

MEETING OF THE FAYETTE COUNTY COMMISSION
REGULAR SESSION
January 8, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: Mr. John L. Witt
Mr. John H. Lopez

The Commission met in regular session for the first meeting of the year. Ms. Louise Grimmett was reappointed to the Gauley River Public Service District for a period of 6 years, as her term expired on the 31st day of December, 1985.

Sam Calloway was reappointed to the Fayette County Planning Commission for a period of 3 years as his term expired on January 1, 1986.

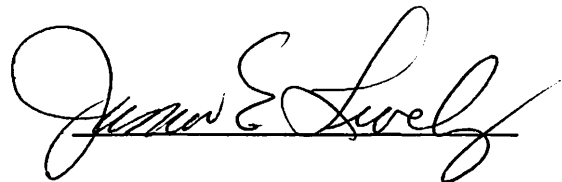
A letter was sent to Members of the Board of Directors of Mountain Transit Authority, due to the fact that they have no notification of any progress on action given for the claim of damage to property of Mr. Charles Rivers of REd Star, that MTA bus damaged. They also noted Mr. Rivers has no status of this claim at this date.

A letter was sent to the Honorable David Hypes and Members of the Council, Town of Fayetteville; of desire to purchase a parcel of land (parcel 133) located on Maple Avenue which is owned by the Town of Fayetteville. The Commission agreed on a price of offer of \$25,000.00 for the parcel of land and the town could retain the stone from the building if so desired.

A contested hearing between T. E. Myles and Wayne Inge, Attorneys, for the guardian ship of the Mc Kinney children was posponed until the 15th of January.

All pending bills wer approved and paid.

The meeting adjourned.

A handwritten signature in cursive script, appearing to read "James E. Lovelace", written over a horizontal line.

REGULAR SESSION OF FAYETTE COUNTY COMMISSION

January 15, 1986

FAYETTE COUNTY COURTHOUSE

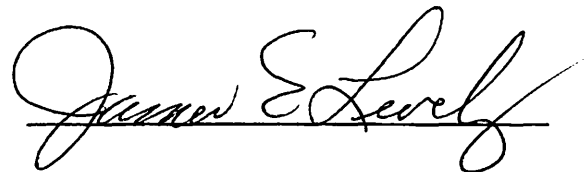
FAYETTEVILLE, WEST VIRGINIA 25840

MEMBERS PRESENT: Mr. James E. Lively, President
Mr. John H. Lopez, Commissioner

On January 15, 1986, the Commission approved all outstanding bills and payroll . The remainder of the day was used for a contested hearing of the Mc Kinney children, The Commission will make and decision and submit this to the lawyers on the 29th of January, 1986.

At 4 P. M. the meeting was adjourned.

The Commission will meet in special session on January 21, 1986 to take care of any matter to come before them that was not take care of the 15th due to the hearing.



James E. Lively

SPECIAL SESSION OF FAYETTE COUNTY COMMISSION
January 21, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: James E. Lively
John H. Lopez
John L. Witt

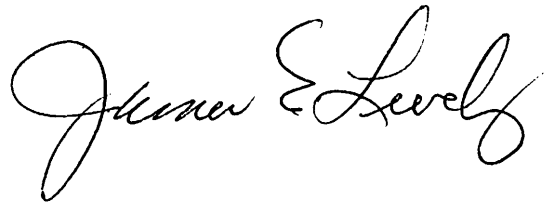
The Fayette County Commission met in special session at 4 P. M. on January 21, 1986. Erwin Conrad, Attorney-at-Law in re: Ohio Brass IRB Resolution signed.

Based on pending discontinuance of Revenue Sharing, present costs of solid waste and other pending projects including magistrate building and cost of hearing, transfer station projects to be hereby tabled. Mr. John Witt made the motion and John Lopez seconded the motion and the vote was unanimous.

A resolution will be written by the County Commission in favor and in the form of "Bottle Bill".

The contract with L. E. Joyce, Inc. will be discontinued.

A letter of answer will be sent in refernce to the Statle Suit.

A handwritten signature in cursive script that reads "James E. Lively". The signature is written in black ink and is positioned in the lower right quadrant of the page.

MEETING OF FAYETTE COUNTY COMMISSION
January 29, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John L. Witt
Mr. John H. Lopez

Gordon Billheimer, Jr. appeared before the Commission concerning Town Park of children at Montgomery. Mr. Billheimer was asking for \$10,000.00 in form of a challenge grant. The Commission decided they will consider donation of playground equipment for playground once the town has purchased the property.

Mr. Billheimer, Jr. also suggested a resolution be drawn up by the Commission in form of Space Crew Shuttle. Mr. Lively thanked Mr. Billheimer for the suggestion stating it was a good suggestion.

A letter was presented from Evelyn Jones and re-submitted to the Commission for consideration. Ms. Jones was asking for \$25,000 to \$50,00.00 for contribution toward building and to help with school which would be Martin Luther King College. The Commission advised that no money was appropriated for the project in present budget, and advised that she should submit for new budget FY 86-87.

Commission advised that they will meet as Board of Equalization and Review beginning February 3, 1986. The Commission ask that the appointments be set up for afternoon beginning February 5th, 1986 beginning at 1:30.

Mrs. Abbot and Barry Mahoney and Mr. Rutledge from the Fayette Humane Society appeared before the Commission asking for additional money as they seem to stress that they do not have enough money to carry them thru the remainder of the year. The Commission agreed to \$5,000.00 for additional current contribution.

Sheriff Adam Toney approached the Commission about using one tax book instead of the six different books they now use. Mr. Bragg is to consult and make evaluation for the Sheriff.

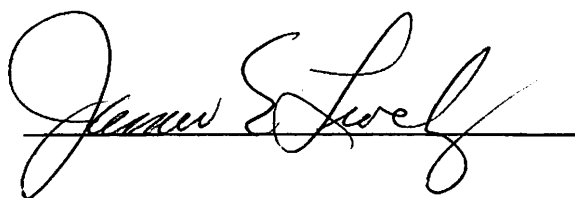
Sheriff Adam Toney advised the Commission that the Fayette County Correctional Officers Civil Service Commission met and approved four officers, one lady and three men.

The Commission signed a lease for the landfill and Mr. Bragg advised the Commission that the new area was ready. New scales in the amount of \$20,000.00 were discussed and rates also discussed.

The Board of Equalization and Review will meet on the afternoon of February 5, 1986. They will meet for the first quorum on February 3, 1986 at 9:00 A. M.

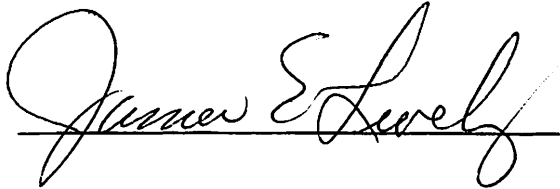
Summer camp at the 4-H camp was discussed. It will be the same as last year. Groups will be charged to swim with the use of lifeguards from the pool. If have isolated hour of swimming the group must pay fee to cover cost. When the pool is open for regular hours the cost will be the same as every one else has to pay. Season tickets will be \$25.00 per family, \$5.00 for each additional family member. \$1.50 per person on Saturday and Sunday will be the charge and \$1.00 per person during the week.

There being no further business to come before the Commission the meeting was adjourned. The Commission will meet again on February 5, 1986.



MEETING OF FAYETTE COUNTY COMMISSION
BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 2, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: MR. JOHN WITT

The Fayette County Commission met as board of Equalization and Review. No Quorum- no appointments- adjourned until 1:30 P. M., Wednesday, February 5, 1986.



FAYETTE COUNTY COMMISSION MEETING
FEBRUARY 5, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840

MEMBERS PRESENT: Mr. James E. Lively, President
Mr. John H. Lopez, Commissioner
Mr. John L. Witt, Commissioner

The Fayette County Commission met in regular session on this 5th day of February, 1986.

The Commissioners met with Sheriff Adam Toney in regard to the collection of back taxes.

Discussion was held on the moving of the switchboard with Josie and Nancy to go to the communications room.

Members of the FMRS Staff appeared before the Commission requesting the use of the Park for Special Olympics Camp. The Commissioners approved of this request.

The Commissioners informed they would sent a letter to the Public Service Commission concerning a possible rate increase of Cabot Gas.

The Commissioners reviewed Health Department Inspection of the Jail Kitchen.

The Commissioners discussed ambulance for Jan Care Ambulance Service. Jan Care is to provide collision insurance.

The meeting was adjourned. The next scheduled meeting is February 18, 1988.

Fayette County Commission

Fayetteville, West Virginia 25840

2-5-86 all present

FCC -

Heard Sh. Terry re: collection of back taxes.

~~Health~~
Switch board from Terry to Com - Poo

Letter to P.S.C re: Cabot rates

request 20% protest rate hike 3-1-86

Re-open hearing regarding 34% locally on Jan 27

~~Re-lt to get for the P.S.C. hearing~~

appeal rate hikes

Health Dept inspection of jail kitchen.

of schedule for Jan - Com on school loan 50/50
Jan Com to provide collision insurance.

FMRS - Staff appeal spec olympic camp
Common approval request for camp.

Business & Contractors:

1/2 to 3/4 ton # 4.00

1 to ~~1 1/2~~ ton # ~~5.00~~
2 ton 6.00

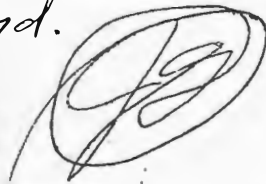
Commercial Garbage
non Compacting units

.50^c yard

Commercial Haulers
Compacting units

7.00 yd.:

1.25 yd.



REGULAR SESSION OF THE FAYETTE COUNTY COMMISSION
February 5, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: Mr. James E. Lively, President
Mr. John H. Lopez
Mr. John L. Witt

Sheriff Adam Toney appeared before the Commission in regard to the collection of back taxes.

Discussion was held on the moving of the switchboard with Josie and Nancy to go to the communications room.

Members of the FMRS staff appeared before the Commission requesting the use of the park for Special Olympics Camp . The Commission approved the request.

The Commission will send a letter to the Public Service Commission concerning the rates of Cabot gas.

MEETING OF FAYETTE COUNTY COMMISSION
BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 18, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: MR. JOHN L. WITT

The Fayette County Commission met as Board of
Equalization and Review. No Quorum - no appointments.

James E. Hurely



KODAK FILM

KOD

MEETING OF FAYETTE COUNTY COMMISSION
FEBRUARY 26, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette Commission met in regular session February 26, 1986.

Mary Lou Schmidt presented the WVU Extension Office Budget for 1986-87. Mrs. Schmidt briefly discussed the probable cuts to effect the Extension Office.

Charles Vickers was questioned by President James Lively on legal procedures for selling excess property behind the Courthouse. Mr. Vickers was asked to contact Attorney General's Office to check on this matter and to relate the information to the Fayette County Commission.

Jane Hughes, Director of Fayette County Libraries asked for the annual contribution of \$20,000.

Russell Bennett & Laura Heslep asked the Commission to give \$3,148 to cover payments of Lookout Community Center.

The Commission will consider and get back with them.

Earnest L. "Pete" Johnson was appointed by the Commissions to fill the unexpired term of Gary Lilly, who has resigned as a commissioner for the Salem-Gatewood Public District. A letter was presented by Loren J. Fox requesting this appointment.

A letter was presented requesting \$6,000 for playground and recreation park from Cannelton Community Development Association, Inc.

Russell Smith inquired about having the Women's Resource Center being added to next years budget. Mr. Smith informed that Fayette County has sent the second highest number of people to the center. Mr. Smith requested \$10,000 for operation of the center.

Mr. Lively confirmed that the Commission would consider and get back with them.

Gary Holcomb, with the Danese, P. S. D. appeared before the Commission requesting \$20,959 for assistance with the water system and improvements.

Also approved for this regular session is the Agreement allowing the Sheriff of each County and his deputies who are engaged in law enforcement activities the use of publicly provided transportation to travel from his residence to his work place & return as provided in Chapter 7, Article 7, Section 16A of West Virginia Code. See attached Agreement.

Received correspondance from Agnes William, jail administrator concerning high security risks as far as drugs & whiskey getting to inmates in the jail from visitors.

Also adopted was the Pool rules for Fayette County Park, with specification stating no one to make reservations on a specified date on a yearly basis. See attached sheet.

Received for approval are the following quotations:

1. Labor & material for air conditioning system for existing Court Room from Camco Services, Inc. (\$12,565)
2. Valance & Draperies, etc. (\$9,276) from International Draperies & Design, Inc.
3. Labor, equipment & material to re-roof the Fayette County Memorial Building. (\$42,100) From Tri-State Roofing & Sheet Metal Company.

A letter was submitted to L.E. Joyce & Company, Inc. requesting that all permits, maps, plans, etc. which they had prepared and for which had received payment be forwarded to the Commission.

A letter was received informing the Commission that West Virginia State Review Board had approved the Prince Store, Route 41, Prince, Fayette County to the National Register of Historic Places.

A letter was presented electing Clint Gallaher to succeed Ron Hurd as chairman of the Fayette County Deputy Sheriff's Civil Service Commission.

Also presented was the resignation of Gordon E. Billheimer, Jr. as President and as Commissioner of Fayette County Correctional Officers Civil Service Commission.

A letter from Larry Cavendish, treasurer of Mountain Resource Conservation and Development area was received requesting \$250 toward their budget.

Bertha Clark, Joe Mosely, Allen Fox, Wilma Fox, Susie Hall, Tekoha Hall & Gene Walker met with Commission with Tekoha Hall acting as spokesman for the group.

Mr. Hall questioned the Commission on why rates were suddenly changed and why the Haulers weren't to use the scales.

Mr. Lively started with informing the Haulers about the County's problems. Problems brought up were the mounting expenses; landfill, building for equipment, pond, employees and increase of operations. He also brought to their attention of pending renewal of Revenue and loss of Coal severance. Mr. Lively continued it would take \$20,000 for new scales and that the rates were consistant with other landfills.

Mr. Hall informed the Commission that Jerry Martin (469-2221) stated the scales were operatable and should be used. Weights and Measures of Charleston (727-5781) also confirmed the scales were in operation.

John Witt suggested putting scales back into effect until this matter is solved.

The discussion ended with Mr. Lively confirming to check on the use of the scales.

Mr. Hall requested being informed about future rate increases from now on.

Sheriff Adam Toney was questioned by the Commission about complaints issued to them about Correctional Officers & other unauthorized individuals using County cars.

Mr. Toney confirmed that unauthorized individuals did not drive the cars and he would present a letter confirming authorization for vehicle use.

Mr. Toney was also informed by the Commission that there should be no overtime pay without prior approval by department heads. (Except in emergency cases.)

Sheriff Toney introduced the problem with delinquent taxes and the joint effort needed from the Procecutor's office.

The Commission asked that he bring them a copy of the needed letter to go about collecting these taxes and to let the Commission know of the results.

At this regular session the Request for Revision to Approved Budget was made and entered. The resolution was offered by John H. Lopez as per attached copy.

Also entered was the Revision of the 1985-86 Coal Severance Budget of County Commission of Fayette County, as per attached copy.

Mrs. Abbot represented the Humane Society and questioned if the County Commission would prefer drawing up guidelines for the animal shelter.

Lively suggested that the Humane Service should be responsible for this.

Questions came up that people were not knowing where to call with animal problems.

Mr. Livley informed that all calls should be to the Humane Service.

Mr. Lopez inquired about using the old facility at the 4-H Camp.

The Commission agreed to check into finding extra space for the over flow of animals.

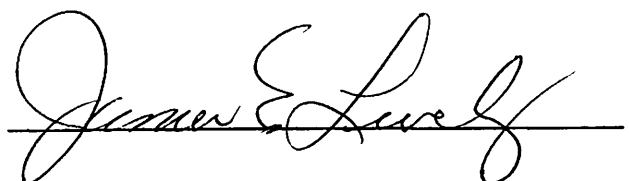
The Commission also reminded Mrs. Abbot that their budget needed to be into Richard Bragg's office no latter than March 14, 1986.

The Commission also agreed to review guidelines.

Louis Tabit represented Helen Belkenhemer with Multi-Cap. Also present were Lillian Taylor; Board member of Community Action Service and Thomas Morgan; president, Board of Directors of Community Action in Community.

Mr. Lively asked for forms of program that will be presented by Joe Barker at future meetings.

There being no further business to come before the Commission, the meeting was adjourned.



James E. Lively

At a regular session of the County Commission of Fayette County, held on the 26th day of February, 1986, the following order was made and entered:

SUBJECT: The revision of the 1985-86 General Fund Budget of the County Commission of Fayette County.

The following resolution was offered by John H. Lopez:

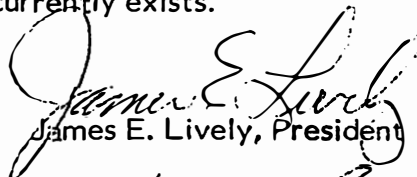
RESOLVED: That subject to the approval of the State Tax Commissioner (as required), the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number four (4), a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by John H. Lopez, and duly seconded by John L. Witt, the vote thereon was as follows:

James E. Lively	Aye;
John H. Lopez	Aye;
John L. Witt	Aye.

Whereupon, James E. Lively, President, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED stated above, and the same is, hereby adopted as so stated above, and James E. Lively is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1985-86 General Fund Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

REQUEST FOR REVISION TO APPROVED BUDGET

(§ 11-8-26a)

STATE TAX COMMISSIONER LOCAL GOVERNMENT RELATIONS DIVISION DRAWER 2389 CHARLESTON, W V 25305

County Commission of Fayette County GOVERNMENTAL ENTITY

02-26-86 ENTITY APPROVAL DATE

P. O. Box 307 STREET OR P.O. BOX

Fayetteville, WV 25840 CITY ZIP CODE

RECEIPTS: (net each acct)

Table with 6 columns: ACCOUNT NUMBER, ACCOUNT CATEGORY, APPROVED AMOUNT, DEBIT (INCREASE), CREDIT (DECREASE), REVISED AMOUNT. Row 1: 322, \$309,500, \$62,000, \$371,500.

NET INCREASE / (DECREASE) 62,000

EXPENDITURES: (net each acct)

Table with 6 columns: ACCOUNT NUMBER, ACCOUNT CATEGORY, APPROVED AMOUNT, DEBIT (DECREASE), CREDIT (INCREASE), REVISED AMOUNT. Rows 1-4: 401 (\$102,000), 447 (1,000), 407 (4,000), 999 (44,183).

NET INCREASE / (DECREASE) 62,000

TAX DEPARTMENT USE ONLY

RECEIVED POSTED BY APPROVED FOR THE STATE TAX COMMISSIONER BY: DIRECTOR-LOCAL GOVERNMENT RELATIONS

AUTHORIZED SIGNATURE FOR GOVERNING BODY (Signature) DATE OF REQUEST 02-26-86

SPECIAL NOTE: TRANSFERS TO / FROM SPECIAL FUNDS MUST BE ACCOMPANIED BY A STATEMENT CONTAINING SIGNATURES OF ALL COUNTY COMMISSIONERS (7-1-9)

At a regular session of the County Commisison of Fayette County, held on the 26th day of February, 1986, the following order was made and entered:

SUBJECT: The revision of the 1985-86 Coal Severance Budget of the County Commission of Fayette County.

The following resolution was offered by John H. Lopez:

RESOLVED: That subject to the approval of the State Tax Commissioner (as required), the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number five (5), a copy of which is entered as part of this record.

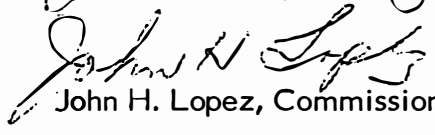
The adoption of the foregoing resolution having been moved by John H. Lopez, and duly seconded by John L. Witt, the vote thereon was as follows:

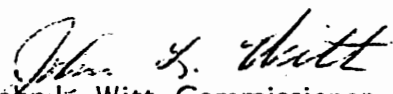
James E. Lively	Aye;
John H. Lopez	Aye;
John L. Witt	Aye.

Whereupon, James E. Lively, President, declared said resolution duly adopted, and it is therefore **ADJUDGED** and **ORDERED** stated above, and the same is, hereby adopted as so stated above, and James E. Lively is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1985-86 Coal Severance Fund Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

REQUEST FOR REVISION TO APPROVED BUDGET

(§ 11-8-26a)

STATE TAX COMMISSIONER

LOCAL GOVERNMENT RELATIONS DIVISION

DRAWER 2389

CHARLESTON, W V 25305

County Commission of Fayette County
GOVERNMENTAL ENTITY

02-26-86

ENTITY APPROVAL DATE

P. O. Box 307
STREET OR P.O. BOX

Fayetteville, WV 25840
CITY ZIP CODE

RECEIPTS: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (INCREASE)	CREDIT (DECREASE)	REVISED AMOUNT

NET INCREASE/(DECREASE)

EXPENDITURES: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (DECREASE)	CREDIT (INCREASE)	REVISED AMOUNT
456	01-10	\$40,000		\$10,000	\$50,000
446	66-70	30,000		5,000	35,000
540	66-70	-0-		12,000	12,000
460	56-65	100,000	27,000		73,000

TAX DEPARTMENT USE ONLY

NET INCREASE/(DECREASE) ~~XXXXXX~~ -0-

RECEIVED _____
 POSTED _____ BY _____
 APPROVED FOR THE STATE TAX COMMISSIONER BY:

 DIRECTOR-LOCAL GOVERNMENT RELATIONS

James E. Lively
 AUTHORIZED SIGNATURE FOR GOVERNING BODY
 DATE OF REQUEST 02-26-86
 SPECIAL NOTE: TRANSFERS TO/ FROM SPECIAL FUNDS MUST BE ACCOMPANIED BY A STATEMENT CONTAINING SIGNATURES OF ALL COUNTY COMMISSIONERS (§ 7-1-9)

WHITE COPY - TAX DEPT.
 PINK COPY - APPROVED COPY
 BLUE COPY - TAX DEPT.
 YELLOW COPY - RETAIN

SUBMIT WHITE, PINK, AND BLUE COPIES TO TAX DEPARTMENT. RETAIN YELLOW COPY AS RECORD OF SUBMISSION.

FAYETTE COUNTY PARK

POOL RULES

1. Violation of rules may result in dismissal from pool or revocation of pass.
2. Pass usage may be restricted pending size of crowd.
3. Children in wading pool must be accompanied by an adult.
4. Mandatory showers.
5. No cut-off jeans, trousers or diapers.
6. No eating, drinking, dipping or smoking in pool area--in picnic area only.
7. No street clothes, shoes, picnic baskets or coolers.
8. No running, horseplay or pushing people into pools.
9. Children ten (10) years of age and under shall be attended by an adult while at the Fayette County Park.

PARK RULES

1. Hours: 8:00 A.M.--9:00 P.M.
2. Trash and garbage to be disposed of and area cleaned before leaving.
3. No beer or intoxicating beverages allowed on park premises.
4. No pets.
5. No electronic amplification of voice or musical instruments.
6. No soliciting.

It will be the responsibility of each group to enforce rules among its members.

See Park Superintendent for next year's reservation.

Thank you for your cooperation.

FAYETTE COUNTY COMMISSION

On this the 26th day of February, 1986, the Fayette County Commission meeting a regularly called session and acting pursuant to Chapter 7, Article 7, Section 16a of the West Virginia Code which states, in part, "The sheriff of each county and his deputies who are engaged in law-enforcement activities may, in the discretion of the sheriff, use publicly provided carriage to travel from his residence to his workplace and return. Any other county official or employee may, or may not, in the discretion of the county commission, be furnished with the use of publicly provided carriage to travel from his residence to his workplace and return: . . ." does hereby resolve that prior written approval must be obtained before County officials or employees may utilize County-owned vehicles to travel from his residence to his workplace and return and, in accordance with said statute, be it further resolved that approval for such use of County vehicles by deputy sheriffs engaged in law-enforcement activities shall be at the discretion of the Sheriff of Fayette County, and the use of County vehicles by all other County officials and employees shall be at the discretion of the Fayette County Commission.

A handwritten signature in cursive script, appearing to read "James E. Swick". The signature is written in dark ink and is positioned in the lower right quadrant of the page.

Colleg Drug

MG1 - 174 Pt Lot 19-20
11 3rd Ave

L 27,894

B 42,768

70,662

\$ 1,262 per 1/2

Falbo Burger Chef

Lot 15, Blk 11 3rd Ave

L 21,990

MG1 - 171

B 24,888

46,878

\$ 8.37 per 1/2

John & Tom D

Pt Lot 1 Blk 36 MG2 - 166

30' 3rd Ave

L 10,056

B 294

10,350

184 per 1/2

Dental Pt Lot 2, Blk 36

MG2 170

L 12,084

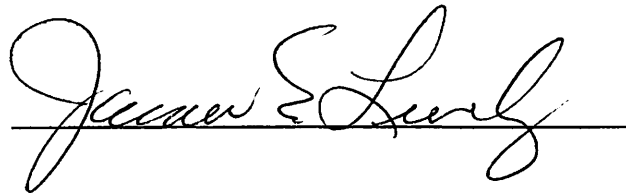
B 27,533

708 per 1/2

39,617

MEETING OF FAYETTE COUNTY COMMISSION
BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 26, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met as Board of Equalization and Review. Louis Tabit; Review of property assessment per attached copy.



