANAGER**  
**FOR PERSONNEL AND PURCHASING**  
**RHONDA MONTANEZ, PURCHASING ASSISTANT**

**ABSENT:**           **W. SCOTT BIAS, PRESIDENT**

Robert L. Bailey, President Pro-Tem, called the regular meeting of the Cabell County Commission to order at 10:00 a.m.

**APPROVE:**

Nancy Cartmill, Commissioner, **moved to approve the agenda as presented.** Robert L. Bailey, President Pro-Tem, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, **moved to approve purchase orders #11-26491 through #11-26849 and pay jackets.** Robert L. Bailey, President Pro-Tem, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, **moved to approve the minutes from the August 5, 2010 and the August 19, 2010 regular Commission meetings, erroneous assessments, land consolidations, split tickets and probate documentation.** Robert L. Bailey, President Pro-Tem, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, **moved to approve handwritten checks to Mountain State Blue Cross and Blue Shield Company and Fort Dearborn Medical Life, not to exceed \$100,000.00, from the Cabell County Medical Insurance Fund.** Robert L. Bailey, President Pro-Tem, seconded the motion and the vote was unanimous.

**“OPEN BIDS” FOR A LEKTRIEVER FILING SYSTEM FOR  
THE CABELL COUNTY CLERK’S OFFICE**

Stephen Zoeller, County Manager, informed the Commission that one (1) bid had been received on the Lektriever for the County Clerk’s office. The bid was from AJ-Allegheny Systems, LLC, for \$31,200.00.

Nancy Cartmill, Commissioner, **moved to approve the bid from AJ-Allegheny Systems, for \$31,200.00, with the contingency that the bid meets the specifications and the approval of the County Clerk.** Robert L. Bailey, President, Pro-Tem, seconded the motion and the vote was unanimous.

**THURSDAY, SEPTEMBER 2, 2010**

**PAGE TWO**

**#288**

**APPEARING, KAREN COLE, COUNTY CLERK**

**RE: DISCUSSION/ACTION REGARDING SPECIAL  
MEETING TO APPOINT POLL WORKERS FOR  
THE 2010 GENERAL ELECTION**

Karen Cole, County Clerk, gave the Commission a report on the appointment of election workers. Mrs. Cole stated that the deadline for the appointments would be Tuesday, September 14, 2010 and requested that the Commission meet that day to approve the poll workers.

Robert L. Bailey, President Pro-Tem, **moved to approve a Special meeting on Tuesday, September 14, 2010, at 10:00 a.m., to approve election workers for the 2010 General Election.** Nancy Cartmill, President Pro-Tem, seconded the motion and the vote was unanimous.

**#289**

**APPEARING, HOWARD R. CREWS, JR., ESQUIRE**

**RE: MOTION FOR APPOINTMENT OF SHERIFF AS  
ADMINISTRATOR OF THE ESTATE OF  
LENORA JACKSON**

Howard Crews, Attorney, stated that both the Executrix and the alternator Executor had declined to serve as fiduciaries, and the sole beneficiary of the estate, St. Peter Claver Catholic Church, did not wish to accept the bequest, therefore, Mr. Crews, was requesting the Sheriff be made the Administrator of the Estate of Lenora Jackson.

Nancy Cartmill, Commissioner, **moved to approve the appointment of the Sheriff as the Administrator of the Estate of Lenora Jackson.** Robert L. Bailey, President Pro-Tem, seconded the motion and the vote was unanimous.

**#290**

**WEST VIRGINIA HOMELAND SECURITY GRANT  
PROGRAM, 2008 SUB-GRANT APPLICATION**

Nancy Cartmill, Commissioner, **moved to approve the 2008 Homeland Security Sub-Grant, in the amount of \$56,250.00.** Robert L. Bailey, President, Pro-Tem, seconded the motion and the vote was unanimous.

**#291**

**RESOLUTION, CABELL COUNTY COMMISSION**

**RE: APPOINTMENT – CABELL WAYNE LEPC**

Nancy Cartmill, Commissioner, **moved to approve the nomination of Rhonda Montanez as a member of the Cabell/Wayne Local Emergency Planning Committee.** Robert L. Bailey, President Pro-Tem, seconded the motion and the vote was unanimous. **Exhibit (A)**

**THURSDAY, SEPTEMBER 2, 2010**

**PAGE THREE**

Robert L. Bailey, President Pro-Tem, stated he would like to place on the next agenda an item regarding the salary for Ms. Montanez as secretary for the Cabell/Wayne LEPC.

