

REGULAR COUNTY COURT MEETING
WEDNESDAY, JANUARY 15, 1982
COURT HOUSE
FAYETTEVILLE, WV

MEMBERS PRESENT: James E. Lively
Charles M. Vickers

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

Bids for the cruisers for the Sheriff's Department were received and accepted by the Commission. The bids are as follows:

King Coal - Malibu (med. size) -- \$53,359.56
Impalas(lg. size) -- \$53,635.50

Blackburn Ford - Fairmont (med. size) -- \$48,452.96
LTD (lg. size) -- \$55,547.00

New River Chev. - Malibu (med. size) -- \$54,426.00
Impala (lg. size) -- \$52,980.00

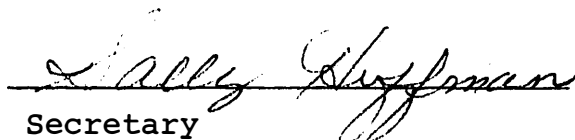
The bids are to be examined to be certain that they meet the specifications set by the Commissioners. A decision will be made by the Commission at a later meeting.

Bids were received on the indexing system from Resource Digital and Kott Indexing, they are as follows:

Resource Digital - \$74,509.20
Kott Indexing - \$88,200.00

The Commission rejected the bids and felt a further evaluation is needed of the present system.

The Commission approved the payment of the bills and the payroll for pay period January 1, through January 15th. There being no further business, meeting was adjourned.


Secretary

REGULAR COUNTY COURT MEETING
WEDNESDAY, JANUARY 6, 1982
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.

Sergeant Klingensmith presented to the Commission a letter from Captain Larry A. Brown of the West Virginia National Guard in appreciation for their thoughtfulness and consideration in providing the National Guard the use of the facilities at the Fayette County Park for their field training exercises.

Attorney, Gordon Billheimer came before the Commission to remove Cleo Holdren as administratrix from the Mable Rider Estate. However, Mr. Billheimer was notified that Cleo Holdren had resigned as administratrix and therefore no action was needed to be taken by the Commission. Mr. Billheimer thanked the Commissioners for their time.

A discussion was held on renovation and repairs to the Court House, the Annex, and the Jail by the Commission. It was noted that repairs will be made to the Court Room and the Witness Room starting on Monday, January 11, 1982. It was also decided that the jail had precedence over all other work and that the re-wiring and the fire alarm system be installed as soon as possible. It was also decided that Jess Banes and his crew would do the renovation to the jail and an electrician would be hired to do the re-wiring and the installation of the fire alarm system.

Assessor, Dan Neely came before the Commission to discuss the taxes for 1982. He indicated there would be an increase, and his office would be able to supply the figures the first of February.

A discussion was held concerning the over night camping facilities at the Fayette County Park. At this time a decision was not reached, however, Jack Gannon was asked to contact several organizations on their feelings of dispensing with camping for the 1982 season due to the added expenses of renovating resulting from the Fire Marshall's and the Health Department's investigations. Mr. Gannon was requested to report back to the Commission on his findings.

The Commission reappointed John D. Grey, of Mount Hope to the Fayette County Housing Authority to serve for and during a period of five years. Said term to expire January 9th, 1987.

It was agreed upon by the Commission that during the month of February they would sit as a Board of Equalization Review.

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


SECRETARY

REGULAR COUNTY COURT MEETING
WEDNESDAY, FEBRUARY 3, 1982
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.

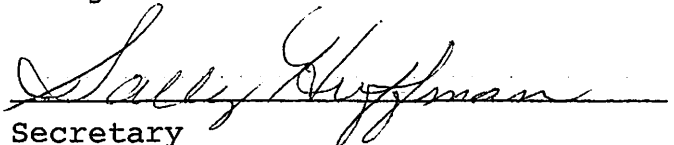
Clint Gallaher came before the Commission to request that James Evans, Mount Hope West Virginia, grandson of Edith May Evans be removed as Committee for said Edith May Evans and that Debby Sizemore be appointed as Committee. It was the testimony of James Evans that due to his poor health he is unable to handle Mrs. Evans' business affairs. It was the sworn testimony of Floyd Evans, son of Edith May Evans, that he is in complete agreement that Mrs. Sizemore be appointed as Committee for his mother.

Philip Tissue was appointed as Guardian Ad Litum and he reported to the Commission that Mrs. Evans was indeed in poor health and is unable to handle her business affairs.

Charles Vickers made the motion to have the former petition amended and that Debby Sizemore be appointed as Committee for said Edith May Evans. James E. Lively seconded the motion and it was carried by a vote of 2 - 0. Bond was set at \$5,000.00.

The Fayette County Commission gave their approval to submit application on behalf of the Gauley River Public Service District for a block grant loan in the sum of \$750,000.00. Also the Commission tentatively approved \$150,000.00 to the Gauley River Public Service District over a two to three year period pending total project feasibility and to include Nicholas County Commission participation and the probability of mining operations being devised in the area.

It was decided by the Commission that for the 1982 season over-night camping will be eliminated at the 4-H facilities due to the regulations set by the fire marshall and the health department. The Commission approved the payment of bills and there being no further business, meeting was adjourned.


Secretary

REGULAR COUNTY COURT MEETING
WEDNESDAY, January 27th, 1982
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.

Mr. Gary Harding came before the Commission to request a change in land classification; requested by Harold R. and Teresa L. Anderson, owners that their land be changed from RR-1, Agricultural and Rural Residence District, to B-3, Highway Business District, on Lot 39, Thousands Oaks Sub-division, Barrington Hill Road and Sheffield Lane, Plateau District. The County Commission was informed by the Zoning Officer that the Planning Commission did unanimously recommend that this request be denied. The applicant was not present and the opposition did not appear before the County Commission. Mr Charles Vickers made a motion that this request be denied as recommended by the Planning Commission. Motion was seconded by Mr. Lively and passed by a vote of 3 - 0.

The Commission instructed Mr. Richard Bragg to contact the Magistrate's Office of their decision to purchase beepers. It was also mentioned by Mr. Bragg that specs will need to be drawn up and advertised in the paper.

The Commission awarded the bid for six new Impala Cruisers to the New River Chevrolet car dealership, and the bid for the two 4-wheel drive vehicles was awarded to Nicholas Trading Post for two AMC Eagles.

Pat Hamilton came before the Commission to request that 3.6 acres located on Gatewood Avenue in Oak Hill, West Virginia be annexed into the city of Oak Hill. The Commission unanimously approved Mr. Hamilton's request.

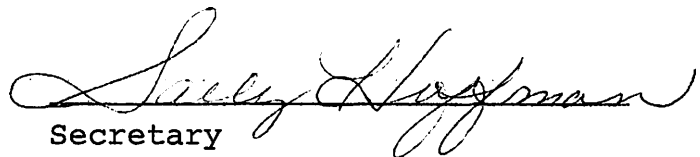
The Fayette County Commission received the results from the 1979, '80, and '81 Audit, it was made available to the public and other officials.

It was ordered by the Fayette County Commission that \$3,200.00 be allocated to the Danese Rescue Squad for the purchase of emergency heart monitoring equipment. It was also ordered by the Commission that \$3000.00 be allocated to the Danese Public Service District to be used in assisting in the covering of an open pit solid waste disposal site at Danese.

The Commission voted to have the Regular County Court meeting for the payroll on February 11th, due to the holliday scheduled for February 15th, 1982.

The Commission approved the payroll for pay period January 16 through January 31. The bills were also approved for payment.

There being no further business, meeting was adjourned.


Secretary

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON
WEDNESDAY, JANUARY 27th, 1982.

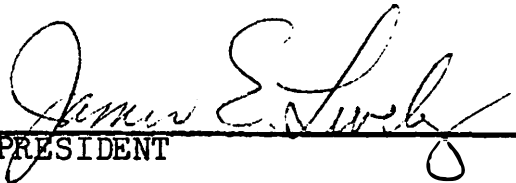
Present were: James E. Lively, President
Charles M. Vickers, Commissioner
John H. Lopez, Commissioner


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

Z-227-82-1: Request of Harold R. & Teresa L. Anderson, Owners,
for a change in land classification from RR-1, Agricultural
and Rural Residence District, to B-3, Highway Business
District, on Lot 39, Thousand Oaks Subdivision, Barrington
Hill Road and Sheffield Lane, Plateau District.

The County Commission was informed by the Zoning Officer
that the Planning Commission did unanimously recommend that this
request be denied. The applicant was not present and the opposi-
tion did not appear before the County Commission. Mr. Charles
Vickers made a motion that this request be denied as recommended
by the Planning Commission. Motion was seconded by Mr. Lively
and passed by a vote of 3 - 0.

THE FAYETTE COUNTY COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER

REGULAR COUNTY COURT MEETING
THURSDAY, FEBRUARY 11, 1982
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.

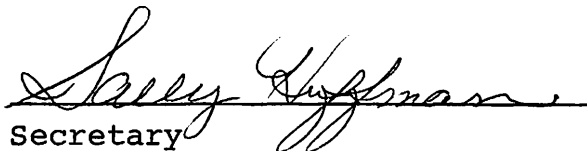
The proposed public hearing for budget amendments for the Revenue Sharing Fund as advertised, to receive comments from the public was held at this time. No one from the public was in attendance.

Richard Bragg informed the Commission that tax collections and other estimated receipts received by the County are slower than expected. Consequently, the Commissioners, Mr. Lively and Mr. Vickers advised that a portion of the Building Improvement Fund Investments be held in order to cover any possible cash shortages.

Joe Leach appeared before the Commission with a check with the first payment for the first fire truck received in Fayette County by the Ansted Fire Department.

The Commission approved payroll for the pay period February 1st, 1982 through February 15th, 1982. Also the bills were approved for payment.

There being no further business, meeting was adjourned.


Secretary

REGULAR COUNTY COURT MEETING
WEDNESDAY, FEBRUARY 24, 1982
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.

Gordon Billheimer came before the Fayette County Commission concerning Armstrong Public Service District and the expansion of Adena. Mr. Billheimer stated that Mr. James Crinite (the contractor who laid the lines) did not have a written agreement with the Armstrong Public Service District to lay the lines and the Commissioners of the PSD felt they should not have to pay for the services he provided in the laying of the lines, however, Mr. Crinite took this matter to the Public Service Commission and it was ruled that Mr. Crinite would be penalized and only receive a portion of the amount due to him that being \$35,000.

Mr. Billheimer requested financial aid from the Commission for Armstrong PSD in order to keep the costs down to the customers on the water system.

Mr. Lively informed Mr. Billheimer that he was not certain that it would be advisable from the State Auditors point of view stating that the Commission has to explicitly follow the Code and it does not merit the Commission recovering any debts made by a Public Service District. Also Mr. Lively explained that even should the Commission be able to give financial aid, they could not at this time due to the low tax collection rate. Mr. Lively stated to Mr. Billheimer that the Commission would decide what, action, if any, can be taken to relieve the burden of the Public Service District and will notify him of their decision.

Roger Steel representing Rush Creek--Land Company requested that the Fayette County Commission assume the Reclamation Bond required by the Department of Natural Resources for the reclamation of Fayette County Landfill #1 at Brooklyn. The request is based

upon the fact that the landfill operation was currently utilizing the area and would be redundant to reclaim the area.

The Commission requested Richard Flannigan, Southern West Virginia Health Council to investigate the requirements of Bonding and advise them of his findings. Mr. Steel was instructed to submit his information required for bonding to the Prosecuting Attorney so that a decision could be made at the next County Commission meeting.

Richard Flannigan also brought before the Commission the matter of the badly needed repairs of an enloader at the Brooklyn Landfill site. The Commission gave Richard Bragg the authority to determine which bid would be acceptable and to have the enloader repaired.

William T. Bright, President and Edward J. King Executive Vice President of Land Use Corporation came before the Commission and submitted an Inducement Agreement and a letter covering the subject of concern. Mr. Bright and Mr. King explained to the Commission the benefits to the County their project would have. Their firm is applying for an Industrial Bond for the acquisition and construction of two points, one at Smithers and one at Alloy enabling the shipment of coal out of the County by way of New River.

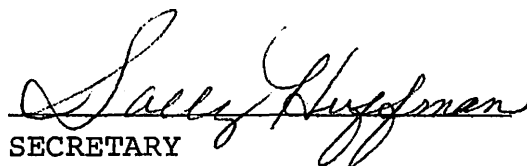
The Commission informed Mr. Bright and Mr. King that the procedure for consideration of industrial bonds issues required that a public hearing be held for each issue and that such a hearing be scheduled at the next regular session of the County Commission on March 3, 1982 at 10:30. Also they were instructed to submit all documents pertaining to the above to Paul Blake so that he may review the information before submitting it to the Commission.

Pat Hamilton, Attorney came before the Commission requesting the appointment of Ed Thomas as Committee for his mother, Mrs. Mary Ann Thomas. Mr. Thomas explained to the Commission that his Mother is unable to handle her business affairs. The Commission approved the appointment of Ed Thomas as committee for his mother upon the posting of a \$25,000. bond.

The Commission received documents notifying them that Eagle Rich Coal Company has filed bankruptcy. The Commission instructed Mr. Bragg to submit the documents to Paul Blake for his advice on what, if anything, can be and will be done concerning the collection of taxes.

The Commission approved payroll for the pay period February 15th through February 28th, 1982. Also the bills were approved for payment.

There being no further business, meeting was adjourned.


SECRETARY

AT A _____ SESSION OF THE COUNTY COMMISSION OF FAYETTE
COUNTY, WEST VIRGINIA, CONTINUED AND HELD FOR SAID COUNTY AT
THE COURTHOUSE THEREOF ON, _____
THE _____ DAY OF _____, A.D., 1982

MEMBERS: James E. Lively, PRESIDENT
and Charles M. Vickers
and John Lopez, COMMISSIONERS
OF THE COUNTY

ORDER TAKING OFFICIAL ACTION WITH
RESPECT TO THE PROPOSED ISSUANCE OF
INDUSTRIAL DEVELOPMENT REVENUE BONDS BY
THE COUNTY COMMISSION OF FAYETTE COUNTY, WEST VIRGINIA

WHEREAS, Land Use Corporation, a West Virginia Corporation, (the "User"), has advised the County Commission that it has under consideration the acquisition and construction of facilities for the distribution of mineral resources in Fayette County (as more fully described in the hereinafter referenced agreement (the "Project") and has requested the County Commission to authorize the issuance and sale of its industrial development revenue bonds (the "Bonds"), pursuant to the Industrial Development and Commercial Development Bond Act (the "Act") (Chapter 13, Article 2C of the West Virginia Code, 1931, as amended) in such amount as may be necessary to finance the cost of the Project not to exceed in the aggregate \$2,500,000; and

WHEREAS, there has been submitted to this meeting the form of an inducement agreement (the "Agreement") between the County Commission and the User whereby the County Commission agrees to issue and sell the Bonds on behalf of Fayette County to finance the cost of the Project.

WHEREAS, the User represents that upon completion of acquisition construction of the property, approximately 30 persons not presently employed by User will be hired without loss or diminution of existing jobs.

BE IT ORDERED BY THE COUNTY COMMISSION OF FAYETTE COUNTY, WEST VIRGINIA:

1. It is hereby found and determined that the acquisition and construction of the Project is necessary to and will increase employment in and encourage the economic development of Fayette County and the State of West Virginia.

2. The President and Clerk of the County Commission are hereby authorized to execute the Agreement in substantially the form submitted to this meeting, which is hereby approved.

3. The County Commission shall perform such acts and adopt such further proceedings as may be required to implement its undertakings under the Agreement and as herein set forth.

4. It is intended by the County Commission that the adoption of this resolution and the execution of the Agreement shall constitute "some other similar official action" toward the issuance of the Bonds within the meaning of Section 1.103-8(a)(5) of the Regulations promulgated by the United States Treasury Department under Section 103 of the Internal Revenue Code of 1954, as amended.

5. It having been represented to the County Commission that it is necessary to proceed immediately with the acquisition and construction of the Project, the County Commission hereby authorizes the User to proceed with plans for such acquisition and construction, to enter into contracts for the same and to take such other steps as it deems appropriate in connection therewith. The County Commission agrees that the User shall be reimbursed from the proceeds of the Bonds for all costs so incurred by it which are eligible costs under the Act.

6. Messrs. Jackson, Kelly, Holt & O'Farrell, Charleston, West Virginia, are hereby appointed Bond Counsel with respect to the issuance of the Bonds with the fees and expenses thereof to be reimbursed solely from the proceeds of the Bonds.