A handwritten signature in cursive script, reading "James E. Lively", is written over a horizontal line.

APPLICATION FOR REVIEW OF PROPERTY ASSESSMENT

Montgomery, West Virginia
 (City)

February 26, 1944
 (Date)

To the Assessor of Fayette county or the Fayette County Board of Equalization and Review:

Your complainant represents that the following described real estate is valued and assessed out of proportion to its true and actual value on the current tax roll and requests a review of the assessed valuation before the next period of liability is effective.

Property assessed in the name of William A. Tabit & Robert A. Tabit City of Montgomery District

Address of property 318 Ferry Street, Montgomery, WV Valley

LOT NO.	BLOCK NO.	ACRES	DESCRIPTION	# year
<u>Pt. 1</u>	<u>36</u>		<u>MG 2-0164 Fort Pitt Shore Stop</u>	<u>2,686</u>

Assessed Value—Land \$ 28,776 Improvements \$ 46,398 Total \$ 75,174 CLASS 4

CONSTRUCTION BY COMPLAINANT		PURCHASE BY COMPLAINANT	
Cost of land.....	\$ _____	Total purchase price.....	\$ _____
Cost of construction or contract price.....	\$ _____	Date purchased.....	\$ _____
Date of Construction.....	\$ _____	Cost of added improvements.....	\$ _____
Cost of added improvements.....	\$ _____	Face amount of fire insurance carried.....	\$ _____
Face amount of fire insurance carried.....	\$ _____	Offered for sale for.....	\$ _____
Offered for sale for.....	\$ _____	Date of offer.....	\$ _____
Date of offer.....	\$ _____	Monthly rental received, if rented.....	\$ _____
Monthly rental received, if rented.....	\$ _____	Present value in your opinion.....	\$ _____
Present value in your opinion.....	\$ _____		

(CARSON)
COLLEGE STREET
JOHN FALEO
 Building built in late '30s or early '40s

REASON AND BASIS FOR COMPLAINT

This real estate has been assessed unreasonably & unfairly too high in relation to other comparable commercial property in City of Montgomery.

I do hereby certify that the above statements are true to the best of my knowledge and ability and that all questions on this petition pertaining to the property have been answered.

Signature of Complainant William A. Tabit

Address of Complainant P.O. Box 923, Montgomery, WV
25126

MEETING OF FAYETTE COUNTY COMMISSION
MARCH 5, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840.
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session March 5, 1986.

Moore v McClung; Erwin Conrad, Attorney was 9:00 appointment.

Appearing at 9:45 a.m., Robert File; Attorney; Committee appointment for Mary Alice Sterle.

Doug Mooney; Attorney, appeared for 10:00 a.m., Committee hearing; James D. Lee. Clint Gallaher was also present.

Evelyn Jones appeared before Commission requesting planning money (\$50,000) for Martin Luther King, Jr. School for Mt. Hope.

President Lively requested Corporation Bi-Laws.

Tom Bell, Fayette County Historic Landmark Commission approached the Commission requesting \$500 to help with expenses at Courthouse.

President Lively explained they would make a decision and get back with Mr. Bell.

Herb Mann asked for permission to hire someone to work part-time to help with election preparations. The work would be dealing with gray envelopes (approximately 100,000) used with ballots. Mr. Mann expressed that these envelopes are very old.

Mr. Mann also inquired about purchasing a new refrigerator. Jurors use refrigerator for lunches and medicines.

Commissioners asked Mr. Mann to bring 3 estimates & specification on a new refrigerator.

Jointly, Herb Mann and Howard Janney appeared before Commission requesting permission to hire employees (1 each) for election help.

The Commission agreed for them to hire 1 employee each for Election work.

President James E. Livley asked Richard Bragg to have Donald Stark open bids for Fayette Judicial Annex.

All members of Commission approved permission for Richard Bragg to attend Real Estate Investment Analysis (REIA) August 13-15, 1986.

A letter from David L. Hypes, Mayor of Fayetteville was received requesting reliefment of fees for dumping at the County's Landfill for period of time April 21 thru April 25, 1986, for Spring Clean-up Days. A letter was sent agreeing this waiver of Landfill usage.

The Commissioners questioned a \$870 charge from L. E. Joyce & Company, Inc. per letter received February 28, 1986. The Commissioners had no recognition of this charge.

Richard Bragg presented unpaid 1985 Rush Ck Land Co. taxes. Commission will review at a latter date.

The Commission met with Jack Gannon with concerned questions on the scales at the Landfill.

Mr. Gannon explained that the scales were dangerous to use, new ones would cost \$20,000 and rebuilt scales would cost approximately \$9,000.

Mr. Gannon infomed that there was no charge on household dumping. (1 time weekly)

The scales weight was 50,000 lbs.

Commissioner Lopez questioned Jack about 5 employees.

Mr. Gannon informed the Commissioners that the Commission was actually doing the public a favor by staying open on State holidays.

Mr. Gannon also informed the Commission that the scales were located in the wrong place.

It was agreed that Haulers should be priced by 90¢ per cu. yd by truck size. Others would be 60¢ cu. yd. Compacts \$3.00 ton, 1/2 truck should be pro-rated. All haulers should be computed by Landfill operator.

Merchants charged \$4.00 pick-up. \$6.00 should be charged to larger trucks.

Mr. Gannon was asked to attend any future meeting of garbage haulers.

Mr. Gannon also informed that the road to landfill was in need of repair.

The Commission met with Mrs. Taylor, Mrs. Beckulhimer, Rev. Shropshire, & Mr. Essa Howard, from Governor's Office, with the group informing the Commission that Multi-Cap would not interfere with existing programs.

The Commission asked to be assured of this.

Mr. Howard informed the Commission that one of the three Commissioners would be a representative of the Board of Multi-Cap as required for by the Block Grant.

Four counties, along with Fayette to be represented are: Boone, Clay, Putnam and Kanawha.

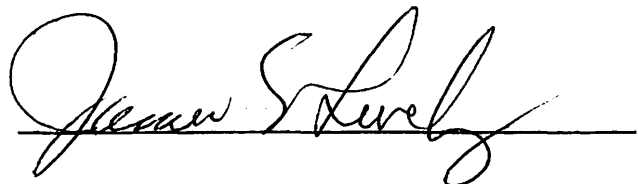
The Commission had questions about Multi-Cap governing over existing programs. Mr. Howard informed that this was just wording of the letter and Multi-Cap would in no way interfere with other programs. Mr. Howard told the Commission that they could re-word the letter.

County Commission is authorizing permission of the program.

An order was prepared and signed appointing Mr. Ernest "Pete" Johnson Commissioner for the Salem Gatewood Public Service District.

There being no further business, the meeting was adjourned.

The next scheduled meeting is March 14th, 1986.

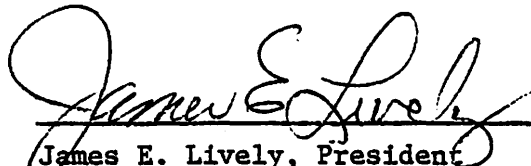


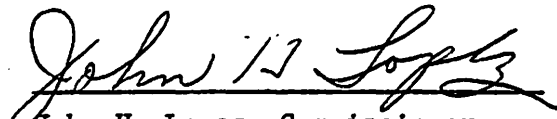
James S. Levely

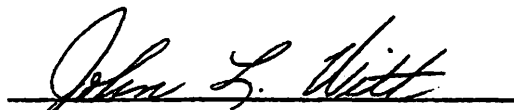
FAYETTE COUNTY COMMISSION

ORDER

On this the 5th day of March, 1986, the Fayette County Commission meeting in a regularly called session, and having been advised of the resignation of Mr. Gary Lilly from the Salem Gatewood Public Service District Commission, does hereby order that Mr. Ernest "Pete" Johnson be appointed to fill the unexpired term of Mr. Lilly, said term to end September 1, 1988.


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

REAL ESTATE

cises and other materials relevant to each day's activities is provided to each participant, thereby fostering peer learning.

February 3-7, 1986
March 3-7, 1986
March 17-21, 1986
April 14-18, 1986
NEW ORLEANS
MONTEREY
TARPON SPRINGS
HILTON HEAD

April 28-May 2, 1986
May 19-23, 1986
July 21-25, 1986
MONTEREY
SAN FRANCISCO
WILLIAMSBURG

Real Estate Investment Analysis

"Real Estate Investment Analysis" is a comprehensive three-day seminar designed to furnish an understanding of the role of modern methods in making real estate investment decisions. The seminar develops a systematic and comprehensive approach to analyzing investment objectives, rate of return, risk, financial leverage and economic policies. Participants become familiar with the financial process, the diverse activities necessary to develop meaningful financial involvement and the macro-economic environment including public policy issues. It solidifies and broadens the knowledge of "old hands" and "newcomers" alike and develops a firm foundation for rewarding professional growth.

This program has been structured to encourage participation from attendees. Your questions and problems on real estate investment analysis can be raised, discussed and answered.

Each participant is invited to bring for analysts actual or pro-forma property financial statements.

At This Seminar You Will:

- Learn the impact of leverage, tax shelter and inflation on real estate investments.
- Analyze property selection criteria for apartments, commercial property, land and single-family and condominium housing.
- Discuss policies for property financing, management and operation.
- Understand how to develop and interpret measures of return.
- Become familiar with risk measures and how they are utilized to handle problems in mortgage and equity investment analysis.
- Examine the effects of inflationary expectations and default experiences in relation to the supply and cost of real estate financing.

Seminar Leaders:

Dennis Cohen
Charles Dwyer
Robert Graham
Lawrence Hrebiniak
Paul Tiffany

- Acquire new insights into the inter-relationship between the general level of economic activity and the level of real estate construction.
- Review long-run projections and forecasts for the real estate financial system so that you can develop alternate courses of action.

Real Estate Investment Analysis (REIA)

February 26-28, 1986
April 9-11, 1986
May 14-16, 1986
June 25-27, 1986
August 6-8, 1986
August 13-15, 1986
ATLANTA
NEW YORK CITY
LOS ANGELES
NEW YORK CITY
SAN FRANCISCO
NEW YORK CITY

Seminar Leaders:

Robert Edelstein
Lawrence Jones
E. Scott Urdang

Commercial Real Estate Leasing

At this two-day seminar you'll examine, analyze and discuss all the lease problems and provisions currently facing landlords and tenants ... and understand how you can deal with them to meet your particular needs.

You will go into detailed discussions of various types of landlord expense, "pass-thru" clauses and lease escalation clauses, assignment and subletting provisions, preparation of property for tenant occupancy, and current trends in the law.

At This Seminar You Will Discuss:

- Rents: fixed rents; escalation; real estate tax escalation; operating expense escalation; cost of living escalation; electricity escalation; escalation as the landlord's profit center.
- Percentage rent: percentage leases; what percentage to pay; definition of "gross income"; records, recapture by landlord; radius clause; and tenant's obligation to conduct business.

- Assignment and subletting
- The premises
- Expansion space

Commercial Real Estate Leasing (BCRE)

March 20-21, 1986
June 5-6, 1986
NEW YORK CITY
BOSTON

Seminar Leaders:

Robert Edelstein
Murray Niedergang
William Zucker

Syndicating Real Estate

In this in-depth seminar you will get all the facts on real estate syndications. You will learn which properties will give you the most important tax shelter advantages, and how to make sound deals that are not available to you as an individual investor.

You'll get all the details you need on the laws and regulations that affect syndication—whether

At This Seminar You Will Discuss:

- The basic concepts of syndication of real estate
- The forms of the syndication
- Securities aspects of organization and marketing of syndication
- Tax aspects of the ownership form for syndication

Syndicating Real Estate (SRE)

April 3-4, 1986
May 15-16, 1986
August 21-22, 1986
NEW YORK CITY
BOSTON
NEW YORK CITY

Seminar Leaders:

Robert Edelstein
Peter Fass

MEETING OF FAYETTE COUNTY COMMISSION
BOARD OF EQUALIZATION AND REVIEW

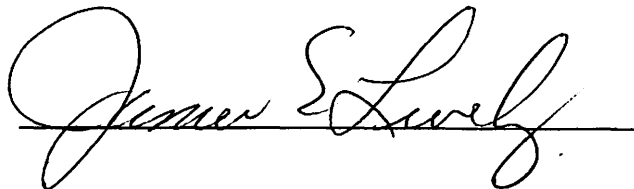
MARCH 5, 1986

FAYETTE COUNTY COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met as Board of Equalization and Review. W.H. Johnson, Lee's Tree Tavern was the only appointment.

A handwritten signature in cursive script, reading "James E. Lively", is written over a horizontal line.

SPECIAL SESSION OF FAYETTE COUNTY COMMISSION
BUDGET MEETING
MARCH 11, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in special session regarding budget for up-coming year.

The Commissioners granted approval of Tax office budget as presented, with exception of no raises and elimination of Assistant Sheriff's salary.

Nine Revenue Sharing positions earmarked for County Commission personal service; law enforcement.

Incremental pay raises approved for law enforcement.

Prosecuting Attorney's budget approved as submitted.

Assessor's Office budget was approved with increase in mileage only.

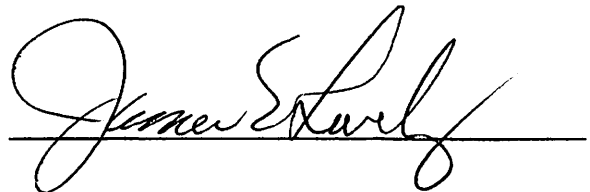
Planning Association was approved as submitted.

Approved was the budget of Circuit Clerk at current level, plus travel.

Extension office was approved with County Commission stating if County Agent is removed, then Commission's contributions revoked. No other changes.

Amend Coal Severance Current budget for \$10,000 for Health/ New River Health Association.

Approved \$25,000 for White Oak Public Service District.



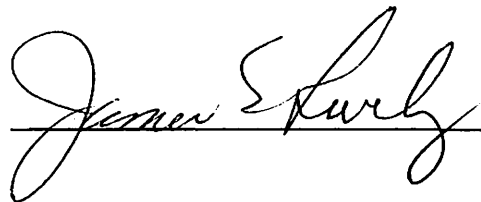
A handwritten signature in cursive script, reading "James E. Lively", is written over a horizontal line.

REGULAR SESSION OF FAYETTE COUNTY COMMISSION
MARCH 14, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: MR. JOHN H. LOPEZ
MR. JOHN L. WITT

On March 14, 1986, the Commission approved all outstanding bills and payroll. The Commission Approved precinct book descriptions and invoice. The Commission granted the approval of Fayette County Firemen's Association transfer of vending commissions to Fayette County Scholarship program, c/o Fayette County Ridge Runners, Inc.

Beverly Smith was hired as cook for 6 months, then to review and evaluate.

There being no further business to come before the Commission, the meeting was adjourned.



SPECIAL SESSION OF FAYETTE COUNTY COMMISSION
BUDGET MEETING
MARCH 7, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette Commission met in special session in preparation of 1986-87 budget.

Herbert Mann; Circuit Clerk, requested that Revenue Sharing position be funded full-time out of other funds.

Adam Toney; Sheriff, with Alan Workman; chief deputy, explained budget requests:

(A) Computer system for tax office. Desire County Commission to budget funds. Commission will consider at a later date.

(B) Law enforcement - no deputies on Revenue Sharing. Out of the (9) positions, 4 to be transferred to General County, and 5 to be terminated, but will be picked up as dispatchers. (Does not want/even if available).

(C) 4 full-time/part-time civilian dispatchers; employees of Sheriff's Department.

Discussed problem with overtime. Will be formulating compensatory time policy in lieu of overtime pay.

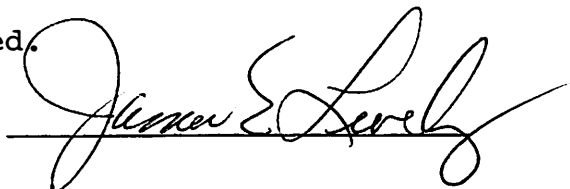
Discussed Assistant Sheriff, Magistrates, necessity of, and pay of positions. Sheriff explained the need of such supervision, etc.

As of April 15th, 1986, no overtime will be granted. Comp time only, per agreement of County Commissioners.

A list was presented of vehicles in worst physical condition. With five fewer deputies, it was questioned about the need for new vehicles this year.

A list was received of those deputies given permission to utilize County vehicles for transit. A request was presented for other County employees to use the County vehicles, such as Correctional officer using the vehicle to drive to school.

The meeting was adjourned.



James E. Lively

MEETING OF THE FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 26, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session on March 26, 1986.

The Commission approved a \$5,666,421 budget for 1986-87.

Several concerned Fayette Countians appeared before the Commission voicing their opinions concerning the Sheriff's (Adam Toney) proposed 1986-87 budget.

President Lively explained the budget making process, step by step to the citizens explaining that the Commission is allocating the funds for the Sheriff to use for the nine positions that were not included in the Sheriff's budget, but its up to the Sheriff to ask for these funds and he decides who and how to use these with.

The Commission gave information on the Tax Office budget. President Lively explained that eight Correctional Officers were approved. Law enforcement for deputies; \$274,628. Less money for 9 current positions. Tax Office asked for \$118,200. The County Commission approved \$102,500.

Doug Dancy questioned the Commission on the jobs of Assistant Sheriff and Records Clerk.

President Lively confirmed that these questions should be asked to the concerned party that decided and brought about these jobs. The Commission doesn't approve who department heads hire.

The Commission also informed that if the Sheriff doesn't ask for funds for 5 dispatchers, they can be employed by the Fayette County Commission.

Mr Lively informed the citizens that unless there is help from the federal level, there could be reductions in every office in the county next year.

Commissioner John Lopez told the citizens that passage of Senate Bill 390 would have saved the county a great deal of money now spent for liability insurance. Mr. Lopez asked the citizens to support passage of such legislation if it is introduced again.

Doug Dancy thanked the Commission for all the help and support they have received and expressed that they thought the Fayette County Commissioners were doing an outstanding job.

Carl Gainer from Mountain Transit came before the Commission requesting support from surrounding area.

Evelyn Jones met with Commissioners requesting support and funding from the Commission for Martin Luther King, Jr. College.

President Lively informed Ms. Jones that he would need proposed budget and a non-profit charter.

Ms. Jones made an appointment for April 9th to return with these articles for the Commission to review.

Clint Gallaher and Erwin Conrad appeared before the Commission with representatives for McClung vs. Moore. After questions from Mr. Gallaher, Erwin Conrad and the Commissioners, the decision was made for Benton Connor, Jewell Withrow and Larry Dotson to act as arbitrators concerning this matter.

Holly Seacrist and Kenneth Seacrist representing Combined Insurance met with the Commission regarding Insurance for the Deputy Association and family members, including a request for advanced payroll deductions.

The Commission approved the request after stipulating that the firm could not later go back and solicit other departments and that all transactions had to be made on deputies' own time.

Richard Bragg confirmed that the process of payroll deductions had been approved.

The Commissioners agreed that Good Friday, March 28, would be observed as Easter Holiday for the Courthouse.

T.E. Myles and Wayne Inge appeared before Commissioners concerning guardmanship of McKinney Children.

Commissioners were undecided about this matter and informed them they would get back with them at a latter date.

Commissioners approved a request by Wesley W. Tincher, Jr., for a change in land classification from RR-1, agricultural and rural residence district, to B-2, general business district, for part of lot four in Gatewood Subdivision, Salem-Gatewood Road. Zoning Officer Gary Harding said the Planning Commission unanimously recommended approval.

Approved was the proposal from John Witt to finance two citizens to a Keep America Beautiful conference.

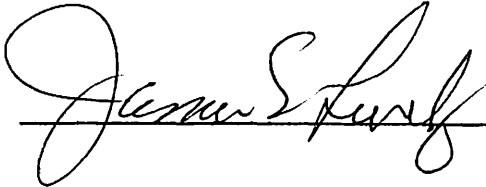
John Wilkes came before the Commission requesting resolution for proposed job program with Martin Luther King Jr. Community College and Center.

Commissioners informed that they would need to see Proposal for approval and that they would be glad to look it over.

The Commissioners approved Poll Workers and sent copies to the County Clerk's Office.

Approved at this regular session and signed by the Commissioners were the orders for revisions of the 1985-86 General Fund Budget of the County Commission of Fayette County and the revision of the 1985-86 Coal Severance Budget, as per attached copies.

The Commission meets again April 9, 1986.



STATE TAX COMMISSIONER
LOCAL GOVERNMENT RELATIONS DIVISION
DRAWER 2389
CHARLESTON, W V 25305

County Commission of Fayette County
GOVERNMENTAL ENTITY
P. O. Box 307

03-26-86
ENTITY APPROVAL DATE

STREET OR P.O. BOX
Fayetteville, WV 25840-C307
CITY ZIP CODE

RECEIPTS: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (INCREASE)	CREDIT (DECREASE)	REVISED AMOUNT
344		\$50,000	\$10,000		\$60,000

NET INCREASE/(DECREASE) \$10,000

EXPENDITURES: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (DECREASE)	CREDIT (INCREASE)	REVISED AMOUNT
441	56-65	\$100,000	\$13,149		\$86,851
450	66-70	-0-		\$10,000	10,000
550	66-70	-0-		13,149	13,149

NET INCREASE/(DECREASE) \$10,000

TAX DEPARTMENT USE ONLY

RECEIVED _____
POSTED _____ BY _____

APPROVED FOR THE STATE TAX COMMISSIONER BY:

DIRECTOR-LOCAL GOVERNMENT RELATIONS

James E. Lively
AUTHORIZED SIGNATURE

03-26-86

DATE OF REQUEST
FOR GOVERNING BODY President, Fayette County

SPECIAL NOTE: TRANSFERS GOVERNMENT SPECIAL FUNDS MUST BE

ACCOMPANIED BY A STATEMENT CONTAINING
SIGNATURES OF ALL COUNTY COMMISSIONERS (7-1-9)

At a regular session of the County Commission of Fayette County, held on March 26, 1986, the following order was made and entered:

SUBJECT: The revision of the 1985-86 General Fund Budget of the County Commission of Fayette County.

The following resolution was offered by John L. Witt:

RESOLVED: That subject to the approval of the State Tax Commissioner (as required) the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number five (5), a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by John L. Witt, and duly seconded by John H. Lopez, the vote thereon was as follows:

James E. Lively	Aye;
John H. Lopez	Aye;
John L. Witt	Aye.

Whereupon, James E. Lively, President, declared said resolution duly adopted, and it is therefore **ADJUDGED** and **ORDERED** stated above, and the same is, hereby adopted as so stated above, and James E. Lively is authorized to fix his signature on the attached "Request for Revision to ~~the~~ ~~Commissioner~~ for approval.

STATE TAX COMMISSIONER
LOCAL GOVERNMENT RELATIONS DIVISION
DRAWER 2389
CHARLESTON, W V 25305

County Commission of Fayette County

03-26-86

GOVERNMENTAL ENTITY

ENTITY APPROVAL DATE

P. O. Box 307

STREET OR P.O. BOX

Fayetteville,

WV25840-0307

CITY

ZIP CODE

RECEIPTS: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (INCREASE)	CREDIT (DECREASE)	REVISED AMOUNT

NET INCREASE/(DECREASE) -0-

EXPENDITURES: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (DECREASE)	CREDIT (INCREASE)	REVISED AMOUNT
438	11-40	\$ 4,500		\$ 4,000	\$ 8,500
441	11-40	55,000		20,000	75,000
441	41-55	26,000		5,000	31,000
447	66-70	1,700		800	2,500
999		88,883	\$29,800		59,083

NET INCREASE/(DECREASE) -0-

TAX DEPARTMENT USE ONLY

RECEIVED _____
 POSTED _____ BY _____
 APPROVED FOR THE STATE TAX COMMISSIONER BY:

 DIRECTOR-LOCAL GOVERNMENT RELATIONS

James E. Levely
 AUTHORIZED SIGNATURE President, DATE OF REQUEST 03-26-86
 FOR GOVERNING BODY Fayette County Commission
 SPECIAL NOTE: TRANSFERS TO/ FROM SPECIAL FUNDS MUST BE
 ACCOMPANIED BY A STATEMENT CONTAINING
 SIGNATURES OF ALL COUNTY COMMISSIONERS. (7-1-91)

WHITE COPY - TAX DEPT.
 PINK COPY - APPROVED COPY
 BLUE COPY - TAX DEPT.
 YELLOW COPY - RETAIN

SUBMIT WHITE, PINK, AND BLUE COPIES
 TO TAX DEPARTMENT, RETAIN YELLOW
 COPY AS RECORD OF SUBMISSION.