**#292**

**RESOLUTIONS, CABELL COUNTY COMMISSION**

**RE: EMPLOYMENT & RECLASSIFICATIONS - CCEMS**

Nancy Cartmill, Commissioner, **moved to approve the employment of Joshua Cottrell as a temporary full time EMT, effective September 5, 2010, with a rate of pay of \$7.8948 per hour; the reclassifications of Matthew Adkins as a full time EMT, effective September 10,**

2010, with a rate of pay of \$7.8948 per hour; Kraig Barker as a full time Assistant Supervisor, effective September 5, 2010, with a rate of pay of \$12.0949 per hour; Donald Gygi as a full time Paramedic, retroactive to August 22, 2010, with a rate of pay of \$10.3549 per hour; Tracy Holmes as a Paramedic, retroactive to August 26, 2010, with a rate of pay of \$10.2049 per hour, Toni Matt as a per diem Paramedic, retroactive to August 29, 2010, with a rate of pay of \$10.4049 per hour; Don Mark Newman EMT 24-hour shift, effective September 5, 2010, with a rate of pay of \$7.8948 per hour; John A. Simons as a full time Paramedic, effective September 5, 2010, with a rate of pay of \$10.6549 per hour; Justin Talbert as a temporary full time EMT, retroactive to August 26, 2010, with a rate of pay of \$12.4606 per hour and Chad Ward as a Supervisor, effective September 5, 2010, with a rate of pay of \$13.5449 per hour. Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#293

**DISCUSSION/ACTION:**

**RE: ADDITION OF AMBULANCE SHIFT FOR BASIC  
LIFE SUPPORT TRANSPORT**

Gordon Merry, CCEMS Director, informed the Commission that CCEMS had generated more money than anticipated, therefore, he would like to add personnel to place another ambulance shift into the Community.

Nancy Cartmill, Commissioner, **moved to approve the hiring of personnel to add another ambulance shift for transport.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#294

**MEMORANDUM, CABELL COUNTY COMMISSION**

**RE: ESTABLISHMENT OF ACCOUNTS - FY 2010  
COMMUNITY PARTICIPATION GRANTS**

Nancy Cartmill, Commissioner, **moved to approve the establishment of accounts for fiscal year 2010 Community Participation Grants.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**THURSDAY, SEPTEMBER 2, 2010**

**PAGE FOUR**

**#295**

**DISCUSSION/ACTION:**

**RE: CITY OF HUNTINGTON'S OCCUPANCY TAX**

Robert L. Bailey, Commissioner, stated that this was a tax without representation and not a fee. Commissioner Bailey further stated that Marshall University, West Virginia Steel and the Chamber of Commerce were against the occupancy tax. Commissioner Bailey stated he would like for the Commission to file suit in Circuit Court to stop the enactment of this tax, if passed by the City of Huntington.

Jean Simmons, Steel of West Virginia, stated they were very much against the tax and believed it was an unfair tax. Ms. Simmons went on to say that Steel of West Virginia also believed it would be bad for future business.

Tom McCallister, Cabell County resident, stated he believed it was unconstitutional for this tax to be passed. Mr. McCallister further stated this state law prohibits the state from enacting such a tax and he requested that the Commission take this matter to the Supreme Court.

Robert L. Bailey, Commissioner, **moved to proceed with a law suit if the City of Huntington passed the occupancy tax.** Motion died for lack of seconded.

Nancy Cartmill, Commissioner, stated that since President Bias was absent, she would like for this to be placed on the next agenda so all three Commissioners could discuss this matter.

**#296**

**SPECIAL BUDGET REVISION #1, CCEMS, FY 2010-2011**

Nancy Cartmill, Commissioner, **moved to approve Special Budget Revision #1 for CCEMS.** Robert L. Bailey, President Pro-Tem, seconded the motion and the vote was unanimous. **Exhibit (B)**

Robert L. Bailey, President Pro-Tem, adjourned the Commission meeting at 10:40 a.m., until the next scheduled meeting on Thursday, September 16, 2010, at 10:00 a.m.

---

**PRESIDENT, COUNTY COMMISSION**

**KSC:ar**