7. This resolution shall take effect immediately.

WITNESS the signature and seal of the County Commission of Fayette County, West Virginia, a statutory corporation, at a meeting held at the Fayette County Courthouse, Fayetteville, West Virginia, on the ____ day of _____, 1982.

THE COUNTY COMMISSION OF FAYETTE
COUNTY, WEST VIRGINIA, a statutory
corporation,

By _____
President

Clerk of County Commission
of Fayette County, West Virginia

Commissioner

Commissioner

Approved By:

County Attorney

This instrument was prepared by:

Lee O. Hill
Jackson, Kelly, Holt & O'Farrell
P.O. Box 553
Charleston, West Virginia 25322

INDUCEMENT AGREEMENT

THIS AGREEMENT (the Agreement), made and entered into as of the _____ day of _____, 1982, by and between the COUNTY COMMISSION OF FAYETTE COUNTY, WEST VIRGINIA, a public corporation under the laws of the State of West Virginia (the "County Commission"), party of the first part, and LAND USE CORPORATION, a West Virginia Corporation, (the "User").

WHEREAS, the County Commission is authorized and empowered by law, including particularly the provisions of the Industrial Development and Commercial Development Bond Act (Chapter 13, Article 2C, of the West Virginia Code, 1931, as amended) (the "Act"), for the public purposes set forth in the Act, to issue its revenue bonds to finance, among other things, the costs (including without limitations, all costs of the character specified in Section 13-2C-12 of the Act) of acquiring and constructing facilities for the distribution of mineral resources to be owned by the User.

WHEREAS, the User has advised the County Commission that it has under consideration the acquisition and construction of facilities in Fayette County, West Virginia consisting of a push boat for large handling, and two separate loading facilities on the Kanawha River located at the Elkem Metals Plant and at Longacre and related facilities (the "Project"), and has advised that this Agreement by the County Commission to issue revenue bonds under the Act in an aggregate amount not exceeding \$2,500,000 (the "Bonds") and use the proceeds therefrom to finance the cost of the Project, subject to and upon the conditions hereinafter set forth, will constitute a substantial inducement to the acquisition and construction of the Project in Fayette County, West Virginia.

WHEREAS, the County Commission has adopted a resolution finding and determining that the Project is necessary to increase employment in and encourage the economic development of the County and the State of West Virginia, and authorizing and directing its President and Clerk to execute this Agreement on its behalf.

NOW, THEREFORE, in consideration of the premises and of the covenants and undertakings herein expressed;

W I T N E S S E T H:

1. Undertakings on the Part of the County Commission. Subject to the conditions set forth below, the County Commission agrees as follows:

(a) The County Commission, acting for and in behalf of the County, will issue and sell the Bonds in an aggregate principal amount equal at the time of such sale to the then estimated costs in respect of the acquisition of the Project in whole or in part (including, without limitation, all costs of the character specified in Section 13-2C-12 of the Act) but not exceeding \$2,500,000 in aggregate principal amount. Such Bonds shall be issued in one or more series, shall be signed by the President and attested by the Clerk of the County Commission, shall bear such title or designation, shall bear interest at such rate or rates, shall be in such denomination or denominations, shall be subject to such terms of redemption, shall be in such form, either coupon or registered, shall be payable as to principal, redemption price and interest at such place or places, and contain such other terms and conditions, as may be fixed by resolution of the County Commission prior to the sale and delivery thereof.

(b) The County Commission will cooperate with the User, with Messrs. Jackson, Kelly, Holt & O'Farrell, Charleston, West Virginia, who have been appointed as bond counsel to supervise the proceedings and approve the issuance of the Bonds and such other parties as the User may select for the purpose of assisting or participating in the sale of the Bonds on the best terms reasonably obtainable, and if arrangements therefor satisfactory to the User can be made, the County Commission will adopt such orders, resolutions and proceedings and authorize the execution and delivery of such instruments and the taking of such further actions as may be necessary or advisable to the authorization, issuance and sale of the Bonds and the use of the proceeds of the Bonds by the User pursuant to an agreement (the "User Agreement") to finance the cost of the Project, all as shall be authorized by law and mutually satisfactory to the County Commission and the User.

(c) The County Commission will designate one or more banks located either within or without the State of West Virginia and acceptable to the User to serve as Trustee and as Paying Agent(s) and will authorize such agreements and provisions therein as permitted or authorized by law as shall be mutually satisfactory to the County Commission and the User.

(d) The aggregate payments by the User under the User Agreement shall include (i) basic payments in such sums as shall be sufficient to pay the principal of and interest and redemption premium, if any, on the Bonds, as and when the same shall become due and payable, and (ii) additional payments in such sums as shall be sufficient to pay the fees and expenses of the Trustee, paying agent and related costs and expenses, and the User shall have the option to prepay payments under the User Agreement in an aggregate amount equal to the amount required to retire the outstanding Bonds.

(e) The County Commission will take or cause to be taken such other acts and adopt or cause to be adopted such further proceedings as may be required to implement the aforesaid undertakings or as it may deem appropriate in pursuance thereof.

2. Undertakings on the Part of the User. Subject to the conditions set forth below, the User agrees as follows:

(a) The User will use reasonable efforts to find one or more purchasers for the Bonds; provided, however, that the terms of such Bonds and of the sale and delivery thereof shall be mutually satisfactory to the County Commission and the User.

(b) Contemporaneously with the sale of the Bonds the User will: (i) enter into a User Agreement with the County Commission under the terms of which the User will obligate itself to pay to a Trustee on behalf of the County Commission sums sufficient in the aggregate to pay the principal of and interest and redemption premium, if any, on the Bonds, as and when the same shall become due and payable, such agreement to contain the prepayment option mentioned above, other provisions required by law and such other provisions as shall be mutually acceptable to the County Commission and the User, and (ii) take such further acts and adopt such further proceedings as may be required to implement its aforesaid undertakings or as it may deem appropriate in pursuance thereof.

3. General Provisions.

(a) All commitments of the County, acting by and through the County Commission, under Section 1 hereof and of the User under Section 2 hereof are subject to the condition that the following events shall have occurred:

(i) The County Commission and the User shall have agreed on mutually acceptable terms for the Bonds and the sale and delivery thereof and mutually acceptable terms and conditions of any other instruments and agreements with regard thereto.

(b) If the events set forth in Section 1 hereof do not take place, the User agrees that it will reimburse the County Commission for or pay all reasonable and necessary direct out-of-pocket expenses, if any, which the County Commission may incur at the User's request arising from the execution of this Agreement and the performance by the County Commission of its obligations hereunder.

(c) It is understood and agreed by and between the County Commission and the User that the provisions hereof are not intended to, and shall not be construed or interpreted to, either (i) obligate, or authorize the expenditure of, any funds

or moneys of the County derived from any source whatsoever other than the proceeds from issuance and sale of the Bonds as provided for in this Agreement, and/or the proceeds from the sale, or otherwise arising from, the Project acquired and constructed by or on behalf of the User with the proceeds from such Bonds, or (ii) create any personal liability of the members from time to time of the County Commission.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement by their officers thereunto duly authorized as of the ____ day of _____, 1982.

THE COUNTY COMMISSION OF
FAYETTE COUNTY, WEST VIRGINIA

By _____
President

(Seal of County)

Clerk

LAND USE CORPORATION

By _____

Its _____

ATTEST: _____

This instrument was prepared by:
Lee O. Hill, Esquire
Jackson, Kelly, Holt & O'Farrell
P.O. Box 553
Charleston, West Virginia 25322

REGULAR COUNTY COURT MEETING
WEDNESDAY, MARCH 3rd, 1982
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.

Representing FMRS Mental Health were Phil Sundstrom, Guy Hensley, and Jeff Harlow. Mr. Sundstrom presented 1981 expenditure data compiled from information collected by FMRS and Fayette County Sheriff's Department concerning the transportation of individuals committed to a mental institution. Mr. Hensley requested the same amount that was budgeted to FMRS last year. Mr. Hensley stated they could run sufficiently on this amount again for the upcoming physical year. The Commission accepted their request.

Gordon Billheimer and Jane Hughes presented their proposed Library Budget to the Commission. Mr. Billheimer stated they were requesting the same amount as last year. Commission accepted their request.

Roger Steel came before the Commission to have the lease agreement between Rush Creek Land Company and the Fayette County Commission signed by the Commissioners to operate Landfill #1 at Brooklyn. The Commission signed the lease agreement and gave Richard Bragg the authority to obtain the bond for reclamation at the Fayette County Landfill #1.

At this time the Commission held the Public Hearing, as advertised, on the Resolution for Issuance of Industrial Bonds for 2.5 million dollars to construct two coal loading points in Fayette County on the North side of the Kanawha River.

Mr. Ed King, Executive Vice President, of Bright of America addressed the Commission and concerned citizens about the benefits of the proposed loading facilities. Mr. King mentioned that it would decrease the amount of large trucks on our roads, there would be no liability to the county or the people, and his company would pay taxes.

Mr. Paul Davis Sexton addressed the court as a concerned citizen stating that due to the unfair labor practices of Bright of America he felt it would be in the best interest of the County to deny Bright of America the Industrial Revenue Bonds.

Gloria Whitman, Local #3 of ACTW, Lookout, West Virginia an employee of Bright of America voiced her opposition, of which a copy is on file in the County Commission office.

Francis Priest of Summersville, West Virginia, a member of ACTW, Local #2392 and an employee of Bright of America for 13 years read and submitted to the County Commission a letter opposing the bond issue and relating her feelings on the unfair treatment of Bright of America to their employees. A copy of this letter is on file in the County Commission office.

Mr. Ed Long, Mayor of Smithers, West Virginia spoke against the proposed loading docks at Smithers stating it would degrade property and felt damage would occur to city streets due to the trucks bringing the coal into the loading point. Mayor Long also stated that the Town of Smithers is to hold their first reading on March 8th, 1982 to adopt a zoning ordinance which would make provisions only for commercial and residential use and excluding industrial type uses within the city limits.

Mr. Lively made mention that ordinarily the Commission would not consider a bond issue in a municipality, but due to the location of the two points, one being in the city limits, and one being outside of city limits the issue was considered.

Mr. King again addressed the court stating that they had proposed constructing a road off of Route 60 which would in fact keep traffic off of the city streets, and he also mentioned that they calculated around \$50,000.00 in revenue would result from B&O taxes.

Cecil Roberts, Dave Warden, and James T. Davis all United Mine Workers; and Ed Travis, Local Auto Workers Union all spoke with great opposition to the Industrial Bond Issue stating it would do great harm to the mining industry in Fayette County.

Commissioner Lopez moved to deny the request of issuance of an Industrial Revenue Bond to Land Use Corporation. Commissioner Vickers seconded the motion and it carried by a vote of 3 - 0.

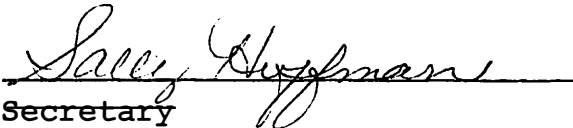
Pat Hamilton, Attorney for the city of Oak Hill presented to the Commission an order for the annexation of 3.6 acres by minor boundry for their approval. The Commission approved and signed the order.

Attorney Hamilton presented to the Commission an order to discharge and relieve himself from his Committee Appointment for Leonard I. Ramplevich. He also entered evidence that said Leonard I. Ramplevich has been restored to his civil rights. The Commission signed said order relieving Pat R. Hamilton from his appointment as Committee for Mr. Ramplevich and also restoring him his civil rights.

Reta Lewis, Cheryl McMillion, Virginia Beckett and Helen Powell representing the Fayette County Support Network for Abused Persons came before the Commission requesting \$1,000 to help with their budget. The Commission assured the group they would give this request their attention when they reviewed budget requests for the upcoming physical year.

The Commission approved the reappointment of Aubrey Gwinn of Meadow Bridge for a six year term to the Meadow Bridge Public Service District, said term to expire February 8, 1988. Also the Commission reappointed Inez Kirkwood, Arthur Wilborne, and A. W. Orndorff to a three year term on the Fayette County Commission on Human Rights, said term to expire March 3rd, 1985.

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


Secretary

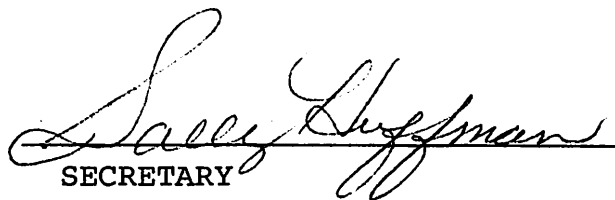
REGULAR COUNTY COURT MEETING
MONDAY, MARCH 15th, 1982
COURT HOUSE
FAYETTEVILLE, WV

MEMBERS PRESENT: Charles M. Vickers
John H. Lopez

Roger Steel came before the Commission concerning the Landfill at Brooklyn and the bond needed to release Indian Land Coal Company from their lease with Rush Creek Land Company. Mr. Bragg explained that the Commission is having difficulty obtaining a bond due to the requirements set by the bonding companies. It was agreed that Mr. Steel and Mr. Bragg would continue to research other bonding companies to see if their requirements would be different.

The Commission approved payroll for the pay period March 1, 1982 through March 15, 1982. Also the bills were approved for payment.

There being no further business, the meeting was adjourned.


SECRETARY

SPECIAL SESSION COUNTY COMMISSION MEETING

WEDNESDAY, MARCH 24, 1982

COURT HOUSE

FAYETTEVILLE, WV

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

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

After reviewing all of the requests submitted by Fayette County Officials and by the citizens of Fayette County for funding for the Fiscal Year 1982-83, the Commission proceeded to make an estimate of the amounts necessary to be raised by a levy of taxes for the current fiscal year. The Official Budget Document of Fayette County was presented to the Clerk of the County Commission to be entered on its record of orders and directed that one certified copy of the Budget Document be submitted to the State Tax Commissioner on or before March 28, 1982.

The Commission directed that letters be sent to Glen B. Gainer, Jr., State Auditor, and to John R. Melton, Director of Local Government Relations of the State Tax Department, expressing a wish to record a change in the classification of Fayette County from a Class III county to a Class II county as required by the Code of West

Virginia because the certified assessed valuation of property for all classes in Fayette County for the assessment year 1982 exceeded the maximum assessed valuation of property allowed for a Class III county.

There being no further business, the special session adjourned until the third Tuesday in April as required by the Code of West Virginia.

Richard W. Broy

REGULAR COUNTY COMMISSION MEETING

WEDNESDAY, MARCH 31, 1982

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.

Mr. James R. Akers met with the Commission to advise it as to the cost and the design of rewiring the Fayette County Jail. The project is to include a smoke and fire alarm system and emergency lighting. The Commission received the plans and took the matter under advisement. The Commission decided to bid the project, and Richard Bragg was directed to prepare the specifications and to advertise the project.

After being advised of the situation regarding the condition of the Danese Sheriff's office, the Commission agreed to purchase paint to refurbish the office.

Mr. Gary Harding appeared before the Commission to request a change in the land classification as requested by James A. Hall, owner, that his land be changed from R-R, Agricultural and Rural Residence District, to I-1, Light Industrial District, on Lot 34, Lochgelly Subdivision, off Route 21/18 behind Fayette Clinic, Plateau District.

The Zoning Officer informed the County Commission that the Planning Commission did unanimously recommend that this request be approved. After a discussion, a motion was made by John Lopez that this request be approved as recommended; the motion was seconded by Charles Vickers and carried by a vote of 3 - 0.

Mr. Russell Deering met with the Commission and requested money for the Gauley River Public Service District. The Commission took the matter under consideration.

Larry Kelly, Mayor of Pax, requested funds for the Paint Creek cleaning project.

The Fayette County Commission directed a letter to Mr. James Keenan regarding the annual Civil Service report.

The Commission approved the payroll for the pay period March 16, 1982 through March 31, 1982. Also, the bills presented to the Commission were approved for payment.

There being no further business, the meeting was adjourned.

Richard W. Brogg

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON
WEDNESDAY, MARCH 31st, 1982.