At a regular session of the County Commission of Fayette County, held on March 26, 1986, the following order was made and entered:

SUBJECT: The revision of the 1985-86 Coal Severance Budget of the County Commission of Fayette County.

The following resolution was offered by John H. Lopez:

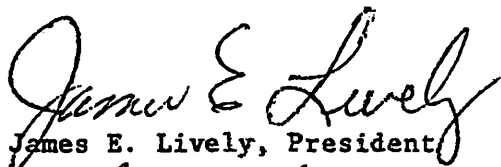
RESOLVED: That subject to the approval of the State Tax Commissioner (as required) the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number six (6), a copy of which is entered as part of this record.

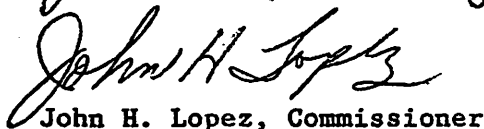
The adoption of the foregoing resolution having been moved by John H. Lopez, and duly seconded by John L. Witt, the vote thereon was as follows:

James E. Lively	Aye;
John H. Lopez	Aye;
John L. Witt	Aye.

Whereupon, James E. Lively, President, declared said resolution duly adopted, and it is therefore **ADJUDGED** and **ORDERED** stated above, and the same is, hereby adopted as so stated above, and James E. Lively is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1985-86 Coal Severance Fund Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

MEETING OF THE FAYETTE COUNTY COMMISSION
REGULAR SESSION
APRIL 9th, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
Members Present: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session on Wednesday, April 9th, 1986.

The Commission started the session addressing several students from Fayetteville High School who were at the Courthouse registering to vote in coming elections. President James E. Lively explained the purpose of the Fayette County Commission, their duties and how the three Commissioners are elected to this office.

Deputy Chuck Moses approached the Commission advising them of using the Fayette County Memorial Building for upcoming event. The Commissioners had no objections to this.

Laura Heslep questioned the Commission on a bill from the Lookout Community Center. The Commission assured Ms. Heslep that they would take care of this matter.

Allen Workman from Sheriff's Department brought monthly reports for the Commission to review.

A letter from Robert Begley issuing a complaint on officer Reginald Hairston was submitted to the Commission. President Lively said the Commission would inform Mr. Begley that he should send a copy of the letter to the Correctional Officer's Civil Service Commission.

A letter from Bill Hartling, Executive director of the Fayette, Montor, Raleigh, Summers Mental Health Council, Inc. was presented to the Commission requesting support for detention center in Raleigh County for Mental Health clients.

President Lively said such a detention center would help reduce County cost of transporting mental patients to Huntington at a cost of about \$300 a trip. The Commission informed they would support such a center in Raleigh County.

Charlie Keenan questioned the Commission on support for Senior Citizen activity center for \$15,000 for fiscal year 1987. Commission explained they already supported a senior citizen program in the County and with possible loss of Revenue it would be difficult to support any of these programs. If the Revenue is passed the Commission would consider and see what can be done to help with this matter.

It was agreed upon by the three Commissioners to appoint Pauline Brown for Committee for Samuel Brown. Dwane Tinsley and Carl Harris directed this appointment for the Commission.

Erwin Conrad and Fred Jesser had Committee hearings for appointing Sheriff Adam Toney Committee for the following: Bessie Fitzwater, Thesalonia Lewis, Clara Molden, Hamilton Washington, Percy Burk, Michael Cole, Dominic Ferita, Donald Norris & Elsie Taylor.

Fred Jesser, along with the three Commissioners approved these appointments.

The County Clerk was informed by Sergeant Klingensmith that Oak Hill Armory would be unavailable for 1986 Primary election. Mr. Lively confirmed he would call Governor's Office and check into this matter.

Evelyn Jones had appointment requesting support for Martin Luther King Jr. College & Center.

President James E. Lively explained that the cuts in County Government and in Federal Government could result in the loss of 30 jobs in the Courts of Fayette County. He also explained that the Commission could not fund an educational program & that she would need to see the Board of Education about this matter.

President Lively explained that if Revenue is passed there would be a possibility they may be able to help with a Social type program.

The Commissioners appointed Mr. Alfred J. Gannon to fill the unexpired term of Mr. Harold D. Bragg to the Board of Commissioners for the White Oak Public Service District.

The Commissioners approved a one year service contract to Hall's Sanitation Service.

The Commissioners agreed upon sending \$13,000 check for Landfill rent for calendar year 1985. The rental arrangements are to continue until other arrangements are agreed upon. It was also agreed upon to pay for red dog that was used.

A letter was received from Robert J. Stephens, chairman, Fayette County Board of Health, requesting Mr. Russell Matthews' reappointment for a period of five years.

James E. Lively questioned Richard Bragg to prepare letter for Wayne Vickers to obtain a renewal of present rate, especially in consideration of our favorable claim experiences during the past policy year, for County Insurance.

It was decided also by the Commission to carry only Liability coverage on the Emergency vehicles. If any private or non-profit users of emergency vehicles wish to carry physical damage coverage then those users will be responsible for payment of premium. The County Commission will not be responsible or pay for such damages if they occur.

Evelyn O'Dell from Retired Senior Volunteer Program approached the Commission asking for \$1,500 for 86-87 year.

Lively confirmed she could call back in June to see if Fayette County Commission could assist with this support.

The Commission is considering the following bids for Courtroom Annex:

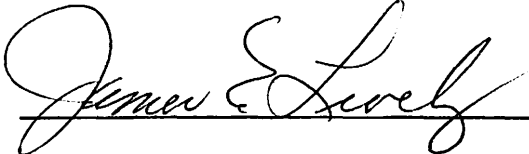
Appalachian Heating And Insulating - \$10,877.00

General Heating Company - \$11,500.00

Camco Heating And Air Conditioning - \$11,950.00

Beckley Heating & Plumbing, Inc. - \$15,764.00

There being no further business the meeting was adjourned. The next scheduled meeting is April 15, 1986.



FAYETTE COUNTY COMMISSION
FAYETTEVILLE, W. VA. 25840-0307
TELEPHONE (304) 574-1200

RICHARD W. BRAGG
ADMINISTRATOR

April 14, 1986

Mr. Wayne Vickers
Mountain State Insurance Agency, Inc.
P.O. Box 810
Montgomery, WV 25136

Re: Fayette County Insurance Coverage

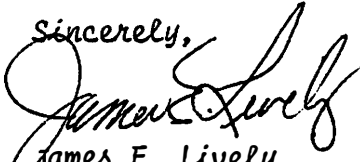
Dear Wayne:

On April 9th, 1986, the Fayette County Commission decided that due to the current emergency situation which prevails in the liability insurance market, the Commission will not proceed with the formality of requesting bid proposals for the County's insurance program. Alternatively, the Commission is hopeful that through your agency the County will obtain a reasonable renewal rate, especially in consideration of our favorable claim experience during the past policy year.

In addition, the Commission decided to carry only liability coverage on the emergency vehicles. If any private or non-profit users of emergency vehicles wish to carry physical damage coverage then those users will be responsible for payment of the premium. The County Commission will not be responsible or pay for such damages if they occur.

The Commission would like to thank you for your efforts and hopefully we will forego the unfortunate experiences suffered by other Counties.

If you have any questions, please do not hesitate to call.

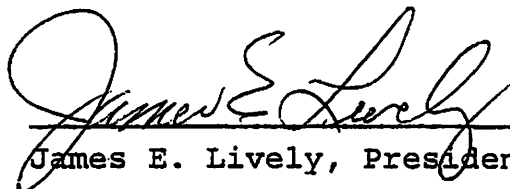
Sincerely,

James E. Lively
Commission President

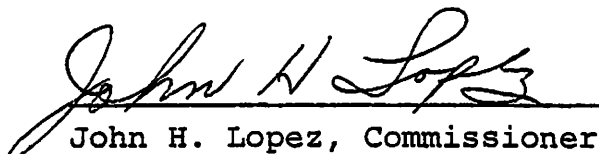
FCC/db

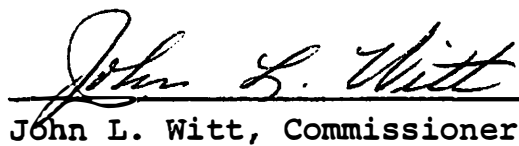
ORDER

On this the 9th day of April, 1986, the Fayette County Commission meeting in a regularly called session and having been advised of the resignation of Mr. Harold D. Bragg as Commissioner of the White Oak Public Service District, does hereby order that Mr. Alfred J. Gannon be appointed to fill said term of Mr. Bragg.

Fayette County Commission


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

MEETING OF FAYETTE COUNTY COMMISSION
REGULAR SESSION
APRIL 15, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session April 15, 1986.

The Commission approved all outstanding bills and payroll.

The Commission approved "County Commission Levy Order," as per attached copy.

A letter was written and signed by Commissioners to Mr. John L. King, Executive Director, West Virginia Regional Jail and Prison authority extending support for the Regional Jail Concept as the best alternative in providing quality facilities with professional staffs and required jail programs at a more rational cost.

Commissioners agreed paying Sterling Hughes two weeks vacation time.

Appalachian Heating and Insulating was awarded the bid for Courtroom Annex.

Letter was received from Chuck Moses regarding Employees' selection of a representative under the FLSA. Names were presented to designate Lodge No. 118 of the Fraternal Order of Police as their representative under Section 2(o) (2) (A) (i) of the Fair Labor Standards Act for the purpose of entering into an agreement with the County concerning the receipt of compensatory time off in lieu of overtime compensation, and for other purposes.

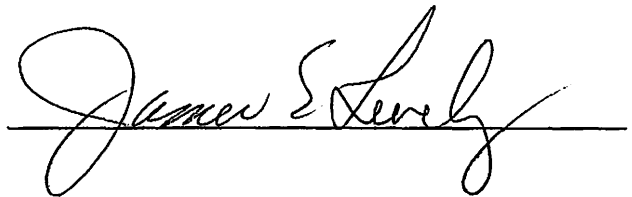
The Fair Labor Standards Amendments of 1985 were presented by Sheriff Adam Toney.

Sheriff Toney also informed the Commission of refunding money for the amount of \$384 stolen from the road office.

Commission questioned being liable for this being that they had taken measures for locks and all due precautions for this office. Commissioner Lively informed Charles Vickers; prosecuting attorney to look into this matter.

Presented also this 15th day of April, 1986 were bids for Judicial Annex for Fayette County Courthouse as per Tabulation of Bids attached to these minutes.

Meeting was adjourned. Next scheduled meeting will be April 30th, 1986.

A handwritten signature in cursive script, reading "James E. Levey", is written over a horizontal line.

LEVY RATE SHEET

RATES OF LEVY LAID BY:


County Commission Fayette
(LEVYING BODY) (COUNTY)

AND APPROVED BY THE STATE TAX COMMISSIONER FOR COUNTY, SCHOOL, OR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 1986 IN ACCORDANCE WITH CHAPTER II, ARTICLE 8 OF THE WEST VIRGINIA CODE, AS AMENDED.

	CURRENT LEVY RATE	EXCESS LEVY RATE	PUBLIC/PERM. IMPROVEMENT LEVY RATE	BOND LEVY RATE	TOTAL LEVY RATE
CLASS I	14.3¢	6.01¢			20.31¢
CLASS II	28.6¢	12.02¢			40.62¢
CLASSES III AND/OR IV	57.2¢	24.04¢			81.24¢

RATES ARE TO BE STATED IN CENTS PER ONE HUNDRED DOLLARS VALUATION

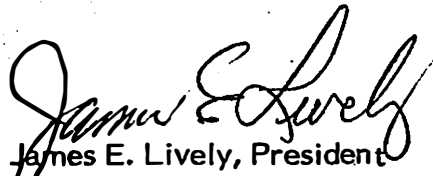
The above is a true list of the levies laid by the County Commission, Board of Education, or Municipal Council of Fayette on the 15th day of April, 1986 and APPROVED BY THE STATE TAX COMMISSIONER.



County Clerk
~~xxxx Secretary, County Board of Education~~

NOTE: This form is to be submitted within three days after the governing body meets to lay the levy on the third Tuesday in April. **DO NOT MAIL IT WITH THE BUDGET DOCUMENT.** Retain the pink copy for your files and mail the white and yellow copies (along with your Levy Order) to the State Tax Department, Office of Chief Inspector, P. O. Drawer 2389, Charleston West Virginia 25328. Upon receipt, one copy will be stamped "Approved" and forwarded to the assessor of your county to be used in extending the levies.

On this the 15th day of April, 1986, the Fayette County Commission meeting in regular session and pursuant to Chapter 11, Article 8, Section 10A of the Code of the State of West Virginia, as amended, and pursuant to the rates as approved by the State Tax Commissioner and attached herein as "County Commission Levy Order," does hereby lay the levy to be used in Fayette County for the fiscal year beginning July 1, 1986.


James E. Lively, President

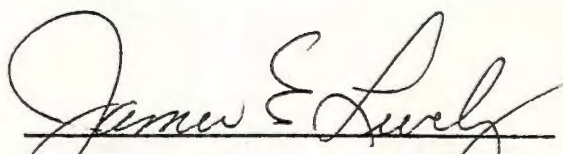

John H. Lopez, Commissioner

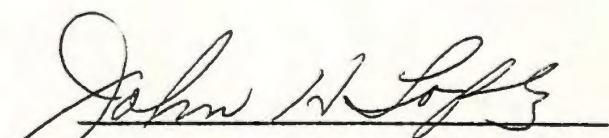

John L. Witt, Commissioner

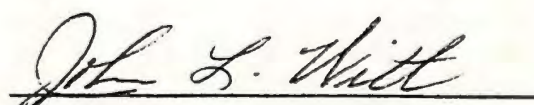
ORDER

On this the 21st day of April, 1986, the County Commission of Fayette County meeting in a regular called session and having been advised of the expiration of the term of office for Mr. Gary Holcomb as Commissioner for the Danese Public Service District, does hereby order that Mr. Holcomb be reappointed to said office for a term of six years, said term expiring March 30, 1992.

Fayette County Commission


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

TABULATION OF BIDS
 JUDICIAL ANNEX
 FAYETTE COUNTY COURTHOUSE

DONALD H. STARK, ARCHITECTS, INC.
 ONE WHITE OAK TRACE
 BECKLEY, WEST VIRGINIA 25801

BIDDERS	RECEIVED ADDENDA NOS. 1 & 2		BASE BID <i>Mag. Ct, etc. main struct + 1st floor</i>	ALTERNATE NO. 1 <i>ground floor</i>	ALTERNATE NO. 2 <i>second floor circuit etc.</i>	ALTERNATE NO. 3 <i>elevator</i>	ALTERNATE NO. 4 <i>PKA lot</i>	COMBINED BID	BID BOND
	Yes	No							
G.B.Y Construction, Inc.		<i>none</i>	\$ _____ Days _____	\$ _____ Days _____	\$ _____ Days _____	\$ _____ Days _____	\$ _____ Days _____	\$ _____	
John Harvey		<i>none</i>	\$ _____ Days _____	\$ _____ Days _____	\$ _____ Days _____	\$ _____ Days _____	\$ _____ Days _____	\$ _____	
C. H. Jimison & Sons <i>Hunt.</i>	X		\$ 1,081,900 1,081,900 Days _____	\$ 135,300 Days _____	\$ 287,400 Days _____	\$ 37,500 Days _____	\$ 15,000 Days _____	\$ _____	✓
Kyle Construction Co. <i>Summersville</i>	X		\$ 1,200,000 ? Days _____	\$ 132,000 Days _____	\$ 293,000 Days _____	\$ 37,000 Days _____	\$ 15,500 Days _____	\$ _____	✓
Lou Morgan Builders		<i>none</i>	\$ _____ Days _____	\$ _____ Days _____	\$ _____ Days _____	\$ _____ Days _____	\$ _____ Days _____	\$ _____	
Multiplex, Inc. <i>Summersville</i>	X		\$ 1,128,895 Days _____	\$ 167,600 Days _____	\$ 263,179 Days _____	\$ 39,420 Days _____	\$ 9,952 Days _____	\$ 1,584,000	✓
Neighborgall <i>Hunt</i>	X		\$ 1,134,000 Days _____	\$ 134,800 Days _____	\$ 256,400 Days _____	\$ 36,500 Days _____	\$ 15,000 Days _____	\$ 1,576,700	✓
<i>Summersville</i> Nichols Construction Co.	X		\$ 823,000 Days _____	\$ 131,500 Days _____	\$ 250,000 Days _____	\$ 36,400 Days _____	\$ 18,600 Days _____	\$ 1,257,000	✓
Radford & Farley		<i>none</i>	\$ _____ Days _____	\$ _____ Days _____	\$ _____ Days _____	\$ _____ Days _____	\$ _____ Days _____	\$ _____	
Southeastern Building Systems <i>Bob Kelly</i>	X		\$ 1,198,799 Days _____	\$ 140,250 Days _____	\$ 260,634 Days _____	\$ 31,800 Days _____	\$ 14,156 Days _____	\$ 1,645,619	✓
Swope Constructions Services, Inc. <i>B. Fla. Va.</i>	X		\$ 1,435,000 Days _____	\$ 129,000 Days _____	\$ 304,000 Days _____	\$ 38,000 Days _____	\$ 12,000 Days _____	\$ 1,918,000	✓

MEETING OF FAYETTE COUNTY COMMISSION
REGULAR SESSION
APRIL 30, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session April 30th, 1986.

President James E. Lively confirmed to Gordan Billheimer resolution concurring with Gauley River Public Service District and awarding of construction contracts.

Commission held hearing appointing Louis Avancini Committee for his father. Dwane Tinsley and Andy Keenan represented hearing. Commission had no objection to this appointment.

Pearl Taylor, Louis Tabit and Rev. Shropshire met with Commission with Louis Tabit approaching Commission regarding a program which had been presented to the Commission at previous meetings. Mr. Tabit questioned if Commission would approve designation of Multi-Cap. Mr. Tabit felt the Commission had enough time to review this program.

President Lively confirmed the Commission had reviewed the program and consulted with existing programs in the county and with no other questions President Lively moved to designate this program, and duly seconded by John H. Lopez, the vote thereon was as follows:

James E. Lively, Aye:

John H. Lopez, Aye:

John L. Witt, Aye:

Mr. Tabit approached Commission during this session informing James E. Lively, President, that he was very alarmed and disturbed when he read an ad in the Fayette Tribune of Mr. Lively endorsing John H. Lopez for County Commissioner. Mr. Tabit felt this was against election rules and that Mr. Lively should not have made this a public announcement. Mr. Tabit felt Mr. Lively, signing this ad as President of Fayette County Commission would mean he represented all of the people in Fayette County.

Mr. Tabit questioned Mr. Lively if Fayette County Tax Payers paid for this ad. Mr. Lively showed Mr. Tabit a personal receipt for this ad which Mr. Tabit reviewed. Mr. Witt and Mr. Lopez were questioned if either of them had knowledge of this ad and if either had contributed personally to this ad. Both Commissioners responded of having no knowledge of this.

Mr. Tabit informed Mr. Lively that he had filed a complaint with Secretary of State because he felt this was against election rules.

Mr. Tabit ended with informing Mr. Lively he felt this was in very bad taste and he thought less of Mr. Lively for doing such an act.

Mr. Lively informed Mr. Tabit he would not hide his affiliation.

Mary Lou Schmidt, Amy Stumpf and Beech Vickers had appointment with the Commission explaining their trip to Charlotte, N.C. on the Keep America Beautiful Conference.

Each Commissioner was given information on this trip. Commissioner Witt explained that the County was going to do something about Litter.

Mary Lou explained information they received at the Conference.

Permanent organizations need to deal with this problem.

It was decided that they needed to organize an executive Committee to get started. It was confirmed that the Commission, Mary Lou, Beech Vickers, and Amy Stumpf would meet in the Extension Office, May 15th to get organized and get this project started.

Mr. Larry Rose and Edith Dempsey met with Commissioners representing Citizens to save Fayette County.

Larry Rose questioned the Commission for \$4,565.00 for money to fund students from Vanderbilt University to come to the Minden area to conduct studies. He also requested funds for 750 physical examinations for some 750 persons affected by the contamination of PCB.

Mr. Rose explained that the PCB situation in Minden was a real health hazard and it needed to be dealt with.

Mr. Lively questioned if Health Department should be responsible for this. The State Tax & State Auditor's office would question the County Commission spending for this matter.

Lively confirmed that the Commission gives \$40,000.00 a year for Health Department to deal with such matters.

Mr. Rose and Edith Dempsey said several trips were made to Health Department and they were just given the run around.

Mr. Lively confirmed the Commission would schedule an appointment with Health Department and look into this matter.

A letter was presented from Sheriff Adam Toney requesting Billy V. Reed, E.K. Lester, S.W. Kessler, Pete Lopez, T.E. Gill, Gary Reed, Clarence Martin, Garland Burke and R.C. Godsey, Jr., to be paid from the Revenue Sharing Fund for the fiscal year 1986-87.

A letter from Michael Hogan, Fayette County Extension Agent was presented requesting approval for Farmers Market in front of Courthouse to be held on Saturday mornings. All Commissioners approved.

Presented and signed pursuant to House Bill No. 184, Article 2, Chapter 16, of the Code of West Virginia was contract and agreement for County Board of Health for \$40,000.00.

James E. Lively announced that bids will be received until 8:00 a.m., May 15, 1986, for computer system for the office of Sheriff as Treasurer of Fayette County. They would like for the system to cover entire County Budget.

Orders were presented and signed appropriating the sum of \$25,000.00 to White Oak Public Service District for undertaking certain repairs and improvements.

Resolution was resolved and signed ratifying and confirming Gauley River Public Service District's award of Contract B, to Trimble Engineers and Contractors, Inc., for \$100,700 and Contract A, to Rover Construction, Inc. for \$863,080. Contracts were awarded April 14, 1986.

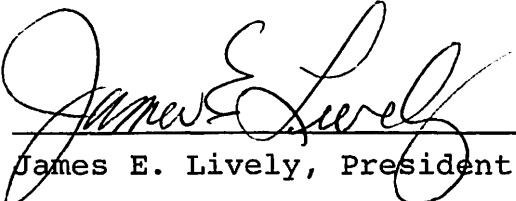
Approved was grant #B-85-54-0001, giving Page Kincaid Public Service District permission to sign off on administration cost. John P. David was authorized for this.

Letters were prepared and signed for Judith C. Taylor, William A. Tabbitt, and Hope Enterprises, Inc., pertaining to the evaluating of property from Board of Equalization and Review. Property in question was not changed.

Gary Harding met with Commissioners with request of Adena Development, Inc., for a change in land classification from R-3 Residence District, to B-2 General Business District, on Lots 55 and 56, Section 11, Adena Village, Mt. Carbon, Valley District.

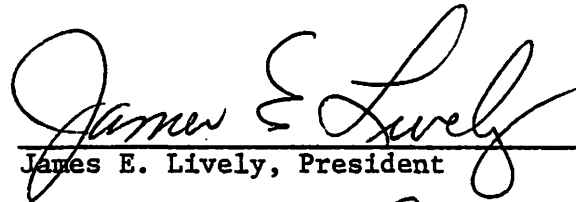
An Order was prepared and signed for amount of \$10,000.00 to be granted to New River Health Association for specific purpose of extending Health Care Services within Fayette County. Said Funds to be appropriated and expended from the Fayette County Coal Severance Fund.

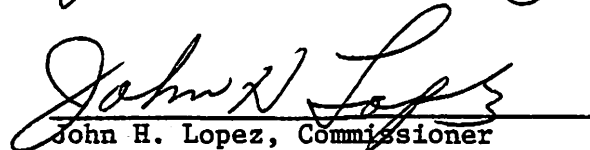
There being no further business, the meeting was adjourned.

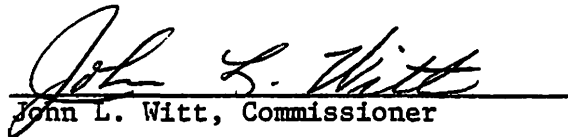

James E. Lively, President

RESOLUTION

Be it resolved that the Fayette County Commission ratifies and confirms The Gauley River Public Service District's award of Contract B to Trimble Engineers and Constructors, Inc., for \$100,700 and Contract A to Rover Construction, Inc., for \$863,080. These contracts were awarded on April 14, 1986.


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

Court House Annex
Fayetteville, WV

PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 28th day of April, 1986, 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 30th day of April, 1986, 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-291-86-2: Request of Adena Development, Inc., Owner, by James R. Criniti, President, for a change in land classification from R-3, Residence District, to B-2, General Business District, on Lots 55 and 56, Section II, Adena Village, Mt. Carbon, Valley District.

Gary E. Harding
Zoning Officer

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON
WEDNESDAY, APRIL 28th, 1986.

