

SPECIAL COUNTY COMMISSION MEETING  
FRIDAY, JANUARY 2, 1981 - 10:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

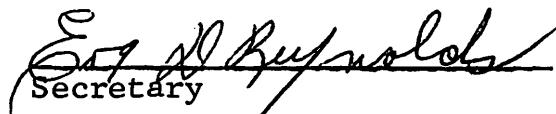
MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in special session this date was called to order by the President, James E. Lively.

Upon unanimous agreement of the Commission an order was entered this date and thereupon James E. Lively was elected President of said Commission for the year 1981 and Charles M. Vickers was elected Purchasing Agent for the year 1981.

Said order also stated that a regular session of the Commission be held on the first Wednesday after the First Monday of each month; the 15th of each month unless such date should be on a Saturday, Sunday or legal holiday, then said Commission meeting will be held on the next preceeding work day; and the last Wednesday of each month during the calendar year of 1981, and that the Clerk of this Commission issue calls for Special Sessions as deemed necessary, or whenever directed by the Commission of this County.

There being no further business the Commission adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, JANUARY 7, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Mr. Jack Manning, Sheriff of Fayette County, appeared before the Commission to request a raise for Fayette County deputy Sheriffs (law enforcement only). Also, Sheriff Manning requested that sufficient funds be transferred from the Sheriff's mileage account to the Sheriff's equipment account and uniform allowance account. The Commission agreed to transfer monies in the following amounts: \$1,760.00 to uniform allowance account (\$760.00 of such to defer pending deficit due to original underestimate). \$2,500 to training and education. Total Transfer \$4,260.00. A balance of \$5,083.70 would remain in the Sheriff's mileage account.

Louis Tabit, Attorney for the Town of Ansted, appeared before the Commission with the petition to withdraw the Town of Ansted from the New Haven Public Service District and stated that Ansted only agreed to be included within the public service district because it was mandatory before an application for funding would be considered by Federal Funding Agencies, which later

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proved to be inaccurate. Furthermore, the Town of Ansted wants and needs to maintain control of own water and sewage system due to bond maturity dates. He stated Ansted would join in venture with public service district to apply for water system and would agree to allow engineers to make location and strategic decisions regarding the water system. Joint Town and Public Service District ventures have been undertaken and completed in past. Due to aforementioned reasons Town of Ansted can and should withdraw from public service district boundaries. Mr. Pat Hamilton, Attorney, representing New Haven Public Service District had opposition to withdrawal of the Town of Ansted from the public service district for the following reasons: In order to realistically apply for funding 1. government was needed in order to prevent duplications of services. 2. Administrative structures therefore double costs. Town of Ansted can maintain adequate control and still be included in P.S.D. Without internal problems chances of applications and grant approval are marginal. Need to put end to internal struggles and proceed with application process. Therefore, Town of Ansted, should not be deleted from P.S.D. Larry Bradford, Executive Director for Region 4 Planning and Development Council gave short history of attempts to get water. He stated that "due to economics best way to proceed was with Town of Ansted included in P.S.D. All parties had agreed. Later Town of Ansted for various reasons

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decided against being a part of the P.S.D. He saw problems of Town of Ansted turning over their present system to P.S.D. Mr. King Stump from the Governor's Office of Economic & Community Development stated it would make no difference if Ansted was or was not included in the P.S.D. as far as funding review was concerned. The Commission advised the group they would take the matter under advisement and render decision at future Commission meeting.

There being no further business the Commission adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
THURSDAY, JANUARY 15, 1981 - 10:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

The Commission approved payroll for pay period January 1, 1981 through January 15, 1981. Also approved payment of bills.

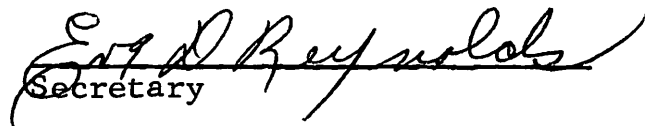
The following orders were entered this date:

Order accepting the resignation of Elton E. Rogers as a member of the Beckwith Public Service District and appointing Mr. Albert Fizer as a member of the Beckwith Public Service District to serve for and during a period of six years, said term to expire September 29, 1986.

Order reappointing Ann B. Covington of Fayetteville, W.Va., as a member of the Fayette County Housing Authority to serve for and during a period of five years, said term to expire January 9, 1986.

Order reappointing Roy Young of Gauley Bridge and Fred Waugh of Oak Hill, W. Va., as members of the Fayette County Board of Zoning Appeals to serve for and during a period of three years, said term to expire January 1, 1984.

There being no further business the Commission adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, JANUARY 28, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Mr. Paul Blake, Attorney, appeared before the Commission requesting that Mr. Ellis Ross of Glen Jean, W. Va., be appointed committee for his mother, Emma Catherine Ross. In sworn testimony given by Mr. Ross and also his sister, Lois Ross, it was brought out that Emma Catherine Ross is unable to manage her business affairs and also requires attention 24 hours a day, therefore Ellis and Lois Ross are now residing in the home of Emma Catherine Ross at Glen Jean in order to take care of their mother. The other children of Emma Catherine Ross live out of state and are in complete agreement with the appointment of Ellis Ross as committee for their mother. After some discussion the Commission approved the appointment of Ellis Ross as committee for his mother, Emma Catherine Ross and requested bond in the amount of \$10,000 be posted.

Gary Harding, Zoning Commission, came before the Commission concerning the following requests.

Request of Monty M. Boley, Owner, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on 2.828 acres, Turnpike, Route 60, near Ansted, New Haven District. Mr. Boley was present and represented by John Hatcher. The Commission was informed that a teen center and restaurant were proposed for the site. The Zoning Officer informed the County Commission that a petition with 90 signatures had been submitted in opposition to this request and that the Planning Commission did by an 8 - 0 vote recommend that this request be denied. After a general discussion a motion was made by John Lopez that this be denied as recommended. Motion was seconded by Mr. Lively and carried by a vote of 3 - 0.

Request of Lenora R. Jarvis, Owner, for a change in land classification from LC-1, Land Conservation District, to B-2, General Business District, on .5 acre, Gauley River, Route 16/39 north of Gauley Bridge, Valley District. Mr. or Mrs. Jarvis were not present and several people were present in opposition. The Commission was informed that the Planning Commission did by an 8 - 0 vote recommend that this request be denied. After a general discussion a motion was made by Charles Vickers that this be denied as recommended. Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

Request of James R. & Alice Hayslett, Owners, for a change in land classification from R-R, Agricultural and Rural Residence District, to P-D, Planned Development on part of 8.07 acres, Dogwood Ridge, Corridor "L" at Milroy Grose Road, New Haven District. Mrs. Hayslett was present and there was no opposition. The Commission was informed that the existing building on the site was to be used for a family type restaurant. The Zoning Officer informed the Commission that the Planning Commission did by a vote of 8 - 0 recommend that this be granted. After a general discussion a motion was made by John Lopez that this request be granted as recommended. Motion was seconded by Mr. Vickers and passed by a vote of 3 - 0.

Request of Class VI River Runners, Inc., Owners, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on part of 6.11 acres, Ames Coal & Timber Property, Route 60/5 near Ames Heights, New Haven District. The Commission was informed by the Zoning Officer that this was an extension of an existing use that was approved by the Commission in 1977. The original site contained 1.5 acres. The Zoning Officer informed the County Commission that this was recommended to be approved with the condition that the rear 500 feet be left as R-R since it abutted the gorge and this was in keeping with the Planning Commission's policy on previous requests of this nature along the gorge. After a general discussion a



motion was made by Charles Vickers that this request be approved as recommended. Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

Request of Jack L. Clark, Owner, for a change in land classification from R-2, Residence District, to B-2, General Business District, on Lots 18, 19, 21, 22, 24, and 25, Home-seekers Land and Building Co. Truck Farms, Rosedale near Corridor "L", Plateau District. Mr. Clark was present and there was no opposition present. The Commission was informed that a 30' x 40' block building was proposed for the site for Mr. Clark to do work on his own equipment. The Zoning Officer informed the Commission that the Planning Commission did by a vote of 7 - 0 recommend that this be approved. One Commissioner did abstain and there were two people present in opposition. After a general discussion a motion was made by John Lopez that this request be granted as recommended. Motion was seconded by Mr. Vickers and passed by a vote of 3 - 0.

Mr. Charles Wendell, CPA, Oak Hill, representing James E. DeViese & Son, appeared before the Commission and presented Inducement Resolution for the issuance of Industrial Bonds in the amount not to exceed \$350,000 to be approved and signed by the Commission. The purpose of the bond issue is to acquire and construct an additional facility for the manufacture and

distribution of mining equipment. The Commission informed Mr. Wendell they would look over the Inducement Resolution and get in touch with him when they had reached a decision.

Pat Hamilton, Attorney, came before the Commission and presented his petition to resign as Committee for Robert G. Cooper, incompetent. After some discussion the Commission accepted said resignation.

Jack Manning, Sheriff, appeared before the Commission requesting some problems be corrected at the Danese Sheriff's Detachment in order that it may be reopened. Repairs need to be made on the outside stairway and also the septic tank needs to be cleaned out. He outlined to the Commission how he plans to operate this detachment to better serve the people in that area. After some discussion the Commission informed the Sheriff they would consider his request and get in touch with him.

The Commission approved payroll for pay period January 15, 1981 through January 30, 1981. Also approved payment of bills.

The following orders were entered this date:

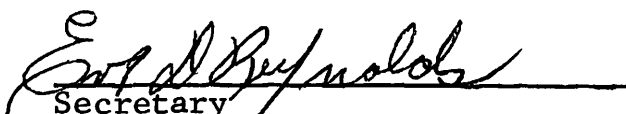
Order appointing Fred Thompson, Jr., of Mount Hope as a member of the Fayette County Planning Commission to fill the unexpired term of Raymond Tissue, deceased, said term to expire August 3, 1983.

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Order appointing Walter Brown of Oak Hill as a representative of the Fayette County Civil Service Commission to serve in the place of Glen Kincaid, whose resignation has been heretofore tendered and accepted, said term to expire October 5, 1981.

Order appointing Grace Massey of Victor as a member of the New Haven Public Service District to fill the unexpired term of Lyle Massey, deceased, said term to expire October 29, 1982.

There being no further business the Commission adjourned.

  
Secretary

JAN 28 1981

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON  
WEDNESDAY, JANUARY 28th, 1981.

Present were: James E. Lively, President  
Charles M. Vickers, Commissioner  
John H. Lopez, Commissioner

The following cases were presented to the County Commission for a disposition:

Z-209-81-1: Request of Monty M. Boley, Owner, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on 2.828 acres, Turnpike, Route 60, near Ansted, New Haven District.

Mr. Boley was present and represented by John Hatcher. The Commission was informed that a teen center and restaurant were proposed for the site. The Zoning Officer informed the County Commission that a petition with 90 signatures had been submitted in opposition to this request and that the Planning Commission did by an 8 - 0 vote recommend that this request be denied. After a general discussion a motion was made by John Lopez that this be denied as recommended. Motion was seconded by Mr. Lively and carried by a vote of 3 - 0.

Z-210-81-1: Request of Lenora R. Jarvis, Owner, for a change in land classification from LC-1, Land Conservation District, to B-2, General Business District, on .5 acre, Gauley River, Route 16/39 north of Gauley Bridge, Valley District.

Mr. or Mrs. Jarvis were not present and several people were present in opposition. The Commission was informed that the Planning Commission did by an 8 - 0 vote recommend that this request be denied. After a general discussion a motion was made by Charles Vickers that this be denied as recommended. Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

Z-207-81-1: Request of James R. & Alice Hayslett, Owners, for a change in land classification from R-R, Agricultural and Rural Residence District, to P-D, Planned Development on part of 8.07 acres, Dogwood Ridge, Corridor "L" at Milroy Grose Road, New Haven District.

Mrs. Hayslett was present and there was no opposition. The Commission was informed that the existing building on the site was to be used for a family type restaurant. The Zoning Officer informed the Commission that the Planning Commission did by a vote of 8 - 0 recommend that this be granted. After a general discussion a motion was made by John Lopez that this request be granted as recommended. Motion was seconded by Mr. Vickers and passed by a vote of 3 - 0.

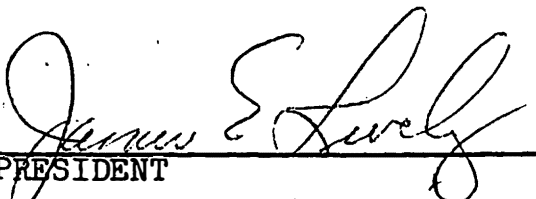
Z-208-81-1: Request of Class VI River Runners, Inc., Owners, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on part of 6.11 acres, Ames Coal & Timber Property, Route 60/5 near Ames Heights, New Haven District.

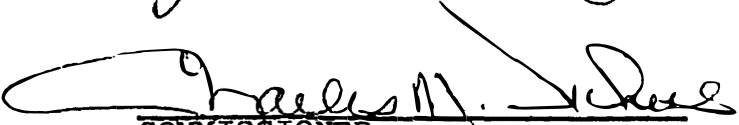
The Commission was informed by the Zoning Officer that this was an extension of an existing use that was approved by the Commission in 1977. The original site contained 1.5 acres. The Zoning Officer informed the County Commission that this was recommended to be approved with the condition that the rear 500 feet be left as R-R since it abutted the gorge and this was in keeping with the Planning Commission's policy on previous requests of this nature along the gorge. After a general discussion a motion was made by Charles Vickers that this request be approved as recommended. Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

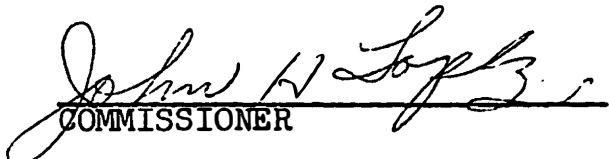
Z-211-81-1: Request of Jack L. Clark, Owner, for a change in land classification from R-2, Residence District, to B-2, General Business District, on Lots 18, 19, 21, 22, 24, and 25, Homeseekers Land and Building Co. Truck Farms, Rosedale near Corridor "L", Plateau District.

Mr. Clark was present and there was no opposition present. The Commission was informed that a 30' x 40' block building was proposed for the site for Mr. Clark to do work on his own equipment. The Zoning Officer informed the Commission that the Planning Commission did by a vote of 7 - 0 recommend that this be approved. One Commissioner did abstain and there were two people present in opposition. After a general discussion a motion was made by John Lopez that this request be granted as recommended. Motion was seconded by Mr. Vickers and passed by a vote of 3 - 0.

THE FAYETTE COUNTY COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, FEBRUARY 4, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Mr. Jay Holt, Attorney of the law firm of Delafield and Wood, New York and Mr. Bob High, representative of Pepsi Cola, Charleston, W. Va., appeared before the Commission and presented a Resolution authorizing the issuance and sale of \$400,000 industrial development bonds (GCC Beverages, Inc., project 1980 Series) of Fayette County, West Virginia and authorizing and approving the execution and delivery of an indenture of trust and loan agreement and other matters in connection therewith. The Trustee will be Wachovica Bank & Trust Company of Winston Salem, North Carolina. After some discussion Mr. Vickers made motion resolution be adopted. Motion was seconded by Mr. Lopez and carried.