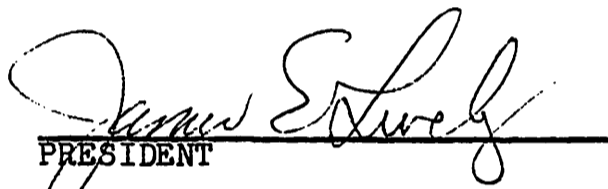
Present were: James E. Lively, President
Charles M. Vickers, Commissioner
John H. Lopez, Commissioner

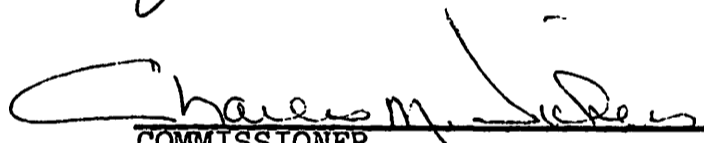
The following case was presented to the County Commission
for a disposition:

Z-228-82-1: Request of James A. Hall, Owner, for a change in
land classification from R-R, Agricultural and Rural Residence
District, to I-1, Light Industrial District, on Lot 34,
Lochgelly Subdivision, off Route 21/18 behind Fayette Clinic,
Plateau District.

The County Commission was informed by the Zoning Officer
that the Planning Commission did unanimously recommend that this
request be approved. The applicant proposed a 30' x 100' block
building to be used for tire recapping. After a discussion a
motion was made by John Lopez that this request be approved as
recommended. Motion was seconded by Charles Vickers and carried
by a vote of 3 - 0.

THE FAYETTE COUNTY COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER

GAULEY RIVER PSD

Proposed financing of water system

February 1, 1982

\$ 500,000.00	HUD CDBG (Initial)
250,000.00	HUD CDBG (Supplemental)
100,000.00	FmHA Loan
150,000.00	Fayette Co. Commission
<u>77,000.00</u>	Nicholas Co. Commission
\$1,077,000.00	Total Project Cost **

**This represents roughly a third of the originally planned system. The rest of the project will be applied for in stages dependant upon financing availability. This portion of the project reflects the laying of the line from Gauley Bridge to the first tank at Belva and the immediate surrounding area. The two other line additions include the Dixie area and the Swiss/Jodie areas. Each of these will probably have to be built as separate sections due to funding constraints.

**This portion of the total will include approximately 188 users.

REGULAR COUNTY COMMISSION MEETING

WEDNESDAY, APRIL 7, 1982

COURT HOUSE

FAYETTEVILLE, WV 25840

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.

T. E. Myles appeared before the Commission with Katie Gregg, in person, and presented to and asked leave to file the petition of Katie Gregg to have Charles Gregg declared to be deceased and for the appointment of an Administratrix of the estate of Charles Gregg. It appearing to the Commission proper so to do, it ordered that said petition be filed. It appearing to the Commission that if the said Charles Gregg is deceased the petitioner would be entitled to be appointed as Administratrix of his estate; however, the Commission doth find that the petitioner, because of her age and ill-health does not desire that she be appointed as Administratrix of the estate but that Betty M. Blume be appointed as such Administratrix. Therefore, the Commission ordered that the Clerk of the County Commission to cause to be published in the "Fayette Tribune" a notice to the effect that on the 5th day of May, 1982, at 9:00 A.M., the Commission will hear evidence concerning the alleged absence of Charles Gregg and the circumstances and duration thereof and

will consider the appointment of Betty M. Blume as Administratrix of the Estate of Charles Gregg. Said notice shall be published once a week for two consecutive weeks.

Charles Keenan, Mayor of Gauley Bridge, made a presentation to the Commission regarding the Gauley Bridge Park. Mayor Keenan stated that all of the funding for the park could not be obtained as was originally proposed, and he requested the Commission to provide "start-up" funds to get the first part of the facilities established. Upon questioning from the Commission, Mayor Keenan answered that none of the other funding agents had been able to provide any money. The Commission decided to abide with its original commitment.

Pat Hamilton appeared before the Commission in behalf of Rolla McClure Williams to request the Commission to terminate the appointment of Ramona Odessa Vipperman as committee for the petitioner. The petitioner states that he is now fully capable of handling his business and affairs and has revoked the power of attorney which he executed in favor of Ramona Odessa Vipperman. The Commission considered the matter and advised that the proceeding would be continued on the 28th day of April, 1982, in order to provide Ramona Odessa Vipperman, the petitioner's committee, an opportunity to resign her appointment as committee.

Mayor Charles Keenan presented a proposal for a county-wide 911 emergency alert system to the Commission

on behalf of the Fayette County Municipal Association. The Association requested the Commission to participate in the funding of said project. After a general discussion, the Commission advised Mayor Keenan that it would take the matter under consideration and would seek the advice of area police and emergency services regarding their opinions as to a proper method of establishing such a system, and the Commission would attempt to come up with a proper method establishing a county-wide 911 system. The Commission took no action at this time.

The Commission held a public hearing for the purpose of hearing written and oral comment from the public concerning the annual budget for fiscal year 1982-83 and the use of revenue sharing funds as contained in that proposed budget. There was no public response to the hearing.

George Siehl and Oscar Hutchinson made a presentation to the Commission in behalf of the West Virginia University Cooperative Extension Service. Mr. Hutchinson presented the Commission with a copy of the budget data for fiscal year 1981-82 for the Fayette County Extension Office.

The bills presented to the Commission were approved for payment.

There being no further business, the meeting was adjourned.

Richard W. Brey

REGULAR COUNTY COMMISSION MEETING

THURSDAY, APRIL 15, 1982

COURT HOUSE

FAYETTEVILLE, WV

MEMBERS PRESENT: James E. Lively
Charles M. Vickers

The Commission approved payroll for the pay period of April 1, 1982 through April 15, 1982. Also, the bills presented to the Commission were approved for payment.

There being no further business, the meeting was adjourned.

Richard W. Bragg

SPECIAL ADJOURNED SESSION COUNTY COMMISSION MEETING

TUESDAY, APRIL 20, 1982

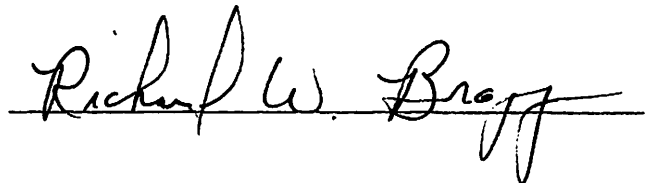
COURT HOUSE

FAYETTEVILLE, WV

MEMBERS PRESENT: James E. Lively
Charles M. Vickers

The Commission received notice of approval of the Levy Estimate for Fiscal Year 1982-83 from the West Virginia State Tax Department, and Charles Vickers voiced his objections to that Levy Estimate. As a quorum of the Commission was unable to lay the levy at this meeting, the official laying of the levy was postponed until the regular meeting of the Commission on April 26, 1982, at which time further discussion of the Levy Estimate will take place.

There being no further business, the meeting was adjourned.

A handwritten signature in cursive script, reading "Richard W. Bragg", is written over a horizontal line. The signature is fluid and somewhat stylized, with the first letter of each word being capitalized and prominent.

REGULAR COUNTY COMMISSION MEETING

WEDNESDAY, APRIL 28, 1982

COURT HOUSE

FAYETTEVILLE, WV 25840

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.

Brentz Thompson appeared before the Commission requesting the appointment of Tonita J. Tolli as committee for her mother, Dorothy June Rice, who was represented in person and by her guardian ad litem, Philip J. Tissue, attorney-at-law. Upon sworn testimony of Mrs. Rice and other witnesses and written certification from Doctor Donald C. Newell, Jr., a duly licensed physician, the Commission found that Dorothy June Rice was unable to care for herself or to tend to her personal and business affairs, and that Tonita J. Tolli should be appointed committee for her mother until such time as Dorothy June Rice may be able to show that she is again able to care for herself and her personal and business affairs. The appointment of Tonita J. Tolli as committee for her mother is subject to the posting of bond in the amount of \$5,000.

All bids received for fire and safety renovations to the Fayette County Jail were officially received and opened. The bid was awarded to Frye and Associates Contractors, Beckley,

West Virginia, for the amount of \$32,725. The bid from Frye and Associates was the only bid received for this project.

Gary Harding came before the Commission and requested a change in land classification as requested by John D. Holden, Fred W. Suttle, and Anna Holden, Owners, for a change in land classification from R-R Agricultural and Rural Residence District to I-2, Heavy Industrial District, on 10 acres, Dogwood Ridge, Wilson Road off US Route 60, Hopewell, New Haven District. The Zoning Officer informed the Commission that the applicant wanted to place a junk yard on the site and that the Planning Commission did recommend that this be granted on 2 acres located out of the view of any neighbors and hidden by pines if needed. After a discussion, a motion was made by Mr. Lopez that this request be granted; Mr. Vickers seconded the motion, and it was passed by a vote of 3 - 0. Also, Mr. Harding requested a change in land classification as requested by Jerry and Brenda Page, Owners, for a change in land classification from R-R Agricultural and Rural Residence District, to I-1, Light Industrial District, on 1 acre, Old New River Company property, Route 38, Summerlee, Plateau District. The Commission was informed that the applicant wanted to place a wood products business, fencing, paneling, etc., in an existing building behind his house and that 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 approved as recommended. Mr. Lopez seconded the motion, and it was passed by a vote of 3 - 0.

The Commission heard further discussion of the Levy Estimate for the Fiscal Year 1982-83, and the order to officially lay the levy for the current year was signed by James E. Lively and John H. Lopez. The Clerk of the County Commission was directed to send two copies of the Levy Rate Sheet to the State Tax Department along with one copy of the Levy Order. Also, one copy of the Levy Order was directed to be mailed to the State Auditor.

A system for the investigation of crime was approved by the Commission. A letter was directed to be sent to Paul M. Blake, Jr., Prosecuting Attorney of Fayette County, advising him that the Commission desired for him to utilize "System I-A" as described in the guidelines compiled by the West Virginia State Tax Department. Copies of the letter were to be sent to Jack Manning, Sheriff of Fayette County, and to the West Virginia State Tax Department.

The Commission approved a sum in the amount of \$150,000 for the development of a water collection and distribution system as specified in the proposal by Russell G. Deering and Louise Grimmett on March 31, 1982, for the Gauley River Public Service District. This matching grant shall be contingent upon presentation to the Commission of a totally funded package which would enable the project to become a reality. The funds will be available after October 1, 1982.

The contract between the Commission and Mrs. Wilbur Toney

for the cleaning of the Magistrates' Office in the City of Oak Hill was increased to the sum of \$300 per month. This increase is to take effect on July 1, 1982.

The Commission received the responses to the 911 System proposed by the Fayette County Municipal Association, but a decision was not reached.

The construction of a sidewalk parallel to Wiseman Avenue from the steps at the side entrance of the Court House to Church Street was approved by the Commission, and a bid was accepted from Nino Veramesa.

The Commission agreed to submit an application to the Governor's Office of Economic and Community Development for a \$500,000 Small Cities Community Development Block Grant for community development in the Minden-Rock Lick-Glen Jean areas of Fayette County.

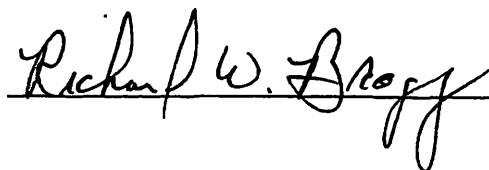
Paul M. Blake, Jr., Prosecuting Attorney of Fayette County, appeared before the Commission objecting the change in classification of Fayette County from a Class III county to a Class II county which would require the status of the Prosecuting Attorney of the County to be full-time as required by the Code of West Virginia. Furthermore, Mr. Blake stated that he would only accept a salary from the County in the sum specified in the Code for a prosecuting attorney in a Class III county.

Pat Hamilton appeared before the Commission as counsel for Rolla McClure Williams as a continuation of a hearing held on April 7, 1982, before the Commission in order

to provide Ramona Odessa Vipperman, Committee for Rolla McClure Williams, an opportunity to resign her appointment as committee. The Commission, having considered the matter and being of the opinion that the petitioner has demonstrated that he is competent to handle his business and affairs, does find that Rolla McClure Williams is competent and orders that the appointment of Ramona Odessa Vipperman as committee for Rolla McClure Williams is hereby terminated and declared void. Further, Ramona Odessa Vipperman is ordered to submit a full accounting of receipts and disbursement for the period from the date of her appointment to this date.

The Commission approved payroll for the pay period of April 16, 1982 through April 30, 1982. Also, the bills presented to the Commission were approved for payment.

There being no further business, the meeting was adjourned.



MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON
WEDNESDAY, APRIL 28th, 1982.

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:

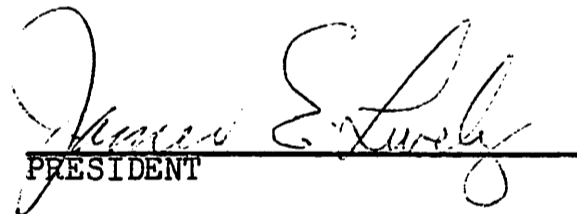
Z-229-82-1: Request of John D. Holden, Fred W. Suttle, and Anna Holden, Owners, for a change in land classification from R-R, Agricultural and Rural Residence District, to I-2, Heavy Industrial District, on 10 acres, Dogwood Ridge, Wilson Road off U. S. Route 60, Hopewell, New Haven District.

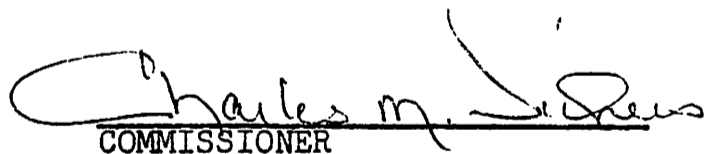
The County Commission was informed by the Zoning Officer that the applicant wanted to place a junk yard on the site and that the Planning Commission did recommend that this be granted on 2 acres located out of the view of any neighbors and hidden by pines if needed. After a discussion a motion was made by Mr. Lopez that this request be granted. Motion was seconded by Mr. Vickers and passed by a vote of 3 - 0.

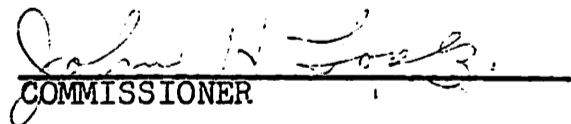
Z-230-82-1: Request of Jerry and Brenda Page, Owners, for a change in land classification from R-R, Agricultural and Rural Residence District, to I-1, Light Industrial District, on 1 acre, Old New River Co. property, Route 38, Summerlee, Plateau District.

The County Commission was informed that the applicant wanted to place a wood products business, fencing, paneling, etc., in an existing building behind his house and that 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 approved as recommended. Motion was seconded by Mr. Lopez and passed 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 April, 1982, 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 April, 1982, 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-229-82-1: Request of John D. Holden, Fred W. Suttle, and Anna Holden, Owners, for a change in land classification from R-R, Agricultural and Rural Residence District, to I-2, Heavy Industrial District, on 10 acres, Dogwood Ridge, Wilson Road off U. S. Route 60, Hopewell, New Haven District.

Z-230-82-1: Request of Jerry and Brenda Page, Owners, for a change in land classification from R-R, agricultural and Rural Residence District, to I-1, Light Industrial District, on 1 acre, old New River Co. property, Route 38, Summerlee, Plateau District.

Gary E. Harding
Zoning Officer

REGULAR COUNTY COMMISSION MEETING

WEDNESDAY, MAY 5, 1982

COURT HOUSE

FAYETTEVILLE, WV 25840

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.

T. E. Myles appeared before the Commission and Katie Gregg, in person, appeared with him to present evidence to the Commission of the death of Charles Gregg. Whereupon the Commission heard the evidence relating to the circumstances of the absence of Charles Gregg, the duration of his absence, and other matters pertinent thereto, and the Commission is of the opinion that the legal presumption of the death of Charles Gregg has been established. Therefore, the Commission orders that the legal presumption of the death of Charles Gregg is established, and it is further the order and judgment of the Commission that Betty M. Blume shall be appointed Administratrix of the Estate of Charles Gregg after having first given bond to be approved by the Clerk of this Commission.

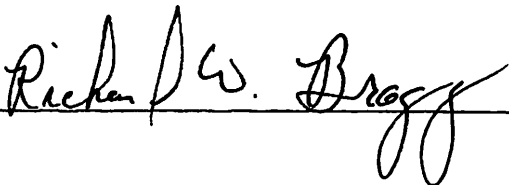
The Commission approved the appointment of Mr. Audrey Baughman as a Commissioner of Mossy Public Service District as recommended by the Board of said District to replace Richard Wriston whose term expired April 28, 1980. The term of Mr. Baughman is to last for a period of six years, said

term to expire April 28, 1986.