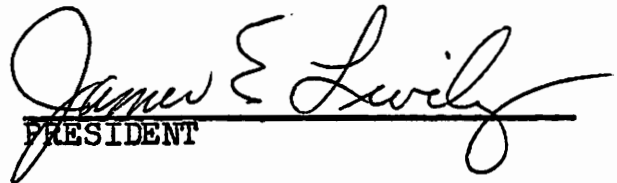
Present were: James E. Lively, President
John H. Lopez, Commissioner

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

Z-291-86-2: Request of Adena Development, Inc., Owner, by James R.
Criniti, President, for a change in land classification from
R-3, Residence District, to B-2, General Business District, on
Lots 55 and 56, Section II, Adena Village, Mt. Carbon, Valley
District.

The County Commission was informed by the Zoning Officer that
Mr. Criniti had asked to withdraw his request but that the Planning
Commission voted 9 - 0 to not allow his withdrawal and then voted
9 - 0 to recommend that this request be denied. They were also
informed that a petition bearing 87 signatures had been submitted
opposing this request. After a general discussion a motion was
made by John Lopez that this be denied as recommended by the Planning
Commission. Motion was seconded by Mr. Lively and passed by a vote
of 2 - 0.

THE FAYETTE COUNTY COMMISSION


PRESIDENT


COMMISSIONER

At a regular session of the County Commission of Fayette County, held on April 30, 1986, the following order was made and entered:

SUBJECT: The revision of the 1985-86 Coal Severance Budget of the County Commission of Fayette County.

The following resolution was offered by John L. Witt:


RESOLVED: That subject to the approval of the State Tax Commissioner (as required) the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number seven; a copy of which is entered as part of this record.

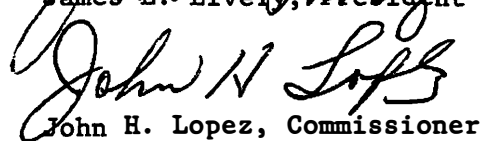
The adoption of the foregoing resolution having been moved by John L. Witt, and duly seconded by John H. Lopez, the vote thereon was as follows:

James E. Lively	Aye;
John H. Lopez	Aye;
John L. Witt	Aye.

Whereupon, James E. Lively, President, declared said resolution duly adopted, and it is therefore **ADJUDGED** and **ORDERED** stated above, and the same is, hereby adopted as so stated above, and James E. Lively is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1985-86 Coal Severance Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.


James E. Lively, President


John H. Lopez, Commissioner

John L. Witt, Commissioner

PHONE No.

TAX OFFICE 574-1200 EXT. 16-19; 38

LAW ENFORCEMENT 574-1200 EXT. 55-57

P. O. BOX 509



I hereby request the following nine deputies paid from the Revenue Sharing Fund be funded for the fiscal year 1986-1987

<u>NAME</u>	<u>MONTHLY SALARY</u>	<u>YEAR SALARY</u>
Billy V. Reed	\$1,363.42	\$16,361.00
E. K. Lester	\$1,348.42	16,181.00
S. W. Kessler	\$1,348.42	16,181.00
Pete Lopez	\$1,370.42	16,445.00
T. E. Gill	\$1,343.42	16,121.00
Gary Reed	\$1,380.42	16,565.00
Clarence Martin	\$1,370.42	16,445.00
Garland Burke	\$1,333.42	16,001.00
R. C. Godsey, Jr.	\$1,333.42	16,001.00
	<u>\$12,191.78</u>	<u>\$146,301.00</u>

The salaries reflect a \$60.00 increase as a result of Legislation passed by the 1985 Legislature.


Adam Toney
Adam Toney, Sheriff of
Fayette County

MEETING OF FAYETTE COUNTY COMMISSION
REGULAR SESSION
MAY 7th, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez

The Fayette County Commission met in regular session
on Wednesday, May 7th, 1986.

Approved at this session was \$20,000 for FMRS Mental
Health Agency for specific purpose to obtain ^{SITE} ~~sight~~ for Mental
Health facility for Fayette County for year 1985-86.

With no other appointments, the meeting was adjourned.


James E. Lively, President

At a regular session of the County Commission of Fayette County held on the 7th day of May, 1986, the following order was made and entered:

SUBJECT: The revision of the 1985-86 General Fund Budget of the County Commission of Fayette County.

The following resolution was offered by John H. Lopez:

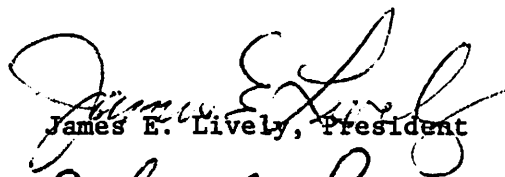
RESOLVED: That subject to the approval of the State Tax Commissioner (as required) the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number six (6), a copy of which is entered as part of this record.

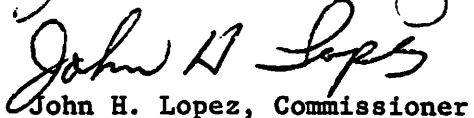
The adoption of the foregoing resolution having been moved by John H. Lopez, and duly seconded by James E. Lively, the vote thereon was as follows:

James E. Lively	Aye;
John H. Lopez	Aye;
John L. Witt	(Absent).

Whereupon, James E. Lively, President, declared said resolution duly adopted, and it is therefore **ADJUDGED** and **ORDERED** stated above, and the same is, hereby adopted as so stated above, and James E. Lively is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commisisoner for approval.

Ther undersigned members of the County Commisison of Fayette County do hereby state that the attached request for revision to the 1985-86 General Fund Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.


James E. Lively, President


John H. Lopez, Commissioner

Absent

John L. Witt, Commissioner

At a regular session of the County Commission of Fayette County, held on the 7th day of May, 1986, the following order was made and entered:

SUBJECT: The revision of the 1986-87 Revenue Sharing Budget of the County Commission of Fayette County.

The following resolution was offered by John H. Lopez:

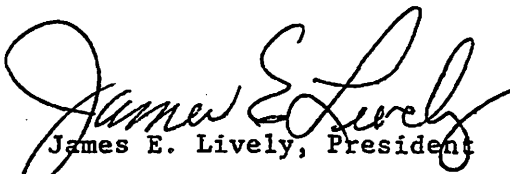
RESOLVED: That subject to the approval of the State Tax Commissioner (as required), the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number one (1), a copy of which is entered as part of this record.

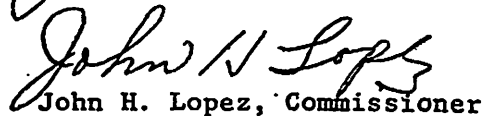
The adoption of the foregoing resolution having been moved by John H. Lopez, and duly seconded by James Lively, the vote thereon was as follows:

James E. Lively	Aye;
John H. Lopez	Aye;
John L. Witt	(Absent).

Whereupon, James E. Lively, President, declared said resolution duly adopted, and it is therefore **ADJUDGED** and **ORDERED** stated above, and the same is hereby adopted as so stated above, and James E. Lively is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1986-87 Revenue Sharing Fund Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.

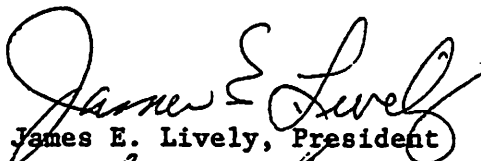

James E. Lively, President



John H. Lopez, Commissioner

Absent

John L. Witt, Commissioner

The County Commission of Fayette County meeting in Special Session on May 21, 1986, as the Board of Canvassers of the County of Fayette, State of West Virginia, having carefully and impartially examined the returns of the Primary Election held in said County on the 13th day of May, 1986, do hereby certify that in said County and District thereof at said election, on the official ballots of the Democratic, Republican, and Non-Partisan Parties, that the candidates for each office received the number of votes as stated in the lists attached hereto.


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

As the public and members of the press are aware, Mr. Adam Toney resigned as Sheriff of Fayette County effective May 16, 1986. Under West Virginia statute, the Fayette County Commission has the responsibility of appointing a sheriff to serve until the next election.

After much consideration, the Commission has decided that in the best interests of Fayette County, the appointee should serve on an interim basis and have no aspirations to be a political candidate for the office. This would provide a transition period in which the respective political executive committees could deliberate and select candidates for the general election in November.

Furthermore, due to the State's withdrawal from the computerized county-tax system, Fayette County must convert to an independent system. This is an enormous task which hopefully can be accomplished during this transition period and be in place for the newly elected Sheriff. (This system has been bid.)

To fill this role, the Commission has decided to appoint Richard Bragg as interim Sheriff. Mr. Bragg has worked as administrator for Fayette County for approximately eleven years [during which his duties, among other things, have consisted of preparation of the County's annual budget, grant application and administration, and management of the Commission's budget].

Since Mr. Bragg is already on the payroll, this appointment will save the County the expense of one salary to offset the audit expenses of approximately \$10,000 necessitated by the change in Sheriffs.

The Fayette County Commission feels this interim appointment will give time for the current public turmoil and unrest to heal prior to the political election process to fill the office of Sheriff of Fayette County on a permanent basis.

MEETING OF FAYETTE COUNTY COMMISSION
REGULAR SESSION
MAY 15th, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John L. Witt

The Fayette County Commission met in regular session
Thursday, May 15th, 1986.

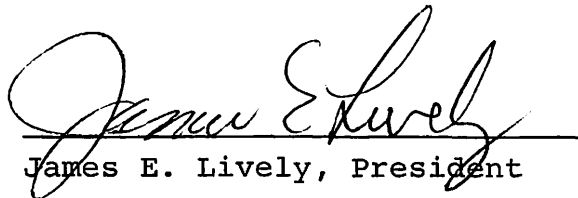
Approved was notice to proceed with Gauley River Public
Service District. A draw down of \$2,200.00 was approved of
the \$150,000.00 to Gauley River P.S.D.

A draw down was also approved on H.U.D. of C.D.B.G.
to A.H.M. Engineering in amount of \$50,400.00.

Approved Hico Methodist Church usage of Fayette County
Park August 4th to August 8th, 1986.

Payroll and outstanding bills were approved.

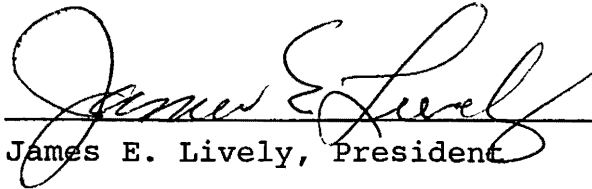
There being no further business, the meeting was adjourned.


James E. Lively, President

MEETING OF FAYETTE COUNTY COMMISSION
SPECIAL SESSION
MAY 19, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in special session
as Board of Canvassers. Commission considered all challenges,
and declared results at 9:45 a.m.

Meeting was adjourned.

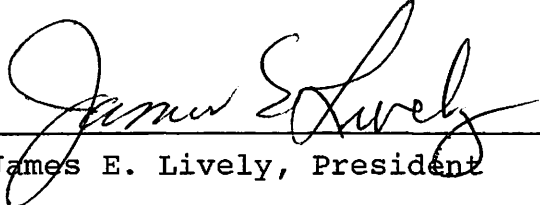

James E. Lively, President

MEETING OF FAYETTE COUNTY COMMISSION
PRIMARY ELECTION CANVASS
MAY 16, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in special session for purpose of holding primary election canvass.

President James E. Lively presented letter from Carrell Adam Toney submitting his resignation as Sheriff of Fayette County, West Virginia effective Friday, May 16th, 1986, at 12:01 a.m.

The primary election canvass convened at 9:00 a.m., proceeded pursuant to code - Ch. 3; art. 6. Adjourned until 9:00 a.m., May 19, 1986.


James E. Lively, President

PHONE No.
TAX OFFICE 574-1200 EXT. 16-19: 38
LAW ENFORCEMENT 574-1200 EXT. 55-57

P. O. BOX 509



May 15, 1986

Honorable James E. Lively
President, County Commission of Fayette County
Honorable John H. Lopez
Commissioner, County Commission of Fayette County
Honorable John L. Witt, Jr.
Commissioner, County Commission of Fayette County
Fayette County Courthouse
Fayetteville, West Virginia 25840

Gentlemen:

I hereby submit my resignation as Sheriff of Fayette County, West Virginia, effective Friday, May 16, 1986, at 12:01 A.M.

Very truly yours,

Carrel Adam Toney
Carrell Adam Toney

CAT:lc
cc: Honorable Charles M. Vickers,
Prosecuting Attorney

SPECIAL MEETING FAYETTE COUNTY COMMISSION
SPECIAL SESSION
MAY 21, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in special session to appoint an interim Sheriff due to the resignation of former Sheriff, Carrell Adam Toney.

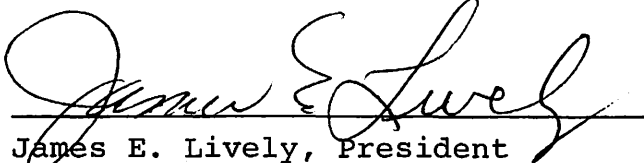
Richard Bragg, administrator, was appointed to fill this role until the November election is certified.

Charlotte Holly will serve as administrator.

Election, as Board of Canvas was certified at 9:30 a.m. No petitions for recount were filed.

The sign-off on draw down of Gauley River Public Service District was signed.

There being no further business, the meeting was adjourned.


James E. Lively, President

MEETING OF FAYETTE COUNTY COMMISSION
REGULAR SESSION
MAY 28, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session on Wednesday, May 28, 1986.

Jack Gannon had appointment announcing possibility of delaying the opening of Fayette County Pool due to a water leak. The Commissioners made appointment to re-view this problem at 11:00 a.m. and announced there would definitely be a delay in opening the pool until the necessary repairs were done.

Buddy Farrish from IBM approached the Commission asking if the Commission had any questions concerning their bid for the Computer system for the Sheriff's Office.

Jim Lively informed Mr. Farrish that IBM was the only bid for the Computer system for the Sheriff's office.

The Commission agreed to purchase the hardware through an installment payment plan at 9.5 percent annual interest rate over a five-year period and to purchase the software now.

The Commission approved IBM's \$102,960 bid.

The system will be used for the general county budget, county payroll, voter registration and the tax office accounting system.

The Commissioners agreed to do everything possible to assist the Kanawha Falls Public Service District in obtaining state or federal grant money to pay off the \$339,666 it owes in Farmers Home Administration payments on the water and sewer systems.

The Fayette County Commission received letter from David Hypes, Mayor of Fayetteville, accepting offer of \$37,000.00 for old Fire Department for new Courthouse annex.

The Commissioners agreed to split the cost of \$7,687.00 to replace the stage curtains at the Fayette County Memorial Building. The Board of Education will pay the other half.

On Wednesday, May 28th, the Commission approved a request by Ray Skaggs to abandon an alley beside his property on Terry Avenue outside the Oak Hill city limits.

The Commission also named Kenneth Hayes of Victor as a New Haven Public Service District Commissioner to fill an existing vacancy.

It was also approved to submit bids for four new cars for the Sheriff's Department.

Eulla Taylor, General Delivery, Robson, WV met with Commissioners requesting permission to rent shelter 4 at Fayette County Park for Memorial weekend, 1987.

The Commissioners informed Ms. Taylor that no reservations could be made until after January, 1987, and they would contact her then.

A letter was signed from President, James E. Lively certifying that the Danese Volunteer Fire Department and Rescue is a duly incorporated, non profit organization and is currently operating and performing fire fighting and prevention services in Fayette County.

Draw down of funds were received in the amount of \$29,824.46 for Page Kincaid Public Service District.

A letter was received from James Dempsey requesting fees of bookkeeping services.

Commissioners agreed this should be turned over to Firemen's Association.

Commissioners agreed request from Mike Hogan, County Agent, requesting permission to use Courthouse parking lot for tailgate market, starting the first of July, 1986.

Order was prepared and signed due to deficit in Fayette County Dog Tax Fund, does hereby order the sum of \$40,365.30 to be transferred from the Fayette County General Fund to said Tax Fund.

Order was prepared and signed ordering the sum of \$37,330.00 for the fiscal year 1985-86 to be transferred from the Magistrate Court Fund to the Fayette County General Fund.

A letter was prepared and signed from James E. Lively, to Mannie R. Griffith, Director of West Virginia Office of Emergency Services requesting permission to participate

in a state-wide contract for the servicing of the INFLOWS equipment in Fayette County when the current contract expires in November, 1986. The Fayette County Commission agrees to pay the contractor directly for the needed services obtained from specific items listed on the contract.

A list of the Fayette County banking institutions with pursuant to Chapter 7, Article 6, Section 1 of the Code of West Virginia, as amended, the Fayette County Commission proposed to designate as depositories of public monies for Fiscal year 1986-87 were submitted and requested to submit bond in order to become official.

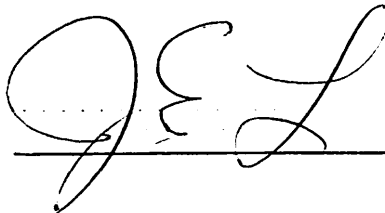
A letter was received from Wilbert A. Payne, Brown H. Pyane, Attorney at Law, regarding ticket No. 08456 which Laddie M. Lee received.

The Commissioners agreed this should be turned over to Insurance Company.

The Commissioners approved Harry Evans, Contractor, to insulate heating pipes and remove asbestos at \$15.50 per foot and to insulate boilers at Courthouse and jail. Project is approved without bid due to emergency basis of removing asbestos from public building.

The Commissioners also approved purchase of endloaders for landfill from WV Agency for Surplus Property. Purchase price \$15,000. Bids not required because it is not an open market purchase per State Tax Dept.

The Meeting was adjourned.



A handwritten signature in cursive script, appearing to read 'JEL', is written above a solid horizontal line.

MEETING OF FAYETTE COUNTY COMMISSION

REGULAR SESSION

JUNE 4, 1986

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session Wednesday, June 4, 1986.

Jack Gannon met with Commissioners reporting condition of Fayette County Pool. The repair to the leak at the pool has not been repaired. The Commissioners decided to keep the pool closed till the leak was repaired.

Charles Wooten approached the Commission requesting money for freezer for Food Pantry.

The Commissioners informed Mr. Wooten that the Commission could not fund church organizations, and that he could obtain information from the Secretary of State's office on how to go about applying for information on becoming a non-profit chartered organization.

Judge Robert Abbott met with Commissioners discussing the new Judicial Annex. Judge Abbott thanked the Commissioners for help and volunteered any questions they might have.

Commissioner Lively informed Mr. Abbott that the Commissioners would appoint a Building Commission at today's scheduled meeting and should start the project soon.

Charlie Legg from Tri-State Roofers met with Commissioners with information for roofing Fayetteville Memorial Building. Mr. Lively informed that bids would be submitted and a copy would be sent to Tri-State Roofers.

Approved at this Commission meeting was a \$500.00 membership for Fiscal year 1986 for Mountain Transit Authority, Geographic Location.

Order was prepared and signed appointing Mr. Rodney Perdue of Powellton as Commissioner of Armstrong Public Service District.

Commissioner John H. Lopez received call from Mrs. Dale Farmer from Terry Avenue of Oak Hill on the decision of Fayette County Commission to abandon an alley on Terry Ave.

Commissioners agreed to discuss this with attorney Fred Jesser.

Approved also at this regular scheduled June 4th, meeting was 2 radios for Law enforcement at a cost of \$4,724.00 from Motorola Communications & Electronic.

Commissioners met with Billy Blake with questions about regulations on burying the dogs and his duties concerning his calls and procedures for collecting dogs.

It was decided a letter should be drawn up to the Fayette Humane Society, Inc. stating the Commission's position on the duties of Billy & Gene Blake. A copy was sent to Billy Blake.

Jim Carrico from National Park Service met with the Fayette County Commission to review Boundry Revisions and Glen Jean Headquarters site. Mr. Lively informed Mr. Carrico that Development Corp. might buy and hold the land in question for a period of six months to one year.

Commissioner Lively informed Mr. Carrico to call Doug Maddy as soon as final details were drawn up to set up a meeting date to discuss this matter.

Letter was prepared and signed for Nichols Construction Co. awarding the contract for bid of \$1,257.000 for Judicial Annex.

A superseding Order was prepared and signed by Commissioners rescinding and superseding the order abandoning the alley way on Terry Avenue, Oak Hill.

Recommended guidelines were drawn up for any ambulance or equipment purchased in whole or in part by State or County Funds per attached copy.

The Commission appointed the Building Commission for the Courthouse Judicial Annex. Appointed were James B. Hess, Oak Hill, 1 year; William R. Skaggs, Ansted, 2 years; Major E. Johnson, Fayetteville, 3 years; Angelo L. Argento, 4 years, and James W. Keenan, Gauley Bridge, 5 years.

Approved was cabinet for County Assessor's Office from United Binding Company, Inc. for price of \$3950.00.

Acknowledged by James E. Lively consenting to Benchmark's assignment of maintenance Agreement by and between Benchmark and Fayette County Sheriff's Department dated March 20, 1985.

Resolution was signed by Commissioners for Baker, Watts & Co. authorizing and directing them to develop a proposed and general financing program for 1985 Series A. Bonds.

At this scheduled Commission meeting on June 4th, 1986 a letter was prepared and signed regarding grant #B-85-DC-54-0001 giving Page-Kincaid Public Service District permission to sign off on administrative cost. John P. David, Commissioner/Secretary was appointed as the authorized local official.

Letter was prepared & signed to Mr. Fred Cutlip, Director of Community Development Division of Governor's Office of Industrial and Community Development resolving that Multi-County Community Action Against Poverty, Inc. has been confirmed by the Community Development Division of the Governor's Office of Industrial and Community Development for administration of New Community Service Block Grant Programs exclusive of any such programs now in operation in Fayette County.

A letter was prepared and signed by Commissioners to Hattie C. Moyer regarding the condition of Armstrong Creek at Kimberly, WV. The Commission informed Ms. Moyer they regret they can't assist financially in correcting this problem.

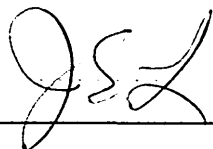
A letter was received from Ralph Young with the resignation of Mr. Edward N. Lang as a Commissioner of the Page Kincaid Public Service District. The Page Kincaid Public Service District is forwarding a letter recommending a member for appointment.

Commissioners agreed upon a check in the amount of \$500.00 to be sent to Tom Bell, Historical Landmark Society.

Commissioners approved payment of invoice to Harry Evans for contract work performed at the Courthouse and jail.

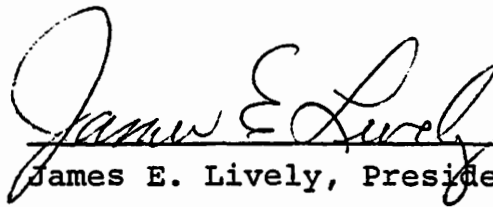
Commissioners instructed Charlotte Holly, Acting Administrator, to obtain the deed of property for Old Fire Department from David Hypes, as per attached copy.

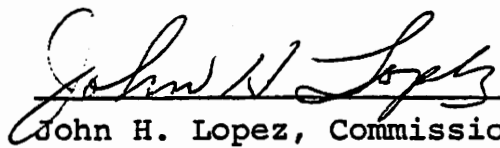
There being no further business, the meeting was adjourned.



FAYETTE COUNTY COMMISSION

On this the 4th day of June, 1986, it appearing to the Fayette County Commission that there is a vacancy on the New Haven Public Service District due to the death of Eugenia Davis, and that it is necessary and advisable that said position be filled, it is hereby ordered that Kenneth Hayes of Victor, West Virginia be appointed to fill the unexpired term of Eugenia Davis, said term to expire October 29, 1986.

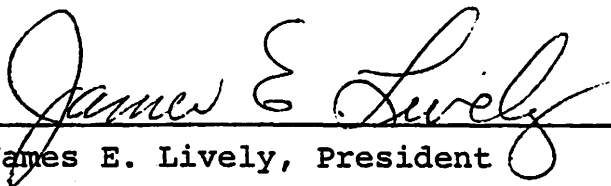

James E. Lively, President

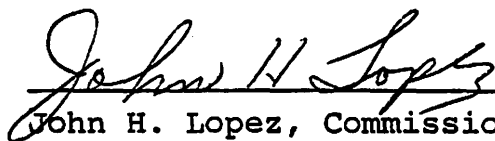

John H. Lopez, Commissioner


John L. Witt, Commissioner

FAYETTE COUNTY COMMISSION

On this the 4th day of June, 1986, it appearing to the Commission that the term of office of Mr. Rodney Perdue, of Powellton, West Virginia, as a Commissioner of the Board of Commissioners of the Armstrong Public Service District did expire on April 1, 1986 and that it is necessary and advisable that said position be filled immediately and it further appearing that his reappointment is recommended by the Board of said Armstrong Public Service District it is hereby ordered that Mr. Rodney Perdue be and he is hereby appointed as a Commissioner of the Board of Commissioners of the Armstrong Public Service District as and of April 1, 1986 to serve for and during a period of six years, said term expiring April 1, 1992.


