

COMMISSION MEETING

THURSDAY, JANUARY 19, 2012

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

ABSENT: **ANNE YON, COMMISSIONER**
RHONDA VANOOTEGHEM, PURCHASING ASSISTANT

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

APPROVE:

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

Robert L. Bailey, Commissioner, **moved to approve purchase orders # 12-39114 through #12-39426 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 December 22, 2011 regular Commission meeting, the January 5, 2012 regular Commission meeting, erroneous**

assessments, land consolidations, split tickets, and probate documentation. Nancy Cartmill, President, seconded the motion and the vote was unanimous.

Robert L. Bailey, Commissioner, **moved to approve handwritten checks to Highmark West Virginia and Fort Dearborn Medical Life, not to exceed \$100, 000.00, from the Cabell County Medical Insurance Fund.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

CITIZENS TO SPEAK

John VanNorstrand, Culloden resident, appeared to question the legality of the annexation in Milton. Mr. VanNorstrand stated that he thought the annexation was not in compliance with the code.

William Watson, County Attorney, stated that he had reviewed all documentation presented to him by Mr. Leslie regarding the annexation, and that he had found them all to be in accordance with the legal statutes set forth. Nancy Cartmill, President, said that she felt very comfortable with their decision to approve the annexation based upon the recommendation of William Watson, County Attorney.

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#007

LETTER, OTTIE ADKINS, ASSESSOR

RE: EMPLOYMENT

Robert L. Bailey, Commissioner, **moved to approve the employment of Marianne Williams as a full-time clerk, effective January 15, 2012, at a salary of \$25,498.24 annually.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

#008

RESOLUTION, CABELL COUNTY COMMISSION

RE: IN THE MATTER OF THE PROPOSED

**RE-ALIGNMENT OF MAGISTERIAL DISTRICTS
OF CABELL COUNTY**

Robert L. Bailey, Commissioner, **moved to approve the re-alignment of magisterial districts of Cabell County.** Nancy Cartmill, President, seconded the motion and the vote was unanimous. **Exhibit (A)**

#009

RESOLUTION, CABELL COUNTY COMMISSION

RE: IN THE MATTER OF THE ADOPTION OF THE

PROPOSED PRECINCT CHANGES WITHIN

CABELL COUNTY

Robert L. Bailey, Commissioner, **moved to approve the adoption of precinct boundary changes within Cabell County.** Nancy Cartmill, President, seconded the motion and the vote was unanimous. **Exhibit (B)**

#010

RESOLUTION, CABELL COUNTY COMMISSION

RE: IN THE MATTER OF THE ADOPTION OF

PRECINCT LOCATIONS WITHIN CABELL

COUNTY

Robert L. Bailey, Commissioner, **moved to approve the adoption of precinct locations within Cabell County.** Nancy Cartmill, President, seconded the motion and the vote was unanimous. **Exhibit (C)**

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#011

RESOLUTION, CABELL COUNTY COMMISSION

**RE: IN THE MATTER OF THE ADOPTION OF
COUNTY EXECUTIVE COMMITTEE DISTRICTS**

Robert L. Bailey, Commissioner, **moved to approve the adoption of county executive committee districts.** Nancy Cartmill, President, seconded the motion and the vote was unanimous. **Exhibit (D)**

#007

APPEARING, D. SCOTT BELLOMY, ESQUIRE

TO **RE: MOTION TO APPOINT A CURATOR AND**
THE **APPOINT SHERIFF AS ADMINISTRATOR IN**
ESTATE OF CLARENCE LESTER EDWARDS

David Lockwood, Attorney, appeared on behalf of his client Margaret Edwards, the widow of the late Clarence Lester Edwards. Mr. Lockwood stated that he felt that the Sheriff should be appointed as the Administrator of the estate, due to the fact that there was so much underlying tension between his client and the two daughters of the deceased. Mr. Lockwood also stated that the bond placed on the estate by the current Administratrix, in the sum of \$850,000.00, was not sufficient, seeing as how the estate was valued at \$1.9 million. Mr. Lockwood also stated that the fact that the Administratrix resided outside the state should be taken into consideration.

Nancy Cartmill, President, stated that she felt it would be in the best interest of all parties to turn the matter over to a Fiduciary Commissioner. William Watson, County Attorney, agreed that it would be best to refer this to a Fiduciary Commissioner and allow him to give his recommendation as to whether the Sheriff should be appointed in lieu of the existing Administratrix.

Mr. Lockwood, stated that neither he, nor his client, would disagree with the decision to turn the matter over to a Fiduciary Commissioner.