Carl Harris, Attorney, came before the Commission and presented petition requesting the removal of Fred Jesser as Committee for Volney Cowles. Mr. Harris stated the family has no complaint with Mr. Jesser handling the committee, however

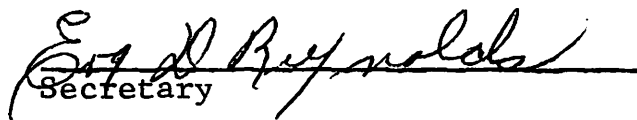
they would like to have Mr. Russell Murphy, a member of the family appointed committee for Volney Cowles. Mr. Jesser stated he had been appointed committee for Mr. Cowles in October, 1979 and since he was an attorney and the family had no fault with his acting as committee he felt it was in the best interest of Mr. Cowles to remain his committee. After some discussion the Commission advised all parties concerned they would take the request under advisement and render decision at a later date.

Mr. Scott McNeil and Gene Bowman, representatives of Mountain Transit Authority, appeared before the Commission and presented their request for funding in the amount of \$17,824 to be considered in the 1981-82 budget. Commission accepted said request and will make their decision when considering the budget.

Pat Hamilton, Attorney, and Dorothy Grubb of Oak Hill came before the Commission requesting Mrs. Grubb be appointed committee for her Aunt, Nancy K. Miller, who is now residing in Pine Lodge Nursing Home at Beckley and is not able to take care of her business affairs due to having had a stroke. After some discussion the Commission approved the appointment of Dorothy Grubb as committee for Nancy K. Miller and requested bond be posted in the amount of \$25,000.

Commission approved payment of bills.

There being no further business the Commission adjourned.

  
Secretary

SPECIAL COUNTY COMMISSION MEETING  
WEDNESDAY, FEBRUARY 11, 1981 - 10:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in special session this date was called to order by the President, James E. Lively.

Mr. Gene Eason and Mr. Vince Collins, representing the law firm of Steptoe & Johnson, Clarksburg, W. Va., appeared before the Commission for the preliminary closing of the Industrial Revenue Bond issue for the Oak Hill Hospital (Plateau Medical Center) with Kanawha Valley Bank, Charleston, as Trustee. Also present were Mr. Pat Hamilton, Special Counsel for the Commission; Mr. John McCulloch of Beckley, Transferee; Mr. Rich Famiglietti and Mr. Fred Gould on the Board of Directors of American Health Enterprises and General Partner of Plateau Medical Center who is acquiring Oak Hill Hospital; Mr. Ned Payne, Attorney, Beckley, representing Oak Hill Hospital and Mr. Jere Fowlkes, Atlanta, representing Hereth, Orr & Jones, Inc., an Investment Banker.

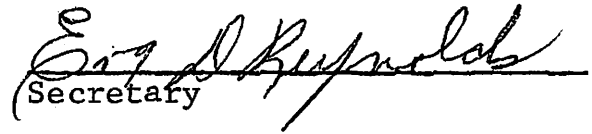
Mr. Eason presented the documents to be signed by the County Commission. After some discussion the documents were then signed.

The Commission approved payroll for pay period February 1, 1981 through February 15, 1981. Also approved payment of bills.



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There being no further business the Commission adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
FRIDAY, FEBRUARY 13, 1981 - 10:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.


MEMBERS PRESENT: Charles M. Vickers, Acting President  
John H. Lopez

The Commission meeting in regular session this date was called to order by Charles M. Vickers, Acting President in the absence of the President, James E. Lively.

Commission approved payroll for pay period March 1, 1981 through March 15, 1981. Also approved payment of bills.

The proposed public hearing for budget amendments for new Revenue Sharing Legislation, as advertised, to receive comments from the public, was held at this time. No one from the public was in attendance.

There being no further business the Commission adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, FEBRUARY 25, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Linda Stein, representing New River Day Care Center of Scarbro, along with Reta Lewis, Oak Hill and Celeste Batey of Oak Hill, appeared before the Commission and presented copy of proposal and accomplishments of their chartered non-profit community day care center. Ms. Stein stated a survey had been made and there is definitely a need for the child care center which will provide services for the areas of Oak Hill, Fayetteville and Glen Jean, however they are in need of financial assistance and requested the amount of \$5,500 from the Commission. After some discussion the Commission informed the group they would take their request under advisement when considering the 1981-82 budget.

Mr. Barney Wade, Meadow Bridge Fire Chief, Mr. David Romine, Mr. William McCallahan, Mr. Jerry Smith and Mr. Charles Wade all from the Meadow Bridge area came before the Commission seeking financial help because of a fire which recently destroyed all

their fire fighting equipment and also the building housing the equipment. Mr. Wade stated they had requested the Sheriff to advance money from the fire levy recently passed by the voters. The Commission informed the group they had written the auditor in regard to this matter, however, as yet had no reply. It is the understanding of the Commission they cannot loan money and the levy will not be in existence until July 1, 1981. Also the Commission has an agreement with the Fayette County Fireman's Association they any funding or anything relative to funds be handled through the Association, therefore the request must come from the Association. Mr. Wade explained the building was owned by the Town but the fire department lost everything including their fire truck which cost approximately \$7,570.00. The Commission advised if the funding is possible it will be on an annual basis only and not for a three year period. The group was advised to handle this matter through the Fayette County Fireman's Association.

Mr. Herb Mann, Circuit Clerk, appeared before the Commission and stated he had overdrawn his contingent fund for the current year and requested the Commission grant him some financial assistance in this matter. He also presented his 1981-82 budget. The Commission advised him they would take the matter under consideration.

Travis Harrington, Attorney for the Town of Meadow Bridge, Ernest Hissom, Jr., representative of Milam BCM Engineering,

Larry Valtin of Region 4 and Jerry Smith, Meadow Bridge Council Member, came before the Commission. Mr. Harrington presented request for funds in the amount of \$93,691.00 from the County Commission for the sewer system project in the Meadow Bridge area. He also stated the time table for this project is two years, starting construction in 1982, however they must have the commitment from the Commission now and will need the money in 1982. The Commission advised the group they need to be sure of funding from the other agencies before the Commission can commit themselves, however will take their request into consideration.

Chuck Smith, Mayor of Montgomery, appeared before the Commission regarding the landfill at Montgomery. He presented the Commission with two proposals for them to consider. First, he requested that the Commission take over the landfill including the equipment. Second, if that is not possible, the Commission fund them \$50,000 for improvements and to lay some much needed pipe. They need to start work immediatly and will need this amount in a two month period or the landfill will be closed down. The Commission advised him they would consider his request.

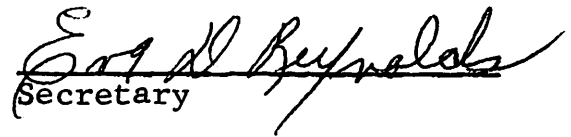
Mr. Pat Hamilton, Attorney for the Town of Pax and Mr. Kelly, Mayor of the Town of Pax, came before the Commission requesting funding in the amount of \$50,000 over a two year period for Sewage Collection System and Treatment for Pax, Long Branch and Willis Branch areas. Commission advised them the request would

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be taken into consideration.

James Blankenship, Attorney, appeared before the Commission and presented petition for appointment of Committee for Isaac Newton Thompson, Jr. The petition stated Mr. Thompson is presently residing in the home of his mother, Vacie Lee Thompson, who lives on Rt. 1, Fayetteville. Mr. Thompson is mentally ill and unable to handle his financial and business affairs. The Commission accepted and approved said petition and set date of hearing for March 25, 1981 at 11:30 a.m.

There being no further business the Commission adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, MARCH 4, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Mr. Guy Hensley, Mr. Charles Weatherford and Mr. Phil Sundstrom, representing FMRS Mental Health Council, appeared before the Commission and presented their budget requesting \$40,000 for FY 1981-82. Mr. Hensley explained the work they were doing and number of patients being treated by them. After some discussion the Commission accepted their budget for consideration.

Mr. Bruce Freeman, Attorney from Charleston, along with Mrs. Florence Huddle of Montgomery, appeared before the Commission and presented petition requesting Mrs. Huddle be appointed Committee for her husband, Thomas Huddle, who is unable to take care of himself and manage his business affairs. The Commission accepted said petition and set date of hearing for March 25, 1981 at 11:00 a.m.

Mr. Fred Jesser, Attorney representing Monty Boley, who was also present, came before the Commission requesting permission to waive a one year period in order that he may be able to present

his new request before the Planning and Zoning Commission. Previously the Commission had voted against Mr. Boley's request to open a restaurant and recreation center and he would like to present his case again with request for restaurant only. Mr. Vickers made motion that he be granted his new request and refer it back to the Planning and Zoning Commission, seconded by Mr. Lopez. Vote of the Commission was 3 - 0.

At this time proposed hearing, as advertised, for the budget was held to receive comments from the public regarding the Revenue Sharing Budget for FY 1981-82. No one from the public was present or attended.

Mr. Jim Rubin of the Appalachian Regional Hospital appeared before the Commission requesting \$4,000 to help purchase furniture and recreation equipment for the mental health program. He reported 319 patients from Fayette County were served by the mental health program for 1980. The Commission agreed to consider his request.

At the request of Mayor Chuck Smith of Montgomery at the February 25th, 1981 meeting of the Commission regarding financial assistance in the amount of \$50,000 for the Montgomery Landfill and since he stressed the importance of such action being taken immediately, the Commission agreed to provide the \$50,000 to cover the cost.

The Commission has received written requests from the Upper




MAR 4 1981

Kanawha Valley Athletic Association requesting financial assistance in the amount of \$6,500 to help purchase equipment for the only remaining ballfield at Boomer. The Commission granted this request.

In reference to Sheriff Manning's request for his police officers regarding overtime, Commissioners Mr. Lively and Mr. Lopez voted approval of his request and Mr. Vickers voted not to approve said request.

There being no further business the Commission adjourned.

  
Secretary

SPECIAL COUNTY COMMISSION MEETING  
THURSDAY, MARCH 12, 1981 - 1:30 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in special session this date was called to order by the President, James E. Lively.

Commission approved payroll for pay period March 1, 1981 through March 15, 1981. Also approved payment of bills.

The Commission requested all Department Heads desiring to discuss their budgets to meet with them at this time.

Mr. Jimmy Plear from the Criminal Justice and Highway Safety Division, Charleston, appeared before the Commission and presented a grant training application for the Prosecuting Attorney's Office which was approved and signed by the Commission.

There being no further business the Commission adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, MARCH 25, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Pat Hamilton, Attorney, representing Quanita L. Sims, who was also present, appeared before the Commission requesting change of Committee for James Thacker and since Sam Price, Attorney, who had previously been appointed Administrator for James Thacker is now deceased, Mr. Hamilton requested that Quanita L. Sims be appointed Administrator for her brother, James Thacker, an incompetent. Commission approved said appointment.

Gordon Billheimer and Jane Hughes, representing the Fayette County Libraries, came before the Commission and presented their 1981-82 Library Budget. Commission advised it will be taken into consideration.

Mr. Roger Steele and Mr. Paul Kizer, representing Indian Coal Land Company; Mr. Richard Flanagan, representing Southern W. Va. Regional Health Council and Joe Idleman representing Reclamation Division of Department of Natural Resources, appeared before the Commission regarding the landfill at Cunard. Mr.

Steele presented a map outlining the areas used by the landfill and area the coal company is using. He requested the Commission authorize the completion of a form for the Department of Natural Resources which might be utilized by the landfill and post a bond in the amount of \$1,000 an acre and since the area is around 50 acres, the bond should be in the amount of \$50,000 in order that the Department of Natural Resources may start their reclamation. The group present were all in agreement with this and requested the Commission let them know by April 15, 1981. Mr. Flanagan stated more ground work needs to be done and he will report back to the Commission with his recommendation.

Gary Harding, Zoning Commission, came before the Commission concerning the following requests:

Request of Lowell R. Kincaid, Owner, by Ralph Shockey, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on part of 2.77 acres, Chestnutburg, Route 85/9 at Corridor "L", New Haven District. The County Commission was informed by the Zoning Officer that the applicant had failed to appear and that there was opposition to the request. The Planning Commission did by a vote of 7 - 0 recommend that this request be denied. After a general discussion a motion was made by Mr. Vickers that this request be denied as recommended. Motion was seconded by Mr. Lopez and passed by a vote of 2 - 0.

The Commission was then informed that the Planning Commission did in connection with Z-144-77-1 recommend by a 6 to 1 vote recommend that the remainder of the property be rezoned to B-2 then do it in pieces. After much discussion a motion was made by Mr. Vickers that this be tabled until an opinion can be received regarding the advertisement. Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

Lyla Stokely from Lookout, came before the Commission expressing her concern about the New Haven Public Service District and its proposed water system. She stated the people in her area are desperately in need of water. The Commission advised her that since New Haven PSD had been formed she should contact the three Commissioners of the PSD and discuss her problem with them since it is now out of the jurisdiction of the County Commission.

Mr. Courtney Joslin, Flash Flood Warning Coordinator for the State Office of Emergency Services in Charleston and Mr. Ken Mack of the National Weather Service, Charleston, appeared before the Commission. Mr. Joslin requested the Commission to participate in a county-wide flash flood warning program. He explained the system is funded by the Appalachian Regional Commission and the National Weather Services and combines the use of electronic equipment and volunteer observers, said electronic radio rain gauges would be placed on mountaintops in strategic locations throughout the County and would record by computer amount of rain-

fall and give potential of flash flooding. Mr. Joslin requested the Commission sign letter of memorandum for participation in the program and select volunteer flash flood warning coordinator by May 1st, 1981 when the program would be put into effect. The cost to the county would amount to \$2,500 - \$3,000 per year for maintenance of equipment, said equipment to be furnished by the National Weather Service. After some discussion the Commission informed Mr. Joslin they would review the proposal and advise him of their decision.

Mr. Erwin Conrad, Attorney, appeared before the Commission on behalf of Vince Collins, Attorney from Clarksburg, and presented Inducement Resolution Industrial Bond issue for Fayette Limited II for development of a 42 unit apartment complex close to the Laurel Creek Apartments, said project not to exceed 1.5 million dollars with construction to start in May, 1981. The Commission requested Mr. Conrad leave the Inducement Resolution with them for consideration and he will be advised of their decision.

Order was entered this date appointing Mr. Larry Harrah of Edmond as a member of the New Haven Public Service District to fill the unexpired term of Clarence Moses who resigned.

Commission formally approved withdrawal of City of Ansted from the New Haven Public Service District by a vote of 3 - 0.

MAR 25 1981

Ralph Young, Attorney, came before the Commission and presented proposed draft to W. Va. Public Service Commission regarding funding from the County for Salem-Gatewood Public Service District. Mr. Young was advised the Commission will write the requested letter.

Commission approved payroll for pay period March 15, 1981 through March 30, 1981. Also approved payment of bills.

At this time proposed public hearing, as advertised, for Federal Revenue Sharing was held to receive comments from the public. No one from the public was in attendance.

There being no further business the Commission adjourned.

  
Secretary

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON  
WEDNESDAY, MARCH 25th, 1981.