The Commission received of Ray Goforth, Chairman of the Democratic Executive Committee, and Robert Wells, Chairman of the Republican Executive Committee, the lists of Election Officials, Democrat and Republican, they desire to have appointed for holding the Primary Election in Fayette County on the 1st day of June, 1982. The Commission inspected said lists and ascertained that the appointees are qualified to perform such duties, and it approved the said lists and appointed the several persons therein named for the several and respective precincts in the County. The Commission directed the Clerk of the County Commission to enter the lists as a part of its order, to have notices mailed to each appointee, notifying him of his or her appointment as such election official.

The bills presented to the Commission were approved for payment.

There being no further business, the meeting was adjourned.


Richard W. Bragg

MAY 14, 1982

REGULAR SESSION OF FAYETTE COUNTY COMMISSION

COURT HOUSE

FAYETTEVILLE, WV 25840

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

This regular meeting of the Fayette County Commission was called to order this date by the president, James E. Lively.

Upon the recommendation of the Mossy Public Service District, the Commission appointed Mr. Earl Davis as a Commissioner of said Public Service District as and of April 28, 1982, to serve for and during a period of six years, said term to expire April 28, 1988. Mr. Davis is appointed to replace Charles R. Payne who resigned as of April 28, 1982.

Mr. Howard Hypes was appointed by the Commission as a Commissioner of the Armstrong Public Service District to fill the unexpired term of Mr. Cecil Copeland whose resignation was effective April 1, 1982, as recommended by the said Public Service District. Mr. Hypes' term is to expire April 1, 1987.

The Commission directed a letter to Mr. Paul Landry, Supervisory Auditor of the Office of Revenue Sharing, in response to his letter regarding Revenue Sharing procedures for expenditures for capital outlay. The letter indicated to Mr. Landry that corrective action had been taken by the Commission as he had requested.

The Commission directed a letter to Mr. Nino Veramessa

regarding the construction of a sidewalk adjacent to the Court House, from East Wiseman Avenue to Church Street.

Approval of the bid submitted by Mr. Rick D. Hesse for the paving of the sidewalk parallel and adjacent to the Court House parking lot and East Wiseman Avenue was given by the Commission. The Commission directed a letter to Mr. Hesse informing him of its decision.

The Commission directed a letter to Mr. Carl Harris and to Mr. Walter L. Wagner, Jr., regarding the petition of Catherine I. McCoy to remove Nora Naylor as Administratrix of the Estate of Myrtle Naylor, deceased. The Commission decided that pursuant to the hearing held on November 4, 1981, that insufficient evidence had been presented to warrant the removal of Nora Naylor as Administratrix of Estate, at this time. The Commission does recognize that the final settlement should be completed and advised that such be done in a timely fashion. However, if there is a delay in completion of the final settlement, the Commission would consider reviewing this decision. The Commission requested that an order be prepared that is in accordance with this decision.

The payroll for the period of May 1, 1982 through May 15, 1982, was approved by the Commission. Also, the bills which were submitted to the Commission were approved for payment.

As this day had been designated as the annual "Know Your County Government Day" for the area students and as there was no further business, the Commission adjourned its meeting.

Richard W. Brody

May 26, 1982

Regular Session of Fayette County Commission

Court House

Fayetteville, WV 25840

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.

The Commission held an inspection of the voting devices to be used in the Primary Election to be held on June 1, 1982. The random inspection of the voting devices indicated that the voting devices were in proper order for said election.

The Commission directed a letter to Sheriff Jack Manning requesting his assistance and the assistance of his staff with regard to traffic control and crowd control on election night, June 1, 1982.

The Commission directed a letter to Arthur Pauley, Peggy Coleman, and Lettie Spaulding approving their request for permission to reserve the recreation hall at the Fayette County Park for the Longacre Reunion on June 5, 1982.

Upon the recommendation of the Fayette County Board of Health, the Commission reappointed Donald C. Newell, Jr., D.O., as a member of said Board as and of July 1, 1982, to serve for and during a period of five years, said term to expire on June 30, 1987.

Mr. Emerson Hicks, Mayor of Meadow Bridge, appeared before the Commission requesting funds for the completion of the fire station and town hall of Meadow Bridge. After answering

questions from the Commission regarding the project, Mayor Hicks presented the Commission with a summary of the project's revenue sources. The Commission advised Mr. Hicks that it would take the matter under consideration and render its decision at a later date.

The payroll for the period of May 16, 1982 through May 31, 1982, was approved by the Commission. Also, the bills which were submitted to the Commission were approved for payment.

As there was no further business, the Commission adjourned its meeting.

Charlotte Holly

June 4, 1982

SPECIAL SESSION OF FAYETTE COUNTY COMMISSION

COURT HOUSE

FAYETTEVILLE, WV 25840

Members Present: James E. Lively
Charles M. Vickers
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 Primary Election held on Tuesday, June 1, 1982, in Fayette County. However, at 5:00 P.M. tallies by the Board of Canvassers were not completed; therefore, completion of the canvass was postponed until Monday, June 7, 1982, at 9:00 A.M.

There being no further business, the Commission adjourned.

Charlotte Hally

June 7, 1982

ADJOURNED SESSION OF FAYETTE COUNTY COMMISSION
COURT HOUSE

FAYETTEVILLE, WV 25840

Members Present: James E. Lively
Charles M. Vickers

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 continued to canvass the results of the Primary Election held on Tuesday, June 1, 1982, 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. The Board of Canvassers will re-convene in 48 hours (1:00 P.M., Wednesday, June 9, 1982) to certify the official declaration of the results of the election.

There being no further business, the Commission adjourned.

Charlatta Lively

June 9, 1982

REGULAR SESSION OF FAYETTE COUNTY COMMISSION
COURT HOUSE

FAYETTEVILLE, WV 25840

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.

Bids were received and opened by the Commission for a truck for the Fayette County Dog Pound. Bids were received from King Coal Chevrolet (\$6,399.13) and from New River Chevrolet (\$6,406.84). The Commission awarded the bid to King Coal Chevrolet as low bidder.

The Commission scheduled a public hearing for July 7, 1982, at 1:30 P.M., regarding the Probate System.

The Commission received a petition for a recount of the State Senate election results in Fayette County from Candidate Andrew McClung. The recount was scheduled by the Commission for 10:00 A.M., Tuesday, June 15, 1982. The Commission requested Gene Carte, Assistant Prosecuting Attorney, to prepare a notice of the recount to be hand delivered by the Sheriff to Andrew McClung and to Senator Ralph Williams.

The Commission sitting as a Board of Canvassers certified the results of the Primary Election held on June 1, 1982, except the the results of the State Senate race which was petitioned for a recount.

The Commission directed that the index system for the County Clerk's office be re-bid.

The Commission returned the approved office budgets for Fiscal Year 1982-83 to the County Officials.

The Commission approved a sum in the amount of \$25,000 for the Gauley Bridge Park.

The Commission approved payment in the amount of \$5,000 from the Fayette County Fire Levy Fund to the Pratt Community Volunteer Fire Department for fire protection services.

The Commission directed a letter to Charles L. Miller, Commissioner of the West Virginia Department of Highways, and to David C. Callaghan, Director of the West Virginia Department of Natural Resources, requesting that those offices investigate the damage to the Valley District of Fayette County as a result of recent heavy rainfall and consequent flooding to that area and requesting any possible assistance with the recovery of that area.

The bills which were submitted to the Commission were approved for payment.

There being no further business, the meeting was adjourned.

Charlotte Hally

June 15, 1982

REGULAR SESSION OF FAYETTE COUNTY COMMISSION

COURT HOUSE

FAYETTEVILLE, WV 25840

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.

The Commission prepared to commence the recount of the election results for the office of State Senate. However, the Commission postponed the recount of said office as ordered by the West Virginia Supreme Court of Appeals until the Court renders its decision on Tuesday, June 22, 1982, as to the applicable election law to be followed during the recount.

The Commission directed a letter to Paul M. Blake, Jr., Prosecuting Attorney of Fayette County, regarding an age discrimination charge filed with the Equal Employment Opportunity Commission by Ms. Peggy Robertson. The Commission requested that Mr. Blake advise the Commission as to what action should be taken.

The Commission directed letters to Public Entities National Company and to the National Sheriffs' Association regarding the indictment issued against Jack Manning, Sheriff of Fayette County, by the Grand Jurors in the Circuit Court of the County of Fayette.

The payrolls for both halves of June, 1982, were approved by the Commission. Also, the bills which were submitted to

the Commission were approved for payment.

The Commission received a notice of approval from Mr. Paul Landry, Supervisory Auditor of the Office of Revenue Sharing, regarding the corrective action taken by the Commission in response to the request by his office.

As there was no further business, the Commission adjourned its meeting.

Charlatta Holly

JUNE 30, 1982

REGULAR SESSION OF FAYETTE COUNTY COMMISSION

COURT HOUSE

FAYETTEVILLE, WV 25840

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 Flanigan presented the Commission a contract proposal in behalf of Southern West Virginia Regional Health Council, Incorporated for the Fiscal Year 1982-83. A discussion between the Commission and Mr. Flanigan took place after the presentation regarding current and proposed operating procedures; however, the Commission did not finalize the contract, but the proposed contract was taken under advisement.

Mr. Nino Veramessa accompanied the Commission on an inspection of the stone walk at the front entrance of the Courthouse. Mr. Veramessa will submit a proposal and an estimate of the cost for the upgrading and repair of the stone walk at a later date.

Mr. Lee Massey accompanied by Richard Puckett, David Parks, and Clarence Christian made a presentation to the Commission regarding a county-wide public service district to incorporate areas of Fayette County which are not currently served by a PSD. Mr. Parks explained the procedures followed by Raleigh County in establishing and operating such a system. The Commission took the matter under advisement.

Bob Arthur appeared before the Commission requesting funding for crafts at the 4-H camp. The Commission granted its approval in accordance with past years commitments.

Reverend John Shropshire appeared before the Commission to request funding for the facilities for the United Community Services. The Commission inquired as to the program's receipt of other commitments for funding; however, the Commission explained that the budget for the fiscal year 1982-83 had already been established, but the program would be taken under consideration for funding should any funds become available for commitment.

Roger Steele of the WV Department of Natural Resources presented the Commission with a letter to serve as a legal binding agreement between the Commission and the DNR regarding the DR-12, Performance Bond for the Fayette County Sanitary Landfill, to be sent to Mr. James E. Pitsenbarger, Chief of the DNR Division of Reclamation. The Commission approved the agreement.

The Commission approved the request of Howard E. Janney, Clerk of the Fayette County Commission, to purchase a new electronic control center disburser for the payroll and disbursements office.

Approval of the request of Jack Gannon, Superintendent of the Fayette County Park, was given by the Commission to have a coin operated telephone reinstalled at the Park. Also, as per the request of Mr. Gannon regarding a minimum age limit for unattended children at the Park, the Commission directed that a letter be addressed to Mr. Gannon stating that

children ten (10) years of age and under shall be attended by an adult while at the Fayette County Park.

Paul Blake, Jr. appeared before the Commission regarding the recount of the votes cast at the Primary Election on June 1, 1982, for the office of State Senator, Eleventh District. As per the discussion between the Commission and Mr. Blake, four random precincts will be hand counted for only the office for which the recount was requested. The Commission scheduled the recount to commence at 9:00 A.M. on Wednesday, July 7, 1982, and directed that certified letters be sent to Andrew McClung and Ralph Williams, candidates, as notices of the recount.

Jack Manning, Sheriff of Fayette County, addressed a letter to the Commission regarding the appointment of Pete Lopez as a Deputy Sheriff of Fayette County, effective July 1, 1982.

The Commission received notice from the State Tax Department of West Virginia that Mr. Stanley S. Adkins, Certified Public Accountant, Summersville, West Virginia, had been appointed to conduct the audit of Fayette County for the fiscal year ended June 30, 1982.

Approval was given by the Commission to the budget statement to be submitted to the Clerk of the County Commission of Fayette County regarding the employees of the Commission and the salaries to be paid to said employees for the fiscal year 1982-83.

The bills which were submitted to the Commission were approved for payment

The Commission directed a letter to Jack Manning, Sheriff of Fayette County, regarding the availability of funds through the County Commission's budget for the purchase of equipment and supplies and for communications for the law enforcement division of the Sheriff's office.

The Commission approved payment to the Fayette County Health Department for \$40,000 as per the contract for the fiscal year 1981-82.

As there was no further business, the Commission adjourned its meeting.

Charlotte Holly

JULY 7, 1982

REGULAR MEETING OF COUNTY COMMISSION OF FAYETTE COUNTY

COURTHOUSE

FAYETTEVILLE, WV 25840

Members Present: James E. Lively
Charles M. Vickers
John H. Lopez

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

The Commission sitting as a Board of Canvassers for Fayette County held a recount of the votes cast for the office of State Senator, Eleventh District, in the Primary Election held on June 1, 1982, in Fayette County, as requested by candidate Andrew McClung on June 9, 1982. Both of the Democratic candidates for said office, Ralph D. Williams and Andrew McClung, were present in person and represented by council for each, and a counting board consisting of sixteen persons as selected by the Board of Canvassers was present for the recount. Mr. Lively explained to all parties present that the recount would proceed under the provision of West Virginia Code, 3-4A-28 (1982) as ordered by the West Virginia Supreme Court of Appeals on the 25th day of June, 1982. A random drawing of four precincts was held in full view of all persons present at the recount; the precincts selected to be recounted were as follows:
48 (Montgomery), 15 (Oak Hill), 29 (Falls View), and 53 (Fayetteville).
In addition to these four precincts, Fred Jesser, Attorney for Andrew McClung, requested that the following eight precincts also be counted: 8 (Oak Hill), 16 (Oak Hill), 17 (Pax),

27 (Smithers), 28 (Smithers), 45 (Powellton), 46 (Kimberly), and 68 (Meadow Bridge). The four random precincts selected by the Board of Canvassers were processed through the computerized vote tabulator and then hand-counted by the counting board; the eight precincts selected by Candidate McClung were hand-counted (only) by the counting board. The results of the recount proved exactly the same for every precinct as the tabulation of the votes on election night. The Board of Canvassers' Certificate of Votes Cast for Candidates at the Primary Election for the office of State Senator, Eleventh District, was forwarded to the Office of the Secretary of State and to the Office of the Circuit Clerk of Fayette County and entered in the Order Book of the Fayette County Commission.

The Commission held a public hearing regarding the adoption of one of the two mandatory Probate systems for Fayette County in order to receive public comments regarding the proposed systems.

All of the bids received by the Commission for the re-indexing system for the Office of the Clerk of the Fayette County Commission were rejected. The Commission ordered that the system be advertised and rebid.

Richard Bragg was directed by the Commission to contact Paul Blake, Prosecuting Attorney of Fayette County, to have a contract drawn between the Fayette County Commission and the Town of Gauley Bridge regarding the proposed recreation project for the Valley District of Fayette County.

The Commission accepted the bid submitted by Veramessa and Son Construction in the amount of \$3,525.00 for the renovation

of the stone walkway leading from the Wiseman Avenue entrance and leading to the stone walkway at the front of the Courthouse.

The bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charlotte Kelly

JULY 15, 1982

REGULAR MEETING OF COUNTY COMMISSION OF FAYETTE COUNTY

COURTHOUSE

FAYETTEVILLE, WV 25840

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

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

The Commission approved and signed a contract for the Fiscal Year 1982-83 as submitted by and between the Southern West Virginia Regional Health Council, Incorporated, and the Fayette County Commission.

Approval was given by the Commission for the payment of \$900 to the Fayette County Board of Education as its contribution toward the purchase of a piano (purchase price of \$1,800) for the Fayette County Memorial Building.

In order to conform to regulations as established and set forth by the West Virginia Department of Health, the Commission approved the purchase of a Bendix Air Mask in the amount of \$848 from Allegheny Fire Equipment Company for use at the Fayette County Park.

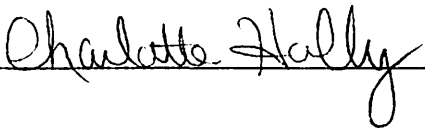
The Commission approved the purchase of three (3) black and white televisions for use by the inmates in the Fayette County Jail and instructed Richard Bragg to purchase said televisions.

Madge Fagg, Committee of Alma Jane Fagg, and T. E. Myles, her attorney, appeared before the Commission to request that Elsie Farmer be appointed as Successor Committee of Alma Jane Fagg.