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

FAYETTE COUNTY COMMISSION
FAYETTEVILLE, W. VA. 25840-0307

TELEPHONE (304) 574-1200

Charlotte Holly
Acting Administrator

June 4, 1986

~~RICHARD W. BRADY
ADMINISTRATOR~~

RECOMMENDED GUIDELINES

1. Any ambulance and/or equipment purchased in whole or in part by state or county funds was and will be purchased for the sole purpose of providing emergency medical care and transportation for the citizens of Fayette County.
2. Any unit falling under the above guideline will be used only for emergency transportation of people situated in Fayette County be they residents or transients.
3. Emergency transportation shall be defined for purposes of these guidelines as transportation originating in Fayette County of a sick and/or injured party to a qualified emergency room within a fifty mile radius of Fayette County.
4. Any future reimbursements to ambulance services based on runs will use only emergency ALS/BLS runs as indicated above as a basis. This disallows convalescent and non-emergency runs. All runs submitted will be accompanied by a copy of the run sheet.
5. Any use of county units and/or equipment other than emergency runs as stated above must be cleared beforehand, by the Director of Emergency Services.
6. All participating ambulance services will submit to the Fayette County Commission a statement of standard operating procedures to include:
 - Normal response area/Emergency only
 - Location of units
 - Manpower level of training per unit
 - Mutual Aid agreements
7. The above guidelines are subject to revision by the Fayette County Commission as they deem necessary for the benefit of the citizens of Fayette County.
8. No emergency call in Fayette County will be refused for inability to pay.

RECOMMENDED GUIDELINES -- 2

9. Failure to abide by the above guidelines will result in forfeiture of County Funding, Units and Equipment.
10. All County Units are to be easily identifiable as a Fayette County owned Unit by appropriate markings.

James E. Lively

James E. Lively, President

John H. Lopez

John H. Lopez, Commissioner

John L. Witt

John L. Witt, Commissioner

D E E D

THIS DEED, Made this the 30th day of May, 1986, by and between the Town of Fayetteville; Fayette County, West Virginia, a municipal corporation, Party of the First Part, and the County Commission of Fayette County, West Virginia, Party of the Second Part.

WHEREAS, the Town of Fayetteville, having met in special session on May 27, 1986, resolved to sell the herein described parcel of real estate to the County Commission of Fayette County for the sum of Thirty-seven thousand dollars (\$37,000.00) and further authorized David L. Hypes, Mayor, to execute this deed.

W I T N E S S E T H :

That for and in consideration of the sum of Thirty-seven thousand dollars (\$37,000.00), this day cash in hand paid by the Party of the Second Part to the Party of the First Part, and other good and valuable considerations not herein specifically set forth, the receipt of all of which is hereby acknowledged, the Party of the First Part does hereby grant and convey unto the Party of the Second Part with covenants of general warranty of title the following described lot or parcel of land situate on the north west side of Maple Avenue in the Town of Fayetteville, Fayette County, West Virginia, bounded and described as follow, to-wit:

Beginning at a stake by a fence post on the north west side of Maple Avenue, a corner to W C Settle, thence with said Avenue, S 52-28 W 36 feet to a stake, thence through the lot hereinafter mentioned, of which this lot is a part, N 45-09 W 87 feet, more or less, to a stake in the back line, thence with N 44-47 E 36 feet to a stake by a fence post, a corner to or in the line of W C Settle thence with S 45-09 E 90 feet to the beginning, being a lot cut off the northeastern end of said lot of which this is a part, fronting 36 feet on Maple Avenue and running back between parallel lines to the rear of said lot.

And being the same parcel of real estate conveyed to the Party of the First Part by deed dated August 8, 1935 of the County Court of Fayette County, and of record in the Office of the Clerk of the County Commission of Fayette County, West Virginia in Deed Book 80, Page 557.

This deed is made and accepted subject to all validly continuing restrictions, covenants, rights-of-way, easements and conditions contained in all prior deeds in the chain of title of the property hereby conveyed.

The parties hereto do hereby certify that this conveyance is between government bodies and as such is not subject to the State Excise Tax on the transfer of real estate.

WITNESS the following signature and seal:

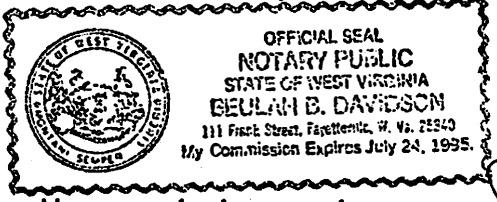
David L. Hypes (SEAL)
DAVID L. HYPES, MAYOR
TOWN OF FAYETTEVILLE

STATE OF WEST VIRGINIA,

COUNTY OF FAYETTE, to-wit:

1. *Beulah B. Davidson*, a notary public in and for said county and state, do hereby certify that David L. Hypes, who signed the writing above, bearing date the 30th day of May, 1986, for the Town of Fayetteville, West Virginia, has this day acknowledged before me the said writing to be the act and deed of said municipal corporation.

Given under my hand this the *5th* day of *June*, 1986.



Beulah B. Davidson
Notary Public

My commission expires *July 24, 1995*.

ADMITTED TO RECORD
JUN 5 2 05 PM '86
BOOK NO. *443* NO. *151*
HOWARD... CLERK
FAYETTE COUNTY
COMMISSION

This deed prepared by: Gene Carte, Jr.
Assistant Prosecuting Attorney
Fayetteville, West Virginia

West Va. Fayette County Court Clerk's Office JUN 5 1986

The foregoing writing was this day presented to me in my said office and thereupon, together with this certificate hereto annexed is admitted to record.

Teste: H. E. JANNEY, Clerk

RESOLUTION

WHEREAS, in 1985 the County Commission of Fayette County participated with forty-three other West Virginia counties and cities in the issuance of the \$55,500,000, Forty-Four West Virginia Municipalities, Single Family Mortgage Revenue Bonds, 1985 Series A, to provide mortgage loan funds at an interest rate of 9.975%; and

WHEREAS, interest rates for mortgage revenue bonds have declined to a point where it appears that refinancing of the 1985 Series A Bonds will result in lower interest rates for mortgage loans made from remaining bond proceeds.

NOW THEREFORE, be it resolved by the County Commission of Fayette County:

SECTION I: That Baker, Watts & Co., underwriters to the Fayette County Commission in connection with the 1985 Series A Bonds, is hereby designated to continue as the underwriter in connection with the proposed refinancing of the 1985 Series A Bonds;

SECTION II: That Baker, Watts & Co. is authorized and directed to develop a proposed and general refinancing program for presentation to and consideration by the County Commission not later than July 1, 1986, to maintain contact with the respective County or City until a final refunding proposal can be legally completed in compliance with the \$55,500,000, Forty-Four West Virginia Municipalities, Single Family Mortgage Revenue Bonds, 1985 Series A Indenture;

SECTION III: That actual issuance of any refinancing bonds shall be subject to final approval of the County Commission upon receipt of and consideration of the refinancing program referred to in Section II above; and

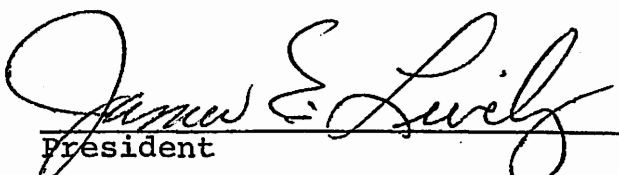
SECTION IV: That adoption of this Resolution does not involve or result in any expense or liability to the County Commission of Fayette County, its officers or employees.

ADOPTED THIS 4th DAY OF June, 1986.


COUNTY COMMISSION OF FAYETTE
COUNTY

ATTEST:


Clerk


President


Member


Member

MEETING OF FAYETTE COUNTY COMMISSION
REGULAR SESSION
JUNE 13, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session on Friday, June 13th, 1986.

Payroll and outstanding bills were approved.

Commissioners met with Cecil Nichols and signed bid of \$1,257,000. and discussed beginning the Judicial Annex project.

The Commissioners agreed the first step would be to vacate the building and move zoning and probation.

Mr. Lively explained to Mr. Nichols they had appointed a Building Commission for this project and all correspondances should be forwarded to the chairman of such committee.

The Commission and Mr. Nichols discussed the possibility of brick and agreed they would consider and discuss this at a later meeting.

The Commissioners agreed materials such as air conditioners and equipment from the building to be removed should be out of the building by June 24th, 1986. Nichols Construction should be ready to begin that day. Mr. Nichols was authorized to begin other necessary procedures as soon as possible. It was agreed by the Commission that persons would need to deal with contractors on any specific parts of the building that they would want to purchase.

Commissioner Lively instructed a letter to send to Mr. James Keenan, appointing him temporary chairman of the Building Commission for purpose of arranging organizational meeting. A copy of letter and a copy of Article 33, Chapter 8 of the Code of West Virginia as per the powers, duties, management and control of such Commission was sent to the other appointed Board members. It was agreed by all Commissioners that the Commission should pay expenses the Building Commission would be involved with.

At this June 13, 1986 meeting, Fayette County Commissioners received a letter from Guy H. Hensley, Jr., Director of Administrative Services requesting an additional \$20,000. allocation for program for purchase of property for new facility in Fayette. The Commission decided to retain these funds until needed.

The Commission received a letter from Baker Watts & Co. acknowledging receipt of the executed resolution authorizing refunding of the 1985 \$55.5 million mortgage revenue bond issue.

The Fayette County Commission approved bid of \$800.00 to Fayette Paving, Inc. to saw out & dig out ditch at Courthouse from gas meter to street and beside building and to repair 3 holes in Courthouse parking lot.

The Fayette County Commission received and reviewed Minutes of Meeting of Danese Public Service District. A Financial Statement was also reviewed.

The Fayette County Commission signed addendum renegotiating existing CWEP contracts prior to July 1, 1986.

Commissioners received resolution regarding disbursement of Funds of Water system improvements for Gauley River Public Service District. Commissioners approved \$1,400.00 for Appalachian Hart & Milan, Inc. and \$6,219.00 for Jackson, Kelly, Holt and O'Farrell.

The Fayette County Commission received monthly operation record for May, 1986, from Randolph Epperly. The Total miles on trips was 8,496.

The Fayette County Commissioners signed Term Lease Supplement & Master Agreement for Computer with IBM Branch.

The Fayette County Commission approved \$823.00 Grant application for West Virginia Department of Health for Valley EMS, Inc. for adult M.A.S.T. Trousers.

Two letters were prepared and signed from Fayette County Commission concerning examination of the financial statements of Fayette County for fiscal year ended June 30, 1985. One was prepared for Honorable Michael E. Caryl, Chief Inspector and Supervisor of Public Offices, and the other to Mr. Charles M. Vickers, concerning inquiry for the State Tax Department of all material loss contingencies disclosed in the audit report.

At this June 13th, 1986 meeting, the Fayette County Commissioners instructed Gary Harding to make necessary arrangements to vacate the Zoning and Probation building.

The Commission met with Mayor Hypes and Mr. Niday concerning the Old Fire Station Building. Mayor Hypes agreed they would assist anyway possible and they would be out of the Building by June 24th, 1986.

Sheriff Bragg and Charlotte Holly approached Commission with details from Mike Manly, concerning IBM computer.

Mr. Bragg presented outline sketch of the entire system.

The system should include 8 terminals.

Equipment should be delivered within two weeks.

Sheriff Bragg explained certain priorities that needed to be dealt with. Included in these priorities are summer help with maintenance and help with carpentry work for remodeling needed for installation of the new computer system.

The Commission approved \$5,000. for additional help.

The Commission also approved the suggestion of hiring an accountant to serve as advisor for the process of transferring to the computer system.

The Commission also reviewed a list of repairs and necessary jobs from Dee Lively that need to be done.

The Commission approved bid from Country Club Chrysler Plymouth Dodge for 4 police cruisers. It was agreed that any extras needed for vehicles should be taken from Capitol Equipment account.

The Commission received letter from Robert Holliday with a petition for water supply at Pax Branch. Mr. Lively instructed a letter, along with the petition to be forwarded to Larry Kelly, Mayor of Pax. A copy was also sent to Mr. Robert Holliday.

The Commission received letter from Fred Cutlip, Director of Community Development Division regarding Mossy Public Service District water treatment plant. Commissioner Lively decided a copy of this letter should be sent to Mrs. Webb advising of this letter.

Conducted at this June 13th, 1986 meeting was Budget Hearing on General Revenue Sharing. Presented was summary of revised 1985-86 Budget for Fayette County. Nobody appeared for comment or revision.

Approved at this meeting was resolution subject to the approval of the State Tax Commissioner, the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number (5), a copy of which is entered as part of this record, for revision of the 1985-86 Revenue Sharing Fund Budget of the County Commission of Fayette County.

Approved was Order reappointing Russell Matthew of Garten, to the Fayette County Board of Health.

An Order was approved and signed by Commissioners appointing James Allen Kincaid, Jr., of Page as Commissioner of Page Kincaid Public Service District.

The Fayette County Commission advised that Jack Gannon had located a hole beside the stainless steel tube in the main pool. Mr. Gannon has caulked the hole and has tentatively scheduled the opening of the Pool for June 21, 1986.

On behalf of Jack Gannon, Charlotte Holly asked the Fayette County Commission to clarify the policy for charging campers of the Fayette County Park for swimming. The Commission stated that the park campers are allowed to swim at no charge in the mornings before the pool opens to the public with County employed lifeguards on duty; however, if campers swim during regular pool hours, they must pay the single price of admission per camper.

The Commission stated that season passes will be sold at the pool; however, purchasers are to be advised of the possibility of the pool having to be closed prior to the end of the season if the leak reoccurs in the main pool. In the event of early closure, the price of the season passes will not be refunded.

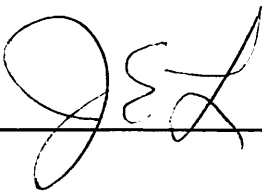
Reservations for shelters for 1987 at the Fayette County Park will not be accepted until after January 1, 1987. Reser-

request are to be given to Jack Gannon, Park Superintendent, who will prepare a schedule on a first-come, first-serve basis. Mr. Gannon will present any conflicts or questions in scheduling to the Fayette County Commission to review.

Due to the extended summer hours at the Landfill, the Fayette County Commission approved the hiring of 2 part-time employees.

Charlotte Holly advised the Fayette County Commission that according to the State Tax Department, all hearings on property reappraisal by the County Commission can be scheduled after September 1. Petitions for hearings which had been submitted to the Commission prior to May 22, 1986, can also be scheduled at that time.

There being no further business, the meeting was adjourned. The next scheduled meeting is June 25, 1986.



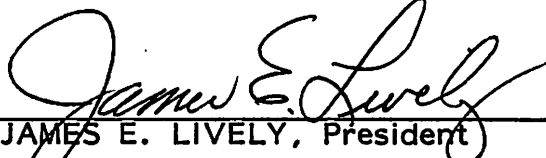
IN THE COUNTY COMMISSION OF FAYETTE COUNTY, WEST VIRGINIA

ORDER CREATING COUNTY BUILDING COMMISSION

Pursuant to the provisions of Article 33, Chapter 8 of the Code of West Virginia, on the 4th day of June, 1986, this Commission created and established a County Building Commission and appointed the following representatives to the Fayette County Building commission Board for the term of years designated:

James B. Hess - 1 year
William R. Skaggs - 2 years
Major E. Johnson - 3 years
Angelo L. Argento - 4 years
James W. Keenan - 5 years


The powers, duties, management and control of the Fayette County Building Commission shall be vested in this Board in accordance with the provisions of Article 33, Chapter 8 of the Code of West Virginia.



JAMES E. LIVELY, President



JOHN H. LOPEZ, Commissioner



JOHN L. WITT, JR., Commissioner

BUDGET HEARING ON GENERAL REVENUE SHARING

The County Commission of Fayette County will hold a public hearing at 9:00 A.M. on Friday, June 13, 1986, in the Office of the County Commission, Courthouse, Fayetteville, West Virginia, for the purpose of hearing written and oral comment from the public concerning the revision of the annual budget for fiscal year 1985-86 and the use of revenue sharing funds as contained in that proposed budget, summarized below.

All interested citizens, groups, senior citizens and organizations representing the interest of senior citizens are encouraged to attend and to submit comments. Handicapped persons needing assistance or aids should contact the County Commission office before the meeting. The proposed budget may be examined on weekdays at the Office of the Fayette County Commisison between 9:00 A.M. and 3:00 P.M.

**SUMMARY OF REVISED 1985-86 BUDGET
COUNTY OF FAYETTE**

<u>REVENUES</u>			
<u>Source</u>	<u>Revenue Sharing</u>	<u>Coal Severance & General County</u>	<u>Total</u>
Ad Valorem Taxes		\$1,822,714	\$1,822,714
Prior Years Taxes		60,000	60,000
Supplemental Taxes		10,000	10,000
Tax Penalties & Interest		20,000	20,000
Commissions		500	500
Sheriff's Commission		13,000	13,000
Motor Vehicle License Fees		12,000	12,000
Jail Fees		4,000	4,000
Parks & Recreation		35,000	35,000
Sheriff's Earnings		15,000	15,000
County Clerk's Earnings Fees		60,000	60,000
Circuit Clerk's Earnings		15,000	15,000
Contributions From Other Funds		371,500	371,500
Transfers From Other Entities		1,600	1,600
Wine & Liquor Tax		2,000	2,000
Interest Earned on Investment	\$ 150,000	83,734	233,734
Rents & Concessions		6,000	6,000
Insurance Claims		3,000	3,000
Refunds	465	2,003	2,468
Reimbursements	20	5,000	5,020
Miscellaneous Revenue		19,173	19,173
Unencumbered Balance	1,238,897	958,690	2,197,587
Revenue Sharing Entitlements	1,020,049		1,020,049
Coal Severance Tax		144,263	144,263
TOTAL OPERATING BUDGET	<u>\$2,409,431</u>	<u>\$3,664,177</u>	<u>\$6,073,608</u>
Excess Levy (Separate Fund)			764,456
TOTAL			<u>\$6,838,064</u>

<u>EXPENDITURES</u>			
<u>Activity</u>	<u>Revenue Sharing</u>	<u>Coal Severance & General County</u>	<u>Total</u>
County Commission	\$ 543,720	\$ 684,370	\$1,228,090
County Clerk		162,315	162,315
Circuit Clerk	14,914	103,936	118,850
Sheriff-Treasurer		208,883	208,883
Prosecuting Attorney		296,365	296,365
Assessor		282,016	282,016
Agricultural Agent		26,865	26,865
Magistrate Court		18,480	18,480
Circuit Court		1,000	1,000
Regional Development Authority	7,000		7,000
Planning & Zoning		51,562	51,562
Elections	45,000	62,500	107,500
Data Processing	146,366	55,500	201,866
Courthouse	384,775	329,888	714,663
County Health	40,000		40,000
Other Health Programs		10,000	10,000
Dog Warden		104,114	104,114
Mental Health	25,000	2,500	27,500
Ambulance Authority	148,722		148,722
Sheriff-Law Enforcement	242,414	442,857	685,271
County Jail	235,881	273,271	509,152
Water & Sewer		208,000	208,000
Landfill	434,976	150,100	585,076

<u>Activity</u>	<u>Revenue Sharing</u>	<u>Coal Severance & General County</u>	<u>Total</u>
Parks	\$ 71,273	\$ 105,666	\$ 176,939
Community Buildings		18,149	18,149
Libraries	20,000		20,000
Public Transit	10,000		10,000
Snow Removal		3,450	3,450
Beautification	2,500		2,500
Flood Control/Soil Conservation	250		250
Emergency Services	6,640		6,640
Social Services	20,000		20,000
Aging Program	10,000	17,173	27,173
Reappraisal Costs		26,500	26,500
Contingencies		18,717	18,717
TOTAL OPERATING BUDGET	<u>\$2,409,431</u>	<u>\$3,664,177</u>	<u>\$6,073,608</u>
Excess Levy (Separate Fund)			764,456
TOTAL			<u>\$6,838,064</u>

ORDER

At a regular session of the County Commission of Fayette County, held on the 13th day of June, 1986, the following order was made and entered:

SUBJECT: The revision of the 1985-86 Revenue Sharing Fund Budget of the County Commission of Fayette County.

The following resolution was offered by John H. Lopez:

RESOLVED: That subject to the approval of the State Tax Commissioner (as required), the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number (5), a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by John H. Lopez, and duly seconded by John L. Witt, the vote thereon was as follows:

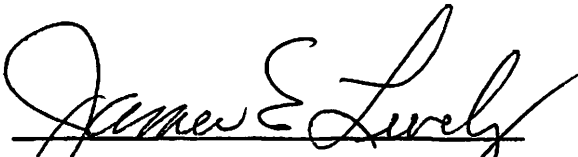
James E. Lively	Aye;
John H. Lopez	Aye;
John L. Witt	Aye;

Whereupon, James E. Lively, President, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED stated above, and the same is, hereby adopted as so stated above, and John H. Lopez is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1985-86 Revenue Sharing Fund Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently

FAYETTE COUNTY COMMISSION

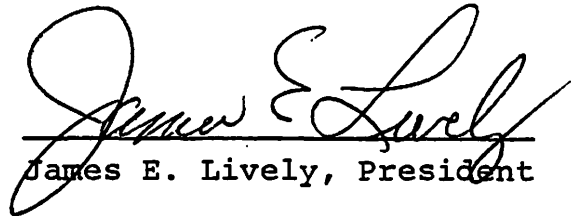
On this the 13th day of June, 1986, it was brought to the attention of the Fayette County Commission that the term of Russell Matthew of Garten, West Virginia, on the Fayette County Board of Health will expire on June 30, 1986, and it appearing further that the Fayette County Board of Health has recommended that he be reappointed, it is hereby ordered that Russell Matthew be appointed for a five (5) year term to be effective July 1, 1986, said term expiring June 30, 1991.

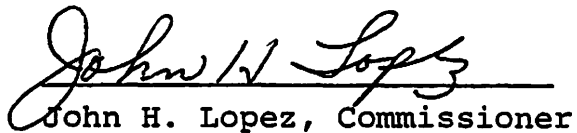

James E. Lively, President



John H. Lopez, Commissioner

FAYETTE COUNTY COMMISSION

On this the 13th day of June, 1986, it appearing to the Fayette County Commission that due to the resignation of Mr. Edward N. Lang, Kincaid, West Virginia, as a Commissioner of the Page-Kincaid Public Service District, and upon recommendation of the Board it is hereby ordered that James Allen Kincaid, Jr., Page, West Virginia, be and he is hereby appointed as a Commissioner of said Page-Kincaid Public Service District as and of June 13th, 1986, to fill the vacancy created by the resignation of Edward N. Lang, said term to expire October 1, 1991.


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

ORDER

At a regular session of the County Commission of Fayette County, held on the 13th day of June, 1986, the following order was made and entered:

SUBJECT: The revision of the 1985-86 Coal Severance Budget of the County Commission of Fayette County.

The following resolution was offered by John L. Witt:

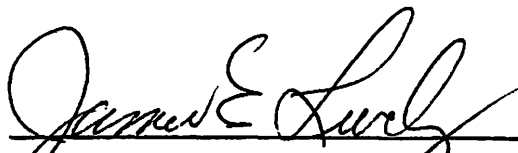
RESOLVED: That subject to the approval of the State Tax Commissioner (as required) the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number eight (8), a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by John L. Witt, and duly seconded by John H. Lopez, the vote thereon was as follows:

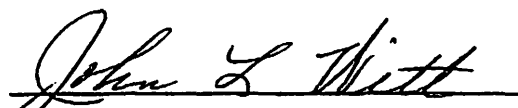
James E. Lively	Aye;
John H. Lopez	Aye;
John L. Witt	Aye;

Whereupon, James E. Lively, President, declared said resolution duly adopted, and it is therefore ADJUSTED and ORDERED stated above, and the same is, hereby adopted as so stated above, and James E. Lively is authorized to fix his signature on the attached "Request for Revision to the Approved Budget: to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1985-86 Coal Severance Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

STATE TAX COMMISSIONER
 OFFICE OF CHIEF INSPECTOR
 DRAWER 2389
 CHARLESTON, WV 25305

Fayette County Commission
 GOVERNMENTAL ENTITY
 P. O. Box 307
 STREET OR P.O. BOX
Fayetteville, WV 25840 WV
 CITY ZIP CODE

06/13/86
 ENTITY APPROVAL DATE

RECEIPTS: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (INCREASE)	CREDIT (DECREASE)	REVISED AMOUNT
344		\$ 80,734	\$ 22,869		\$ 103,603

NET INCREASE/(DECREASE) \$ 22,869

EXPENDITURES: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (DECREASE)	CREDIT (INCREASE)	REVISED AMOUNT
456	01-10	\$ 60,000	11,139	\$ 4,390	\$ 64,390
439 439	11-40	-0-		18,479	18,479

NET INCREASE/(DECREASE) \$ 22,869

TAX DEPARTMENT USE ONLY

RECEIVED _____
 POSTED _____ BY _____
 APPROVED FOR THE STATE TAX COMMISSIONER BY:

 DIRECTOR - OFFICE OF CHIEF INSPECTOR

James E. Luch
 AUTHORIZED SIGNATURE FOR GOVERNING BODY President, Fayette County
 DATE OF REQUEST 06-13-86
 SPECIAL NOTE: TRANSFERS TO ~~FROM~~ SPECIFIC FUNDS MUST BE ACCOMPANIED BY A STATEMENT CONTAINING SIGNATURES OF ALL COUNTY COMMISSIONERS. (7-1-91)

PLEASE NOTE:

SMIT WHITE, PINK, AND BLUE COPIES TO TAX DEPARTMENT. RETAIN YELLOW COPY AS RECORD OF SUBMISSION.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
JUNE 30, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in special session Monday, June 30th, 1986.