Present were: James E. Lively, President  
Charles M. Vickers, Commissioner  
John H. Lopez, Commissioner

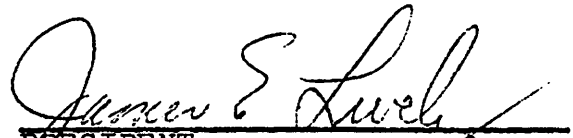
The following cases were presented to the County Commission  
for a disposition:

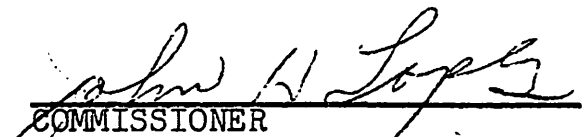
Z-212-81-1: Request of Lowell R. Kincaid, Owner, by Ralph Shockey,  
for a change in land classification from R-R, Agricultural and  
Rural Residence District, to B-2, General Business District,  
on part of 2.77 acres, Chestnutburg, Route 85/9 at Corridor  
"L", New Haven District.


The County Commission was informed by the Zoning Officer  
that the applicant had failed to appear and that there was  
opposition to the request. The Planning Commission did by a  
vote of 7 - 0 recommend that this request be denied. After a  
general discussion a motion was made by Mr. Vickers that this  
request be denied as recommended. Motion was seconded by Mr.  
Lopez and passed by a vote of 2 - 0.

The Commission was then informed that the Planning Commis-  
sion did in connection with Z-144-77-1 recommend by a 6 to 1  
vote recommend that the remainder of the property be rezoned to  
B-2 then do it in pieces. After much discussion a motion was  
made by Mr. Vickers that this be tabled until an opinion can  
be received regarding the advertisement. Motion was seconded  
by Mr. Lopez and passed by a vote of 3 - 0.

THE FAYETTE COUNTY COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER



REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, APRIL 8, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Mr. James Nutter and a group of citizens from the Cunard area appeared before the Commission with complaint about Mr. Aubrey Riner closing a public road in Cunard (which is on the State Road map in Charleston) that has been in use for many years. The Commission informed the group that since the Commission has no authority over roads the group would need to get this matter into a court of law through the help of an attorney.

Mr. Fred Jesser, Attorney representing Shirley Kirk, who was also present, came before the Commission and presented petition requesting the appointment of successor committee for Michael Kirk, an incompetent. During discussion it was brought out that Mr. Kirk had been previously living in Boone County and Martha Peaytt had been appointed his committee for that county but since Mr. Kirk is now living in Fayette County it was requested that Shirley Kirk, half sister of Michael Kirk, be appointed his committee. Commission approved said appointment and bond was set for \$60,000.00.

Due to the death on April 2, 1981 of Walter S. Wilson, Prosecuting Attorney for Fayette Fayette, the Commission, by a unanimous decision, appointed Paul Blake, Assistant Prosecuting, as Prosecuting Attorney to serve until the next general election. Judge J. Zane Summerfield gave the oath of office to Mr. Blake which was witnessed by Mr. Blake's family and friends.

Mr. Fred Jesser, Attorney representing Ladevco, Inc., with Mr. Bob Johnson and Mr. Bracken of Gauley Bridge being present, appeared before the Commission and presented Inducement Resolution for an industrial bond issue in the amount of \$1,600,000 for development of the property, formally known as Edgewater Motel, for a shopping center. Mr. Jesser stated he had received letter from the Town of Gauley Bridge stating they could not at the present time issue the bonds. After some discussion the Commission requested Mr. Jesser leave the Inducement Resolution for their consideration and he will be notified of their decision.

Mr. Wayne Inge, Attorney representing New River Heritage, a non-profit organization, appeared before the Commission requesting the use of the recreation hall, mess hall, amphitheater and one cabin at the Fayette County Park on September 12th and 13th to hold a New River Heritage Festival. He stated they had applied for a grant and would receive contributions to cover the cost. Also Neale Clark had contacted Mr. Gannon, Superintendent at the Park. The Commission informed Mr. Inge they would check

with Mr. Gannon and take the matter into consideration and would advise Mr. Inge of their decision.

Mr. Pat Hamilton, Attorney representing Ollie Mae Rice, who was also present, came before the Commission and presented petition requesting the appointment of Ollie Mae Rice, sister of Oscar Early Cooley, as Committee for Mr. Cooley, an incompetent. After some discussion and there being no objections the Commission approved said appointment.


Mr. James Blankenship, Attorney representing Vacie Lee Thompson, appeared before the Commission and presented petition for Vacie Lee Thompson to be appointed Committee for her son, Isaac Newton Thompson, Jr., who is mentally ill and incapable of handling his financial and business affairs. Since more information was required the Commission requested Mr. Blankenship reschedule this hearing at a later date which he agreed to do.

Mr. Paul Blake, Prosecuting Attorney, appeared before the Commission seeking information as to the procedure for the disposition of Mr. Wilson's Commissioner of Accounts cases that are now pending. He stated he felt it would be in the best interest of Mr. Wilson's clients if someone from his office could be appointed Special Commissioner of Accounts. After some discussion the name of Brentz Thompson, Assistant Prosecuting Attorney was mentioned as a possibility. Mr. Blake informed the

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Commission he would discuss the matter with Mr. Thompson and report back to the Commission on April 15th.

There being no further business the Commission adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, APRIL 15, 1981 - 10:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Commission approved payroll for pay period April 1, 1981 through April 15, 1981. Also approved payment of bills.

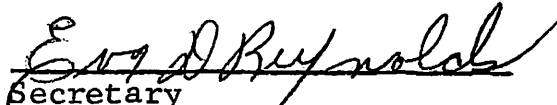
Paul Blake, Prosecuting Attorney, reported back to the Commission concerning the appointment of a Special Commissioner of Accounts to dispose of the pending cases of the late Walter S. Wilson, Commissioner of Accounts. The Commission approved the recommendation presented by Mr. Blake and appointed Mr. Brentz Thompson, Assistant Prosecuting Attorney, as Special Commissioner of Accounts.

Fred Jesser, Attorney, representing the Town of Fayetteville, came before the Commission and presented petition requesting annexation by minor boundary adjustment of one tract of real estate situate in New Haven District, Fayette County, West Virginia, adjacent to the Town of Fayetteville, and in that area known as Laurel Creek. After some discussion the

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Commission approved and signed said petition.

There being no further business the Commission adjourned.

  
Secretary

SPECIAL COUNTY COMMISSION MEETING  
TUESDAY, APRIL 21, 1981 - 10:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers

The Commission meeting in special session this date was called to order by the President, James E. Lively. At this time the Commission did lay Levy for 1981-82.

There being no further business the Commission adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, APRIL 29, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Mr. Fred Jesser, Attorney, representing Ladevco, Inc., with Mr. R. F. Johnson and Mr. Morgan Bracken of Gauley Bridge being present, appeared before the Commission concerning the Inducement Resolution for industrial bonds for the development of a mini shopping center in the Town of Gauley Bridge. This Resolution was presented to the Commission at their regular meeting on April 8, 1981, at which time the Commission requested Mr. Jesser to request the Town of Gauley Bridge to consider this Inducement Resolution. Mr. Jesser stated at this time the resolution had been presented by Mr. Bob Johnson to the Council members at their meeting on April 16th and the Council felt they did not want to participate at this time. After some discussion the Commission requested the Resolution be left with them for consideration. Later in the meeting, after discussing this Resolution with Mayor Keenan of Gauley Bridge, the Commission referred the Bond Inducement Resolution back to the Town of Gauley Bridge.



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Mr. Charles Keenan, Mayor of the Town of Gauley Bridge, along with Mr. Travis Harrington, Attorney for the Town of Gauley Bridge, Ruby Winebrenner and Council Members, Roy Young and Bob Chambers, came before the Commission and Mr. Keenan presented to the Commission proposal of Park Development, which will cost approximately \$525,000, for the Town of Gauley Bridge. He stated ArmCo had donated to the Town of Gauley Bridge 9½ acres of property, valued at between \$70,000 - \$100,000. He explained this park will be for the benefit of persons of all ages from a wide area, Boomer, Alloy, Falls View, Charlton Heights, Boonesboro, Kanawha Falls, Glen Ferris, Alta, Belva, Dixie, Jodie and Swiss as well as Gauley Bridge and hopefully funding will be received from other sources of revenue and also the Town of Gauley Bridge will consider a local levy to raise part of the funds. Mr. Keenan requested the County Commission for funding in the amount of \$100,000. After some discussion the Commission agreed for funding in the amount of \$25,000 for FY 1981-82 and \$25,000 for FY 1982-83, contingent upon all other sources of funding and also contingent upon plans as presented.

Gary Harding, Zoning Commission, came before the Commission concerning the following requests:

On the County Commission's own motion, for a change in land classification from R-R, agricultural and Rural Residence District, to P-D, Planned Development, on 2.828 acres, Turnpike,

Monty Boley property, Route 60, near Ansted, New Haven District. The Zoning Officer informed the County Commission that Mr. Boley had requested that he be allowed to withdraw his request. Mr. Pat Hamilton then spoke on behalf of the people in attendance informing the Commission that this request had been recommended against by the Planning Commission unanimously and that the people he represented still requested that this be denied. After a general discussion a motion was made by Mr. Vickers that this be denied as recommended. Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

Request of Everette H. Dove, Bessie L. Dove, and Mark E. Dove, Owners, for a change in land classification from R-1, Residence District, to I-1, Light Industrial District, on Lots 56 thru 61, 63 thru 65, and parts of 55, 66, 67, and 84, Wolf Creek Gardens, containing approximately 16 acres, Hinkle Road at Corridor "L", Plateau District. Mr. Dove was present and the Commission was informed that the Planning Commission did recommend that this be approved as requested. After a general discussion a motion was made by Mr. Vickers that this request be granted. Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

Request of Charles H. Shumaker, Owner, for a change in land classification from RR-1, Agricultural and Rural Residence District, to R-2, Residence District, on 2.239 acres, White Oak,

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old Catholic Church School property, Route 15 Whipple, Plateau District. Mr. and Mrs. Shumaker were present. The Zoning Officer informed the Commission that they intended to use the existing school building and convert it to 4 apartment units. The Planning Commission did recommend that this request be approved. After a general discussion a motion was made by Mr. Vickers that this request be granted. Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

The Commission was then informed by the Zoning Officer that James O'Dell in connection with Z-181-79-1 did appear before the Planning Commission on Monday and request that his original plan be amended to approve outside sales. The Planning Commission did by a vote of 7 - 0 recommend that this be approved within 150 feet of Fayette Station Road. After a general discussion no action was taken by the County Commission on the Planning Commission's recommendation. The Zoning Officer was then informed by the County Commission to have this readvertised to come back to the County Commission.

An order was entered this date reappointing the following persons as members of the Fayette County Commission on Human Rights to serve for a period of three years: Mr. Guy Dooley, Ansted; Mr. William Moore, Oak Hill; Ms. Celeste Arritt, Meadow Bridge and Mr. Robert Kirby, Charlton Heights.

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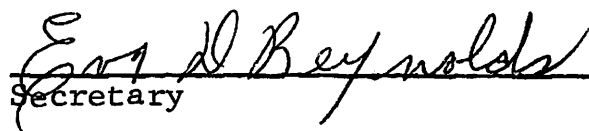
Also order was entered this date reappointing Mr. Cecil Copeland of Kimberly as a member of the Board of Armstrong Public Service District for a period of six years, said term to expire on April 1, 1987.

Resolution was entered this date whereby it was resolved that the Fayette County Commission would appropriate a sum in the amount of \$6,500.00 to the Upper Kanawha Valley Recreation Association, Inc.

Commission approved payroll for pay period April 15, 1981 through April 30, 1981. Also approved payment of bills.

Gene Carte, Attorney, at the request of James Blankenship, Attorney, appeared before the Commission and presented petition requesting Vacie Lee Thompson of Route 1, Fayetteville, W. Va., be appointed Committee for her son, Isaac Newton Thompson, Jr., who is mentally ill and incapable of handling his financial and business affairs. Said Mr. Thompson currently resides with his mother, Vacie Lee Thompson. Mr. Kevin Burgess, Attorney, had previously been appointed guardian ad litem for said Isaac Newton Thompson, Jr. After some discussion the Commission approved the appointment of Vacie Lee Thompson as Committee for her son, Isaac Newton Thompson, Jr.

There being no further business the Commission adjourned.

  
Secretary

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Court House Annex  
Fayetteville, WV

PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 27th day of April, 1981, at a regular meeting of the Planning Commission of Fayette County, West Virginia, to be held at the Court House Annex, thereof, at 3:00 P.M., or as soon thereafter as the matter may be heard, the Planning Commission will hold a Public Hearing on the following amendments (changes in land classification) to the Zoning Ordinance, referred by the County Commission to the Planning Commission for its recommendation.

ALSO, PLEASE TAKE NOTICE that on the 29th day of April, 1981, at a regular meeting of the County Commission of Fayette County, West Virginia, to be held at the Court House thereof, at 10:30 A.M., or as soon thereafter as the matter may be heard, the County Commission will hold a Public Hearing on the following proposed amendments (changes in land classification) to the Zoning Ordinance of Fayette County, West Virginia. Copies of the proposed amendments may be examined in the Zoning Office, Court House Annex, Fayetteville, West Virginia.

Z-213-81-2: On the County Commission's Own Motion, for a change in land classification from R-R, Agricultural and Rural Residence District, to P-D, Planned Development, on 2.828 acres, Turnpike, Monty Boley property, Route 60, near Ansted, New Haven District.

Z-214-81-2: Request of Everette H. Dove, Bessie L. Dove, and Mark E. Dove, Owners, for a change in land classification from R-1, Residence District, to I-1, Light Industrial District, on Lots 56 thru 61, 63 thru 65, and parts of 55, 66, 67, and 84, Wolf Creek Gardens, containing approximately 16 acres, Hinkle Road at Corridor "L", Plateau District.

Z-215-81-1: Request of Charles H. Shumaker, Owner, for a change in land classification from RR-1, Agricultural and Rural Residence District, to R-2, Residence District, on 2.239 acres, White Oak, old Catholic Church School property, Route 15, Whipple, Plateau District.

Gary E. Harding  
Zoning Officer

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON  
WEDNESDAY, APRIL 29th, 1981.

Present were: James E. Lively, President  
Charles M. Vickers, Commissioner  
John H. Lopez, Commissioner

The following cases were presented to the County Commission for a disposition:

Z-213-81-2: On the County Commission's Own Motion, for a change in land classification from R-R, Agricultural and Rural Residence District, to P-D, Planned Development, on 2.828 acres, Turnpike, Monty Boley property, Route 60, near Ansted, New Haven District.

The Zoning Officer informed the County Commission that Mr. Boley had requested that he be allowed to withdraw his request. Mr. Pat Hamilton then spoke on behalf of the people in attendance informing the Commission that this request had been recommended against by the Planning Commission unanimously and that the people he represented still requested that this be denied. After a general discussion a motion was made by Mr. Vickers that this be denied as recommended. Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

Z-214-81-2: Request of Everette H. Dove, Bessie L. Dove, and Mark E. Dove, Owners, for a change in land classification from R-1, Residence District, to I-1, Light Industrial District, on Lots 56 thru 61, 63 thru 65, and parts of 55, 66, 67, and 84, Wolf Creek Gardens, containing approximately 16 acres, Hinkle Road at Corridor "L", Plateau District.