Whereupon the Commission heard the evidence adduced on behalf of the petitioner and examined the return of service upon the Notice served upon Cletis Fagg and doth found from the evidence and exhibits that the nearest next of kin of Alma Jane Fagg have had notice of this hearing, and no one appeared to object to the appointment of Elsie Farmer as Successor Committee for Alma Jane Fagg. Thereupon the Commission advised Elsie Farmer that it would appoint her as Successor Committee for Alma Jane Fagg upon the said Elsie Farmer posting bond in the penalty of \$10,000.00 conditioned upon her properly managing the funds and personal property of Alma Jane Fagg.

The Commission approved the payroll for the period of July 1 through July 15, 1982. The bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.



JULY 28, 1982

REGULAR MEETING OF COUNTY COMMISSION OF FAYETTE COUNTY

COURTHOUSE

FAYETTEVILLE, WV 25840

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

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

Bids for the re-indexing system for the Clerk of the County Commission were received and opened by the Commission. As the bid received from Resource Digital did not conform to the bid advertisement specification that the Commission would not accept alternate plans or substitutions (submitted alternate bid for an automated microfiche system) and did not submit a bid bond as required, the Commission accepted the bid submitted by the Cott Corporation for a three-year contract in the amount of \$88,200.00.

Approval was given to the request of Paul M. Blake, Jr. Prosecuting Attorney, for the drawdown of funds in the amount of \$15,000.00 to establish a checking account in order to have funds readily available to the investigation and detection of crime.

The Commission received complaints and suggestions from jurors regarding the lack of available parking spaces during court sessions. A suggestion was made and the Commission's approval given to the use of the parking lot between the Myles's law building and the West Virginia ABC store on Wiseman Avenue to be designated as a parking lot for deputies and jurors only. Charles Vickers agreed to discuss the matter with Chief Circuit Judge, J. Zane Summerfield.

Mildred Ennis, Petitioner, came by her counsel, Susan H. Hewman, asking leave to file a Petition regarding the appointment of Mildred Ennis as Committee for Renda Harmon. Said Petition, after having been examined and found to be in proper form, was hereby ordered filed by the Commission, and it was hereby further ordered that the issues raised in said Petition be set for hearing before the County Commission of Fayette County in the Courtroom of said Commission at 10 o'clock a.m. on the 25th day of August, 1982. It was further ordered that the Clerk of said Commission give notice of said hearing accompanied by a copy of the aforesaid Petition to the said Renda Harmon at Backus Route, Meadow Bridge, West Virginia at least ten (10) days prior to the hearing day, which notice shall state the purpose of the hearing and shall advise the said Renda Harmon of her rights with respect thereto. It is further ordered that the Clerk of said Commission give notice of said hearing accompanied by a copy of the aforesaid Petition to the adult next of kin of the said Renda Harmon, which notice shall be given at least ten (10) days prior to the hearing date and shall state the purpose of the hearing and shall advise the said adult next of kin of Renda Harmon of their rights with respect thereto. After due consideration of the circumstances, the County Commission ordered that Frederick Jesser, III, an Attorney be appointed as Guardian ad Litem for the said Renda Harmon, to represent her and to protect her rights and interests.

Jim Jasmin appeared before the Commission representing Xerox Corporation and presented a proposal for the purchase of an 8200 copier for use in the Office of the Circuit Clerk. The Commission made no decision at this time and requested that additional information regarding copiers of other companies be obtained for review.

The Commission received a letter from Fayette County Magistrates Withrow, Aeillo, and Love requesting that the Commission pay for the

magistrates' monthly base telephone rate for their home telephones. The Commission directed that a letter be written to Judge Summerfield, Chief Circuit Judge of Fayette County, inquiring as to his opinion in this matter.

Approval was given by the Commission for a drawdown of \$80,000 as per the budget appropriation for the Fayette County Committee on Aging to match funds received from the State of West Virginia and other sources to be used for the sole purpose of constructing a multi-purpose center for the senior citizens of Fayette County.

Notification was received by the Commission from The Ohio Brass Company that plans had been formed to construct a 10,000 square foot addition onto its existing facility. The Commission granted its permission for this request to be carried out and directed Richard Bragg to send The Ohio Brass Company a letter of approval for the project.

Richard Bragg gave the Commission an explanation of the request of Mr. Riner for fencing along the road of Landfill #1. Charles Vickers will check with the property owners to determine whether or not a fence is desired.

The Commission approved in part a proposal submitted by Nino Veramessa of Veramessa and Son Construction Company for the reconstruction of the stone walkway at the front entrance of the Courthouse.

A letter was received by the Commission from Mrs. Linda Cummings and Mrs. Brenda Jolley regarding the condition of Robert Turner, an inmate of the Fayette County Jail. The Commission instructed Richard Bragg to send a letter to Jack Manning, Sheriff, and to send carbon copies of that letter to Judge Summerfield, Mrs. Cummings, and to Mrs. Jolley as notification of the Commission's receipt of the letter of complaint.

The Commission discussed the problem of bats roosting in the Fayette County Jail. A bid was received from the Orkin Company for eliminating

the bats. The Commission requested the receipt of additional proposals from other companies before rendering its decision in this matter.

The Commission approved the payroll for the period of July 16 through July 31, 1982. Also, the bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charlotte Holly

A XEROX PROPOSAL FOR:

XEROX

Fayette County Courthouse

SUBMITTED BY:

Jim Jasmin

Account Representative

Xerox Corporation

**THE CONTENTS OF THIS PROPOSAL ARE CONSIDERED TO BE XEROX
PRIVATE DATA AND ARE PROVIDED FOR THE EXCLUSIVE USE OF:
Fayette County Courthouse.**

XEROX

The enclosed information is subject to change at any time without prior written notice. If you have any questions on the information enclosed, please contact your salesperson or call your nearest local Xerox office.

Xerox Corporation
One Valley Square Suite 900
Charleston, West Virginia 25301
304-345-0110

XEROX July 26, 1982

Mr. Richard Bragg
Mr. Herb Mann
Fayette County Courthouse
Fayetteville, WV 25840

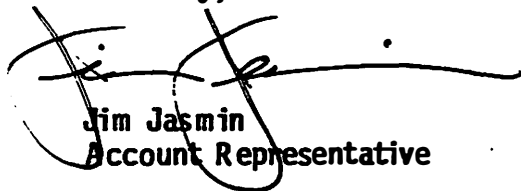
Dear Sirs:

We, at Xerox, have been doing business with you and the **Fayette County Courthouse** for a number of years. We think that our wide range of products, along with our trained and experienced personnel have been successful in meeting your needs during this period. This concept and our relationship are highly valued and we sincerely appreciate your business.

The following information concerns various alternatives which can be pursued with the Xerox 8200.

This **Proposal** is submitted for your consideration and action.

Sincerely,



Jim Jasmin
Account Representative

Attachment

JJ:eaw

FAYETTE COUNTY COURTHOUSE

The following information concerns the ability to finance the Xerox 8200 over a 60-month period through the Xerox Corporation.

XEROX

Purchase Price	\$57,261.00
Monthly Finance Charge	\$1,161.00
Monthly Charge for Full Service Maintenance Agreements	\$ 419.55
Copies Includes With Service Agreements	41,200
Meter Volume Charges	
Copy Allowance for 41,201 Copies and Over	\$.0074
Total Monthly Charge for Purchasing With A Copy Per Month Allowance of 41,200 Copies	\$1,580.55

FAYETTE COUNTY COURTHOUSE

XEROX

The following information reflects the rental pricing of a Xerox 8200:

The first 30,000 Copies/Month (of less)	\$1,315.00
Copies from 30,001 to 50,000 Per Month	\$.0152
Copies Over 50,000 Per Month	\$.0079
Rental on Stapling	\$55.00
Total Monthly Rental for 30,000 copies	\$1,370.00

WHY PURCHASE?

XEROX

- o - Significant long term operating cost reductions.
- o Protection against future cost increases from pricing adjustments and volume growth.
- o Obsolescence now minimized . . . the leveling of technology and equipment capabilities.
- o Investment tax credit advantage.
- o The opportunity to transfer operating costs to capital acquisition.
- o Trade-in policy.
- o Identical rental/purchase full service maintenance available.

XEROX 8200 FEATURES AND BENEFITS

FEATURES

CUSTOMER BENEFITS

XEROX Productivity

- The Xerox 8200 has a rated copy speed of 70 copies a minute, but the rated speed of a machine is only part of productivity. Time is lost by every operation a user needs to perform to set up a machine to run. Time is lost before you have a totally finished job - collated and stapled.

- With the Xerox 8200, time is saved in programming by touching only a few buttons. Time is saved by removing sets already collated and stapled.

- All controls are self-cancelling 30 seconds after the job is complete. This eliminates the possibility of duplicating the previous job.

Input

- No adjustments are necessary. The machine has already been programmed. Place the originals into the Recirculating Document Handler face up. There is no necessity to line-up a single document or a series of documents. With the newly engineered vacuum/corrugated document handler, each document is handled with precision and regard for the original document.

Duplexing

- Simplicity of operation is the key here as it is for everything about the Xerox 8200. Without touching the control panel, single-sided copies are generated. Touch it once and two-sided copies are generated. Touch it again and two-sided copies are delivered from two-sided originals.

Reduction

- Useful reduction scales will take engineering drawings, PERT charts, layouts or computer reports down to 8 1/2" x 11" size at 98%, 74%, 65% or a full 100% set by the Tech Rep at time of installation.

Finishing

XEROX

Quality

Diagnostics

Job Recovery

Paper Trays

Space Saving

- The 98% reduction can be used for any material that needs to be put into 3 hole punched binders with no loss of material.
- An important factor in Productivity is the finished product - collated and offset and stapled. All of these finishing requirements are accomplished by the Xerox 8200. This means the 8200 produces collated copysets, stapled and ready for distribution in the same time it takes to duplicate.
- Either model of the 8200 (with or without the automatic stapler) provides jogging as well as offset (staggering) copysets. Both are built-in ingredients of the 8200.
- The 8200 is a product of new xerographic technology that provides uniform coverage with superior matte-finish for solids, halftones, and line work. Paste-up suppression is also outstanding.
- COPY LIGHTER and COPY DARKER button simplicity allows for the enhancement of originals.
- The 8200 control panel provides the status on key machine functions. There are self-diagnostic codes to pin point problems. With the advanced technology built into the 8200, should a Tech Rep be needed, service call time is reduced.
- With the 8200 there is no need to count originals or copies if a jam occurs. Every original and copy is accounted for, even when duplexing.
- The Main or Bottom Paper Tray accommodates 2,500 sheets, using 20 lb. stock and the Top or Auxiliary Tray stores 550 sheets so time is not lost changing paper from letterhead, colored stock or different weight paper.
- The 8200 can be installed on rails, so that once the installation is complete, less valuable office space is utilized.

Specifications:

Size & Weight:

- Overall Length - 78"; Width - 58"; Height - 48 1/2"; Weight - 2250 lbs.; Floor Space - 21 sq. ft.; Machine & Access Space - Approximately 8 ft. x 11 ft. or 88 sq. ft. (w/o rails); 7.3 ft. x 9.75 or 71.5 sq. ft. (with rails).

XEROX Electrical Requirements:

- A single, 30 ampere, 208/240 volt, 60 Hz source.

XEROX 8200 FEATURES AND BENEFITS

FEATURES

XEROX

Operational Simplicity

Exceptional Quality

Proven Reliability

On-Line Finishing

Operator Assisted Duplex

CUSTOMER BENEFITS

- Minimal Operator Involvement and Decisions
- Greater Productivity
- Less Confusion
- Less Downtime
- Less Waste

- Advanced design in copy quality technology gives professional look to all copies with a low gloss "matte" finish and sharp crisp images.

- Member of highly regarded 9200/9400 family with operator status codes that pin point any problems and tell you what to do next.

- Eliminates additional manual step and improves total productivity. Simple and easy to use especially for the casual user.

- Instruction guide on panel assists the casual operator through entire process.
 - o Encourages utilization of two-sided copying
 - o Less paper to deal with
 - o Cost savings (paper costs, filing and mailing).

AUGUST 4, 1982

REGULAR MEETING OF COUNTY COMMISSION OF FAYETTE COUNTY

COURTHOUSE

FAYETTEVILLE, WV 25840

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

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

The Financial Statement for the County of Fayette for Fiscal Year 1981-82 and its attached list of vendors was approved by the Commission and entered into record in the Office of the Clerk of the Fayette County Commission. Two copies of the Financial Statement were directed to be sent to the West Virginia State Tax Department, and the Commission directed that the Financial Statement and the List of Vendors be forwarded to the appropriate newspapers for publication as directed by the Code of West Virginia, Chapter 7, Article 5, Section 16.

A resolution approving the application of the Gauley River Public Service District for a grant in the amount of \$750,000 to the Small Cities Community Development Block Grant Program for a water collection system was signed by the Commission. County Commissioner Charles M. Vickers was appointed as the contacting officer for the County.

The Commission received information from the Page-Kincaid Public Service District regarding a grant application from said PSD for a sewage treatment system and also received a request regarding funds for this project. The Commission directed that a letter be sent to the Page-Kincaid Public Service District expressing the Commission's interest in the project and its desire to assist and cooperate with that agency in any way possible.

Gary Harding presented the Commission a request of William R. Hayslett, Owner, by Julius Cales, for a change in land classification from R-2, Residence District, to B-1, Neighborhood Business District, on Lot 259, Block 4, Minden Subdivision, Plateau District. The Commission was informed by the Zoning Officer that the Planning Commission did unanimously recommend that this request be denied and that reasons stated were location, type of structure proposed for the site, parking problems, and the run off water problem. After a general discussion, Mr. Cales requested that this be deferred back to the Planning Commission for further consideration. Mr. Vickers made a motion that this be deferred as requested by the applicant; motion was seconded by Mr. Lopez and passed by a vote of 3--0.

Travers Harrington, Attorney, appeared before the Commission to inquire about the status of the request by the Town of Meadow Bridge for assistance from the Commission to aid in the completion of the fire station and town hall of Meadow Bridge. The Commission informed Mr. Harrington that the matter was still under consideration.

Donna Mills, a representative of the West Virginia State Tax Department, appeared before the Commission to present the Commission the proposed contract for Fiscal Year 1982-83 for the processing of the real and personal property tax accounts. The Commission approved the contract as presented.

In consideration of the opinion of Mr. Gene Carte, Assistant Prosecutor, regarding the request of Mr. Harry P. Waddell of Steptoe & Johnson for the execution of seventy-eight new bonds for R. F. Johnson, Inc., the Commission unanimously voted against signing the bonds and directed that the bonds be returned to Mr. Waddell.

On this date, the Commission entered into record its preliminary determination to adopt the Modified Probate System and directed Richard W. Bragg to work with the Office of the Prosecuting Attorney to enter such an order,

to prepare a legal advertisement for publication, and to contact the current commissioners of accounts with notice of its decision and notifying said commissioners of the related public hearing scheduled for 11:15 A.M. on August 25, 1982.

The bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charlotte Holly

Court House Annex
Fayetteville, WV

PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 2nd day of August, 1982, 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 amendment (change 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 4th day of August, 1982, 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 amendment (change in land classification) to the Zoning Ordinance of Fayette County, West Virginia. Copies of the proposed amendment may be examined in the Zoning Office, Court House Annex, Fayetteville, West Virginia.

- . Z-231-82-2: Request of William R. Hayslett, Owner, by Julius Cales, for a change in land classification from R-2, Residence District, to B-1, Neighborhood Business District, on Lot 259, Block 4, Minden Subdivision, Plateau District.

Gary E. Harding
Zoning Officer

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HOLD ON
WEDNESDAY, AUGUST 4th, 1982.

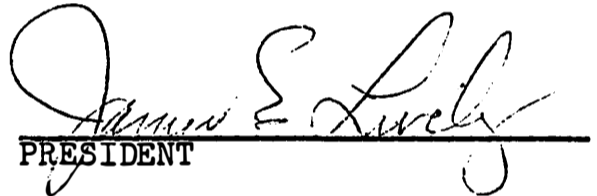
Present were: James E. Lively, President
Charles M. Vickers, Commissioner
John H. Lopez, Commissioner

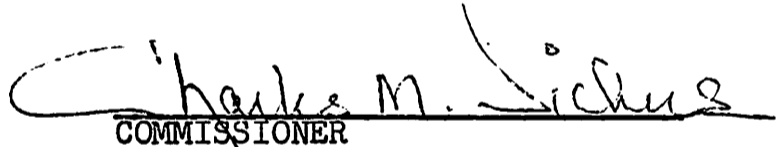
The following case was presented to the County Commission
for its disposition:

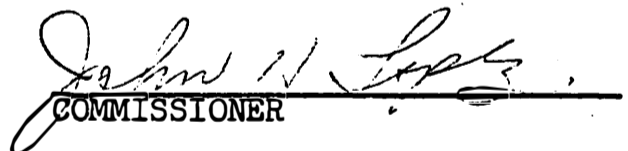
Z-231-82-2: Request of William R. Hayslett, Owner, by Julius
Cales, for a change in land classification from R-2, Residence
District, to B-1, Neighborhood Business District, on Lot 259,
Block 4, Minden Subdivision, Plateau District.