Briefly the Commission discussed the approval of work done by Harry Evans in May, 1986. Commissioners agreed this work was approved because it was an emergency service to be dealt with without bid due to the emergency basis of removing asbestos from a public building. Commissioner Lively explained he had done work previously in Fayette and surrounding counties.

The Fayette County Commission reviewed the Depository collateral submitted by the following County banking institutions that want to be designated as depositories of public monies for the fiscal year 1986-87: Fayette County National Bank, & Gauley National Bank.

After discussing the proper form to be followed pursuant to Chapter 7, Article 6, Section 2 of the Code of West Virginia, which had previously been questioned by Prosecuting Attorney, Charles Vickers, the Commission directed Charlotte Holly to prepare a letter to be sent to each County bank suggesting that it's bank counsel contact Mr. Vickers regarding the proper depository collateral to be filed. The corrected depository bonds will be accepted no later than the July 9th, 1986, meeting of the Commission.

The Fayette County Commission temporarily adjourned until 4:00 p.m. on this date in order to receive for review any additional collateral from County banks.

At 4:00 p.m., James E. Lively & John L. Witt continued the meeting and received collateral from the following banks: Fayette County National - Revised Form, and New River Banking & Trust.

After reviewing and discussing the documents, the Fayette County Commission agreed to accept the depository collateral as submitted by each County bank pending the

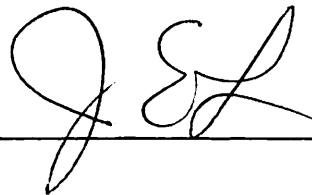
correction of specific criticisms as outlined by the Prosecuting Attorney. The County's Funds will ^{not} be withdrawn from any institution which does not submit the proper documents as requested.

The Commission approved the following salary changes from the General Fund: Charlotte Holly, Acting Administrator, increase \$250.00 monthly, from \$1,175. to \$1,425, and Deborah Berry, Acting Bookkeeper, Secretary, increase of \$100. from \$883.33 to \$983.33. These changes are to be effective as of May 21, 1986 and will be reconsidered pending the return of Richard Bragg as County Administrator.

The bills submitted to the Commission were approved.

Merchants and Miners National Bank notified the Fayette County Commission that it would not submit a bond until such time as the Commission changes its investment practices. County Funds currently earn interest at a rate of 15% monthly in the State Investment Pool.

The meeting was adjourned.



A handwritten signature, possibly initials 'J E', is written above a horizontal line.

MEETING OF FAYETTE COUNTY COMMISSION
REGULAR SESSION
JUNE 25, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session June 25, 1986.

T. E. Myles met with Commissioners concerning \$20,000. grant to the Mossey Public Service District contingent upon other funding being available. The County Commission renewed its commitment to make \$20,000. available.

Mr. Dale Farmer met with Commission regarding an alley abandonment the Commission had recently ordered but had rescinded the order due to a conflict. Mr. Farmer informed the Commission things were back to normal and he had no complaints about the ordeal at this time.

A Committee appointment for Hazel Graham was rescheduled for 1:30 p.m. on July 9th.

The Fayette County Commission received a letter from Judge Abbot requesting temporary help for Magistrate office the last two weeks in July. John Lopez & John L. Witt approved this request.

A bid from Beckley Belt Service, Inc. was received for work at Memorial Building. Commissioners decided to react on this bid at the July 9th meeting.

Doug Mooney had Committee appointment for Ed & Ethel Erving. The Commissioners had no objections to this appointment.

The Commission approved request of Edward A. Travis, Owner, for a change in land classification from R-R, Agricultural and Rural Residential, to 1-2, Heavy Industrial, for the purpose of operating a salvage yard on 1 acre, Gatewood, Route 9/3 off Gatewood Road, New Haven District. Along with this request Gary Harding reviewed a request for yard sale regulations. The Commissioners agreed to review this at

next scheduled Commission meeting which is July 9th, 1986.

Approved at this June 25, 1986, meeting was committee appointment for Scarbro vs. Scarbro. Andy Keenan and Dwane Tinsley were present. Commissioners approved this appointment.

Commissioners held Committee appointment for Debbie Hicks. The Commissioners had no objections to this appointment.

Sheriff Richard Bragg met with Commissioners concerning Bonds for security on County checking accounts. These bonds need to be secured by July 1, 1986.

A Special session for Monday, June 30, 1986, was scheduled to attend to this matter.

Prosecuting Attorney, Charles Vickers, was questioned about the form which was recently used for this purpose. Mr. Vickers informed he had refused to sign these in the past and he would not agree to sign them now. He felt they were inadequate and not acceptable.

The Commissioners discussed the forms being signed in past with no problems generating from them.

Commissioners questioned Acting Administrator, Charlotte Holly to question the auditor to see what forms other Counties were using.

Commissioners agreed to discuss this further at the special scheduled meeting.

Vance & Hutch wrecker Service met with Commissioners on a problem occurring in Valley area.

Commissioner Lopez informed Mr. Hutch and Mr. Vance this problem should be dealt with through the Sheriff.

Mr. Sparks, from White Oak Public Service District met with Commissioners regarding \$25,000.00 already approved for the District. Mr. Sparks informed that repairs were needed immediately. Mr. Sparks wanted to inform of possibly using half of the funds in July for needed repairs and the rest would be needed in the Fall.

A group of citizens led by Orval King met with the Fayette County Commission regarding a Golf Course for Fayette County.

Mr. King explained he felt a Golf Course would help Fayette County in the Tourism Industry.

Commissioner Witt and Commissioner Lopez agreed with Mr. King but explained with the pending loss of Revenue Sharing, other programs and jobs could be lost.

It was agreed that Mr. King, along with the Commission, to review the possibility and get back together to discuss property and other details.

The Fayette County Commission met with Richard Basham to discuss a recycling center.

Mr. Witt informed Mr. Basham that Mike Hogan, the Fayette County Agent could possibly give him a name of man in Charleston who could discuss matters of what he needed to do to get a recycling center started.

Mr. Basham discussed the possibility of working with the Sheriff of Fayette County to have persons in the jail working on such a project.

The Commissioners agreed he would have to discuss this with the Sheriff.

A Budget Statement was reviewed, signed and submitted to the Clerk of the Fayette County Commission.

The Commissioners discussed campers at the Fayette County Park. Campers swimming during regular hours were not to be charged.

Acting Administrator, Charlotte Holly questioned the Commission of hiring Danny Ball as a welder full time at the Landfill at a salary of \$1,050. monthly.

The Commission approved this request if Jack Gannon felt there was enough work for this full time job.

Charlotte Holly informed the Commission she had received the Notice of Cancellation from National Casualty Company of Law Enforcement Liability and that she had informed Wayne Vickers to look into the revoking of this cancellation.

The Commissioners also approved the purchase of a 19" TV to replace a broken one at the jail. Mr. Witt agreed to contact RCA Services Co. in Charleston.

The Commissioners also approved Melvin Bush for Laundry Services at \$75.00 month if his work continues to be satisfactory.

The meeting was adjourned.

J.H. _____

County Commission of Fayette County

James E. Lively, President

John H. Lopez, Commissioner

John L. Witt, Commissioner

STATE OF WEST VIRGINIA
COUNTY OF FAYETTE, TO-WITT:

We, James E. Lively, John H. Lopez, and John L. Witt, as Members of the County Commission of Fayette County, West Virginia, do hereby certify that the amounts shown in the foregoing Budget Statement for the budget year beginning July 1, 1986, and ending June 30, 1987, sets forth the actual amounts intended to be paid to the deputies and employees of our office, without rebate and without any agreement, understanding or expectation that any part thereof will be repaid to us or promised to us by any such employee or deputy prior to the time this affidavit is made and that if we hereafter receive any money or things of value from said employees on account of the foregoing then we will account for and pay the same to the County as required by law.

Absent

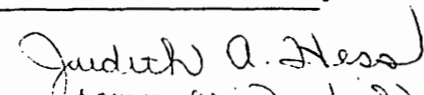
James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

Subscribed and sworn to before me this 25th day of June, 1986.

My commission expires 2-3-91.


Comm as Judith A. Young
Notary Public

BUDGET STATEMENT

TO: CLERK OF THE COUNTY COMMISSION OF FAYETTE COUNTY

We, the Members of the County Commission of Fayette County, West Virginia, in compliance with requirements of Chapter 7, Article 7, Section 7 of the Code of West Virginia, as amended, do hereby submit the following Budget Statement for the ensuing Fiscal Year beginning July 1, 1986, through June 30, 1987. For said Fiscal Year it is our intention to employ the following persons in the positions and salaries, as stated, to be paid out of the:

GENERAL COUNTY FUND

<u>COMMISSIONERS</u>	<u>ANNUAL SALARY</u>	<u>MONTHLY SALARY</u>
James E. Lively	\$14,000	\$1,166.67
John H. Lopez	14,000	1,166.67
John L. Witt	14,000	1,166.67

<u>EMPLOYEES' NAMES</u>	<u>POSITION</u>	<u>ANNUAL SALARY</u>	<u>MONTHLY SALARY</u>
Richard W. Bragg	Administrator (7½ months)	\$11,188	\$1,491.67
Charlotte N. Holly	Acting Administrator/Bookkeeper	14,100	1,175.00
Josephine Cuddy	PBX Operator	6,480	540.00
Nancy Massie	PBX Operator	10,200	850.00
Billy Horrocks	Maintenance	13,300	1,108.33
Wilbert D. Lively	Maintenance Foreman	13,300	1,108.33
Robert Ford	Janitor	11,300	941.67
James Perdue	Janitor	11,300	941.67
Freda L. Cincinnati	Janitor	9,600	800.00
Sterling Hughes	Cook	11,715	976.25
Beverly A. Smith	Cook	9,000	750.00
Jack Gannon	Park Superintendent	17,700	1,475.00
George Proskin	Park Foreman	11,100	925.00
Ellis Alley	Park Maintenance	10,860	905.00
Percy Gilliam	Park Maintenance	10,860	905.00
Harry Proskin	Park Maintenance	10,860	905.00
Billy Blake	Dog Warden	11,940	995.00
Bobby Blake	Assistant Dog Warden	9,732	811.00
Deborah Berry	Bookkeeper/Secretary	10,600	883.33
Twilla Sue Cassell	Magistrate Clerk	12,744	1,062.00

<u>COAL SERVERANCE FUND</u>			<u>QUARTERLY SALARY</u>
Richard W. Bragg	Administrator (7½ months)	\$ 3,750	\$1,500.00

<u>FIRE LEVY FUND</u>			<u>MONTHLY SALARY</u>
Stephen M. Cruikshank	EMS/Fire Coordinator	\$20,000	\$1,666.67

<u>REVENUE SHARING FUND</u>			<u>MONTHLY SALARY</u>
Robert D. Epperly	Equipment Operator	\$12,600	\$1,050.00
Russell L. Taylor	Equipment Operator	12,600	1,050.00
Fred Sizemore	Foreman	15,600	1,300.00
Paul D. Simms	Grader Operator	12,600	1,050.00
Phillip Wagner	Mechanic	12,600	1,050.00
Jack Gannon	Supervisor	7,200	600.00
Richard W. Bragg	Administrator (7½ months)	3,750	500.00
Charlotte N. Holly	Acting Administrator/Bookkeeper	900	75.00
Jacqueline Hickman	Payroll	480	40.00

It is our intention to employ each of the above named persons for the full ensuing year. It is to be understood, however, that as Members of the County Commission of Fayette County we have employed each of the above persons to serve at our will and pleasure as provided for by statute.

Respectfully submitted this 25th day of June, 1986.

Court House Annex
Fayetteville, WV

PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 23rd day of June, 1986, 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 a recommendation.

ALSO, PLEASE TAKE NOTICE that on the 25th day of June, 1986, at a regular meeting of the County Commission of Fayette County, West Virginia, to be held at the Court House thereof, at 10:00 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-292-86-1: Request of Edward A. Travis, Owner, for a change in land classification from R-R, Agricultural and Rural Residential, to I-2, Heavy Industrial, for the purpose of operating a salvage yard on 1 acre, Gatewood, Route 9/3 off Gatewood Road, New Haven District.

Gary E. Harding
Zoning Officer

Court House Annex
Fayetteville, WV

PLEASE TAKE NOTICE that on the 23rd day of June, 1986, 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 proposed amendment and re-enactment of Article II, Definitions, of the Fayette County Zoning Ordinance with reference to yard sales.

ALSO, PLEASE TAKE NOTICE that on the 25th day of June, 1986, 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 proposed amendment and re-enactment of Article II, Definitions, for the purpose of adopting a definition of a yard sale.

A copy of the full text of the proposed amendment to the Zoning Ordinance may be examined in the Zoning Office, Court House Annex, Fayetteville, between the hours of 8:00 A.M. and 4:00 P.M., Monday through Friday.

Gary E. Harding
Zoning Officer

MEETING OF FAYETTE COUNTY COMMISSION
SPECIAL SESSION
JULY 2, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in special session
July 2, 1986.

John L. Witt asked Charles M. Vickers if approved
pledge of securities were approved as submitted for Bank
of Mount Hope, New River Banking & Trust and Fayette County
National.

Mr. Vickers informed the Commissioners they were approved.

Richard Bragg requested the Fayette County Commission to
ask Fayette County National Bank to increase securities to
cover total deposits during peak tax collection season.

John H. Lopez asked for motion to accept securities and
to designate the three said Banks as County Depositories.
John L. Witt moved, John H. Lopez 2nd, and the vote was unanimous.

Richard Bragg approved receipt of certified copy on July
3, 1986 from County Clerk.

Richard Bragg presented invoice from Keenan, Gallaher &
Keenan for services rendered to his office researching and pre-
paring a Mandamus.

Fayette County Commission approved payment.



MEETING OF THE FAYETTE COUNTY COMMISSION
JULY 9, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session Wednesday, July 9th, 1986.

The Fayette County Commissioners received Audit report from Armstrong Public Service District and Deepwater Public Service District for fiscal year 1984-85.

Charlie Keenan approached the Commission with request to replace Bert Buckbee with Lyle Blackwell on Kanawha Valley Public Service Board.

Commissioners also heard a request by Mayor Charles Keenan for \$15,000 to renovate the Old Miller Stagecoach Building for a nutrition-senior citizens center.

The Fayette County Commissioners will take this matter under consideration.

Bob Arthur met with Commissioners confirming reservation for camp for summer, 1987. Date chosen was June 22 - 26, 1987.

Mike Hogan, County Agent met with Commissioners informing them that he will be leaving the county for a position in Wood county after July 31, 1986. Funding cutbacks will eliminate one agent position in the countys West Virginia Cooperative Extension program. Hogan is the last hired so he would either lose his job in October or be transferred somewhere else. He informed the Commissioners that it appears the county may get a part-time agent if money becomes available for a two county position with Raleigh County.

Don Murphy of Beckwith met with Commissioners asking assistance with proposal for an Amusement park in Fayette County. The proposed park would be 1,000 acres, 500 in Fayette and 500 in an adjacent county.

The Fayette County Commissioners drafted a letter for Mr. Murphy expressing interest in the park, and agreeing to assist with the land acquisition. They told him, however, they would have to consult with the state tax commissioner before promising any exemption of taxes.

Bill Harris met with Commissioners requesting them to cosponsor with U.S. Soil Conservation Service a project to clear a portion of Armstrong Creek at Kimberly.

John L. Witt moved to sponsor this project. John H. Lopez seconded. It was unanimous. President James E. Lively advised Mr. Harris that Gary Harding and Larry Dotson, Zoning Officers would assist Mr. Harris in obtaining land rights.

Jim Keenan met with Commission regarding questions about the Building Commission. Mr. Keenan asked if the Building Commission would own the new Judicial Annex Building. President Lively informed Mr. Keenan that the Building Commission would not own the building. Mr. Keenan informed the Commission the Building Commission had scheduled a meeting for August 13, 1986.

Charlotte Holly was instructed to hold Jan-Care Bills till July 30th meeting and to request representative from FMRS to attend this meeting to discuss this matter.

The Commissioners agreed to find out if the state tax commissioner will permit the commission to donate \$5,000 to the West Virginia Tech Foundation for establishment for a community college at Oak Hill.

The Fayette County Commissioners reviewed quotation received from Royal Oak Supply and Gates Supply for dividers in Zoning and Probation offices. Bill Horrocks, carpenter stated that he could install partitions for much less than the amounts quoted. The Fayette County Commission asked Mr. Horrocks to build and install these dividers.

The Fayette County Commissioners received and accepted pledge of securities from Gauley National Bank.

Due to misunderstanding in charges for campers at Fayette County Park to swim at the pool the Fayette County Commissioners agreed to follow last year's rules relative to swimming during hours pool is open to public, however, next year new regulations will be implemented.

Charlotte Holly was instructed to contact Mountain State Insurance to obtain coverage for new computer system.

Mrs. Holly was instructed to make arrangements for Zoning and Probation telephones. The telephone calls will

not come through the switchboard. There will be two lines.

The Commissioners agreed not to go with a new system at this time due to the time period of these offices being at this location.

The Fayette County Commission received notice that National Casualty will not renew the law enforcement policy as of July 12 and Scottsdale will not renew the professional liability coverage as of August 30, 1986.

Commissioner James Lively instructed Charlotte Holly to notify the Board of Risk and Insurance Management the Commissioner's desire to have state coverage and to send the expiring policies and a check for 25 percent of the total premium paid last year.

Letter was prepared and signed to Mr. Corey of the Board of Risk and Insurance Management notifying him of this request.

A letter was prepared for Rollin N. Swank, State Conservationist, informing him that the Commission was co-sponsoring with Soil Conservation Service on present problem in the Kimberly area.

Commissioners received letter from State Tax Department concerning information representing the total appraised value, by class, of taxable real and personal property in this county for the assessment period beginning July 1, 1987.

Fayette County Commissioners received letter from Prosecuting Attorney, Charles Vickers, informing the Commission that he has no knowledge of his office representing the Commission in any pending litigation, claims or assessments as of June 30, 1985. Mr. Vickers asked the Commissioners to forward this information on the the State Tax Office.

The Fayette County Commissioners approved travel for Mary Lou Schmidt to attend a National Extension Home Economist Conference at Blacksburg, Virginia on July 20 to 22, 1986.

The Fayette County Commissioners received letter from John McGarrity, Community Development Representative informing the Commission that the County's Governor's Community Partnership grant to improvements for the Mossey PSD will be extended to June 30, 1987, with a change order to be initiated and executed by their office at the beginning of the new 1986-87 funding cycle.

The Fayette County Commissioners received letter from Bob Arthur, 4-H Agent thanking the Commission for things the Commission had done to make this year's 4-H Camp a great success.

The Commission also received letter from Robert K. Holliday thanking the Commission for forwarding a petition on to May Kelly of Pax.

Charlotte Holly was instructed to forward letters from J. Dan Snead concerning Fayette Judicial Annex to Jim Keenan of the Building Commission.

A letter was prepared for Department of Finance and Administration certifying that the Fayette County Library Board is a statutory non-profit corporation currently offering library, research, reference and other such services to the citizens of Fayette County.

Letters were prepared and signed for Mellon, Bank, N.A., United Virginia Bank, and Kanawha Valley Bank enclosing an order designating incorporated banking institutions in the County of Fayette as Depositories of Public Monies, and the pledge of securities by one of the designated banks which names your bank as trustee. The letter asked these institutions to confirm holding these pledges and that these pledges to not be released except by order of the Fayette County Commission.

Fayette County Commission received information from Jeffrey A. Bowles concerning BIRP (West Virginia Beverage Industry Recycling Program, Inc.) The Fayette County Commission expressed interest in such a proposal.

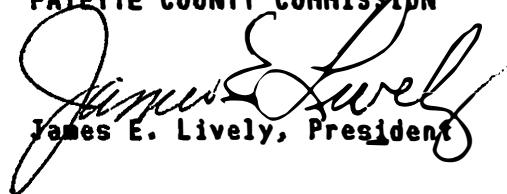
The Fayette County Commissioners agreed to hold payment on invoice of \$69.00 to Fayette Clinic for a John Vest. With pending litigation and after consulting with Sheriff Richard Bragg, Commissioners felt the need to hold this invoice at present time.

Commissioners received report from Operator Keith E. Zutaut, concerning Fayette County Park Pool.

Commissioners submitted statement of FY 85-T-III C 04 for \$14,212 and Project Number FY-85-T III B-04 for \$2,961 to Region IV Planning and Development Council for Fayette County Senior Center.

On this the 9th day of July, 1986, the County Commission of Fayette County meeting in a regularly called session gave consideration to the appointment of a new member of the Fayette County Library Board of Directors due to the resignation of Louis Rahall at the expiration of his term on June 30, 1986. It is hereby ordered that Philip J. Tissue, whose name has been recommended by said Board of Directors, be appointed to replace Mr. Louis Rahall, said term to expire June 30, 1991.

FAYETTE COUNTY COMMISSION


James E. Lively, President

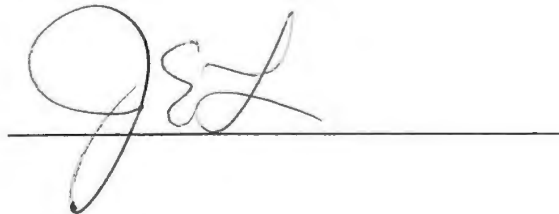
John H. Lopez, Commissioner


John L. Witt, Commissioner

Jim Carrico with the National Park Service met with Commissioners briefly discussing the National Park Service Headquarters at Glen Jean. Commissioners reviewed map presented by Mr. Carrico.

Commissioners reviewed letter from Sheriff Richard Bragg concerning the West Virginia State Investment Pool. Sheriff Bragg suggested the County to attempt to earn interest on unexpended funds in the County's checking accounts. The Commissioners instructed Charlotte Holly to request for proposals to the local banking institutions concerning this matter.

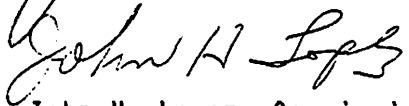
The meeting was adjourned.

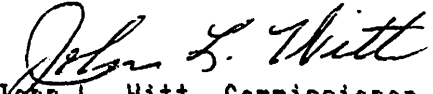
A handwritten signature, appearing to be "JSL", is written in black ink above a solid horizontal line. The signature is cursive and stylized.

On this the 9th day of July, 1986, the County Commission of Fayette County meeting in a regularly called session gave consideration to the appointment of a new member of the Fayette County Library Board of Directors due to the resignation of Louis Rahall at the expiration of his term on June 30, 1986. It is hereby ordered that Philip J. Tissue, whose name has been recommended by said Board of Directors, be appointed to replace Mr. Louis Rahall, said term to expire June 30, 1991.

FAYETTE COUNTY COMMISSION


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

On this the 9th day of July, 1986, the Fayette County Commission meeting in a regularly called session and acting pursuant to Chapter 7, Article 6 of the Code of West Virginia, and having duly examined the securities offered by the banking institutions situated in the County that were designated as depositories of public monies by an order entered by this Commission on May 28, 1986, does hereby accept and make binding by this order the securities and agreements as received and attached hereto and made a part thereof for the banking institutions enumerated below and which are in addition to the designated banking institutions identified in this Commission's Order entered on July 2, 1986:

Gauley National Bank.

Further, the Clerk of the County Commission of Fayette County is hereby ordered to forward a certified copy of this order and said attachments to the Office of the Sheriff of Fayette County West Virginia.

FAYETTE COUNTY COMMISSION


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

The Gauley National Bank

GAULEY BRIDGE, WEST VIRGINIA
25085

July 8, 1986

FAYETTE COUNTY COMMISSION
Fayetteville,
West Virginia 25840-0307

Attn.: Mr. James E. Lively, President

Dear Mr. Lively:

As requested, we are filing herewith a corrected depository bond as recently resolved by the Prosecuting Attorney.