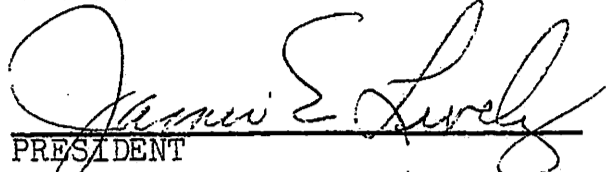
Mr. Dove was present and the Commission was informed that the Planning Commission did recommend that this be approved as requested. After a general discussion a motion was made by Mr. Vickers that this request be granted. Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

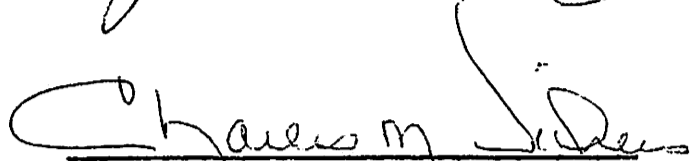
Z-215-81-1: Request of Charles H. Shumaker, Owner, for a change in land classification from RR-1, Agricultural and Rural Residence District, to R-2, Residence District, on 2.239 acres, White Oak, old Catholic Church School property, Route 15, Whipple, Plateau District.

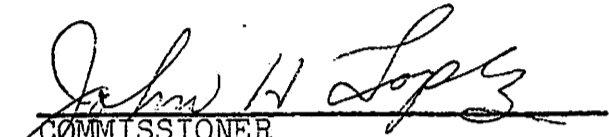
Mr. & Mrs. Shumaker were present. The Zoning Officer informed the Commission that they intended to use the existing school building and convert it to 4 apartment units. The Planning Commission did recommend that this request be approved. After a general discussion a motion was made by Mr. Vickers that this request be granted. Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

The Commission was then informed by the Zoning Officer that James O'Dell in connection with Z-181-79-1 did appear before the Planning Commission on Monday and request that his original plan be amended to approve outside sales. The Planning Commission did by a vote of 7 - 0 recommend that this be approved within 150 feet of Fayette Station Road. After a general discussion no action was taken by the County Commission on the Planning Commission's recommendation. The Zoning Officer was then informed by the County Commission to have this readvertised to come back to the County Commission.

THE FAYETTE COUNTY COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, MAY 6, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

James O'Dell appeared before the Commission in regard to operating a flea market on Fayette Station Road which was recommended by the Planning Commission on April 27, 1981 but was not acted on by the County Commission. After much discussion the Commission requested Mr. O'Dell readvertise the matter for another hearing. Mr. O'Dell informed the County Commission that he was withdrawing his request for a flea market and they would not see him anymore on this matter. The Commission agreed unanimously to allow Mr. O'Dell to withdraw his request.

Evelyn Jones, Mt. Hope, representing W. Va. Chapter of National Caucus for Black Aged and Belinda Morton, Attorney, Fayetteville, came before the Commission. Ms. Jones explained the purpose of their organization is to try to help elderly people who are in need. She requested the Commission consider funding for her organization. After some discussion Ms. Morton stated she will draw up the Charter and also put Ms. Jones



MAY 6 1981

request for funding in writing.

Commission requested Mr. Bragg, Administrator, draw up policy for extradition purposes.

Fred Jesser, Attorney for the Town of Fayetteville, appeared before the Commission and presented petition requesting annexation of the Dummitt property (owned by Charles E. Dummitt and Eugene and Georgia Wallace) by minor boundary adjustment of one tract of real estate situate in New Haven District adjacent to the Town of Fayetteville and in that area known as Laurel Creek containing 44.767 acres.

Susan Hewman, Attorney, Rainelle, representing Allen P. Persinger, Jr., who was also present, came before the Commission and presented petition requesting the appointment of Allen P. Persinger, Jr., Meadow Bridge, W. Va., as Committee for his father, Allen P. Persinger, Sr., who is unable to manage his business affairs. Mr. Erwin Conrad has been appointed guardian ad litem for said Allen P. Persinger, Sr. After some discussion the Commission accepted and approved said petition and set date of final hearing for May 27, 1981 at 10:00 A.M.

March Tucker, representing the Fayette County Fireman's Association, appeared before the Commission and discussed the guide lines for the Fireman's Levy pertaining as to how funds will be spent and also specifications for a new fire truck that each department will be wanting to purchase in the near future.

MAY 6 1981

After some discussion the Commission requested Mr. Tucker draw up proposal and get back in touch with the Commission.

There being no further business the Commission adjourned.

  
Secretary

MAY 6 1981

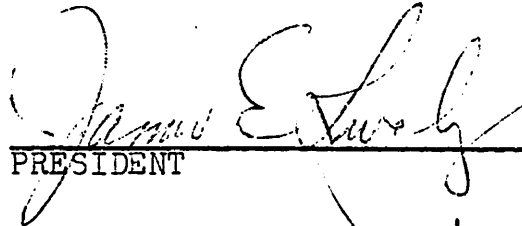
MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON  
WEDNESDAY, MAY 6th, 1981.

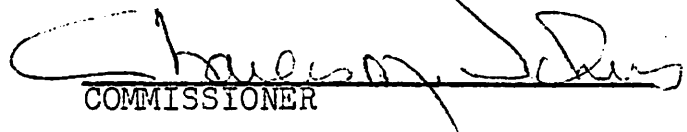
Present were: James E. Lively, President  
Charles M. Vickers, Commissioner  
John H. Lopez, Commissioner

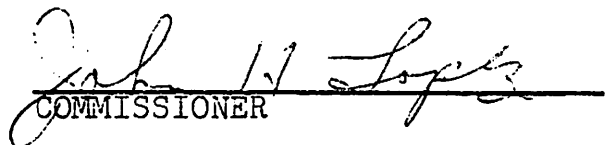
The following cases were presented to the County Commission  
for a disposition:

Mr. James O'Dell appeared before the County Commission in  
connection with Z-181-79-1. Mr. O'Dell informed the Commission  
that he still wanted an outside flea market which was recommended  
by the Planning Commission on April 27th, 1981. After much  
discussion Mr. O'Dell informed the County Commission that he was  
withdrawing his request for a flea market and that they would  
not see him anymore on this matter. The Commission agreed  
unanimously to allow Mr. O'Dell to withdraw his request.

THE FAYETTE COUNTY COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER

REGULAR COUNTY COMMISSION MEETING  
FRIDAY, MAY 15, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

As advertised, the Fayette County Commission received and opened bids for the alterations to the Fayette County Courthouse. Three bids were received and were tabulated as follows:

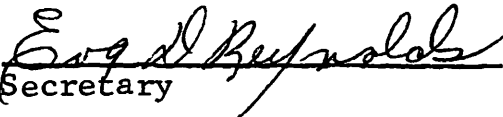
Cole Corporation	- Base Bid \$159,000 - Alternate No. 1 \$71,000 - Alternate No. 2 \$41,000
Olentangy	- Base Bid \$168,000 - Alternate No. 1 \$74,000 - Alternate No. 2 \$48,000
General Masonry	- Base Bid \$145,000 - Alternate No. 1 \$60,000 - Alternate No. 2 \$36,000

It appearing that General Masonry being the low bidder, Mr. Vickers made the motion that upon receipt of the documents as required within the specifications for said alterations, that General Masonry Construction, Inc., be awarded the bid to include the base bid and Alternate No. 2. Mr. Lopez seconded the motion and the vote was taken and recorded as follows:  
For the motion: Mr. Lively, Mr. Vickers and Mr. Lopez. Against the motion: None. Mr. Bragg was instructed to proceed with the necessary notifications in order to commence construction.

MAY 15 1981

Commission approved payroll for pay period May 1, 1981 through May 15, 1981. Also approved payment of bills.

There being no further business the Commission adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, MAY 27, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. Va.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Resolution was entered this date by the Commission in the matter of the endorsement of Pearl S. Buck to be honored with the Commorative Postal Stamp for the 1983 selection.

Steve Cruikshank, Fayetteville and Chris Martin, Gauley Bridge, representing the Fayette County Fireman's Association, appeared before the Commission and presented Fire Levy Guidelines which were prepared and approved by the Fayette County Fireman's Association as a whole, copy of which is attached hereto. After some discussion the Commission advised them they will make a decision and inform the Association of it.

Mr. Walter Wagner, Attorney, Dunbar, called this date to request the hearing for Nora Naylor scheduled for today be continued until Wednesday, July 8, 1981 at 11:00 A.M. Mr. Gordon Billheimer, Attorney, Montgomery, representing Catherine I. McCoy, filed answer of Nora Naylor as Administratrix of the Estate of Myrtle Naylor.

Susan Hewman, Attorney, Rainelle, representing Allen P. Persinger, Jr., who was also present, came before the Commission requesting the appointment of Allen P. Persinger, Jr., Meadow Bridge, W. Va., as committee for his father Allen P. Persinger, Sr., who is unable to manage his business affairs. Mr. Erwin Conrad, Attorney, had previously been appointed Guardian Ad Litem for said Allen P. Persinger, Sr. Mr. Tom Myles, Attorney, representing Mrs. Christine Turner, daughter of Allen P. Persinger, Sr., filed answer stating they were in agreement the father is incompetent and requested Mrs. Turner be appointed Committee rather than Mr. Persinger, Jr., since she has been living in the home with her father and taking care of him. After sworn testimony given by Mr. Allen P. Persinger, Jr; Mr. Erwin Conrad, Guardian Ad Litem; Beulah Persinger, wife of Allen P. Persinger, Jr; Christine Turner, Danese and Lola Mae Fix, Danese, the Commission moved the appointment of Christine Turner as Committee for Allen P. Persinger, Sr.

Gary Harding, Zoning Commission, came before the Commission concerning the following requests:

Request of Carlos E. Adkins, Owner, for a change in land classification from R-R, Agricultural and Rural Residence to B-2, General Business, on lot, Route 61, Ingram Branch, Valley District. There was no opposition and the Commission was informed that the applicant wanted to put a garage in the exist-

MAY 27 1981

ing building. The Zoning Officer informed the County Commission that the Planning Commission did by a 7 - 0 vote recommend that this be approved. Motion was made by Mr. Vickers that this be approved. Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

Request of Tomco Enterprises, Owner, BY Tom Louisos, for a change in land classification from R-R, Agricultural and Rural Residence, to L-1, Light Industrial on 44.624 acres, Hill Property, Corridor "L", near Fayetteville, New Haven District. There was no opposition and the Commission was informed that the applicant wanted to put in a service station and a dairy queen type operation. The Planning Commission did recommend this by a vote of 8 - 0. Motion was made by Mr. Vickers that this be approved. Motion was seconded by Mr. Lopez and passed by a vote of 3- 0.

The Zoning Officer submitted a petition to the County Commission signed by 34 residents of Kilsyth requesting that the area be rezoned to residential (R-3). The County Commission unanimously agreed to authorize the Zoning Officer to advertise this for a pbulic hearing.

Mr. Charles Wendell, CPA, Oak Hill representing James E. Deviese & Son, and Mr. Vince Collins, representing the law firm of Steptoe & Johnson, Clarksburg, appeared before the Commission and presented final Bond Resolution in the amount



MAY 27 1981

of \$350,000 to be signed by the Commission. After some discussion Mr. Lopez made motion Bond Resolution be adopted. Motion was seconded by Mr. Lively. Mr. Vickers voted against the bond issue.

In an order entered this date it is ordered that the area of the New Haven Public Service District be, and the same is, hereby reduced by deleting therefrom the municipal boundaries of the Town of Ansted. It is further ordered that the Town of Ansted be, and it is, hereby excluded from said District.

Mr. James Blankenship, Attorney, came before the Commission and presented petition for the appointment of Edward Chambers as Committee for his brother, Michael Chambers, who is incapable of handling his financial and business affairs. After some discussion the Commission approved the appointment of Edward Chambers as committee for his brother, Michael Chambers, subject to the posting of bond in the amount of \$15,000.00.

Order was entered this date appointing Mrs. Julia Batten, Mt. Hope, to serve as the Fayette County Commission's representative on the Board of Directors of Region IV Aging Programs, Inc.


The Commission approved payroll for pay period May 15, 1981 through May 31, 1981. Also approved payment of bills.

Mr. Paul Blake, Prosecuting Attorney, appeared before the Commission and explained that the present method of financing investigations of crimes was incorrect, that such expenses should be paid by a Sheriff's check and not through general county fund

MAY 27 1981

and advised that henceforth such a process be followed. Mr. Blake was going to contact the W. Va. State Tax Department regarding the above.

There being no further business the Commission adjourned.

  
Secretary

MAY 27 1981

# *Fayette County Fireman's Association*

*Fifteen Departments Striving for Better Fire Protection*

..... Steve Cruikshank..... Pres. March Tucker, Sr..... Vice Pres. Chris Martin..... Sec.-Treas.

## FIRE LEVY GUIDELINES

- 1.) Each department shall receive \$17,000 annually for operational expenses.  
The money shall be distributed by the county commission to each department equally on a quarterly basis. All levy funds received by the end of the quarter will be distributed except for pumper money of the departments who received a county bid pumper.
- 2.) Each department shall receive \$55,000 over the three year period of the levy for the purchase of a class A pumper with a minimum of 750 G.P.M. and 300 gallon booster tank.
- 3.) Each department shall establish separate accounts in which the levy funds are to be deposited. The words "fire levy" are to be included in the account titles.
- 4.) Good common sense is to be exercised when spending these funds. Funds will be spent for Fire Protection Services and Equipment.
- 5.) At the end of each quarter, each department is to send two (2) copies of an itemized list of spending, using the standard form, to the Fayette County Fireman's Association President. These copies must be submitted prior to the next quarterly allotment.
- 6.) The State of West Virginia Guidelines on Spending Public Funds has been adopted by the Fayette County Fireman's Association. These are the same guidelines that are followed when spending the Governor's Grant Money for Volunteer Fire Departments.

MAY 27 1981

# *Fayette County Fireman's Association*

*Fifteen Departments Striving for Better Fire Protection*

.... Steve. Grukshank..... Pres. .. March. Tucker, . Sr..... Vice Pres. . Chris. Martin..... Sec.-Treas.

The only exception to these guidelines is that a minimum of three (3) written bids will be required for any item between \$500 and \$2,000.

- 7.) Hydrant water usage expenses are not to be paid with fire levy funds.
- 8.) Every active regular fireman on each department must be trained to the level of Basic Firemanship Section I provided by the Fire Service Extension, West Virginia University. Any person within a fire department that has not successfully achieved this training will be considered a probationary fireman for purposes of training reporting. This goal must be accomplished by each department at the end of the first year of the levy or June 30, 1982. Any department may have additional requirements for probationary firemen to be eligible as an active member in addition to this requirement.
- 9.) Every department participating in the levy shall be required to achieve a goal of fifty (50%) percent of their firemen personnel trained to the level of Basic Firemanship Section II provided by the Fire Service Extension, West Virginia University. This goal must be accomplished by each department at the end of the second year of the levy or June 30, 1983. A non-compliance allowance of ten (10%) percent of the department firemen will be allowed for turnover and additions of personnel.
- 10.) Every participating fire department shall be required to achieve a goal of twenty-five (25%) percent of their firemen personnel trained to the level of Basic Firemanship Section III provided by the Fire Service Extension, West Virginia University. This goal must be accomplished by each department at the

MAY 27 1981

# *Fayette County Fireman's Association*

*Fifteen Departments Striving for Better Fire Protection*

..... Steve Cruikshank ..... Pres. .... March Tucker, Sr. .... Vice Pres. .... Chris Martin ..... Sec.-Treas.

end of the third year of the levy or June 30, 1984. A non-compliance allowance of ten (10%) percent of the department firemen will be allowed for turnover and additions of personnel.