#014

RESOLUTIONS, CABELL COUNTY COMMISSION

RE: EMPLOYMENT

ZACHARY R. SHAW, FULL-TIME PARAMEDIC

BRIAN K. WELLMAN, PER DIEM PARAMEDIC

RE: RECLASSIFICATION

NICOLE WHEELER, FULL-TIME PARAMEDIC

Robert L. Bailey, Commissioner, **moved to approve the employment of Zachary R. Shaw, full-time paramedic, effective January 20, 2012, with a rate of pay of \$11.1098 per hour, Brian K. Wellman, per diem paramedic, effective December 29, 2011, with a rate of pay of \$11.3098 per hour, and the reclassification of Nicole Wheeler to full-time paramedic, effective January 27, 2012, with a rate of pay of \$10.8098 per hour.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

#015

AGREEMENT BETWEEN CABELL COUNTY

COMMISSION AND CENTRAL FREEWILL BAPTIST

CHURCH

RE: EASTER EGG HUNT

APRIL 7, 2012 – 10:30 A.M. TO 1:00 P.M.

Robert L. Bailey, Commissioner, **moved to approve the agreement between the Cabell County Commission and the Central Freewill Baptist Church.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

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#016

**LETTER, RESOLUTION, AND GRANT CONTRACT,
CABELL COUNTY COMMISSION**

RE: PROJECT SAFE NEIGHBORHOODS

PROJECT NUMBER: 12-PSN-01 - \$37,313.00

Robert L. Bailey, Commissioner, **moved to approve the grant contract in the amount of \$37,313.00.** Nancy Cartmill, President, seconded the motion and the vote was unanimous. **Exhibit (E)**

#017

**LETTER, RESOLUTION, AND GRANT CONTRACT,
CABELL COUNTY COMMISSION**

RE: FY 2011 COMMUNITY PARTICIPATION GRANT
PROGRAM, REGIONAL SOCCER TOURNAMENT
PROJECT NUMBER: 11LEDA0404 - \$500.00

Robert L. Bailey, Commissioner, **moved to approve the grant contract in the amount of \$500.00.** Nancy Cartmill, President, seconded the motion and the vote was unanimous. **Exhibit (F)**

#018 **RESOLUTION, GENERAL FUND, STATE BUDGET**
REVISION #6, FY 2011-2012

Robert L. Bailey, Commissioner, **moved to approve General Fund State Budget Revision #6,** for unanticipated reimbursement for the Sheriff for overtime duties, and unanticipated refund for travel for the Prosecutors office. Nancy Cartmill, President, seconded the motion and the vote was unanimous. **Exhibit (G)**

#019 **CERTIFICATION- TAX INCREASE NOTICES-**
CABELL COUNTY ASSESSOR

Robert L. Bailey, Commissioner, **moved to approve accepting certification of tax increase notices from the Cabell County Assessor.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

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#020

RESOLUTION, CABELL COUNTY COMMISSION

RE: EMPLOYMENT, PART-TIME

TELECOMMUNICATOR

Robert L. Bailey, Commissioner, **moved to approve the employment of Jonathon Cameron Jones as a part-time telecommunicator.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

#021

RESOLUTION, CABELL COUNTY COMMISSION

RE: IN THE MATTER OF PUBLICATION OF A

PUBLIC HEARING PERTAINING TO "SARA

**TITLE III- COMMUNITY RIGHT-TO-KNOW
ACT OF 1986"**

Robert L. Bailey, Commissioner, **moved to approve publication of a public hearing pertaining to “Sara Title III- Community Right-To Know Act of 1986.”** Nancy Cartmill, President seconded the motion and the vote was unanimous. **Exhibit (H)**

#022

LETTER, KAREN S. COLE, CABELL COUNTY CLERK

RE: APPOINTMENT OF DEMOCRAT AND

REPUBLICAN BALLOT COMMISSIONERS FOR

2012/2013

Robert L. Bailey, Commissioner, **moved to place on record appointments of the County Clerk’s Democrat and Republican Ballot Commissioners for 2012/2013.** Nancy Cartmill, President, seconded the motion and the vote was unanimous.

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PLACE ON RECORD

Robert L. Bailey, Commissioner, moved to approve placing on record the minutes from the Culloden Public Service District, Special Meetings, November 3, 2011 and November 30, 2011; Regular Meeting, November 16, 2011 and Other Documentation to be Recorded: The Bank of New York, Mellon, Various Trust Accounts, December 31, 2011.

Nancy Cartmill, President, adjourned the regular meeting of the Cabell County Commission at 10:55 a.m., until the next scheduled meeting on Thursday, February 2, 2011 at 10:00 a.m.

PRESIDENT, COUNTY COMMISSION

KSC:ss