I trust this will clarify this matter to your satisfaction.

Yours sincerely,



R. L. Bell
President

RLB:cc

Encl.



O F F I C A L B O N D

KNOW ALL MEN BY THESE PRESENTS:

That, The Gauley National Bank of Gauley Bridge, West Virginia, is held and firmly bound unto the State of West Virginia in the just and full sum of (\$ 500,000.00) Five Hundred Thousand Dollars & No/100 for the payment whereof well and truly to be made the said bank binds itself and its successors and assigns firmly by these presents:

SEALED with its seal and dated this the 8th day of July 1986.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, WHEREAS, the County Commission of Fayette County, West Virginia, has at the time and in the manner provided by law designated the above-bound The Gauley National Bank of Gauley Bridge, West Virginia, a banking institution situated in Fayette County, as a depository of public moneys pursuant to the provisions of Article 6, Chapter 7 of the Code of West Virginia and the said Gauley National Bank desiring to comply with the requirements of law relative to such designation and appointment, has made, executed and delivered this bond to the said County Commission as provided by law. The term of this bond shall be for the period beginning at noon on the first day of July, 1986, and ending at noon on the first day of July, 1987.

This bond is a replacement of a bond dated June 19, 1986, for the period beginning at noon on the first day of July, 1985, and ending at noon on the first day of July, 1986, in the amount of \$500M.

The said Gauley National Bank has filed in escrow with Kanawha Valley Bank Charleston, West Virginia, as security for any public moneys deposited with said The Gauley National Bank during the time this bond is in force, securities described as follows:

AMOUNT:	DESCRIPTION:
\$ 500,000.00	U. S. Treasury Notes, 11.125% due 9-30-87.

\$ 500,000.00

Which said securities filed pursuant to and in accordance with the terms and provisions of Section 2, Article 6, Chapter 7 of the Code of West Virginia.

NOW THEREFORE, if the above-bound Gauley National Bank shall safely keep and pay over, as required by law, all public moneys which may be deposited by or come under the custody of the said Gauley National Bank by virtue of such designation as a depository of public moneys, as aforesaid, and it shall further faithfully perform the duties imposed upon said bank by Article 6, Chapter 7 of the Code of West Virginia, and as otherwise provided by law, then this obligation to be void, otherwise to remain in full force and virtue.

IN TESTIMONY WHEREOF, the said Gauley National Bank of Gauley Bridge, West Virginia, has caused its corporated name to be hereto subscribed by Robert L. Bell, its President, and its corporate seal to be by him hereto affixed, duly attested by John Goode, its Cashier, all as of the day and year first above written.

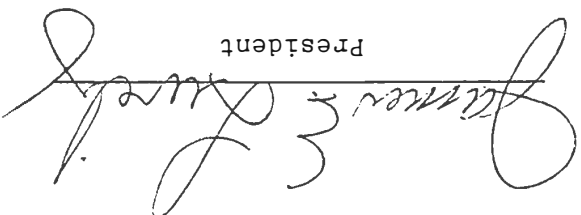
Robert L. Bell
Title President

ATTEST:
John Goode
TITLE Cashier

The foregoing bond has this _____ day of _____, 1986, been submitted to me, the undersigned Prosecuting Attorney of _____ County, West Virginia, pursuant to the provisions of Section 2, Article 6, Chapter 7 of the Code of West Virginia, and I hereby certify the foregoing bond is in due and legal form and is conformable to the provisions of said Article 6, Chapter 7 of the Code of West Virginia.

Prosecuting Attorney of
_____ County, West Va.

The above bond is hereby approved and accepted by the County Commission of Fayette County, West Virginia, this the 9th day of July, 1986.


President

Commissioners of the County
Commission of Fayette County,
West Virginia.

A true copy for the records:

Clerk

On this the 9th day of July, 1986, the Fayette County Commission meeting in a regularly called session and acting pursuant to Chapter 7, Article 6 of the Code of West Virginia, and having duly examined the securities offered by the banking institutions situated in the County that were designated as depositories of public monies by an order entered by this Commission on May 28, 1986, does hereby accept and make binding by this order the securities and agreements as received and attached hereto and made a part thereof for the banking institutions enumerated below and which are in addition to the designated banking institutions identified in this Commission's Order entered on July 2, 1986:

Gauley National Bank.

Further, the Clerk of the County Commission of Fayette County is hereby ordered to forward a certified copy of this order and said attachments to the Office of the Sheriff of Fayette County West Virginia.

FAYETTE COUNTY COMMISSION



James E. Lively, President

John H. Lopez, Commissioner



John L. Witt, Commissioner

MEETING OF FAYETTE COUNTY COMMISSION
REGULAR SESSION
JULY 15, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John L. Witt

The Fayette County Commission met in regular session on Tuesday, July 15, 1986.

Payroll and all outstanding bills were approved.

Sheriff Richard Bragg met with Commission concerning Health Insurance Claim for Prisoner, Richard Picardo Brown.

The Commissioners and Sheriff Bragg agreed this should be sent to City of Mt. Hope.

The Commissioners and Sheriff Bragg discussed Tax Office employment due to the resignation of Christy Workman. Sheriff Bragg informed he would determine if he would need to replace Ms. Workman.

The Commissioners and Sheriff Bragg briefly discussed the computer operations. It was determined to have 3 people learn back-up operations for the computer. Acting Administrator, Charlotte Holly informed the Commissioners she would do back-up operations and instruct Debbie Berry to them also. The third person would be determined later.

President, James E. Lively and Commissioner John L. Witt reviewed invitation from Region 4 Planning and Development Council for Annual Dinner Meeting on Wednesday, July 23, 1986.

Commissioner, John L. Witt announced he would attend and asked to be registered to attend this event.

President, James E. Lively questioned if Jan Care ambulance had submitted a statement. The Commissioners briefly discussed the determined guidelines issued to the ambulance attendants in the County and determined a meeting should be set up to review the proposed guidelines. A date would be determined at a later meeting.

Michael Burdiss approached the Commission concerning an Order prepared on this date regarding rules and regulations of Voters Registration.

The Commissioners asked Mr. Burdiss to schedule an appointment for the next meeting of July 30, 1986 to discuss this matter.

Commissioner Lively received letter from Mayor, Charles Keenan concerning payments on construction costs of a building for their Gauley Bridge Volunteer Fire Department.

Commissioners approved travel request from Mary Lou Schmidt for Keep America Beautiful Institute in Columbus, Ohio.

An order was prepared and signed on this 15th day of July, 1986 for Revision of the 1986-87 Coal Severance Budget of the County Commission of Fayette County.

A letter was received from White Oak Public Service District requesting first installment of \$12,500 of the \$25,000 grant to get some of the proposed projects started during July and August of 1986. Commissioners approved this request.

A letter was prepared and signed by Commissioners employing Daniel Ball as Welder at Fayette County Landfill at a salary of \$1,050 from Revenue Sharing effective July 1, 1986.

A letter was presented from James W. Keenan and the Fayette County Building Commission applying for Payment No. 1 from Nichols Construction Company for \$42,201.00 dated July 7, 1986 which covers work performed on Judicial Annex Project through July 5, 1986.

Commissioners approved payment.

Order was prepared and signed appropriating the sum of \$20,000. to Danese Public Service District to undertake certain repairs and improvements.

Order was prepared and signed ordering the sum of \$30,000 to be paid to the Fayette Humane Society.

A letter was prepared and signed for Harold L. Dunbar with the Department of Natural Resources informing him of actions taken to correct deficiencies at the Fayette County Sanitary Landfill at Cunard.

Another letter was prepared and signed for Mr. Dunbar informing him they don't own or operate the Landfill at Hopewell, West Virginia and instructed they should be directed to Southern West Virginia Regional Health Council, as the permit holder.

An order was prepared and signed requiring additional securities from Fayette County National Bank in amount not less than the maximum sum that shall be deposited in the depository at any one time, therefore ordering Fayette County National Bank to provide as security to Fayette County Commission an amount not less than \$2,900,000.00.

An order was prepared and signed requiring Mount Hope Banking Center of Danville to provide as security to the Fayette County Commission an amount not less than \$500,000.00.

Charlotte Holly informed John Witt that the auditors had not found a record of his official bond as County Commissioner.

Mr. Witt informed he would contact Mt. Hope Insurance and obtain the required bond.

Charlotte Holly asked the Commissioners if the computer equipment should be insured under the Commission's Inland Marine Equipment Policy, the fire liability policy, or as a separate policy especially for computer hardware and software.

The Commissioners requested that a separate policy be obtained in order to provide the most comprehensive coverage.

Approved was the purchase of 4 polaroid Sun 600 camaras for Law Enforcement.

Approved was issuance of Fire Levy quarterly checks to departments.

Approved 1st payment to Nichols Construction for Judicial Annex.

Commissioners requested Charlotte Holly to attend meeting of West Virginia Cooperative Extension Service in Beckley on July 21, 1986.

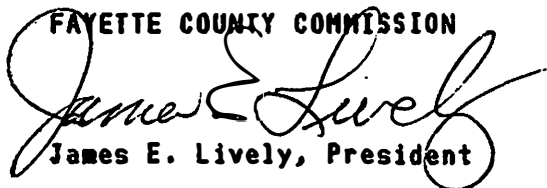
The meeting was adjourned.

The next scheduled meeting is July 30, 1986.



On this the 15th day of July, 1986, the Fayette County Commission meeting in a regularly called session and having further examined the hypothecation of the securities offered by Fayette County National Bank and accepted by this Commission by Order on July 2, 1986, and acting upon the recommendation of the Sheriff of Fayette County, does find it necessary to require additional security from said Bank in an amount not less than the maximum sum that shall be deposited in the depository at any one time. Now therefore, it is hereby ordered that Fayette County National Bank provide as security to the Fayette County Commission an amount not less than \$2,900,000.00.

FAYETTE COUNTY COMMISSION



James E. Lively, President

Absent

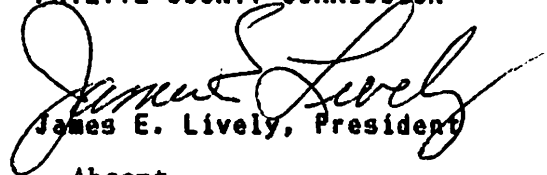
John H. Lopez, Commissioner



John L. Witt, Commissioner

On this the 15th day of July, 1986, the Fayette County Commission meeting in a regularly called session and having further examined the hypothecation of the securities offered by Mount Hope Banking Center and accepted by this Commission by Order on July 2, 1986, and acting upon the recommendation of the Sheriff of Fayette County, does find it necessary to require additional security from said Bank in an amount not less than the maximum sum that shall be deposited in the depository at any one time. Now therefore, it is hereby ordered that Mount Hope Banking Center of the Bank of Danville provide as security to the Fayette County Commission an amount not less that \$500,000.00.

FAYETTE COUNTY COMMISSION


James E. Lively, President

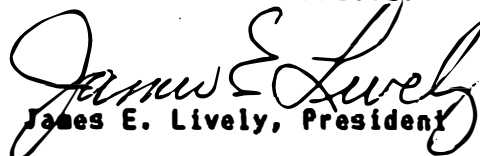
Absent

John H. Lopez, Commissioner


John L. Witt, Commissioner

On this the 15th day of July, 1986, the County Commission of Fayette County meeting in a regularly called session and acting pursuant to Chapter 7, Article 1, Section 3L, of the Code of West Virginia, does hereby appropriate a sum in the amount of \$20,000.00 to the Danese Public Service District for the purpose of undertaking certain repairs and improvements to the service system of said District.

FAYETTE COUNTY COMMISSION


James E. Lively, President

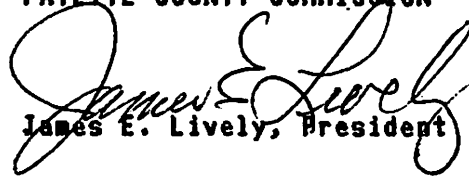
Absent

John H. Lopez, Commissioner


John L. Witt, Commissioner

On this the 15th day of July, 1986, the County Commission of Fayette County meeting in a regularly called session, and acting pursuant to Chapter 19, Article 20 of the Code of West Virginia, and pursuant to the Fayette County Levy Order for fiscal year 1986-87, does hereby order that a sum in the amount of thirty thousand dollars (\$30,000) be paid to the Fayette Humane Society.

FAYETTE COUNTY COMMISSION


James E. Lively, President

Absent

John H. Lopez, Commissioner

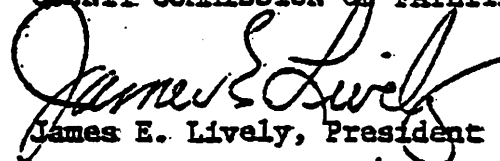

John L. Witt, Commissioner

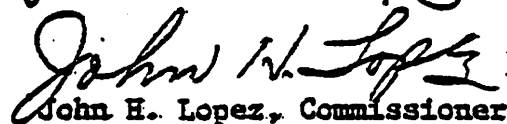
On this the 15th day of July, 1985, the County Commission of Fayette County meeting in regular session and having been advised of the necessity of prescribing certain regulations to provide for the public inspection of voters' registration records and, upon further investigation of this matter, having determined that:

- A. Pursuant to Chapter 3, Article 2 of the Code of West Virginia, the County Commission is directed to maintain custody of voters' registration records and to prescribe regulations under which said records will be open to public inspection;
- B. Pursuant to Section 15 of said Article the registration records shall be kept in a separate file arranged, among other things, according to precinct and street address and is commonly referred to as the "precinct file;" a duplicate set of these registration records shall be made and kept in a separate file, arranged according to alphabetical order and is referred to as the "alphabet file;"
- C. The precinct file does contain certain individual information including, but not limited to, name, address, social security number, frequency of voting, forwarding addresses;
- D. No regulations have been prescribed by the County Commission nor are there any in existence which address the matter of the public inspection of registration records;

NOW THEREFORE, the Fayette County Commission, having made and discussed the above determinations and findings, and acting pursuant to Chapter 3, Article 2, Section 16 of the West Virginia Code, does hereby ORDER that the following rules, attached hereto and made a part thereof, be adopted and utilized to govern the public inspection of voters' registration records.

COUNTY COMMISSION OF FAYETTE COUNTY


James E. Lively, President


John H. Lopez, Commissioner



**RULES PRESCRIBED BY THE FAYETTE COUNTY COMMISSION
WITH REGARD TO INSPECTION OF VOTERS' REGISTRATION RECORDS**

1. Pursuant to the rules listed below, voters' registration records will be open for public inspection between the hours of 10:00 A.M.—2:00 P.M., Monday through Friday, holidays excepted.
2. The registration records arranged in alphabetical order and referred to as the "alphabet file" will be open to inspection by the public during the prescribed hours.
3. The registration records arranged according to precinct and commonly referred to as the "precinct file" will be available for inspection during the prescribed hours pursuant to the following:
 - a. The registration records within the precinct file will be open for inspection to that individual whose name is listed on the record as the registered voter. Individuals may examine only those records having his or her name listed as the registered voter.
 - b. An individual's record within the precinct file may be opened to inspection by other members of the public only, by first, obtaining a waiver granting such permission executed by the individual or other proper authority on behalf of the individual whose name appears on the precinct record. It shall be the responsibility of those wishing to inspect the precinct file to obtain the necessary waiver or waivers.

At a regular session of the County Commission of Fayette County held on July 15, 1986, the following order was made and entered:

SUBJECT: The revision of the 1986-87 Coal Severance Budget of the County Commission of Fayette County.

The following resolution was offered by John L. Witt:

RESOLVED: That subject to the approval of the State Tax Commissioner (as required) the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number one (1), a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by John L. Witt, and duly seconded by James E. Lively, the vote thereon was as follows:

James E. Lively	Aye;
John H. Lopez	Absent;
John L. Witt	Aye.

Whereupon, James E. Lively, President, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED stated above, and the same is, hereby adopted as so stated above, and James E. Lively is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1986-87 Coal Severance Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.


James E. Lively, President

Absent
John H. Lopez, Commissioner


John L. Witt, Commissioner

STATE TAX COMMISSIONER
 OFFICE OF CHIEF INSPECTOR
 DRAWER 2389
 CHARLESTON, WV 25305

Fayette County Commission
GOVERNMENTAL ENTITY

07-15-86

ENTITY APPROVAL DATE

P. O. Box 307
STREET OR P.O. BOX

Fayetteville, WV 25840
CITY ZIP CODE

RECEIPTS: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (INCREASE)	CREDIT (DECREASE)	REVISED AMOUNT
299		\$ 800,000		\$ 82,294	\$ 717,706

NET INCREASE/(DECREASE) \$ 82,294

EXPENDITURES: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (DECREASE)	CREDIT (INCREASE)	REVISED AMOUNT
441	56-65	\$ 45,000	\$ 20,000		\$ 25,000
460	56-65	75,000	53,294		21,706
999		9,000	9,000		0

NET INCREASE/(DECREASE) \$ 82,294

TAX DEPARTMENT USE ONLY

RECEIVED _____
 POSTED _____ BY _____
 APPROVED FOR THE STATE TAX COMMISSIONER BY:

 DIRECTOR - OFFICE OF CHIEF INSPECTOR

James E. Lively 07-15-86
 AUTHORIZED SIGNATURE Resident, DATE OF REQUEST
 FOR GOVERNING BODY Fayette County Commission
 SPECIAL NOTE: TRANSFERS TO/ FROM SPECIAL FUNDS MUST BE
 ACCOMPANIED BY A STATEMENT CONTAINING
 SIGNATURES OF ALL COUNTY COMMISSIONERS. (7-1-81)

PLEASE NOTE:

REMIT WHITE, PINK, AND BLUE COPIES
 TO TAX DEPARTMENT, RETAIN YELLOW
 COPY AS RECORD OF SUBMISSION.

MEETING OF FAYETTE COUNTY COMMISSION
REGULAR SESSION
JULY 30, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session Wednesday, July 30, 1986.

Erwin Conrad presented resolution requiring the Fayette County Commissioner's signature concerning 1970 Bond issue. Commissioner's signed resolution.

John Hatcher & clients, Mr. & Mrs. Cummins met with Commissioners regarding street abandonment in Mt. Hope. Commissioners approved.

The Fayette County Commissioners opened sealed bids to re-roof Fayette County Memorial Building. Received bids were from Tri-State Roofing, for \$43,150.00 and Alderson Roofing for \$39,900.00.

Commissioners will review to see if companies meet requirements.

Kelvin Holliday approached Commissioners on behalf of Fayette Volunteers, Inc., thanking them for support and help with Camp Kismet. He also invited them to attend camp this week while camp was going on.

Gary Harding met with Commissioners regarding order to withdraw a previous request in land classification from Edward A. Travis. Commissioners signed order withdrawing the previous request.

Approved was Yard Sale recommendations by Planning Committee.

Commissioners also withdrew a change request previously requested by Shirley Love.

Commissioners instructed Gary Harding to advertise a Re-Zoning ordinance per Article III, Section 300, Sub-Sec. 3, Permitted uses in B-1 Districts subject to securing a use permit as required by Sec. 1400 and Article III, Section 300(a) Sub-Sec. 3, Permitted uses under Section 2 in B-1 districts subject to securing a use permit as required by Sec. 1400.

Ralph Chandler of Summerlee Road approached the Commissioners concerning dog problem in the Summerlee Road area.

Commissioner James Lively commented that the dog catcher had made trips through this area but dogs were on private property. A citation cannot be issued until it is known who the dogs belong to.

Commissioners explained that the manager of Fayette Humane Society would be contacted to set up date to investigate the problem and he, along with the dog catcher and Mr. Chandler could work together to solve this problem.

A letter was drafted and sent to Elbert Horrocks, along with a copy to Billy Blake concerning this matter.

Michael Burdiss approached Commissioners regarding an order concerning Voter's Regulations.

The Fayette County Commissioners suggested that reviewing a person's voting privileges were a violation of privacy.

Commissioners, after consulting with County Clerk, Howard Janney, and after reviewing a letter from Secretary of State's Office on current legislature unanimously voted to rescind the previous order.

Peggy Miller, Account Executive from Executone/MSC presented proposal for telephone system for Courthouse.

Commissioners explained they would check present status with their present system and will get back with her at a later date.

Attorney Howard Blyer met with Commissioners concerning debt of a James E. Biers to firm in Cowen, WV on repair work to a dozer.

Attorney Blyer requested the Commissioners to reopen the estate of James E. Biers due to this pending debt.

Commissioners decided this should be proceeded through the Prosecutor's Office.

Fred Jesser approached the Commission with petition for Sandra Adkins Berry guardian for daughter. Commissioners approved of this appointment.

Howard Janney informed Commission that pursuant to 44-10-3 of the West Virginia Code, all guardian appointments will be before the County Commission.

Charlotte Holly discussed quarterly allotments for Ambulance services with Fayette County Commission. Due to implementation of guidelines issued by the Commission on June 4th, 1986, the Commission scheduled a meeting at 2:00 p.m. on August 6th, 1986, to discuss the guidelines with owners and directors of the ambulance services, along with Steve Cruikshanks, Emergency Service Coordinator. In order to review the questions on the guidelines, the Commissioners instructed Charlotte Holly to wait until the August 6th meeting before issuing the quarterly allocations for the ambulance services.

Commissioners approved the purchase of dehumidifier for Probation and Zoning offices.

Also approved was purchase of air conditioner for Permanent Registration office.

Reviewed plans for remodeling Smithers detachment of Sheriff's Office. Will hold plans for further review.

Received letter from Richard W. Bragg, Sheriff concerning claim by Carl Cox of 2 guns which were confiscated by Sheriff's Department and which are no longer in possession of that department. James E. Lively instructed Charlotte Holly to contact Mountain State Insurance to see whether or not the loss should be filed as a claim.

On behalf of Jack Gannon, Charlotte Holly asked the Commission how any money collected by Landfill employees resulting from the sale of scrap iron, etc. is to be accounted for. The Commission stated that any money collected as a result of Landfill operations is to be turned in for deposit and is not to be used as petty cash. All payments for purchase of supplies must be submitted to the Commission for approval.

Approved reimbursement of Billy & Bobby Blake for rental of uniforms which they were requested by the Humane Society to wear. Also, agreed to pay future monthly rental fees for said uniforms.

Commissioners received letter from Harry C. Coleman resigning as Water Commissioner for Deepwater Public Service District as of July 21, 1986.

Commissioners received minutes from Board Members of Salem-Gatewood Public Service District meeting of June 10, 1986.

Charlotte Holly informed the Commission of the results of the meeting of the West Virginia Cooperative Extension Service that she attended on July 21, 1986. At that meeting, Mrs. Holly expressed the Commission's desire that if a Multi-county agent is to be utilized, Fayette County would be better served if a multi-county arrangement existed between this county and Raleigh county.

Commissioners approved \$11,960 to Tri-City Industries for 1986 Emergency Medical Vehicle for Jan Care Ambulance.

Approved by Commissioners was the exoneration of real and personal property taxes as submitted by Dan Neely, Assessor.

Fayette County Commissioners received and reviewed Monthly operation Records from Randolph Epperly for Sheriff's Department.

Commissioners received letter from J. A. Bowles, West Virginia Beverage Industry Recycling Program, Inc., acknowledging the previous meeting on July 9th, 1986.

Letters were prepared and signed for Michael E. Caryl, Chief Inspector and Supervisor of Public Offices and Prosecuting Attorney Charles M. Vickers concerning the 1986 audit report.

Commissioners signed prepared letter for William Spence, State of West Virginia Governor's Office of Industrial and Community Development concerning extension of Gauley River Public Service District Housing and Urban Development Community Development Block Grant 221-8029-15--025-13. Copy was also sent to Mr. Russell Deering, chairman of Gauley River Public Service District.

Letters were prepared and signed by Commissioners to owners and directors of the ambulance services informing them of the meeting for August 6th, 1986 to review the questions on the guidelines previously prepared on June 4, 1986.

Commissioners signed prepared letter to James R. Elzey, Fiscal Officer for Office of Behavioral Health Services informing Fayette County has spent \$5,000 for Mental Health services during the past fiscal year with FMRS Mental Health Council, Inc.

Commissioners signed prepared letter for Ruth Ann Walker, Clerk for Deepwater Public Service District informing that the Commission could not assist with request for catch basin at this time.

Commissioners received proposals from Camco Services and Appalachian Heating & Insulating for installing two existing air conditioning units for Sheriff's office. Commissioners approved Camco Services, Inc. for this work to be installed on the roof.

Commissioners received Emergency Legislative West Virginia Administrative Regulations, Chapter 11-1B, Additional Review and Implementation of Property Appraisals.

Commissioners approved and signed order for Revision of the 1986-87 Revenue Sharing Budget of the County Commission of Fayette County.

Commissioners also approved the revision of the 1986-87 General Fund Budget of the County Commission of Fayette County.

Commissioners received letter form Cheryl L. Sears, Investment Coordinator informing the holding of Securities to secure deposits for the Fayette County National Bank and Gauley National Bank.