- 11.) Each department receiving funds shall be a member in good standing of the Fayette County Fireman's Association and abide by the bylaws of the Association.

MAY 27 1981

Fire Department \_\_\_\_\_

Address \_\_\_\_\_

Current Period Covered By Report \_\_\_\_\_

<u>Class No.</u>	<u>Item of Expense</u>	<u>Expenditures This Quarter</u>	<u>Expenditures Year To Date</u>
01	Electric		
02	Telephone		
03	Heating		
04	Gasoline, Diesel Fuel, Oil		
05	Water & Sewage		
06	Workmen's Compensation Premiums		
07	Insurance		
08	Maintenance Supplies Bldg. & Equip.		
09	Office Supplies		
10	Repairs--Equipment		
11	Bunker Gear		
12	Communication Equipment		
13	Hose		
14	Self-Contained Breathing Apparatus		
15	Other 1901 Equipment		
16	Non 1901 Equipment		
17	Fire Prevention Programs		
18	Local Fire Training		
19	Fire Schools		
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
<u>TOTALS</u>			

Funds received from County Commission to Date \_\_\_\_\_

Expenses year to date \_\_\_\_\_

Balance \_\_\_\_\_

I certify that this report is an accurate statement of the expenses charged under the Fayette County Fire Protection Levy.

Signed \_\_\_\_\_

Title \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

55,000. @ For Manager  
17,000. @ op. exp.

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MAY 27 1981

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON  
WEDNESDAY, MAY 27th, 1981.

Present were: James E. Lively, President  
Charles M. Vickers, Commissioner  
John H. Lopex, Commissioner

The following cases were presented to the County Commission  
for disposition:

Z-216-81-1: Request of Carlos E. Adkins, Owner, for a change in  
land classification from R-R, Agricultural and Rural Residence  
to B-2, General Business, on lot, Route 61, Ingram Branch,  
Valley District.

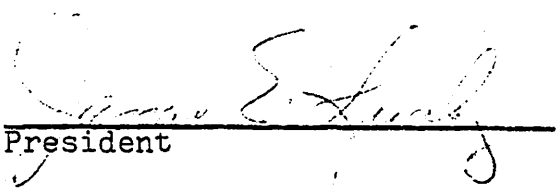
There was no opposition and the Commission was informed that  
the applicant wanted to put a garage in the existing building.  
The Zoning Officer informed the County Commission that the  
Planning Commission did by a 7 - 0 vote recommend that this be  
approved. Motion was made by Mr. Vickers that this be approved.  
Motion was seconded by Mr. Lopez and passed by a vote of 3 - 0.

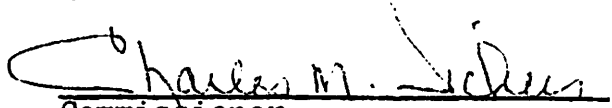
Z-217-81-1: Request of Tomco Enterprises, Owner, BY Tom Louisos,  
for a change in land classification from R-R, Agricultural  
and Rural Residence, to L-1, Light Industrial on 44.624 acres,  
Hill Property, Corridor "L", near Fayetteville, New Haven  
District.

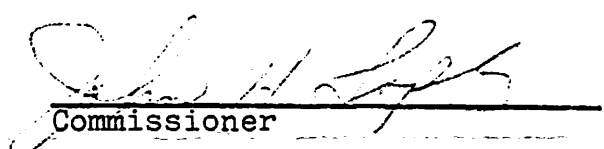
There was no opposition and the Commission was informed that  
the applicant wanted to put in a service station and a dairy  
queen type operation. The Planning Commission did recommend  
this by a vote of 8 - 0. Motion was made by Mr. Vickers that  
this be approved. Motion was seconded by Mr. Lopez and passed  
by a vote of 3 - 0.

The Zoning Officer submitted a petition to the County  
Commission signed by 34 residents of Kilsyth requesting that the  
area be rezoned to residential (R-3). The County Commission  
unanimously agreed to authorize the Zoning Officer to advertise  
this for a public hearing.

THE FAYETTE COUNTY COMMISSION

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner



REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, JUNE 3, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Mr. Erwin Conrad, Attorney, representing B & W Developers, appeared before the Commission requesting the issuance of Industrial Development Bonds not to exceed the amount of \$130,00 for the purpose to assist in the acquisition and construction of a facility for warehousing of gas drilling equipment and general office facilities located on Summerlee-Lochgelly Road. The Commission requested Mr. Conrad leave the papers with them to go over and a decision will be rendered at a later date.

The Commission reviewed current procedures regarding the consideration of Industrial Development Bonds and adopted the following policy, copy of which is attached hereto.

Order was entered this date reappointing Russell Matthew of Garten as a member of the Fayette County Board of Health for a five year term.

Also order was entered this date reappointing Louis Rahall of Fayetteville as a member of the Fayette County Library Board of Directors for a five year term.

JUN 3 1981

Clint Gallaher, Attorney, representing the Town of Meadow Bridge, came before the Commission requesting approval to Town of Meadow Bridge to proceed with the portion of Housing and Urban Development project which lies outside the corporate limits of Meadow Bridge. The Commission granted their approval and informed Mr. Gallaher letter will be written to that effect.

Bruce Webb from the Department of Welfare appeared before the Commission requesting free use of picnic shelter at the Fayette County Park to be reserved on July 22, 1981 for the residents of nursing homes and on August 21, 1981 for day care recipients. The Commission granted this request.

Gene Carte, Attorney, and Nancy McCarthy came before the Commission and presented order requesting appointment of a successor committee for Willard Sexton, incompetent. Nancy McCarthy, upon motion stated that Walter S. Wilson, who was committee for Willard Sexton, died April 2, 1981, asked that the Commission appoint her as successor committee for said Willard Sexton. After some discussion the Commission approved the appointment of Nancy McCarthy as Committee for Willard Sexton with bond to be posted in the amount of \$42,000.00

There being no further business the Commission adjourned.

  
Secretary

JUN 3 1981

The Fayette County Commission reviewed current procedures regarding the consideration of Industrial Development Bonds (IDB) and consequently developed and adopted the following policy for the acceptance and consideration of requests for issuance of Industrial Development Bonds:

1. Each inducement resolution shall contain all of the following:
  - (a) Names of developers.
  - (b) Location of project.
  - (c) Amount of issue.
  - (d) Purpose of issue.
  - (e) Amount of new employment created by the project.
2. The Commission will not approve a request for the issuance of Industrial Development Bonds of which the proceeds are to be used within the boundaries of a municipality, unless the IDB had first been approved by the governing body of that municipality.
3. A new release containing the above information plus the time and date each IDB issue will be considered, will be given the media in order that the public can respond and comment upon the issue and corresponding project.

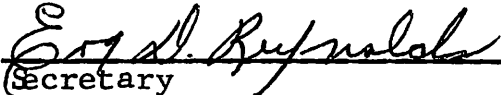
REGULAR COUNTY COMMISSION MEETING  
MONDAY, JUNE 15, 1981 - 10:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Commission approved payroll for pay period June 1, 1981 through June 15, 1981. Also approved payment of bills.

Order was entered this date appointing Mr. Harold Bragg of Scarbro, West Virginia, as a member of the White Oak Public Service District to fill the unexpired term of Mrs. Alice Hymon, who recently passed away, said term to expire January 1, 1984.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, JUNE 24, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE, W. VA.

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Commission approved payroll for pay period June 15, 1981 through June 30, 1981. Also approved payment of bills.

Ms. Peggy Richmond, representative from the C & P Telephone Company, appeared before the Commission and after showing a short film explained their new Horizon PBX Telephone System which has more features, more convenience and is more up to date than the present PBX system in the Court House. The Commission thanked Ms. Richmond for her presentation and advised they would give the new system their consideration and get in touch with her.

At this time the Commission held the public hearing, as advertised, on the Resolution for Issuance of Industrial Bonds in the amount of \$130,000 for B & W Developers for the construction of a facility for warehousing of gas drilling equipment. No one from the public appeared. Mr. Lopez and Mr. Lively voted in favor of the Resolution. Mr. Vickers voted against the Resolution.

Mr. Paul Blake, Prosecuting Attorney, came before the Commission and explained to the Commission, according to a new

JUN 24 1981

ruling from the Supreme Court, that beginning on October 1, 1981, a recording device must be furnished to be used for each hearing held in the court room. He stated he would use every effort to get the Supreme Court to furnish the recording device, however in the event they would not, it would be the responsibility of the County Commission. Mr. Blake also requested authorization to purchase another dictating Norelco Machine for his office, cost of which will be \$445.00. The Commission took his request under advisement.

Gary Harding, Zoning Commission, appeared before the Commission concerning the following request:

Request of Eva Workman, Owner, by D. Clinton Gallaher, for a change in land classification from R-R, Agricultural, and Rural Residence, to B-2, General Business, on part of 3 acres, Lansing, Possum Creek Road off Corridor "L", New Haven District. There was no opposition present and the Zoning Officer informed the County Commission that a 40' x 48' structure to be used as the headquarters for a white water rafting outfitter was proposed for the site. The Commission was informed that the Planning Commission did by a 7 - 0 vote recommend this be approved and that the people in the surrounding area did support this request. After a general discussion a motion was made by John Lopez that this request be approved as recommended. Motion was seconded by Mr. Vickers and passed by a vote of 3 - 0.

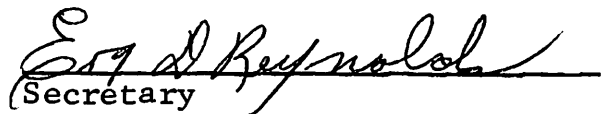
JUN 24 1981

Mr. Ellis G. Ross, on behalf of the residents of Glen Jean, W. Va., appeared before the Commission and presented letter requesting the County Commission to apply for a Community Development Block Grant to rehabilitate the substandard dwellings in the Glen Jean Community. The Commission told him they would be glad to help with the application.

Mr. Harold Bragg of Glen Jean, W. Va., appeared before the Commission and gave a report regarding the dredging project of Dunloup Creek at Glen Jean. He reported after the heavy rains the creek stayed within its banks and he wanted to commend and express appreciation to the Commission for the job extremely well done.

Order was entered this date appointing the following persons as members of the Board of Directors of the Fayette, Monroe, Raleigh, Summers, FMRS Mental Health Council, Inc. Mr. John H. Lopez, Smithers, W. Va. Term to expire December 31, 1981. Mr. Stewart Frazier, Harvey, W. Va. Term to expire January 1, 1982.

There being no further business the Commission adjourned.

  
Secretary

JUN 24 1981

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON  
WEDNESDAY, JUNE 24th, 1981.

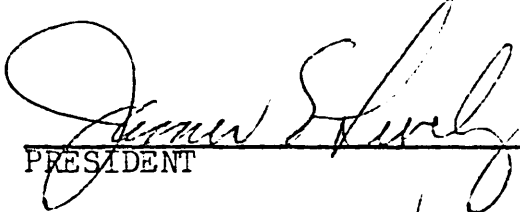
Present were: James E. Lively, President  
Charles M. Vickers, Commissioner  
John H. Lopez, Commissioner

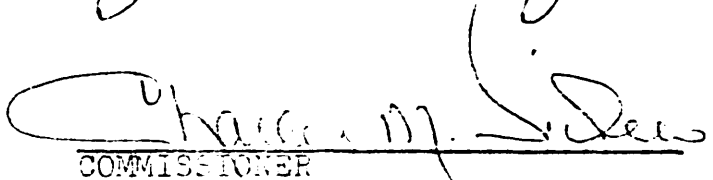
The following case was presented to the County Commission  
for its disposition:

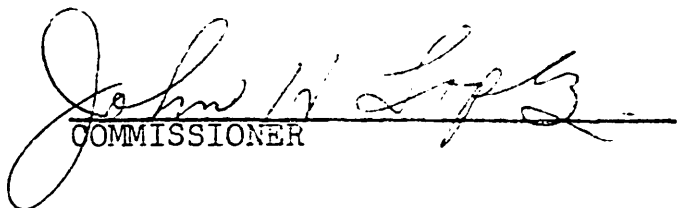
Z-218-81-1: Request of Eva Workman, Owner, by D. Clinton Gallaher,  
for a change in land classification from R-R, Agricultural and  
Rural Residence, to B-2, General Business, on part of 3 acres,  
Lansing, Possum Creek Road off Corridor "L", New Haven District.

There was no opposition present and the Zoning Officer informed  
the County Commission that a 40' x 48' structure to be used as the  
headquarters for a white water rafting outfitter was proposed for  
the site. The Commission was informed that the Planning Commission  
did by a 7 - 0 vote recommend this be approved and that the people  
in the surrounding area did support this request. After a general  
discussion a motion was made by John Lopez that this request be  
approved as recommended. Motion was seconded by Charles Vickers  
and passed by a vote of 3 - 0.

THE FAYETTE COUNTY COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER



REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, JULY 8, 1981  
COURT HOUSE  
FAYETTEVILLE

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

Mr. Erwin Conrad, representing B & W Developers, appeared regarding the approval of an inducement resolution to authorize Industrial Development Bond Issue as per order filed in Fayette County Clerk's Office.

Mr. Chuck Steele of Baker, Watts, Inc. appeared regarding issuance of multi-family home mortgage bonds. The Commission informed Mr. Steele that procedure for consideration of industrial bond issues required that a public hearing be held for each issue and that such a hearing would be scheduled for the next regular session of the Commission on July 29, 1981.

Richard W. Bragg

REGUALR COUNTY COMMISSION MEETING  
WEDNESDAY, JULY 29, 1981  
COURT HOUSE  
FAYETTEVILLE

Mr. Kevin Burgess appeared representing Barbara Cox regarding change of guardianship. Commission approved order as filed in Fayette County Clerks' Office, contingent upon qualification of guardian and posting of sufficient (\$25,000) bond.

Mr. Erwin Conrad, representing B & W Developers, appeared to request closing of Industrial Revenue Bond issue. Commissioners approved order for sale of Bonds.

Three zoning cases were presented to the Commission for disposition. Mr. Gary Harding, Zoning Officer, was requested to prepare documentation regarding the cases and the Commission's findings, a copy of which is attached hereto.

Mrs. Seely appeared representing Home Health Education Service to acquaint the Commission with a drug education program that may be made available to Fayette County. Requested letter of support from the Commission. Commission agreed to provide such letter upon her written notice to proceed.

Commission held hearing regarding the issuance of Multi-family Housing Revenue Bonds as requested by Charles Steele of Baker, Watts, Inc. No one appeared regarding such bond isse. Commission informed that approval of such a bond issue would be contingent upon response of County Finanical Institutions.