The County Commission was informed by the Zoning Officer
that the Planning Commission did unanimously recommend that this
request be denied and that reasons stated were location, type of
structure proposed for the site, parking problems, and the run
off water problem. After a general discussion Mr. Cales requested
that this be deferred back to the Planning Commission for further
consideration. Mr. Vickers made a motion that this be deferred as
requested by the applicant. Motion was seconded by Mr. Lopez
and passed by a vote of 3 - 0.

THE FAYETTE COUNTY COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER

AUGUST 13, 1982

REGULAR MEETING OF COUNTY COMMISSION OF FAYETTE COUNTY

COURTHOUSE

FAYETTEVILLE, WV 25840

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

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

Approval was given by the Commission to the Meadow Bridge Volunteer Fire Department for assistance in the amount of \$18,000 in the construction of the fire station for said fire department.

The Commission directed Richard W. Bragg to work with Sheriff Jack Manning to draw up specifications for updating the Sheriff's communication system, to include the purchase of communication equipment.

Approval was given by the Commission to the City of Oak Hill for its request regarding the construction of additional holding impoundments at the Fayette County Dog Pound on the basis that all construction costs and any maintenance expenses for the addition shall be borne by the City of Oak Hill.

The Commission approved the payroll for the period of August 1 through August 15, 1982. Also, the bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charles M. Vickers

AUGUST 25, 1982

REGULAR MEETING OF COUNTY COMMISSION OF FAYETTE COUNTY
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: JAMES E. LIVELY
CHARLES M. VICKERS

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

Mr. McKinney representing Allied Exterminating appeared before the Commission with a bid in the amount of \$600 for eliminating the bats at the Fayette County Jail. The Commission approved this bid and directed Richard W. Bragg to contact Sheriff Jack Manning to set a time at which the project may begin.

Judy H. Kessler and William Holly appeared in person and by Erwin L. Conrad, their attorney, upon proper notice heretofore duly served upon Maggie S. Holly on August 11, 1982 and each of her next of kin and upon the affidavits of all of the children of Maggie S. Holly joining with petitioners in their request for appointment as committee for Maggie S. Holly, which said petition, together with the affidavits of the next of kin of Maggie S. Holly, were tendered for filing. The Commission received the petition with the aforesaid next of kin affidavits annexed thereto and the verified statements of Drs. Donald C. Newell, Sr. and Curtis H. Thomas, Jr. to the effect that due to the advanced age of the respondent and to her conditions of mild senility and chronic brain syndrome that respondent is incompetent to manage her business affairs and is unable to care for her physical well-being.

Upon hearing and receiving the evidence presented and upon the recommendation of Clinton D. Gallaher, IV for the appointment of petitioners as committee for Maggie S. Holly, the Commission adjudged that said Maggies S. Holly is mentally incompetent and unable to care for her physical well-being and that it is necessary that a committee be appointed in her behalf to manage said affairs. Therefore, the Commission ordered that Judy H. Kessler and William Holly be and they are hereby appointed as committee for Maggie S. Holly. It further ordered that Robert James, Charles Bickford and Glen Cook be and they are hereby appointed as appraisers, and that the committee's accounts by and they are hereby referred to T. E. Myles, Commissioner of Accounts.

Upon the petition of Mildred Ennis to be appointed committee for the person and estate of her mother, Renda Harmon, the said Renda Harmon did not appear in person, but by her guardian ad litem, Frederick A. Jesser, III, an attorney-at-law, she being physically unable to so attend. The Commission proceeded to hear the sworn testimony of the petitioner, Mildred Ennis, attesting to the condition of the said Renda Harmon and the honesty and integrity of the petitioner, and received into evidence a written certification from Dr. David P. Allen, a duly licensed osteopathic physician, certifying that he had examined the said Renda Harmon and that she is physically unable to care for herself or her business affairs. Based upon the testimony and evidence adduced herein, the Commission found that the said Renda Harmon is unable to care for herself or to tend to her personal and business affairs, and that the

said Mildred Ennis should be appointed committee for her mother, Renda Harmon. Therefore, the Commission ordered that Mildred Ennis be, and she hereby is, appointed committee for Renda Harmon until such time as the said Renda Harmon may be able to show that she is again able to care for herself and her personal and business affairs. Further, it is ordered that T. E. Myles, Commissioner of Accounts, be appointed to oversee said estate, and bond be posted in the amount of \$10,000.

Larry Dotson appeared before the Commission to inform the Commission that the request of Glen Blankenship, Owner, for a change in land classification from R-2, Residence District, to B-1, Neighborhood Business District, on Lot 174, Block 4, Minden Subdivision, Plateau District, had been withdrawn by said Glen Blankenship.

The Statement of Assurances was signed by the Commission and returned to the Director of the Office of Revenue Sharing for Entitlement Period 14 (October 1, 1982--September 30, 1983).

As requested by Jim Elzey, Fiscal Officer, Office of Behavioral Health Services, the Commission certified the Statement of Expenditures for Fiscal Year 1981-82 in the amount of \$40,000 to the FMRS Mental Health Council, Inc., for mental health services.

The Commission directed a letter to Mr. Carl Smith, Supervisor, United States Department of Housing and Urban Development, expressing the Commission's support of the Oak Hill Housing Authority's application for 60 units of Section 202 funding.

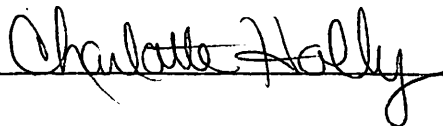
The Commission held a public hearing regarding the

adoption of the "Optional Procedure for Proof and Allowance of Claims Against Estates and Decedents" as specified by West Virginia Code, Chapter 44, Article 3A, Section 1. Present at the hearing were Mr. Howard E. Janney, Mr. Philip D. Mooney, and Mr. Paul Blake, Jr., a representative for the County Commission of Fayette County. Mr. Mooney recommended that the modified plan be adopted, and following a discussion regarding the costs, lack of facilities, effect, etc., the Commission decided to adopt the Modified Plan and requested the Prosecuting Attorney of Fayette County to prepare an order to be entered into record within ten (10) days as provided by statute.

Paul Blake, Jr., Prosecuting Attorney, appeared before the Commission to request a new copying machine for that office. Due to the fact that a similar request had been received by the Commission from Herbert Mann, Circuit Clerk, the Commission directed that bids be obtained from various copier companies and presented to the Commission for review.

The Commission approved the payroll for the period of August 16 through August 31, 1982. Also, the bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.



Court House Annex
Fayetteville, WV

PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 23rd day of August, 1982, 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 amendment, (change 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 25th day of August, 1982, 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 amendment (change in land classification) to the Zoning Ordinance of Fayette County, West Virginia. Copies of the proposed amendment may be examined in the Zoning Office, Court House Annex, Fayetteville, West Virginia.

Z-232-82-2: Request of Glen Blankenship, Owner, for a change in land classification from R-2, Residence District, to B-1, Neighborhood Business District, on Lot 174, Block 4, Minden Subdivision, Plateau District.

Gary E. Harding
Zoning Officer

SEPTEMBER 8, 1982

REGULAR MEETING OF COUNTY COMMISSION OF FAYETTE COUNTY
COURTHOUSE

FAYETTEVILLE, WV 25840

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

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

The Commission directed Richard W. Bragg to attempt to reactivate the Emergency Medical Services Council.

Paul M. Blake, Jr., Prosecuting Attorney, was requested by the Commission to investigate the County's liability for the transportation of a patient to/from a mental health facility without prior authorization by an elected official.

The Commission directed Richard W. Bragg to seek bids for updating the radio equipment for the Office of the Sheriff/Law Enforcement.

The Commission received an inquiry regarding the formation of a public service district in the McDonald, Park Heights, Mill Creek, Kilsyth, Price Hill and Lee areas surrounding the Town of Mount Hope. The Commission directed Richard W. Bragg to schedule a meeting and to send a reply to Mayor Davis of Mount Hope informing him of said meeting. The meeting was scheduled for 10:00 A.M. on Wednesday, September 29, 1982 at the regular meeting of the Fayette County Commission.

Mr. Sterley C. Flanagan, Jr. was appointed by the Commission to fill the unexpired term of Sterley C. Flanagan, Sr. as a Commissioner of the Danese Public Service District as recommended by said PSD. Said term is to expire on March 30, 1984.

The bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charlote Holly

SEPTEMBER 15, 1982

REGULAR MEETING OF COUNTY COMMISSION OF FAYETTE COUNTY

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: CHARLES M. VICKERS
JOHN H. LOPEZ

This meeting in regular session of the Fayette County Commission was called to order by Commissioner Charles M. Vickers, Acting President in the absence of the President, James E. Lively.

Richard W. Bragg advised the Commission that a new water line had to be provided for the Smithers Detachment of the Sheriff's Department. John Lopez stated that he would check further into the matter and advise the Commission of his findings.

The Commission directed Jack Gannon, Park Superintendent, to make all necessary repairs to the cabins at the Fayette County Park in order to maintain said cabins for camping purposes until a decision is rendered by the Commission regarding future group camps at the Park.

Herbert A. Mann, Circuit Clerk, appeared before the Commission expressing the need of a new copying machine, Selectric IBM typewriter, air conditioner, and an additional telephone in his office.

Mr. Carroll Miller and Mr. A. W. Orndorff of Gauley Bridge, West Virginia, were reappointed by the Commission to serve on the Fayette County Planning Commission for a period of three years as recommended by the Planning Commission. Said terms are to expire on August 3, 1985.

The Commission approved the payroll for the period of September 1 through September 15, 1982. Also, the bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charles M. Vickers

SEPTEMBER 29, 1982

REGULAR MEETING OF FAYETTE COUNTY COMMISSION

COURT HOUSE

FAYETTEVILLE, WV 25840

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

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

Mayor Jonas A. Davis, City of Mount Hope, and Mr. Robert Demer, engineer with Bucharth-Horn Inc., appeared before the Commission regarding the formation of a Public Service District that will include McDonald, Park Heights, Mill Creek, Kilsyth, Price Hill and Lee. Mayor Davis explained that the City of Mount Hope is in the process of applying for a grant to rebuild the sewage treatment facilities, and the formation of said P.S.D. is necessary in order for the City to receive this grant. The Commission took the matter under advisement until a later date.

Mr. Don Taylor and Mr. Bill Miller appeared before the Commission representing the Armstrong Creek Public Service District regarding a sewage project for said P.S.D. and a request for a contribution for the local share for an Environmental Protection Agency grant with an estimated local share of \$1,022,500.00., or if such a commitment could not be given, a request was made for the Commission to sponsor a Community Development Block Grant. Since the Commission is currently committed to a pending C.D.B.G., the matter was taken under advisement until a later date.

The Commission received of Ray Goforth, Chairman of the Democratic Executive Committee, and Robert Wells, Chairman of the Republican Executive Committee, the lists of Election Officials, Democrat and Republican, they

desire to have appointed for holding the General Election in Fayette County on the 2nd day of November, 1982. The Commission inspected said lists and ascertained that the appointees are qualified to perform such duties, and it approved the said lists and appointed the several persons therein named for the several and respective precincts in the County. The Commission directed the Clerk of the County Commission to enter the lists as a part of its order, to have notices mailed to each appointee, notifying him of his or her appointment as such election official.

Richard W. Bragg was instructed to investigate the necessary repairs to the Courthouse and to the Office of the Prosecuting Attorney.

The Commission received the audit report from Suttle & Stalnaker, Certified Public Accountants, Charleston, West Virginia, for the Criminal Justice and Highway Safety Division of the Governor's Office of Economic and Community Development Grant Number 7941-AJ07002-N.

The Commission received information regarding the adoption of a comprehensive liability and property insurance plan designed for public entities in West Virginia. The Commission directed a letter to Mr. Robert Skaggs, Mountain State Insurance Agency, Inc., appointing said agency as the local agent to co-ordinate the coverage and application process. This appointment is contingent upon its acceptance by Mountain State Insurance Agency, Incorporated.

Richard W. Bragg was directed to request of Jack Gannon whether or not he desires the renewal of the snow removal contract for 1982-83 and to obtain the necessary equipment for snow removal.

Bids were received by the Commission for a copying machine. The Commission took the matter under advisement until a later date.

The Fayette County Commission approved a sum in the amount of \$9,000.00 to be allocated to the Danese Public Service District to be utilized for improvements to the Danese Water System.

The Commission agreed to appropriate a sum in the amount of \$21,500.00 to the Kanawha Falls Public Service District for the purpose of initiating and completing repairs to the water storage tank owned by said P.S.D.

The Commission approved the request of the Fayette County Sheriff's Department for the purchase of ammunition to be used for the purpose of qualifying the deputies in the use of weapons.

Richard W. Bragg informed the Commission of the request of Chief Deputy David Brown for an additional extension telephone for use at the Fayette County Jail. Mr. Bragg also reminded the Commission of the request of Herbert Mann, Circuit Clerk, for another telephone in his office. The Commission took the requests under advisement.

The Commission addressed a letter to Aegean Pools, Inc. regarding the warranty which covers the repairs to the pools at the Fayette County Park. After a discussion with the Fayette County Prosecuting Attorney, the Commission does consider the repair to be a completion of the original work; therefore, the warranty regarding the repairs would elapse one year from the date on which the repairs are completed and accepted.

The Commission received letters of resignation from Mr. James P. Allen and Mr. Delta Harrah as Commissioners of the Wolf Creek Public Service District. Said resignations were requested to be effective as of October 31, 1982.

The Commission approved the payroll for the period of September 16 through September 30, 1982. Also, the bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charlotte Holly

OCTOBER 6, 1982

REGULAR SESSION OF FAYETTE COUNTY COMMISSION

COURT HOUSE

FAYETTEVILLE, WV 25840

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

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

Merrill Miller appeared before the Commission regarding the escalation of the rates charged by the Kanawha Falls Public Service District. The Commission advised Mr. Miller that it had no control over the establishment of the rates charged by a P.S.D.; therefore, Mr. Miller should approach the Commissioners of the Kanawha Falls Public Service District with his inquiry.

The bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charles M. Vickers

OCTOBER 15, 1982

REGULAR SESSION OF FAYETTE COUNTY COMMISSION

COURT HOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: JAMES E. LIVELY
CHARLES M. VICKERS

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

Mrs. Grace Massey of Victor, West Virginia, was reappointed by the Commission to serve on the New Haven Public Service District for a period of six years as recommended by said P.S.D. Term to expire October 29, 1988.

The Commission approved the payroll for the month of October, 1982. Also, the bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charlotte Lively

OCTOBER 27, 1982

REGULAR SESSION OF FAYETTE COUNTY COMMISSION

COURT HOUSE

FAYETTEVILLE, WV 25840

As the Commission was unable to form a quorum, this meeting in regular session was postponed until the next regularly scheduled session of the Fayette County Commission to be held on Wednesday, November 3, 1982.

Charlotte Zilly

NOVEMBER 3, 1982

REGULAR SESSION OF FAYETTE COUNTY COMMISSION

COURT HOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: JAMES E. LIVELY
JOHN H. LOPEZ

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

The Commission opened the bids for the updating and replacement of the communication equipment for the Fayette County Sheriff's Department which were received on October 27, 1982. Bids were received from Motorola Communications and Electronics, Incorporated and from General Electric Mobile Communications Division. The Commission will analyze the bids which were received and compare them to the specifications. James Lively will have the bids reviewed by a consultant, and the Commission will render its decision regarding this matter at a later date.

Steve Cruikshank and Paige Skaggs appeared before the Commission representing the Fayette County Fireman's Association to request the Commission's aid in formulating the specifications and advertising for a breathing air compressor to be located in the Plateau/New Haven area of Fayette County for use by area fire departments. The Commission agreed to have the Fireman's Association formulate the specifications and then present them to the Commission for advertisement. Also, the Fireman's Association requested that the Rainelle Volunteer Fire Department be made a member of the Fayette County Fireman's Association since part of Fayette County is located in Rainelle's service area. Following a discussion between the Commission and Mr. Cruikshank and Mr. Skaggs regarding the fulfillment of the requirements of the Rural Fire Protection

District which must be met, the need for a contract, reciprocal letters, etc., the Commission asked for a recommendation from the Fayette County Fireman's Association as to the proper procedure to follow in order to meet these requirements.