Commission approved matching funds on 50% basis up to \$3,250.00 for Valley E.M.S. and Danese Volunteer Fire Department

and Rescue Squad for purchase of heart monitoring equipment.

The Commission approved \$1000.00 for maintenance of Paint Creek clearing and snagging project.

The Commission directed Richard Bragg to request that Southern West Virginia Regional Health Council contract be re-drafted in order to conform with Federal Revenue Sharing guidelines.

The Commission met with owners of Rush Creek Land Company and agreed to renegotiate lease agreement due to Commission's need for additional acreage at Landfill #1 at Brooklyn.

Richard W. Bragg

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON  
WEDNESDAY, JULY 29, 1981.

Present were: James E. Lively, President  
Charles M. Vickers, Commissioner  
John H. Lopez, Commissioner

The following cases were presented to the County Commission for a disposition:

Z-219-81-1: On County Commission's Own Motion for a change in land classification from RR-1, Agricultural and Rural Residence, to R-3, Residence District, Kilsyth, Plateau District.

The County Commission was informed that 34 people had signed a petition favoring this request, and that the Planning Commission had by a vote of 10 - 0 recommended that this be approved. After a general discussion a motion was made by Mr. Vickers that this be approved. Motion was seconded by John Lopez and passed by a vote of 3 - 0.

The County Commission was informed that Z-220-81-1 and Z-222-81-1 were both tabled by the Planning Commission.

Z-221-81-2: Request of Bernard L. Confere, Owner, for a change in land classification from R-3, Residence District, to B-2, General Business District, on Lots 15 and 16, Section 5, Adena Village, Valley District.

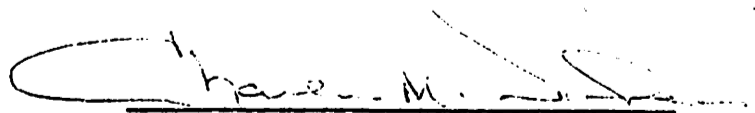
The Commission was informed that the Planning Commission did by a vote of 10 - 0 recommend that this request be denied. After a general discussion the County Commission did allow the applicant to withdraw his request.

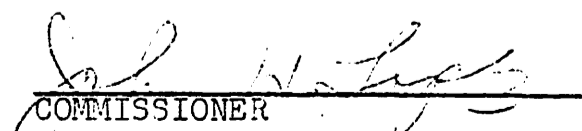
Z-223-81-2: Request of Marlin G. Middleton, Owner, for a change in land classification from RR-1, Agricultural and Rural Residence District, to B-2, General Business District, on Lot 21, Section 2, Kimberly, Valley District.

The Commission was informed that this request was recommended against by the Planning Commission by a vote of 10 - 0. Mr. Jamie Blankenship appeared before the County Commission and requested that he be allowed to withdraw this request and refile to go back to the Planning Commission. After some discussion the County Commission did allow this case to be withdrawn.

THE FAYETTE COUNTY COMMISSION

  
\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
COMMISSIONER

  
\_\_\_\_\_  
COMMISSIONER

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, AUGUST 5, 1981  
COURT HOUSE  
FAYETTEVILLE

9:00 A.M. Bids were received for the purchase of fire trucks for Fayette County Volunteer Fire Department. On behalf of the Fayette County Firemen's Association, the Fayette County Commission received bids for the purchase of eight fire trucks. The trucks are to be purchased from Excess Levy funds authorized by the Fayette County Commission. (Said Levy was approved by levy election held November 4th, 1980)

The Fire Truck Specifications Committee of the Fayette County Firemen's Association will evaluate all bids and make recommendations to the Fayette County Commission at the August 26th meeting.

10:00 A.M. Mrs. Donna Mills of the West Virginia State Tax Department Local Government Relations Division appeared on behalf of the Tax Department with proposed contract for County Tax System. (Computer) After discussion regarding terms the Fayette County Commission approved said contract for Fiscal Year 1981-82.

10:30 A.M. Zoning Hearing regarding change in land classification. Documentation and discussion of the Commission prepared by Gary Harding, Zoning Officer, and attached hereto.

Richard W. Brogg

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A REGULAR MEETING  
HELD ON WEDNESDAY, AUGUST 5th, 1981.

Present were: James E. Lively, President  
John H. Lopez, Commissioner

The following case was presented to the County Commission  
for disposition:

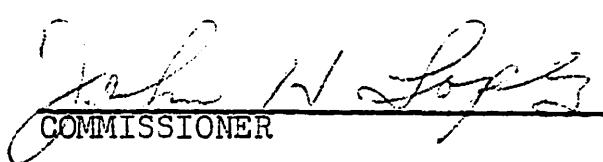
Z-220-81-1: Request of Elsie Blake, Owner, by Bill Perry, for a  
change in land classification from R-R, Agricultural and  
Rural Residence, to I-1, Light Industrial District, on 4.6  
acres, Loup Creek, Route 61 near Carters Branch, Plateau  
District.

The County Commission was informed by the Zoning Officer  
that this case had been deferred by the Planning Commission  
until August 3rd at 10:00 P.M. on the site to give the Planning  
Commission a chance to view the site. At that time the Planning  
Commission did by a vote of 7 - 0 recommend that this request be  
granted with the condition that white pines be planted where  
necessary for screening.

After a general discussion a motion was made by Mr. Lopez  
that this be granted as recommended. Motion was seconded by Mr.  
Lively and passed by a vote of 2 - 0. Mr. Vickers not being  
present at this time.

THE FAYETTE COUNTY COMMISSION

  
PRESIDENT

  
COMMISSIONER

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, AUGUST 26, 1981 - 9:00 A.M.  
COURT HOUSE  
FAYETTEVILLE

MEMBERS PRESENT: James E. Lively, President  
Charles M. Vickers  
John H. Lopez

Clint Gallagher appeared regarding Committee appointment for Rolla Williams. The Commission approved as per order filed in Fayette County Clerk's Office in accordance with West Virginia Law.

Harlem Heights - Street Paving Project. Low bid received by Anderson Paving Company. Bid Tabs attached hereto. Richard Bragg to contact HUD office regarding verification of contractors eligibility and adjustment of project to meet budget constraints.

Award of Bid for purchase of fire trucks. Commissioners heard F.M.C. testimony regarding bid release and award; testimony from Fayette County Firemen's Association regarding award of bid, requested that Alleghany Steel Fire Truck be awarded; Mr. Blake advised that procedure taken regarding specifications has been conducted properly. Discussion noted that possibility existed for litigation. Received testimony from Alleghany regarding fact that Alleghany Bid did meet all specifications. Firemen's Association recommended acceptance of Alleghany's Bid. Alleghany Representative stated that Alleghany would hold Fayette County Commission harmless. Documentation to this effect was to be forwarded. Fayette County Commission will hold recommendation under consideration until said documentation is studied.

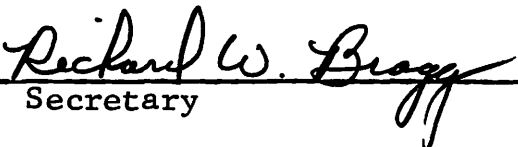
The Commission granted tentative approval for purchase of Horizon Telephone System. The Commission directed Richard Bragg to inform C & P to have six year contract prepared for Fayette County Commission's approval.

Discussion regarding Fayette County Sheriff's request regarding salary increase for Law Enforcement Deputies. Mr. Lively made the motion to include within the Personal Services line items of the Fayette County Sheriff's - 1981-82 Law Enforcement budget, \$30,000.00 for salaries and fringe benefits, pro-rated per deputy in the F.R.S. General Budgets seconded by Mr. Lopez.

VOTE:

Mr. Lopez: Aye  
Mr. Lively: Aye  
Mr. Vickers: Nay

Mr. Vickers indicated that he had not received the information regarding research into the equalization of pay for deputies, he stated that administration decisions should not be conducted in such a manner without proper research and documentation.

  
Secretary



REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, SEPTEMBER 9th, 1981  
COURT HOUSE  
FAYETTEVILLE

MEMBERS PRESENT: JAMES E. LIVELY, PRESIDENT  
CHARLES M. VICKERS  
JOHN H. LOPEZ

Representing Fayette County Firemen's Association were Steve Cruikshanks and Mike Rutledge. They presented to the Commission a letter from Allegheny, and the Fire Apparatus Proposal for the Commissioners to award the bid to Allegheny and Emergency One for the fire trucks.

Commission stated that they needed a hold harmless agreement from Emergency One and Allegheny. The Fayette County Commission will award the contract subject to the following contingencies:

- 1) A hold harmless agreement from Emergency One and Allegheny after it has been approved by the Prosecuting Attorney, Paul Blake.
- 2) A final contract figure that will be within the Levy Amount.

Representing Emergency One and Allegheny were Paul Duncan and Jeff Volssler. They stated they would have a letter stating the above to the Fayette County Commission by the end of the day.

It was approved by the Fayette County Commission that Mr. R. F. Johnson, Boomer WV as a Commissioner of the Kanawha Falls Public Service District Board be reappointed as Commissioner of Said Kanawha Falls Public Service District Board as and of September 1, 1981 to serve for and during a period of six years. Said term to expire September 1, 1987. Order attached hereto.

Fred Jesser, Attorney and Robert Johnson came before the Commission and presented an order requesting Robert Johnson as committee for his mother, who is unable to manage her business affairs. After some discussion the Commission approved said appointment and bond was set at \$15,000.00. (Mother-Elizabeth Johnson)

It was approved by the Commission that W. R. Bennett, Jr., Robert L. Honaker, Jerry Flowers, and Jack Holt be reappointed to the Fayette County Planning Commission for an additional three years. Said term to expire on August 3, 1984. Said order attached hereto.

The commission requested Richard Bragg to submit a letter to the Fayette County Sheriff's Department asking for a letter of recommendations on updating their vehicles.

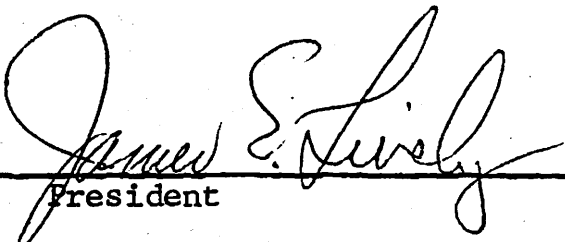
Richard Bragg informed the Commission of a meeting being held on Monday, September 14, 1981 concerning the building of a new rehabilitation facility in Nicholas County. Purpose of the meeting is to make the plans public and to see if any other counties would be interested in the proposed facility. After some discussion, it was decided that because of the distance to Nicholas County, it would not be feasible.

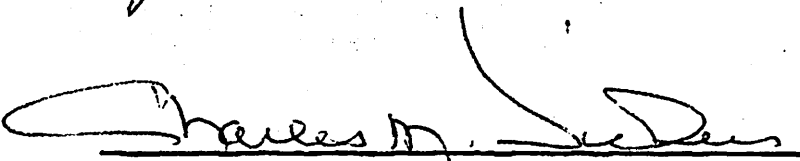
The Commission discussed the paving of the parking lot adjacent to the Court House. It was decided that there would be no construction until City Council acted and, it was discussed with Jack Gannon that it would not impede the removal of snow.

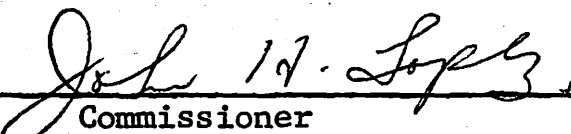
  
Sasey Hyffman

FAYETTE COUNTY COMMISSION

On this the 9th day of September, 1981, it appearing to the Commission that the term of office of Mr. R. F. Johnson, Boomer West Virginia, as a Commissioner of the Kanawha Falls Public Service District Board expired on September 1, 1981 and upon recommendation of the Board, it is hereby ordered that Mr. R. F. Johnson be and he is hereby appointed as Commissioner of said Kanawha Falls Service District Board as and of September 1, 1981 to serve for and during a period of six years, said term to expire September 1, 1987.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

REGULAR COUNTY COMMISSION MEETING  
TUESDAY, SEPTEMBER 15, 1981  
COURT HOUSE  
FAYETTEVILLE

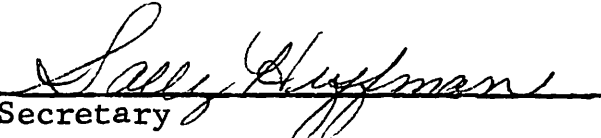
MEMBERS PRESENT: Charles M. Vickers  
John H. Lopez

Commission approved payroll for pay period September 1, 1981 through September 15, 1981.

Mr. Keith Long from Computer Election Service came before the Commission to answer questions concerning the problems with the system during the last election.

Richard Bragg requested that we have a new training session for the new employees that would be more extensive. Mr. Long proposed a two day training period for four persons to be 60 days after the new candidates were known to the public. He stated he would be glad to submit to the Commission a letter giving the costs per day or per hour for the training session or a contract that would cover the training period, costs, and other options that he felt would benefit the staff during an election.

There being no further business the Commission adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, SEPTEMBER 30, 1981  
COURT HOUSE  
FAYETTEVILLE

MEMBERS PRESENT: James E. Lively  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Gordon Billheimer attorney, representing O. E. Palmer who was also present came before the Commission requesting appointment as Committee for Julia Carpenter. The testimony of Philip Tissue, Attorney, who was appointed Guardian Ad Litum, and Dr. Enrique Aguilar of Montgomery was that Mrs. Julia Carpenter was incompetent to handle her business affairs. O. E. Palmer testified to the same. After much discussion it was agreed upon by the Commission, James Lively and John Lopez, that Mr. O. E. Palmer be appointed as Committee for Mrs. Julia Carpenter. Due to Mr. Vickers relationship to one of the family members, he withdrew.

Mr. Paul Blake, Prosecuting attorney came before the Commission requesting payment for Teresa Meninke, Court Reporter, for her services rendered in taking the disposition and the statement of the defendant for the Emma Mathews murder. The Commission agreed that she should be paid and that they would look into the matter.

Two zoning cases were presented to the Commission for disposition. Mr. Gary Harding, Zoning Officer, was requested to prepare documentation regarding the cases and the Commission's findings, a copy of which is attached hereto.

Mr. Harding also requested that Hobart Booth of Oak Hill be placed on the Planning Commission to fill the unexpired term of Mr. Fred Thompson of Mount Hope. The Commission granted Mr. Hardings request.

The names of Pam Smith, Pam Lively, and Rosalie Reese were submitted to the Commission to fill the vacancy created by Mrs. Camillia Adkins. The Commission chose not to act on the appointment at this time.

The Fayette County Commission approved bids for the Law Library in the Circuits Clerks Office.

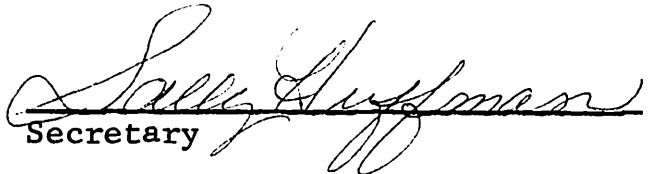
The Sheriff of Fayette County, Jack Manning, submitted to the Commission his report on the condition and his inventory on his law enforcement fleet. The report is on file in the County Commission office.

The Commission requested a letter be sent to Mr. Wallace Bennett, Jr., Fayetteville City Manager, of their decision to repair the sidewalk and parking lot across the street from the Court House. It was decided that the planned sidewalk adjacent to the Court House would prohibit snow removal.

Mr. Herb Mann came before the Commission and requested raises for his staff to come out of his Revenue Sharing Fund. After the Commission explained how the checks would have to be administered Mr. Mann withdrew his request.

Ms. Marrison Nowell came before the Commission asking for support and to sign a statement of support for the Legal Services Corporation. Commission signed said statement.

There being no further business, meeting was adjourned.

  
Secretary

FAYETTE COUNTY COMMISSION

At a regular meeting of the Fayette County Commission this 9th day of September, 1981, the following citizens, residents and freeholders of Fayette County are hereby appointed as members of the said Fayette County Planning Commission for an additional three year term, expiring August 3, 1984

Robert L. Honaker	Fayetteville, WV
W. R. Bennett, Jr.	Fayetteville, WV
Jerry Flowers	Fayetteville, WV
Jack Holt	Oak Hill, WV

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER



FAYETTE COUNTY COMMISSION

At a regular meeting of the Fayette County Commission this 9th day of September, 1981, the following citizens, residents and freeholders of Fayette County are hereby appointed as members of the said Fayette County Planning Commission for an additional three year term, expiring August 3, 1984

Robert L. Honaker	Fayetteville, WV
W. R. Bennett, Jr.	Fayetteville, WV
Jerry Flowers	Fayetteville, WV
Jack Holt	Oak Hill, WV

  
\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
COMMISSIONER

  
\_\_\_\_\_  
COMMISSIONER

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON  
WEDNESDAY, SEPTEMBER 30th, 1981.

Present were: James E. Lively, President  
Charles M. Vickers, Commissioner  
John H. Lopez, Commissioner

The following cases were presented to the County Commission  
for disposition:

Z-224-81-3: Request of Marlin G. Middleton, Owner, by Jamie Blanken-  
ship, for a change in land classification from RR-1, Agricultural  
and Rural Residence District, to B-2, General Business District,  
on Lot 21, Section 2, Kimberly, Valley District.

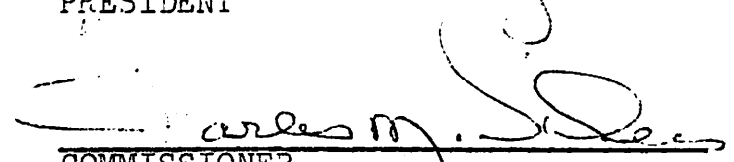
The County Commission was informed by the Zoning Officer that  
the Planning Commission did by a vote of 7 - 0 recommend that this  
request be denied. Mr. Blankenship spoke to the Commission on what  
was proposed for the site and Roger Huddleston spoke against the  
proposed use on behalf of the citizens of Armstrong Creek. After  
a general discussion a motion was made by John Lopez that this be  
denied as recommended by the Planning Commission. Mr. Vickers  
seconded the motion and it passed by a vote of 3 - 0.

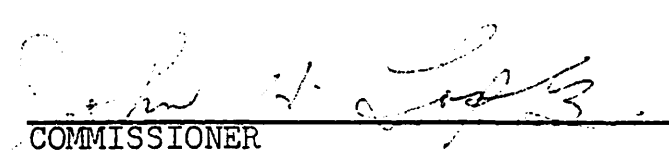
Z-225-81-2: Request of James E. & Barbara J. O'Dell, Owners, for a  
change in land classification from R-R, Agricultural and Rural  
Residence District, to P-D, Planned Development, on part of 6  
acres, near Court House, Route 82, Fayette Station Road, near  
Corridor "L", New Haven District.

No one was present to represent Mr. O'Dell and the Commission  
was informed by the Zoning Officer that the Planning Commission  
did by a vote of 7 - 0 recommend that this request be denied.  
After a discussion a motion was made by Mr. Vickers that this be  
denied as recommended. Motion was seconded by Mr. Lopez and passed  
by a vote of 3 - 0.

THE FAYETTE COUNTY COMMISSION

  
\_\_\_\_\_  
PRESIDENT

  
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COMMISSIONER

  
\_\_\_\_\_  
COMMISSIONER

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, OCTOBER, 7, 1981  
COURT HOUSE  
FAYETTEVILLE, WV

MEMBERS PRESENT: James E. Lively  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Attorney Pat Hamilton came before the Commission requesting three committee appointments: (1) Appointment of Lawrence Dandage, Nephew, who was also present as committee for his Uncle Lafayette Agee. After some discussion it was agreed upon by the Commission that Lawrence Dandage be appointed as Committee for his uncle, Mr. Agee, who is unable to handle his business affairs. Bond was set at \$20,000; (2) Appointment for Ms. Cornilla Burton as Committee for her Mother, Cassie G. Chambers, who is unable to handle her affairs. Commission granted the appointment and bond was set at \$25,000; (3) Appointment for Mr. William Meador, of Oak Hill as committee for his Aunt, Maude L. Griffith, who is unable to handle her business affairs. Commission granted the Committee appointment to Mr. Meador and bond was set at \$75,000.

Mr. Paul Blake, Prosecuting Attorney, came before the Commission concerning the Hold Harmless Agreement between Emergency One and Allegheny for the new firetrucks. He stated that he had been in contact with the two companies via telephone and that

the Commission should be receiving the Hold Harmless Agreement signed by officers of both companies soon.

Jane Hughes with the Fayette County Library came before the Commission and presented to them recommendations to make the Library accessible to persons confined to wheelchairs. The recommendations included a ramp, a reserved parking space adjacent to the library, and better access to the restrooms and water fountains. Mr. Lively inquired as to who would bear the expenses, Mrs. Hughes indicated the Library would. Commission agreed upon these recommendations.

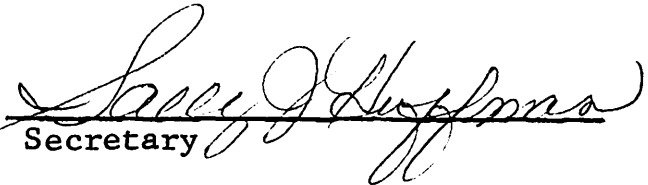
Ms. Linda Rogers came before the Commission requesting their help in recommending persons with low income and persons 55 years and older to work in Fayette County under the Green Thumb Program which is a state funded program. Commission informed Ms. Rogers they would give consideration to this matter and if they new of any such persons with these qualifications they would refer them to her.

The Commission discussed the Law Enforcements Fleet in regards to the amount of milage and condition of said vehicles. After some discussion the Commission decided to purchase five new vehicles to replace cruisers #300, #301, #302, #310, and #313 and to purchase a new four-wheel drive vehicle. It was also decided that the vehicles mentioned above would go toward the purchase of the new vehicles. It was also agreed upon that four of the cars, along with the four-wheel drive, would be marked and

used as cruisers\* The fifth car would be used by the Process  
Servant. It was also decided by the Commission that a gas  
pump would be installed to accomodate the county vehicles.  
Mr. Bragg was directed to check where the best location for the  
pump would be. Also Mr. Bragg was asked to meet with Sheriff  
Manning to draw up the specs for the new vehicles to be purchased.

Richard Bragg informed the Commission that Jack Gannon  
had in fact accepted the proposed snow removal contract. Mr.  
Bragg also informed the Commission that a check had been mailed  
to the Plateau Medical Center to go toward the purchase of  
para medic supples for the Jan Care Ambulance Service. The  
check represented a donation made by the Civitan Club to the  
county for the ambulance service.

\* Cruisers to be medium sized cars with comparable engines  
similar to the cruisers in use now.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
THURSDAY, OCTOBER 15, 1981  
COURT HOUSE  
FAYETTEVILLE, WV

MEMBERS PRESENT: James E. Lively  
Charles M. Vickers

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

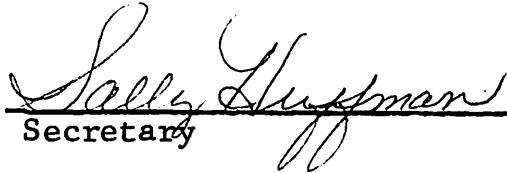
The Commission discussed what regulations there were concerning County Employees working over-time and what sort of compensation would be made for the over-time worked. Mr. Paul Blake, Prosecuting Attorney, was requested to see what guidelines other county governments follow. It was also discussed by the Commission budgets and their disbursements by the department heads. However, no motions were made at this time.

Salary raises for the Sheriff's Department were submitted to the Commission for their approval. Mr. Vickers raised the question that these raises were to have been effective September 1, 1981. After some discussion, Mr. Lively made the motion to change the effective date from September 1, 1981 to October 1, 1981. Mr. Vickers seconded the motion and the motion was carried.

It was agreed upon by the Commission that their support would be given to the petition requesting the installation of traffic lights at the Lochelly Intersection on U.S. Rt. 19.

The Commission approved payroll for pay period October 1, 1981 through October 15, 1981. Payment of bills was also approved by the Commission.

There being no further business, meeting was adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, OCTOBER 28, 1981  
COURT HOUSE  
FAYETTEVILLE, WV

MEMBERS PRESENT: James E. Lively  
Charles M. Vickers  
John H. Lopez

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Mr. E. M. Farinella, Attorney, came before the commission and presented petition for discharge of Committee and restoration to competency for Elvin Jackson. The Commission approved the petition.

Mr. Farinella also brought before the Commission a petition requesting for Ms. Thelma Light that her Committee Appointment for Ray L. Berry be terminated. No objections having been made to the resignation of said Thelma Light the Commission released and discharged from liability as such Committee upon approval of her final accounting by this Commission. The Commission is of the opinion and they do hereby appoint Nancy A. McCarthy, Bradley, West Virginia, as successor committee of Ray L. Berry. Bond was set at \$20,000.

Fred Jesser came before the Commission and presented petition for the appointment of George Moreau as committee for his mother Angie Jackson who is incapable of handling her business affairs. The Commission approved the appointment of



George Moreau as committee for his mother, subject to the posting of bond in the amount of \$25,000.

Gordon Billheimer, Attorney, came before the Commission requesting the appointment of Billy Johnson as Committee for his mother, Marcie Johnson, who due to an automobile accident is now incapable to handle her business and financial affairs. The appointment of Billy Johnson as Committee for his mother was approved by the Commission and bond was set at \$10,000.

Tom Myles, Attorney, came before the Commission with a petition requesting that Madge Fagg be appointed as Committee for her Mother-in-Law, Alma Jean Fagg, who is incapable to handle her business affairs. The Commission granted the appointment of Madge Fagg as Committee for Mrs. Alma J. Fagg and bond was set at \$15,000.

Larry Harding, Zoning Commission came before the Commission concerning the following request:

Request of Lonnie Johnson, Owner, for a change in land classification from RR-1, Agricultural and Rural Residence District, to I-1, Light Industrial, to operate a junk yard on 2 acres, Wolf Creek, Wolf Creek Road, New Haven District.

The County Commission was informed by the Zoning Officer that the Planning Commission did unanimously recommend that this request be denied. Mr. Larry Tincher was present to represent Mr. Johnson and informed the County Commission of what was proposed on the site. Mrs. Camilla Adkins and Mrs. Loren

Young spoke against this request. After a general discussion a motion was made by Mr. Lopez that this be denied as recommended by the Planning Commission. Mr. Vickers seconded the motion and it carried by a vote of 3-0. A copy of the order is attached hereto.

Vivan Wykle with Region IV came before the Commission requesting financial aid for their program. The Commission ordered that \$6,000. be appropriated to their program; \$3,000 to go toward rent, and the additional \$3,000 to defray budget expenses.

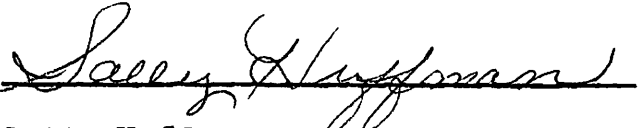
Dwayne Tinsley, Attorney, came before the Commission requesting the appointment of Ethel Rogers, Charleston, WV as committee for her brother, Richard Banks, who is incapable to handle his financial and business affairs. It was the testimony of, Homer Green from Appalachain Power Company and Wayne Inge, who was appointed Guardian ad Litum, that Mr. Banks is incapable to handle his personal or his buiness affairs. After some discussion, it was agreed upon by the Commission that Ethel Rogers be appointed as Committee for her Brother, Richard Banks subject to the posting of bond in the amount of \$25,000.

Paul Blake, Prosecuting Attorney, came before the Commission with his copy of the Hold Harmless Agreement from Allegheny and Emergency-One. It was his opinion, and the opinion of the Commission that the agreement was unacceptable. Mr. Blake was asked to resubmit the request for the Hold Harmless Agreement.

Representing Emergency-One and Allegheny were Paul Duncan and Jeff Volssler, representing the Firemen's Association was Steve Cruikshanks; they came before the Commission for their decision on the Hold Harmless Agreement, the Commission informed them that the agreement was unacceptable. The Commission informed them it would be wise to have their attorney meet with Mr. Paul Blake and draw up an agreement that would be acceptable to all concerned.

Sheriff Manning submitted to the Commission his specs on the new vehicles to be purchased for the Sheriff's Department. After some discussion it was decided by the Commission that eight vehicles would be purchased instead of the six previously decided on. The Commission will advertise for bids on six medium sized police cruisers - for example; equal to the Malibu, and two 4-wheel drive passenger vehicles. It was also decided by the Commission that two of the above mentioned vehicles will be used by the Sheriff and his Chief Deputy, Dave Brown as their official car.

Payroll and bills were approved by the Commission, there being no further business, meeting was adjourned.



Sally Huffman  
Secretary

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON  
WEDNESDAY, OCTOBER 28th, 1981.

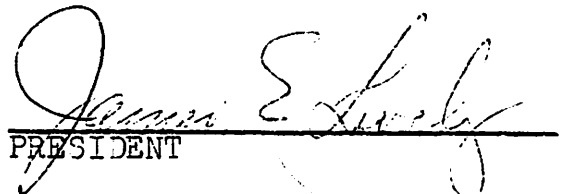
Present were: James E. Lively, President  
Charles M. Vickers, Commissioner  
John H. Lopez, Commissioner

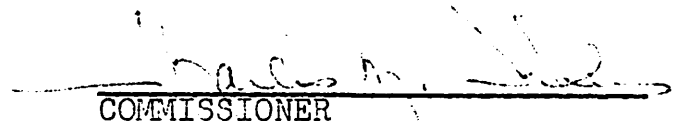
The following case was presented to the County Commission  
for a disposition:

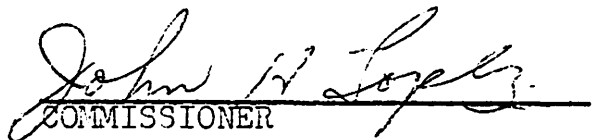
Z-226-81-1: Request of Lonnie Johnson, Owner, for a change in  
land classification from RR-1, Agricultural and Rural  
Residence District, to I-1, Light Industrial, to operate  
a junk yard on 2 acres, Wolf Creek, Wolf Creek Road, New  
Haven District.