Gary Harding, Zoning Officer, appeared before the Commission at the request of James R. Criniti, owner, for a change in land classification from RR-1, Rural Residence District, to B-2, General Business District, on Lots 31 thru 37, Section 5, Adena Village, Valley District. The Commission was informed by the Zoning Officer that the Planning Commission by an 8-0 vote did recommend that this request be denied to locate a supper club at the entrance to the Adena Village Development. The Commission was informed that 38 people were present in opposition and submitted a petition bearing 137 signatures. Motion was made by Mr. Lopez that this be denied as recommended; motion was seconded by Mr. Lively and passed by a vote of 2-0. Also, Mr. Harding appeared before the Commission at the request of Awegot Enterprises, Inc., Contract Owners, for a change in land classification from R-3, Residence District, to I-2, Heavy Industrial District, on 41.7 acres, near Deepwater, Route 61, Valley District. The Commission was informed that this was an operation to supply wood chips for Alloy and that the Planning Commission did recommend that this request be approved. Motion was made by Mr. Lopez that this be approved as recommended; motion was seconded by Mr. Lively and passed by a vote of 2-0. Also, Mr. Harding presented the request of Robert E. Jeffries, Owner, for a change in land classification from RR-1, Agricultural and Rural Residence District, to I-2, Heavy Industrial District, on 2.5 acres, Levisay Branch, Toney Hollow #1, Plateau District. The Commission was informed that this request was to locate a salvage yard at the end of Toney Hollow Road, and that the Planning Commission had

recommended that it be approved. Motion was made by Mr. Lopez that this request be approved as recommended; motion was seconded by Mr. Lively and passed by a vote of 2-0. Also, the Zoning Officer appeared with the request of Rivers, Inc., Contract Owner, for a change in land classification from R-1, Residence District, to P-D, Planned Development District, on 2.77 acres, near Court House (James O'Dell property), Fayette Station Road off Corridor "L", New Haven District. The Commission was informed that this request was to use the property as a camp ground facility and office for a rafting outfitter and that the Planning Commission did recommend that this be approved with no outside sales and no retail sales. Motion was made by Mr. Lopez that this be approved as recommended; motion was seconded by Mr. Lively and passed by a vote of 2-0.

Richard W. Bragg presented the Housing and Urban Development C.D.B.G. audit to the Commission from Wood and Merritt, CPA'S, Oak Hill, West Virginia.

The Commission received a letter from Mayor Emerson Hicks, Town of Meadow Bridge, requesting the release of the approved funds in the amount of \$18,000. The Commission approved this request and issued a resolution for the drawdown of said funds.

The Commission received the Delinquent Dog List for Fayette County as compiled by Daniel B. Neely, Assessor of Fayette County.

By a vote of 2-0, the Commission approved a transfer in the amount of \$5,000.00 from the Capital Outlay approved expenditure line item of the County Commission to the Investigation Expenses line item of the Sheriff/Law Enforcement within the 1982-83 General County Budget. A letter was directed to Sheriff Jack Manning informing him of this approval.

The bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charlotte Holly

Court House Annex
Fayetteville, WV

PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 25th day of October, 1982, 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, (change 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 27th day of October, 1982, 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 of the following proposed amendments (change 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-233-82-1: Request of James R. Criniti, Owner, for a change in land classification from RR-1, Rural Residence District, to B-2, General Business District, on Lots 31 thru 37, Section 5, Adena Village, Valley District.

Z-234-82-2: Request of Awegot Enterprises, Inc., Contract Owners, for a change in land classification from R-3, Residence District, to I-2, Heavy Industrial District, on 41.7 acres, near Deepwater, Route 61, Valley District.

Z-235-82-1: Request of Robert R. Jeffries, Owner, for a change in land classification from RR-1, Agricultural and Rural Residence District, to I-2, Heavy Industrial District, on 2.5 acres, Levisay Branch, Toney Hollow No. 1, Plateau District.

Gary E. Harding
Zoning Officer

Court House Annex
Fayetteville, WV

PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 25th day of October, 1982, 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, (change 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 27th day of October, 1982, 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 amendment (change in land classification) to the Zoning Ordinance of Fayette County, West Virginia. Copies of the proposed amendment may be examined in the Zoning Office, Court House Annex, Fayetteville, West Virginia.

Z-236-82-2: Request of Rivers, Inc., Contract Owner, for a change in land classification from R-1, Residence District, to P-D, Planned Development District, on 2.77 acres, near Court House (James O'Dell property, Fayette Station Road off Corridor "L", New Haven District.

Gary E. Harding
Zoning Officer

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON
WEDNESDAY, NOVEMBER 3rd, 1982.

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

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

Z-233-82-1: Request of James R. Criniti, Owner, for a change in land classification from RR-1, Rural Residence District to B-2, General Business District, on Lots 31 thru 37, Section 5, Adena Village, Valley District.

The County Commission was informed by the Zoning Officer that the Planning Commission by an 8 - 0 vote did recommend that this request be denied to locate a supper club at the entrance to the Adena Village development. The Commission was informed that 38 people were present in opposition and submitted a petition bearing 137 signatures. Motion was made by Mr. Lopez that this be denied as recommended. Motion was seconded by Mr. Lively and passed by a vote of 2 - 0.

Z-234-82-2: Request of Awegot Enterprises, Inc., Contract Owners, for a change in land classification from R-3, Residence District, to I-2, Heavy Industrial District, on 41.7 acres, near Deep-water, Route 61, Valley District.

The County Commission was informed that this was an operation to supply wood chips for Alloy and that the Planning Commission did recommend that this request be approved. Motion was made by Mr. Lopez that this be approved as recommended. Motion was seconded by Mr. Lively and passed by a vote of 2 - 0.

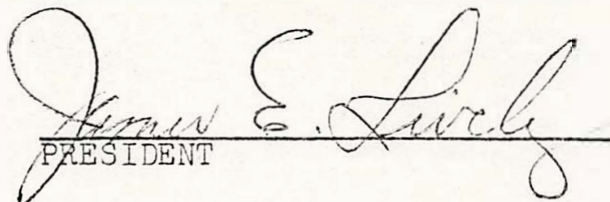
Z-235-82-1: Request of Robert R. Jeffries, Owner, for a change in land classification from RR-1, Agricultural and Rural Residence District, to I-2, Heavy Industrial District, on 2.5 acres, Levisay Branch, Toney Hollow No. 1, Plateau District.

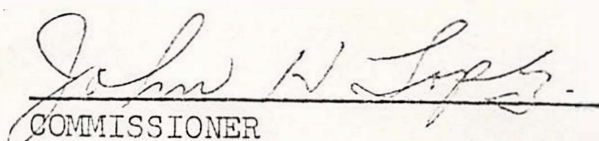
The County Commission was informed that this request was to locate a salvage yard at the end of Toney Hollow Road, and that the Planning Commission had recommended that it be approved. Motion was made by Mr. Lopez that this request be approved as recommended. Motion was seconded by Mr. Lively and passed by a vote of 2 - 0.

Z-236-82-2: Request of Rivers, Inc., Contract Owner, for a change in land classification from R-1, Residence District, to P-D, Planned Development District, on 2.77 acres, near Court House (James O'Dell property), Fayette Station Road off Corridor "L", New Haven District.

The County Commission was informed that this request was to use the property as a camp ground facility and office for a rafting outfitter and that the Planning Commission did recommend that this be approved with no outside sales and no retail sales. Motion was made by Mr. Lopez that this be approved as recommended. Motion was seconded by Mr. Lively and passed by a vote of 2 - 0.

THE FAYETTE COUNTY COMMISSION


PRESIDENT


COMMISSIONER

NOVEMBER 8, 1982

SPECIAL SESSION OF FAYETTE COUNTY COMMISSION

COURT HOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: JAMES E. LIVELY
CHARLES M. VICKERS
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 General Election held on Tuesday, November 2, 1982, in Fayette County.

A random drawing of four precincts (5% of total County precincts) was held in full view of all persons present at the canvass; the precincts selected to be recounted were as follows:

Upon completion of the canvass, the results were found to be the same as the totals that were tallied by the election officials on election night, with the exception of the challenged ballots which were tabulated during said canvass.

There being no further business, the Commission adjourned for a period of forty-eight hours (11:30 A.M., Wednesday, November 10, 1982) at which time the Board of Canvassers will certify the official declaration of the results of the election.

Charlotte Holly

NOVEMBER 10, 1982

SPECIAL SESSION OF FAYETTE COUNTY COMMISSION

COURT HOUSE

FAYETTEVILLE, WV 25840

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

The Commission sitting in special session as a Board of Canvassers on this date certified the results of the General Election held on Tuesday, November 2, 1982.

Charlotte Holly

NOVEMBER 15, 1982

REGULAR SESSION OF FAYETTE COUNTY COMMISSION

COURT HOUSE

FAYETTEVILLE, WV 25840

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

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

The Commission addressed a letter to Paul M. Blake, Jr., requesting the Office of the Prosecuting Attorney to file an answer to the summons served on James E. Lively, President of the Fayette County Commission, on or about November 8, 1982, on behalf of the Commissioners as individuals and as officials of Fayette County in the action of Leonard Wayne LaPrade vs. Fayette County Commission, etal. Also, Mr. Blake was requested to inform the Commissioners when the answer is to be filed. A copy of the summons served on Mr. Lively was also forwarded to the National Sheriff's Association with a request as to what action should or would be taken.

After careful consideration and discussion regarding the bids received by the Commission for the updating and replacement of the communication equipment for the Fayette County Sheriff's Department which were received on October 27, 1982, the Commission awarded the bid to Motorola Communications and Electronics, Incorporated. The award of the bid is contingent upon the presentation of a performance bond equivalent to 100% of the contract price and also upon a final decision and/or agreement regarding certain elements within that proposal, especially with regard to the recommendations which were listed. A letter was sent by the Commission to Sheriff Jack Manning informing him of its decision.

Mr. Gerald Greene was appointed by the Commission to fill the unexpired term of Mr. Delta Harrah as a Commissioner of the Wolf Creek Public Service District as and of November 1, 1982, to serve for and during a period of three years, said term to expire on November 1, 1985. Also, Mr. Claude B. Bess of Maple Road, Fayetteville, was appointed to fill the unexpired term of Mr. James P. Allen as a Commissioner of the Wolf Creek Public Service District as and of November 1, 1982, to serve for and during a period of one year, said term to expire on November 1, 1983.

Permission was granted to Mr. Jack Gannon by the Commission to store the equipment to be used for snow removal at the Courthouse in the breezeway behind the Courthouse.

The Commission approved the payroll for the period of November 1 through November 15, 1982. Also, the bills submitted to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charlotte Holly

NOVEMBER 24, 1982

REGULAR MEETING OF COUNTY COMMISSION OF FAYETTE COUNTY

COURT HOUSE

FAYETTEVILLE, WV 25840

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

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

Jim Jasmin, Xerox representative, made a presentation to the Commission regarding a 5600 copier for use in the Office of the Circuit Clerk. The Commission informed Mr. Jasmin that it would take the presentation under consideration and directed Richard Bragg to review the need for copiers.

Charles Keenan, Mayor of Gauley Bridge, appeared before the Commission on behalf of the Mayor's Association regarding a County-wide Emergency 911 System. Also present were Mayor Witt of Fayetteville, Mayor Skaggs of Ansted, Police Chief Cohernour of Ansted, Steve Cruikshank of the Fayetteville Fire Department, and Mike Rutledge of the Pax Volunteer Fire Department. Mr. Keenan stressed that he feels that the funding and the operating of such a system should be the sole responsibility of the Fayette County Commission and funded through available funds in the County Budget; however, if no available funds exist in the budget, Mr. Keenan suggested that when the Fire Levy is proposed to the voters of Fayette County for renewal that a portion of that levy be specified to fund the cost of such a 911 system because the fire departments would not be in dire need of new fire fighting equipment. Mr. Keenan proposed the hiring of six (6) dispatchers at a monthly salary of \$800 each and one (1) dispatcher to act as a supervisor at a monthly salary of \$1,000; these dispatchers would be trained by C & P Telephone Company. Other costs explained by Mr. Keenan were as follows: \$1,000 per month operating expenses to C & P Telephone Company

during an installation period of approximately eighteen (18) months and a one-time cost of \$50,000 to C & P due upon completion of installation of the system; total annual operating costs would be approximately \$118,905. After a general discussion, Mr. Lively stated that the Commission sees the attractiveness of such a project but feels that the municipalities should share the burden, but that the Commission will continue to consider the presentation. Mr. Keenan stated that the Mayor's Association desires an answer by January 1, 1983.

Gary Harding appeared before the Commission at the request of Alice V. Smith, Owner, for a change in land classification from R-1, Residence District, to B-2, General Business District, on Lot 1, Oakridge Addition, near Fayetteville, New Haven District. The Commission was informed by the Zoning Officer that the Planning Commission did unanimously recommend that this request be approved and that no opposition appeared at the meeting. Mrs. Smith was present and the Commission was told that a used car lot was proposed at the site which is presently being used for a grocery store. Motion was made by Mr. Vickers that this be approved as recommended; motion was seconded by Mr. Lopez and passed by a vote of 3-0.

Robert Bennett representing the Danese Community Improvement Association appeared before the Commission regarding the disposal of solid waste in that area of the County since the closing of the dump site at Danese. The Commission directed Richard W. Bragg to ask the Association to have the Community's plan written to be presented to the Commission on December 8, 1982.

The Commission received a presentation from Steve Hanshew representing the 4-H Association in regard to overnight camping at the Fayette County Park in 1983. The Association would like to have an answer in January, 1983. The Commission advised Mr. Hanshew that it would give further consideration

to this matter, but that overnight camping at the Park has been hindered by restrictions and regulations imposed by State and Federal agencies.

The Commission directed Richard W. Bragg to have the Courthouse maintenance crew to do repair work to the County Jail as needed.

Based on information received from the West Virginia Criminal Justice and Highway Safety Division of the Governor's Office of Economic and Community Development, the Commission agreed to participate in an Alcohol and Speed Enforcement Program upon approval by Sheriff Manning.

After much discussion and consideration, the Commission ruled that it could give no commitment to the Page-Kincaid Public Service District for a sewage treatment system.

Gary Lilly was reappointed as a Commissioner for the Salem-Gatewood Public Service District by the Fayette County Commission as recommended by that Board to serve for and during a period of six years; said term to expire September 1, 1988.

Approval was given by the Commission for the prepayment of dues in the amount of \$308.50 to the National Association of Counties based on the resolution by NACo that said prepayment will offset future dues and that promissory notes at 10 percent interest per annum, due November 1, 1987, will be issued to the Commission.

The payroll for the period of November 16 through November 30, 1982, was approved by the Commission. Also, the bills presented to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charlatta Holly

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON
WEDNESDAY, NOVEMBER 24th, 1982.

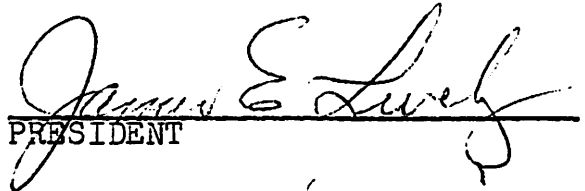
Present were: James E. Lively, President
Charles M. Vickers, Commissioner
John H. Lopez, Commissioner

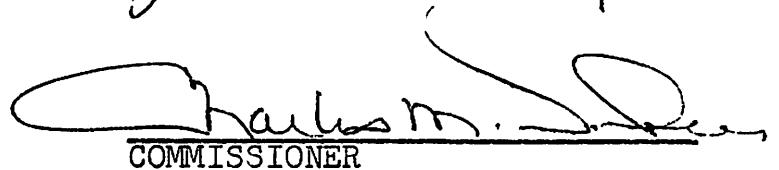
The following case was presented to the County Commission for its disposition:

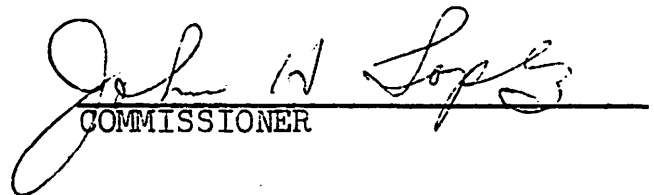
Z-237-82-1: Request of Alice V. Smith, Owner, for a change in land classification from R-1, Residence District, to B-2, General Business District, on Lot 1, Oakridge Addition, near Fayetteville, New Haven District.