The County Commission was informed by the Zoning Officer  
that the Planning Commission did unanimously recommend that  
this request be denied. Mr. Larry Tincher was present to  
represent Mr. Johnson and informed the County Commission of  
what was proposed on the site. Mrs. Camilla Adkins and Mrs.  
Loren Young spoke against this request. After a general dis-  
cussion a motion was made by Mr. Lopez that this be denied as  
recommended by the Planning Commission. Mr. Vickers seconded  
the motion and it carried by a vote of 3 - 0.

THE FAYETTE COUNTY COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER

Court House Annex  
Fayetteville, WV

PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 26th day of October, 1981, at a regular meeting of the Planning Commission of Fayette County, West Virginia to be held at the Court House Annex, thereof, at 3:00 P.M., or as soon thereafter as the matter may be heard, the Planning Commission will hold a Public Hearing on the following amendments (changes in land classification) to the Zoning Ordinance, referred by the County Commission to the Planning Commission for its recommendation.

ALSO, PLEASE TAKE NOTICE that on the 28th day of October, 1981, at a regular meeting of the County Commission of Fayette County, West Virginia, to be held at the Court House thereof, at 10:30 A.M., or as soon thereafter as the matter may be heard, the County Commission will hold a Public Hearing on the following proposed amendments (changes in land classification) to the Zoning Ordinance of Fayette County, West Virginia. Copies of the proposed amendments may be examined in the Zoning Office, Court House Annex, Fayetteville, West Virginia.

Z-226-81-1: Request of Lonnie Johnson, Owner, for a change in land classification from RR-1, Agricultural and Rural Residence District, to I-1, Light Industrial, to operate a junk yard on 2 acres, Wolf Creek, Wolf Creek Road, New Haven District.

Gary E. Harding  
Zoning Officer

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, NOVEMBER 4, 1981  
COURT HOUSE  
FAYETTEVILLE, WV

MEMBERS PRESENT: James E. Lively  
Charles M. Vickers  
John H. Lopez

This Commission meeting in regular session this date was called to order by the President, James E. Lively

Walter Wagner, attorney came before the Commission with a petition requesting the replacement of the present administratrix for the Myrtle Naylor estate with his client Catherine Naylor McCoy. The Commission heard the testimony of Clarence J. and Catherine McCoy and Norma Naylor Bails - the present administratrix. After much discussion the Commission decided not to make a decision at this time. The Commission stated that their decision would be handed down at a later date and both attorneys would be notified of their decision.

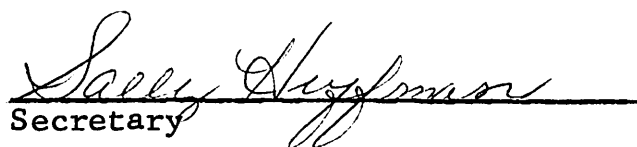
Jamie Blankenship came before the Commission requesting the appointment of Juanita Shelton as committee for her son Ronald Shelton. It was her sworn testimony that Ronald Shelton is incapable of handling his financial affairs. Kevin Burgess, Attorney who was appointed as Guardian Ad Litum submitted to the Commission an order also stating that Ronald Shelton is incapable of handling his financial affairs. The Commission approved the appointment of Juanita Shelton as committee for her son, upon the posting of a \$10,000 bond.

Pat Hamilton, Attorney came before the Commission requesting the appointment of successor committee for Ethel Roszak. Due to the death of Cecil Treadway who was acting as Committee for Ethel Treadway, Everette Treadway was appointed by the Commission as Committee for said Ethel Roszak upon the posting of a \$25,000 bond.

Paul Duncan and Jeff Volssler came before the Commission to hear their decision on the Hold Harmless Agreement. The Commission stated the Hold Harmless Agreement was acceptable and the bid for the firetrucks was signed.

Richard Bragg came before the Commission for their approval on the Public Official Liability Insurance. Commission granted their approval. Also the Commission requested that a letter be sent to Sheriff Manning regarding the statute covering the emergency employment of law enforcement deputies.

The Commission approved payment of bills and there being no further business, meeting was adjourned.

  
Secretary

SPECIAL COUNTY COMMISSION MEETING  
MONDAY, NOVEMBER 9, 1981  
COURT HOUSE  
FAYETTEVILLE, WEST VIRGINIA

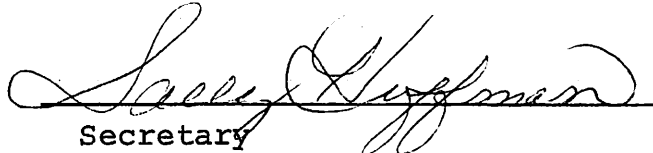
MEMBERS PRESENT: James E. Livley  
John H. Lopez

The Commission meeting in special session this date was called to order by the President, James E. Lively.

The Commission sitting as a Board of Canvassers began to canvass the results of the Special Road Bond Election held on November 3, 1981 in Fayette County.

Upon completion of the canvass, the results were found to be the same as the totals that were tallied by the poll officials on election night.

There being no further business, the Commission adjourned.

  
Secretary



REGULAR COUNTY COMMISSION MEETING  
FRIDAY, NOVEMBER 13, 1981  
COURT HOUSE  
FAYETTEVILLE, WEST VIRGINIA

MEMBERS PRESENT: James E. Lively  
Charles M. Vickers

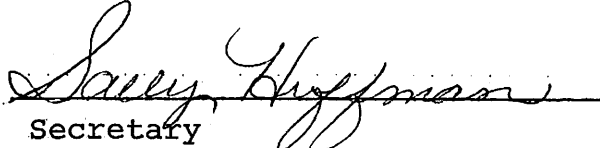
The Commission meeting in regular session this date was called to order by the President, James E. Lively.

Richard Bragg came before the Commission and presented the specs on the bids for the cruisers that are to be purchased for the Sheriff's Department. The Commission gave their approval on the specs. Mr. Bragg also presented to the Commission the Memorandum of Understanding for Enhanced Flash-Flood Warning System. After some discussion, the Commission accepted and signed the memorandum

The Sales Representative from Pitney Bowes came before the Commission with the proposal on the mailing equipment. He was instructed to mail back contracts to either lease or purchase the equipment and the Commission would vote on the acceptance of the contract at their next meeting on November 25, 1981.

Sheriff Jack Manning came before Jim Livley requesting additional funds to be used toward the purchase of film for the 15 cameras he had previously acquired with funds from his budget. Mr. Lively stated he would bring this matter before the other Commissioners at their next meeting and at that time, their decision would be handed down to Sheriff Manning.

The Commission approved the payroll for pay period ending November 15th, 1981 and payment of the bills was also approved. There being no further business, meeting was adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, NOVEMBER 25th, 1981  
COURT HOUSE  
FAYETTEVILLE, WV

MEMBERS PRESENT: James E. Lively  
Charles M. Vickers  
John H. Lopez

This meeting in regular session this date, was called to order by the President, James E. Lively.

Fred Jesser came before the Commission recommending a new indexing system for the County Clerk's Office. Mr. Ronald Cooper with Kott Indexing came before the Commission to demonstrate this new indexing system and also presented a proposal. The Commission agreed to accept the first phase of the indexing system consisting of two volumes of debtors at a cost of \$1668.00 and two volumes of creditors costing \$1668.00. The Commission also agreed to accept bids on the general index for deeds and leases.

Brentz Thompson came before the Commission to propose a settlement from Cabot Gas Corp. for damages to the Memorial Building resulting from the need to reduce the consumption of fuel during the gas shortage of 1977 therefore causing water pipes to freeze and rupture. Mr. Thompson stated the Fayette County Board of Education was in agreement with the proposal. The Commission signed an agreement releasing Cabot from any further damages and accepted the \$25,000 settlement proposed by Cabot Gas Corporation..

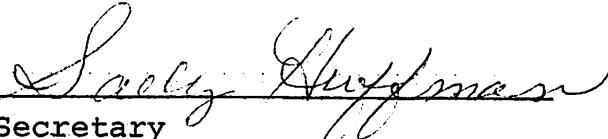
Judge Abbot and Judge Summerfield came before the Commission concerning several matters: (1) A request was made by the magistrates for the Commission to purchase and maintain a beeper service. Both Judges stated that they highly recommend a service of this type for the county; (2) The Judges inquired as to what kind of progress was being made for repairs to the Court Room. The Commission informed Judge Abbot and Judge Summerfield that up to this point they had been unsuccessful in finding someone skilled in plastering. Judge Abbot suggested someone skilled in drywall. The Commission stated they would be more than glad to talk with anyone interested in doing the repairs. The Judges were asked to submit a schedule of their hours in order to arrange times for the work to be done, Richard Bragg was instructed

to contact area contractors who would have persons skilled in dry-wall and who would be willing to work around the hours of the court. (3) The Judges made a request for heaters to be placed in the ladies lounge. The Commission granted this request. (4) The Judges also inquired about the bids that had been received for the sound system to be installed in the court room. The Commission stated they had researched several different systems available, but had no success in finding a system they felt would meet the courts needs. After some discussion it was agreed that the matter would be re-opened, and other counties would be contacted as to what type of systems they were using and how effective they felt the systems were.

Steve Cruishanks and Richard Bragg presented to the Commission documents from Allegheny. Mr. Cruishanks inquired as to when would sign the cocuments as the chasies were in Florida ready to be assembled. Mr. Lively stated the documents would be wxamined by the Commission and could be signed at the next county commission meeting on December 9th, 1981.

A meeting was held with Jack Gannon concerning the company policies and procedures for 1982. The Commission agreed to raise Mr. Gannons salary \$250.00 per month effective December 1, 1981.

The Commission approved the payroll for pay period November 16th through November 30th. The bills were also approved for payment. There being no further business, meeting was adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
WEDNESDAY, DECEMBER 9th, 1981  
COURT HOUSE  
FAYETTEVILLE, WV.

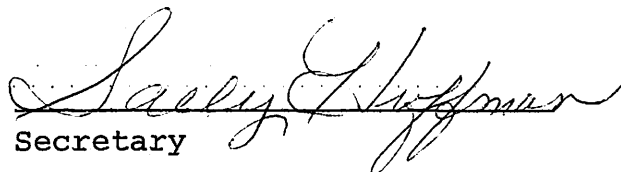
MEMBERS PRESENT: James E. Lively  
Charles M. Vickers

This meeting in regular session this date, was called to order by the President, James E. Lively.

Mr. Bob Arthur was requested to come before the Commission in order that he would be made aware of the current problem concerning over-night camping at the 4-H facilities. Mr. Lively stated that it was not feasible to spend over \$1,000 to do renovation and to hire workers at the facilities for the entire summer when the Fayette County 4-H Group only used the camp one week out of the past summer. Even with 4-H Groups outside of the County, the camp was only booked for four weeks during 1981. Mr. Arthur stated that he was aware of the lack of interest and participation that existed among area 4-H Groups. The Commission thanked Mr. Arthur for his time and his understanding in the situation and the matter was tabled until a later date.

Dwight Brohard delivered to the Commission a lease agreement for the new postage machine, the 5600. The agreement was signed with the option to purchase the equipment at a later time.

The Commission approved the payment of the bills and there being no further business, meeting was adjourned.

  
Secretary

REGULAR COUNTY COMMISSION MEETING  
TUESDAY, DECEMBER 15th, 1981  
COURT HOUSE  
FAYETTEVILLE, WV

MEMBERS PRESENT: James E. Lively  
Charles M. Vickers

The Commission meeting in regular session this date was called to order by the President, James E. Lively.

As advertised, the Fayette County Commission received and opened bids for the Cruisers that are to be purchased for the Fayette County Sheriff's Department. Two bids were received and tabulated as follows:

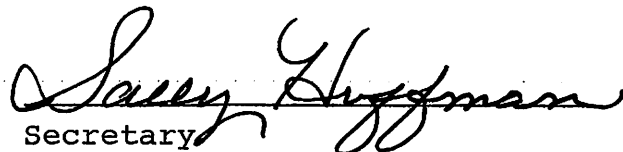
King Coal Chevrolet Co. - Total Price on Six Units --\$53,635.50.

New River Chevrolet, Inc.-Total Price on Six Units --\$54,426.00.

Mr. Bragg was instructed to examine the bids to see that they do in deed meet the specifications set by the Commission, and report back on his findings.

The Commission approved payroll for pay period December 1, 1981 through December 15th, 1981. The Bills were also approved for payment.

There being no further business the Commission adjourned.

  
Secretary

REGULAR COUNTY COURT MEETING  
WEDNESDAY, DECEMBER 30, 1981  
COURT HOUSE  
FAYETTEVILLE, WV

MEMBERS PRESENT: James E. Lively  
Charles M. Vickers  
John H. Lopez

This meeting in regular session was called to order by the president, James E. Lively.

Mayor John Witt and Councilman Flowers came before the Commission to ask for financial assistance to maintain the dispatchers in order to keep the 911 Emergency System in operation.

Councilman Flowers explained that due to the termination of the Ceta Program the town can no longer afford to maintain the dispatchers for around the clock service. Councilman Flowers requested that if it was not feasible for the county to subsidise funds to maintain the dispatchers, then would it be possible for the Town of Fayetteville and the Fayette County Sheriff's Department to devise a system whereby the calls would be answered after business hours by the Sheriff's Department.

The Commissioners stated that they would give this matter their immediate attention and thanked Mayor Witt and Councilman Flowers for their time.

After some discussion by the Commissioners, a letter was sent to Mayor Witt explaining that due to the present state of our economy and the low tax collection rate that the County would not be able to undertake any additional funding commitments. However, they had no objections to the Sheriff's Department and the Town of Fayetteville working together to solve the problem. Mr. Lively also requested that before any system be implemented, it be presented to the Commission for their approval.

Prosecuting Attorney, Paul Blake and Sheriff Jack Manning came before the Commission requesting to meet with the Commissioners in Executive Session. It was moved by Mr. Lively and seconded by Mr. Lopez and the meeting was moved into Executive Session.

James Love came before the Commission to learn the status on the beeper system for the magistrates. Again it was explained that the Commissioners would buy the equipment but would not purchase a monthly service contract on the beepers. Mr. Love explained that to his knowledge the service on the beepers was included in the monthly telephone bill. Mr. Lively expressed that it would be a different situation if the maintenance contract was included in the telephone bill. Mr. Lively assured Mr. Love that the Commissioners would further investigate the system and would contact the magistrates of their decision.

The bids for the cruisers for the Sheriff's Department was the next order of business before the Commission. After some discussion, Mr. Lively moved that the bids received for the Sheriff's fleet be rejected, it was seconded and carried. Mr. Bragg was instructed to readvertise for the bidding.

Steve Cruishanks and Paul Vossler came before the Commission to have documents signed that would allow the fire truck chasises to be assembled, however these documents did not meet the Commissioners approval. Mr. Vossler indicated he would resubmit these documents at the next County Court meeting.

The Commissioners approved the payment of the bills and the payroll for the pay period of December 15th through December 31st.

There being no further business, meeting was adjourned.

\*\*The Commission approved the following reappointments; Russell G. Deering to the Gauley River Public Service District; John H. Lopez, Richard W. Bragg, and Stewart Fraizer to the E.M.S. Council; Sam Shumate to the Board of Zoning Appeals; and Kenneth Dangerfield to the White Oak Public Service District.

  
SECRETARY