The County Commission was informed by the Zoning Officer that the Planning Commission did unanimously recommend that this request be approved and that no opposition appeared at the meeting. Mrs. Smith was present and the Commission was told that a used car lot was proposed at the site which is presently being used for a grocery store. Motion was made by Mr. Vickers that this be approved as recommended. Motion was seconded by Mr. Lopez and passed 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 22nd day of November, 1982, 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, (change 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 24th day of November, 1982, 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 amendment (change in land classification) to the Zoning Ordinance of Fayette County, West Virginia. Copies of the proposed amendment may be examined in the Zoning Office, Court House Annex, Fayetteville, West Virginia.

Z-237-82-1: Request of Alice V. Smith, Owner, for a change in land classification from R-1, Residence District, to B-2, General Business District, on Lot 1, Oakridge Addition, near Fayetteville, New Haven District.

Gary E. Harding
Zoning Officer

DECEMBER 8, 1982

REGULAR MEETING OF COUNTY COMMISSION OF FAYETTE COUNTY

COURT HOUSE

FAYETTEVILLE, WV 25840

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

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

The Commission received bids for the Fayette County Fireman's Association regarding a breathing air compressor. The Commission instructed Richard Bragg to have the Fireman's Association analyze the bids, compare the bids to the specifications, and give the Commission the Association's recommendation.

After giving due consideration to the matter, the Commission agreed to suspend payments to the Fayette, Monroe, Raleigh, Summers Mental Health Council, Inc. effective immediately. The Commission appointed Mr. David Oxley, Oak Hill, West Virginia, to fill the unexpired term of Mr. Carl E. Boardwine whose resignation has been heretofore tendered and accepted. Said term to expire December 31, 1984. Also, it was brought to the attention of said Commission that there exists a vacancy that needs to be filled on the FMRS Mental Health Council, Incorporated. The Commission finding it necessary and advisable that said position be filled does hereby order that Thomas Ashe, Mount Hope, West Virginia, be appointed as a member of said Board of Directors, said term to expire December 31, 1983.

After having given due consideration to the matter, the Commission agreed to purchase a Xerox 5600 copying machine for use in the Office of the Circuit Clerk of Fayette County. The Xerox 4000 copier which is currently being used in the Circuit Clerk's office is to be moved to the Office of the Prosecuting Attorney of Fayette County for use by that office.

Mr. John Parrish, Scarbro, West Virginia, was appointed by the Commission to fill the unexpired term of Mr. Roy Withrow as a Commissioner of the White Oak Public Service District, said term to expire January 1, 1986.

After carefully considering all of the information that had been presented regarding the County-Wide Emergency 911 System, the Commission unanimously voted against the County funding the 911 system in the format requested by the Fayette County Municipal Association. The Commission addressed a letter to Mr. Charles Keenan, President of said Association, informing him of its decision.

Pat Hamilton, Attorney, appeared before the Commission with a petition for the City of Oak Hill in which that municipality desires to annex and make a part of the corporate boundary of said City of Oak Hill the parcel of property of approximately 75 acres, situate on State Route 19 (also known as Corridor L) at the junction with Route 21/18, also known as Lochgelly Road, which property is generally of a commercial nature and owned by several property owners; and that said property be annexed as commercial property, as presently designated by the County of Fayette; that said property is adjacent to the present corporate boundary of the said City of Oak Hill. Whereupon, evidence was adduced in support of said petition and the Commission being satisfied that the annexation applied for is a minor boundary adjustment, does hereby order that the matters arising upon said petition be set for final hearing before the Commission on the 5th day of January, 1983, at 10:00 A.M., at which time and place all persons interested therein may appear in support of or in opposition of said petition and petitioner may proceed further in support of its application and petition. It is further ordered that due notice be given that this cause has been set for hearing, as aforesaid, which notice shall specify that metes and bounds of the area proposed to be annexed and shall be published in the Fayette

Tribune, a newspaper published in the said municipality and the contiguous territory, once a week for two successive weeks, the first publication thereof to be at least 14 days prior to the date of the hearing set, as aforesaid; furthermore, that a copy of said notice shall, likewise, be prominently posted in not less than five public places in the area proposed to be annexed not less than 14 days prior to the hearing; and that a return, duly certified by an appropriated and responsible authority that publication and posting were accomplished, as aforesaid, be filed with the Clerk of the County Commission on or before the date of said hearing. This action is hereby continued for such other and further proceedings as required by law and as shall appear appropriate.

The Commission held a public hearing regarding the adoption of an inducement resolution for the issuance of \$200,000 in industrial development revenue bonds for Whitewater Inn, Inc., a West Virginia Corporation. After a discussion, Mr. John Lopez moved to approve the resolution, and Mr. James Lively seconded the motion; Mr. Charles Vickers abstained. Therefore, the inducement resolution was passed by the Commission and referred to the Office of the Prosecuting Attorney.

Howard E. Janney, Clerk of the Fayette County Commission, requested a schedule of fees as directed from the West Virginia State Tax Commissioner from the Fiduciary Commissioners. Mr. George Vickers will meet with the Fiduciary Commissioners and then make a recommendation to the County Commission.

The Commission received an order from the Twelfth Judicial Circuit Court directing the payment of expenses to Paul M. Blake, Jr., Prosecuting Attorney, and Brentz Thompson, Assistant Prosecuting Attorney, as detailed for the trial of Rodney K. Pennington which was transferred to Mercer County.

The Commission approved the estimate in the amount of \$2,998.00 as

quoted by Mr. Aubrey Riner for the installation of a fence to run along the road at and near the Fayette County Landfill #1.

The Commission discussed the possibility of obtaining an Alcoholism and Treatment Program for Fayette County. Richard W. Bragg was directed to contact the West Virginia Department of Health for information regarding these programs and for applications.

The Commission received approval of Jack Manning, Sheriff of Fayette County, for the participation of the Law Enforcement Department in the West Virginia Alcohol and Speed Enforcement Program.

The bills presented to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charlotte Holly

space may range from a separate multi-bed building to a single room in a private home held upon a retainer. The smaller facilities could make extensive use of volunteers, especially members of Alcoholics Anonymous. Shelter facilities in larger communities might well serve the homeless population generally, thus drawing upon resources from other human services agencies.

This Department is committed to providing care in the individual's home community whenever possible. This commitment, in conjunction with the political and social orientation of the state, dictates the establishment of shelter services at the county and/or community level.

The shelter facility should also serve as the base for non-medical (social) detoxification. The majority of public inebriates need only to sleep off their intoxication. Of those actually needing detoxification, 90%* need only a social setting model detoxification program. This will fit in well with the shelter facility and allow phasing in of the detoxification program. Medically supervised detoxification for the remaining 10% can be done through local hospitals or regional detoxification centers. Cost: Shelter \$2,250,000 (75,000 patient days of care @ \$30.00 per day); Regional Medically Supervised Detoxification \$2,700,000 (13,500 patient days @ \$200 per day).

- D. Extended Care: Two levels of extended care are needed: institutional and community. The institutional program should consist of at least one unit at an existing under-utilized state facility such as Lakin or Spencer Hospitals with a capacity of about 30 beds and a programmed length of stay of three to six months. In addition, there should be re-established discrete alcoholism treatment units at Huntington (State)

* First Annual Conference on the Public Inebriate

Hospital and Fairmont Emergency Hospital with a programmed length of stay of five to six weeks and a capacity of 20 - 25 beds each. The two short term units would concentrate on therapeutic intervention and rehabilitation. The long term unit would focus on social and vocational necessary to maintain a minimum level of independent function. Necessary facility renovation and repair could be funded through the Health Facilities Revenue Account. Cost: Short Term Units \$912,500 (18,250 patient days @ \$50.00 per day); Long Term Units \$547,500 (10,950 patient days @ \$50.00 per day).

The other level of care is extended residential care in the community. The existing network of half-way houses or fellowship homes provides a model for this service but will need extensive expansion to cope with the anticipated increased demand. Approximately seven additional homes will be needed with an average capacity of 20 residents. Such programs serve as a point of reintegration into the community and are a critical link in the recovery process for that part of the target population that is rehabilitatable. Cost: \$245,000 (Seven fellowship homes @ \$35,000 each).

- E. Follow-Up: Expansion of other services to the chronic alcoholic/public inebriate will have a significant impact on the existing outpatient service delivery system. A conservative estimate of 2,000 new clients for the outpatient treatment services would necessitate at least a 50% increase in the present capacity of that system. Expanding the capacity of the outpatient programs to follow-up on those served by the rest of the system described above is a critical element in successful rehabilitation. Cost: \$750,000 (2,000 additional clients @ \$375.000 per year).

Facility Development

None of the cost estimates provided include cost of facility.

acquisition or renovation. Obviously, this will be a cost factor, but it is virtually impossible to accurately project such costs. The per diem rates used in computation of costs do, however, cover total operating expenses. Therefore, rental or mortgage costs have been considered in these figures. Costs for renovations and equipping the facilities will probably be around \$1,000,000 over the phase in period of three years.

Phasing

Year One: During Fiscal Year 1983-84 the following program elements would be included: (1) Training for the transportation system persons. Annual Cost: \$110,000; (2) Shelter/Non-Medical Detoxification Facilities. Annual Cost: \$2,250,000; (3) Screening Services: \$1,350,000.

Because of the natural delays in start-up of new programs and a normally gradual build up to full utilization, it is estimated that the Shelter/Detoxification element would need to be funded at 70% of the annual level for operating expenses with an additional \$300,000 for facility acquisition/renovation. The Screening Services would need to be funded at 75% of annual costs and the Training Component at 100%. This establishes a first year budget as shown below:

Training	\$ 110,000
Shelter/Detoxification	\$1,575,000
Screening	\$1,012,500
Renovation	<u>\$ 300,000</u>
TOTAL	\$2,997,500

Year Two: During Fiscal Year 1984-85 the preceding components would be expanded to full operation and the expanded outpatients

service, fellowship homes, and both term Institutional Care Components implemented. Costs are shown below:

\$ 750,000	Outpatient Expansion
\$ 245,000	Fellowship Homes (7)
\$ 547,000	Long-Term Institutional Care
\$ 912,500	Short-Term Institutional Care
<u>\$ 200,000</u>	Facility Renovation/Acquisition
\$2,654,500	Total New Costs 2nd year
<u>\$3,969,700</u>	Continuation Costs (Full 1st Year @ 7%)
\$6,624,200	Total 2nd Year Costs

Year Three: During the Fiscal Year 1985-86, the Regional Medical Detoxification Component would be implemented with the costs shown below:

\$ 2,700,000	Regional Detoxification
<u>\$ 500,000</u>	Facility Renovation
\$ 3,200,000	New 3rd Year Costs
<u>\$ 7,087,894</u>	Continuation Costs (2nd Year @ 7%)
\$10,287,894	Total Third Year Costs

It should also be emphasized that this plan, as proposed, is subject to modification and further refinement. The Division on Alcoholism and Drug Abuse will be working in conjunction with the Association of Community Mental Health/ Mental Retardation Programs to expand our current treatment system to effectively and efficiently provide the services required by the Supreme Court Decision.

COMMUNITY MENTAL HEALTH CENTERS

APPALACHIAN MENTAL HEALTH CENTER, INC.
Yokum and Wilmoth Streets
P.O. Box 1170
Elkins, West Virginia 26241
Counties: Barbour, Randolph, Tucker, Upshur

CENTRAL DISTRICT MENTAL HEALTH CENTER, INC.
Number Six Hospital Plaza
Clarksburg, West Virginia 26301
Counties: Braxton, Doddridge, Gilmer, Harrison,
Lewis

EASTERN PANHANDLE MENTAL HEALTH CENTER, INC.
225 South Water Street
P.O. Box L
Martinsburg, West Virginia 25401
Counties: Berkeley, Jefferson, Morgan

FAYETTE-MONROE-RALEIGH-SUMMERS MENTAL
HEALTH COUNCIL, INC.
101 South Eisenhower Drive
Beckley, West Virginia 25801
Counties: Fayette, Monroe, Raleigh, Summers

HANCOCK-BROOKE MENTAL HEALTH SERVICE
P.O. Box 2010
Weirton, West Virginia 26062
Counties: Hancock, Brooke

LOGAN-MINGO AREA MENTAL HEALTH, INC.
P.O. Box 176
Logan, West Virginia 25601
Counties: Logan, Mingo

MERCER-MCDOWELL-WYOMING MENTAL HEALTH
COUNCIL, INC.
12th Street Extension
Princeton, West Virginia 24740
Counties: Mercer, McDowell, Wyoming

NORTHERN PANHANDLE BEHAVIORAL HEALTH CENTER
2121 Eoff Street
Wheeling, West Virginia 26003
Counties: Marshall, Ohio, Wetzel

POTOMAC HIGHLANDS MENTAL HEALTH GUILD, INC.
P.O. Box 1179
Petersburg, West Virginia 26847
Counties: Grant, Hampshire, Hardy, Mineral, Pendleton

PRESTERA CENTER FOR MENTAL HEALTH SERVICES
3375 U.S. Route 60, East
P.O. Box 8069
Huntington, West Virginia 25705
Counties: Cabell, Lincoln, Mason, Wayne

SENECA MENTAL HEALTH/MENTAL RETARDATION
COUNCIL, INC.
Number One Stevens Road.
P.O. Box 159
Summersville, West Virginia 26651
Counties: Greenbrier, Nicholas, Pocahontas, Webster

SHAWNEE HILLS COMMUNITY MENTAL HEALTH/
MENTAL RETARDATION CENTER, INC.
511 Morris Street
Charleston, West Virginia 25301
Counties: Boone, Clay, Kanawha, Putman

VALLEY COMPREHENSIVE COMMUNITY MENTAL
HEALTH CENTER, INC.
301 Scott Avenue
Morgantown, West Virginia 26505
Counties: Monongalia, Marion, Preston, Taylor

WESTERN DISTRICT GUIDANCE CENTER, INC.
2121 East Seventh Street
Parkersburg, West Virginia 26101
Counties: Calhoun, Jackson, Pleasants, Ritchie,
Roane, Tyler, Wirt, Wood

Xerox Corporation
One Valley Square Suite 900
Charleston, West Virginia 25301
304-345-0110

XEROX

FAYETTE COUNTY CIRCUIT CLERK

December Promotional for Xerox 5600

Purchase Price: \$29,070
Pricing: Term Lease Plan

COST

Copies per month:	<u>7,000</u>	<u>12,000</u>
Monthly Equity:	\$589.42	\$589.42
Service:	\$240.00	\$240.00
Overage:	<u>-</u>	<u>\$ 61.20</u>
Monthly Cost:	\$829.42	\$890.62

FREE SERVICE FOR 15 MONTHS

Monthly cost with 15 months free service:	\$769.42	\$815.32
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DECEMBER 15, 1982

REGULAR MEETING OF COUNTY COMMISSION OF FAYETTE COUNTY

COURT HOUSE

FAYETTEVILLE, WV 25840

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

This meeting in regular session of the Fayette County Commission was called to order by the President, James E. Lively.

A representative of the firm of Goodwin and Goodwin appeared before the Commission regarding the signing of the bond resolution for the issuance of \$200,000 in industrial development revenue bonds for Whitewater Inn, Inc., a West Virginia corporation. The resolution was signed by Commissioners Lively and Lopez; Commissioner Vickers abstained.

Mr. Carl Harris, Attorney, Mr. Don Taylor (Armstrong P.S.D.), Mr. Bob Anderson (Department of Natural Resources), and Mr. Tim Oxley (Region IV Planning & Development Council) appeared before the Commission requesting a funding commitment for the Armstrong Public Service District. The P.S.D. is seeking to obtain an E.P.A. grant of \$975,000 to construct a sewage treatment facility; however, the grant is contingent upon said P.S.D. receiving a local commitment of \$175,500.00. The Commission took the matter under consideration.

The Commission directed Richard W. Bragg to file an insurance claim on the Monies and Securities policy regarding the money stolen from the Sheriff's Law Enforcement Office.

The payroll for the period of December 1 through December 15, 1982, and for the period of December 16 through December 31, 1982, was approved by the Commission. Also, the bills presented to the Commission were approved for payment.

There being no further business, the Commission adjourned its meeting.

Charlotte Kelly