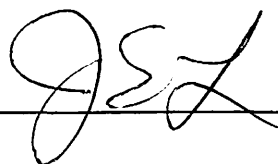
Commissioners met with Phil Sundstom from FMRS concerning invoices for ambulance services to his office. Commissioners questioned process of patients being transported by ambulance. Commissioners felt whoever is in charge of making arrangements for ambulance service to request the closest place.

Commissioners felt they should wait until after the meeting with the ambulance services before paying these invoices.

Phil Sundstom thanked the Commission for their continued support.

Payroll and outstanding bills were approved.

Meeting was adjourned.



MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON
WEDNESDAY, JULY 30th, 1986.

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

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

Z-293-86-1: Request of Shirley Love, Owner, for a change in land
classification from RR-1, Agricultural and Rural Residence
District, to B-3, Highway Business District, on 1.63 acres,
Minden Heights Subdivision, Gatewood Road near Oak Hill,
Plateau District.

Mr. Shirley Love appeared before the Commission and asked
that he be allowed to withdraw his request for a zoning change.
The County Commission agreed unanimously to allow this request
to be withdrawn.

Mr. Oscar Neal presented a petition to the Commission on
behalf of the property owners in the vicinity of Mr. Love's re-
quest asking that the County Commission deny this request or
amend the present ordinance relating to allowing commercial
usage in RR and RR-1 without a hearing. The County Commission
did unanimously agree to advertise on their own motion to amend
Article III, Section 300, Subsection 3 and Article III(a), Section
300 (a), Subsection 3 to require that a public notice and hearing
be held.

On a motion by John Lopez and seconded by John Witt and
passed unanimously the Commission amended Article II Definitions
of the Fayette County Zoning Ordinance to adopt the definition
of a yard sale as follows: A sale of articles belonging to the
occupants on the premise, not to exceed three consecutive days
in length, with a maximum of three sales per year. A permit fee
of \$5.00 will be charged.

THE FAYETTE COUNTY COMMISSION

PRESIDENT

COMMISSIONER

COMMISSIONER

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON
WEDNESDAY, JUNE 25th, 1986.

Present were: John H. Lopez, Commissioner
John L. Witt, Commissioner

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

Z-292-86-1: Request of Edward A. Travis, Owner, for a change in land classification from R-R, Agricultural and Rural Residential, to I-2, Heavy Industrial, for the purpose of operating a salvage yard on 1 acre, Gatewood, Route 9/3 off Gatewood Road, New Haven District.

The County Commission was informed by the Zoning Officer that the Planning Commission did unanimously recommend that this request be denied but that the applicant Mr. Travis was requesting that this request be allowed to be withdrawn to give him an opportunity to again approach the Planning Commission with further plans and details. After a general discussion a motion was made by Mr. Lopez that this be allowed to be withdrawn. Motion was seconded by Mr. Witt and passed by a vote of 2 - 0.

The County Commission was informed by the Zoning Officer that the Planning Commission did make a recommendation that Article II, Definitions be amended to add the definition of a yard sale. Recommended by the Planning Commission was Yard Sale. A sale of articles belonging to the occupants on the premise, not to exceed three (3) consecutive days in length, with a maximum of three (3) sales per year. A permit fee of \$5.00 will be charged for each sale. After a general discussion a motion was made by Mr. Lopez that this be tabled until Mr. Lively was present. Motion was seconded by Mr. Witt and passed by a vote of 2 - 0.

THE FAYETTE COUNTY COMMISSION


COMMISSIONER


COMMISSIONER

At a regular session of the County Commission of Fayette County held on July 30, 1986, the following order was made and entered:

SUBJECT: The revision of the 1986-87 Revenue Sharing Budget of the County Commission of Fayette County.

The following resolution was offered by John L. Witt:

RESOLVED: That subject to the approval of the State Tax Commissioner (as required) the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number two (2), a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by John L. Witt, and duly seconded by James E. Lively, the vote thereon was as follows:

James E. Lively	Aye;
John H. Lopez	Aye;
John L. Witt	Aye.

Whereupon, James E. Lively, President, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED stated above, and the same is, hereby adopted as so stated above, and James E. Lively is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1986-87 Revenue Sharing Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

At a regular session of the County Commission of Fayette County held on July 30, 1986, the following order was made and entered:

SUBJECT: The revision of the 1986-87 General Fund Budget of the County Commission of Fayette County.

The following resolution was offered by John L. Witt:

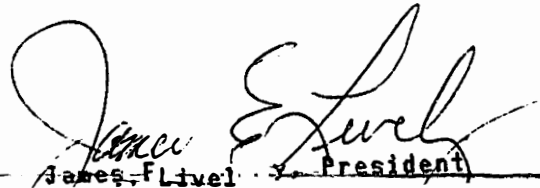
RESOLVED: That subject to the approval of the State Tax Commissioner (as required) the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number one (1), a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by John L. Witt, and duly seconded by John H. Lopez, the vote thereon was as follows:

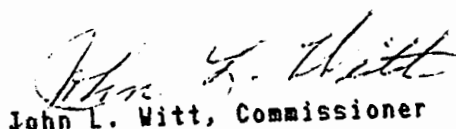
James E. Lively	Aye;
John H. Lopez	Aye;
John L. Witt	Aye.

Whereupon, James E. Lively, President, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED stated above, and the same is, hereby adopted as so stated above, and James E. Lively is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1986-87 General Fund Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

OCI: BR 1180 (Rev. 1984) REQUEST FOR REVISION TO APPROVED BUDGET

(§ 11-8-26a)

CONTROL NUMBER 86-87 01 1 1d/2
 PY FUND REV. NO. PAGE

STATE TAX COMMISSIONER
 OFFICE OF CHIEF INSPECTOR
 DRAWER 2389
 CHARLESTON, WV 25305

Fayette County Commission
 GOVERNMENTAL ENTITY
 P. O. Box 307

7/30/86
 ENTITY APPROVAL DATE

STREET OR P.O. BOX
Fayetteville, WV 25840
 CITY ZIP CODE

RECEPTS: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (INCREASE)	CREDIT (DECREASE)	REVISED AMOUNT
299	02	\$100,000	\$162,862		\$262,862

NET INCREASE/(DECREASE) \$162,862

EXPENDITURES: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (DECREASE)	CREDIT (INCREASE)	REVISED AMOUNT
401	11-40	\$255,100	\$	\$60,000	\$315,100
401	41-55	120,000		50,000	170,000
404	01-10	188,830		400	189,230
407	66-70	6,485	468		6,017
407	01-10	14,899		468	15,367 14,384
441	11-40	62,000		30,000	92,000
441	41-55	28,000		16,278	44,278
456	11-40	14,550		2,025	16,575
456	41-55	5,000		2,259	7,259

NET INCREASE/(DECREASE) \$162,862

TAX DEPARTMENT USE ONLY

RECEIVED _____
 POSTED _____ BY _____
 APPROVED FOR THE STATE TAX COMMISSIONER BY:

 DIRECTOR - OFFICE OF CHIEF INSPECTOR

James E. Lively 07-30-86
 AUTHORIZED SIGNATURE President, DATE OF REQUEST
 FOR GOVERNING BODY Fayette County Commission
 SPECIAL NOTE: TRANSFERS TO / FROM SPECIAL FUNDS MUST BE
 ACCOMPANIED BY A STATEMENT CONTAINING
 SIGNATURES OF ALL COUNTY COMMISSIONERS (7-1-81)

PLEASE NOTE:

SUBMIT WHITE, PINK, AND BLUE COPIES
 TO TAX DEPARTMENT. RETAIN YELLOW
 COPY AS RECORD OF SUBMISSION.

**SPECIAL SESSION OF THE COUNTY COMMISSION
OF FAYETTE COUNTY, WEST VIRGINIA**

Held January 21, 1986

The County Commission of Fayette County, West Virginia, met in special session this 21st day of January, 1986, at 4:00 p.m., at the Courthouse in Fayetteville, West Virginia.

PRESENT: James E. Lively - President and Commissioner
John H. Lopez - Commissioner
John L. Witt - Commissioner
Howard E. Janney - Clerk

ABSENT:

The following is an excerpt from the minutes of said meeting:

On motion of Commissioner Witt, seconded by Commissioner Lopez, and after due discussion, it was the unanimous decision of the County Commission to adopt the following resolution:

**IN THE COUNTY COMMISSION OF FAYETTE COUNTY, WEST VIRGINIA
RE: EXERCISE OF PURCHASE OPTION PURSUANT OF INDUSTRIAL
DEVELOPMENT BONDS AGREEMENT**

RESOLUTION

WHEREAS, the Fayette County Commission entered into a certain agreement and lease bearing date of June 1, 1970, of record in the Office of the Clerk of the County Commission of Fayette County, West Virginia, in Deed Book 289 at Page 453 with the Ohio Brass Company; and

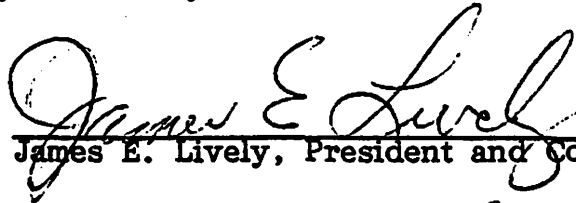
WHEREAS, section 7.1 thereof provided that the Grantee therein (The Ohio Brass Company) shall have the right and option to purchase the project property described on a schedule annexed to said agreement; and

WHEREAS, The Ohio Brass Company has given the County Commission of Fayette County, West Virginia notice of exercise of its option to purchase in accordance with the terms of said agreement and release and has presented to the Fayette County Commission for execution a deed bearing date of January 21, 1986 whereby the County Commission of Fayette County, West Virginia conveys to The Ohio Brass Company that certain surface parcel being Parcel No. 1 containing 6.49 acres and Parcel No. 2 containing 6.49 acres as the same are shown on a map entitled "Subdivisions of the Nicholas Tolstick Estate" near Summerlee, Fayette County, West Virginia, dated May 7, 1965, and a certain bill of sale whereby the County Commission of Fayette County conveys to The Ohio Brass Company all of the inventory, equipment, supplies, furniture, furnishings and other tangible personalty owned by the

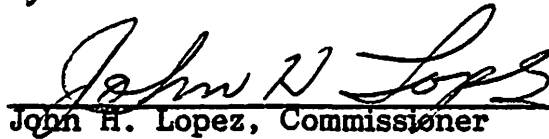
County Commission of Fayette County in connection with the afore-described real estate, 1-1/4 inch Cleveland punch & shear--Serial No. GS234 and 1-Steelweld Cleveland Crane & Engineering PRESS BRAKE--Model IH12-6, Serial No. M7590-200 ton, of said property as situate at the "project".

NOW, THEREFORE, in consideration of the payment made by The Ohio Brass Company to the County Commission of Fayette County, West Virginia, and in consideration of the obligations of the County Commission of Fayette County, West Virginia, pursuant to that certain agreement and lease bearing date of June 1, 1970, as recorded in the Office of the Clerk of the County Commission of Fayette County, West Virginia, in Deed Book 289 at Page 453, the Fayette County Commission by its Commissioners is here authorized and directed to make, execute, seal and deliver for recordation the deed bearing date of January 21, 1986 and a bill of sale bearing date of January 21, 1986 conveying surface of Parcels No. 1 and 2 of the Nicholas Tolstick Estate and all inventory, equipment, supplies, furniture, furnishings and other tangible personalty owned by the Fayette County Commission as situate at said parcels of real estate, together with a 1/4 inch Cleveland punch & shear--Serial No. GS234 and 1-Steelweld Cleveland Crane & Engineering PRESS BRAKE--Model IH12-6, Serial No. M7590-200 ton.

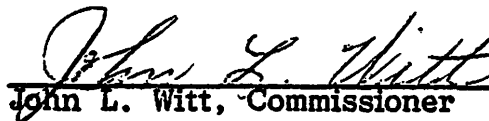
Dated this the 21st day of January, 1986.



James E. Lively, President and Commissioner



John H. Lopez, Commissioner



John L. Witt, Commissioner


Howard E. Janney, Clerk

MLD	AUG 01 1986	C <u>1</u>
Conrad		

THIS DEED, made this the 21st day of January, 1986, by and between THE COUNTY COMMISSION OF FAYETTE COUNTY, formerly The County Court of Fayette County, West Virginia, a public corporation and political subdivision of the State of West Virginia, party of the first part, hereinafter sometimes called Grantor, and THE OHIO BRASS COMPANY, a Delaware corporation, party of the second part, hereinafter sometimes called Grantee;

WHEREAS, the parties hereto have heretofore entered into a certain Agreement and Lease bearing date as of June 1, 1970, of record in the office of The Clerk of The County Commission of Fayette County, West Virginia, in Deed Book No. 289, at page 453;

WHEREAS, Section 7.1 thereof provides that the Grantee shall have the right and option to purchase the hereinafter described property, which right and option to purchase has been duly exercised;

WITNESSETH, that for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid by the party of the second part to the party of the first part, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, The County Commission of Fayette County, formerly The County Court of Fayette County, West Virginia, party of the first part, does hereby grant and convey, with covenants of general warranty, unto The Ohio Brass Company, party of the second part, all those two certain parcels of surface real estate, situate in Fayetteville District, Fayette County, West Virginia, together with all improvements thereon and appurtenances thereunto belonging, and more particularly described as follows:

The surface of Parcel No. 1, containing 6.49 acres, and Parcel No. 2 containing 6.49 acres, as the same is shown on a certain map entitled "Subdivisions of the Nicholas Tolstick Estate" near Summerlee, Fayette County, West Virginia, dated May 7, 1965, made by W. R. Wise, Engineer, and of record in the

office of the Clerk of The County Commission of Fayette County, West Virginia, in Map Book No. 16, at page 50.

And being the same parcels of surface real estate conveyed to The County Commission of Fayette County, in its former name of The County Court of Fayette County, West Virginia, by The Ohio Brass Company, by deed dated June 1, 1971, of record in said Clerk's office in Deed Book No. 296, at page 74.

This conveyance is made expressly subject to all exceptions, reservations, easements, rights-of-way, covenants, conditions, restrictions, leases and other servitudes of record affecting the title to the property conveyed by this deed, including without limitation the several exceptions and reservations (except No. 5) as contained in that certain deed dated May 27, 1970, by Fayette Plateau Business Development Corporation to The Ohio Brass Company, of record in said Clerk's office in Deed Book No. 289, at page 469.

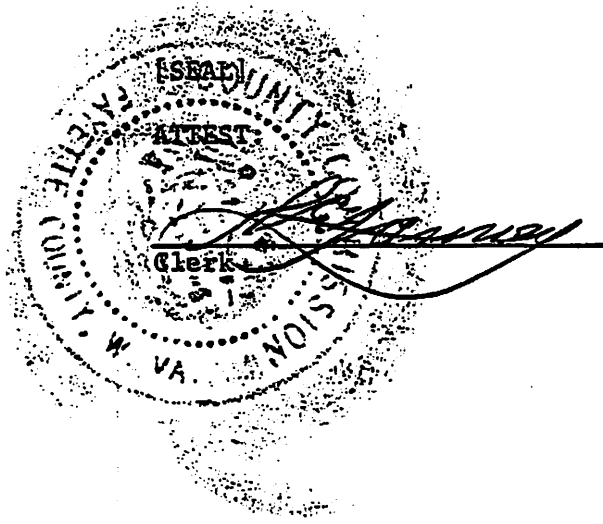
The undersigned Grantor hereby declares that the transfer involved in this document is not subject to state excise tax upon the privilege of transferring real estate because this conveyance is exempt as a transfer from a political subdivision of the State of West Virginia.

IN WITNESS WHEREOF, The County Commission of Fayette County, formerly The County Court of Fayette County, West Virginia, a public corporation and political subdivision of the State of West Virginia, has

caused this Deed to be executed by its President and its seal to be hereunto affixed and attested by its Clerk, both of whom have been duly authorized.

THE COUNTY COMMISSION OF FAYETTE COUNTY,
formerly The County Court of Fayette
County, West Virginia

By James E. Lively
Its President



ADP...
Jul 30 9 26 AM '85
DOR...
S...
...

STATE OF WEST VIRGINIA,
COUNTY OF Fayette, TO WIT:

The foregoing instrument was acknowledged before me this 21st day of January, 1986, by James E. Ludy, President of THE COUNTY COMMISSION OF FAYETTE COUNTY, formerly The County Court of Fayette County, West Virginia, a public corporation and political subdivision of the State of West Virginia, for said County Commission.

My commission expires January 1991
[Signature]

[SEAL]

Notary Public

This instrument was prepared by Steptoe & Johnson, Walter L. Williams, Clarksburg, West Virginia, 26301.

12/04/85
MISC2-P

West Va. Fayette County Court Clerk's Office JUL 30 1986

The foregoing writing was this day presented to me in my said office and thereupon, together with this certificaté hereto annexé is admitted to record.

Teste: H. E. JANNEY, Clerk

MEETING OF FAYETTE COUNTY COMMISSION
AUGUST 6, 1986
REGULAR SESSION
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session on Wednesday, August 6, 1986.

Connie Dempsey, John Dempsey and Fran Rhodes met with Commissioners concerning guardian appointment for John Dempsey, son of Connie Dempsey.

Connie Dempsey requested Commissioners to appoint Fran Rhodes; her sister, guardian over John Dempsey.

The only purpose for this appointment was for John Dempsey to participate in sports at Midland Trail High School, he is required to live with parent or guardian at residence in his school district. His mother, Connie Dempsey will be moving to Oak Hill and John will continue to live in his school district with Fran Rhodes.

Mrs. Dempsey was questioned under oath about the father of John and his opinion regarding this guardian appointment. Mrs. Dempsey stated the residence of John's father was not known.

Commissioners approved of this appointment.

The Fayette County Commissioners questioned Prosecuting Attorney, Charles Vickers on the legalities of the Commission on the guardian appointments.

Mr. Vickers explained the Commissioners just need to decide what is best for the person involved.

Charles Vickers asked Commissioners to appoint Pete and Teresa Johnson guardian over their two adopted children.

Commissioners approved of this appointment.

Evan Forrester, with WOAY questioned the Commissioners on who would receive percentage of money collected from taxes.

Commissioner Lively informed Mr. Forrester the Commission had to decide if money should be pro-rated between Adam Toney and Acting Interim Sheriff, Richard Bragg, and if Allen Workman should be eligible for any of these collections.

If pro-rated, Adam should receive \$9,474.00 and Mr. Bragg should receive \$1,975.61.

Prosecuting Attorney Charles Vickers was questioned concerning this matter but declined to give an answer until he looked into the matter further.

The Commissioners decided to wait until Mr. Vickers can give them an answer and if he doesn't, they will consult with Attorney General.

The Sheriff is entitled to 2½ percent of all taxes paid above 85 percent.

John Hatcher met with Commissioners to have Street Abandonment order signed for Cummins family in Mt. Hope.

Commissioners signed order.

Erwin Conrad met with Commissioners with Committee appointment hearing for Florence Painter over Charles Painter.

Commissioners approved appointment.

Gloria Bozo, from the State Tax Department met with the Fayette County Commissioners concerning Appeal Hearings for Property Reappraisal.

Ms. Bozo informed the Commission that if she was needed, she could attend hearings and go through the appeals when they are received to assist in correcting problems before scheduling appeals.

Commissioner Lively informed Ms. Bozo to do so and would appreciate any and all help she may provide the Commission concerning this matter.

Commissioners also suggested having someone from Prosecuting Attorney's office, along with someone from the State Tax Department to appear at these appeal hearings.

The Commissioners approved installation of one additional telephone line for Probation office as requested by Judge Abbot.

The Commissioners reviewed invoices from Jan-Care concerning transportation of Mental Hygiene patient. John Witt requested additional information on which services had been called besides Jan-Care before these invoices are approved for payment.

Reviewed at this meeting was invoices for payment of Court Reporter service for Mental Hygiene hearings. John Witt requested

that the Fayette County Commission request an opinion from Charles Vickers before issuing a payment for these services.

Charlotte Holly, Acting County Administrator informed the Commissioners she had reviewed the bids for Roofing of the Memorial Building. Both bids which were received appear to meet all of the required specifications except that the bid from Tri-State did not specify a warranty period. The Commissioners decided to review the bids again on August 15th.

Charlotte Holly informed the Fayette County Commissioners that neither Fayette County National nor Bank of Mt. Hope had responded to the Commission's letter and orders issued on July 15, 1986, concerning increases of each Bank's pledge of securities. This was confirmed by Howard Janney, County Clerk. The Commission advised Mrs. Holly to contact the two banks by telephone to find out their responses.

Charlotte Holly informed the Commission that she was unable to locate a record of payment for \$1,500 to Larry Losch as ordered by Judge John R. Frazier on May 23, 1985, upon which a motion to reconsider was filed by Mr. Losch. Said motion was ordered denied by Judge Frazier on August 15, 1985. The Commission approved the payment of \$1,500.

Charlotte Holly informed the Commission that Peggy Miller of Executone had informed her that the interest rate for State and Local Governments for lease agreements with the company was 11%. The Commission instructed Mrs. Holly to contact Mrs. Miller and tell her that the Fayette County Commission has one year remaining on its current lease agreement with AT & T for telephone equipment, but the Commission is receptive to her proposal of July 30, 1986, which would provide an annual savings of approximately \$9,400 to the County. Also, the Commission inquired of whether or not she could "freeze" the amounts presented in her original proposal until the Commission can enter into an agreement next year.

The Commissioners instructed Charlotte Holly to notify the State Tax Department that the following persons will attend the Tax Commissioners's annual In-Service Training Seminar for County Commissioners and Assistants. James Lively, John Witt, and Charlotte Holly will attend this seminar August 24 - 27 in Beckley.

The Fayette County Commissioners met with Mildred and Claude Smith concerning removal of fence on Halstead Avenue.

The Commissioners informed Mr. and Mrs. Smith that if the fence was not in violation with Zoning, the Commission would have no jurisdiction over the matter.

The Fayette County Commissioners met with representatives from the Ambulance Services in Fayette County. Present at the meeting were: Kathryn Fisher; Executive Director and Martha Rice; Board Chairman from the Valley District, Tammy Bowen and Tolbert Payne, from Life-Line, Rick Cornett, from Jan-Care, David Crookshanks; President, and Gary Holcomb; Board member, from Danese, Adrian Goff; President, from General Ambulance service, with Garmen Grimmet acting as advisor, and Steve Cruikshanks; Safety Coordinator.

Commissioners viewed the set up guidelines and volunteered questions from the representatives.

Different views were presented on Emergency runs and Convalescence runs. Conflict exists with the determining of what is considered an emergency run.

ALS and BLS runs were discussed. Emergency runs should be made to the hospital only. Runs should be made to the closest place possible.

Paramedics on ambulance trips were discussed. Paramedics should decide if condition of patient is life threatening.

Commissioners decided to talk to someone on the State level on the terms of VLS and BLS runs.

The Commission was questioned on which company had the most county owned vehicles.

Valley had (4), Life-Line has (1), Jan-Care has (4), Danese (2), with General (1) and having their own insurance.

President James E. Lively informed the persons involved with Ambulance service to please take note that Federal Revenue Sharing monies are being used. He also informed them that the current allocations being presented to them were based on the old guidelines.

The Commissioners requested each county owned ambulance to specify on each ambulance that it is Fayette County owned.

A logo will be purchased by the Commission for each service to specify this.

Commissioners discussed having the EMS service reactivated.

The Commissioners briefly stated that their main point for the guidelines was to assure the best quality ambulance service for Fayette County. It was determined to re-do the set guidelines and to issue them again to the persons involved.

Commissioners informed Steve Cruikshanks they would get with him in the near future to set up new guidelines.

Sheriff Richard Bragg met with Commissioners requesting locker for evidence which Sheriff's department receives, and Camara Monitor for the Sheriff's department.

Commissioners approved \$600.00 for locker, and & \$785.00 for Camara Monitor.

Commissioners received reports from Billy Blake for Fayette County Dog Pound for July, 1986.

The Fayette County Commission received notice from Meyer, Darragh, Buckler, Bebenek & Eck, Attorneys at law informing the dismissal of action against the Commission from Claim No. 183-L-623725 from Claimant John Kevin England. The matter is still pending against Fayette County Sheriff Jack Manning.

The Fayette County Commission received letter from James W. Keenan informing the Commission that the Fayette County Building Commission received no contributions nor made any disbursements during the preceding quarter, ending June 30, 1986.

The Commission also reviewed letter from Mr. Keenan informing the need to view mortar selection samples and to select a preference for the new Judicial Annex Building.

Commissioners also reviewed and signed agreement from United States Department of Agriculture Soil Conservation Service for removal of debris, gravel bars and vegetation of area of Armstong Creek in and near Kimberly.

The Commissioners drafted letter for Hope Enterprises, Inc. in regard to valuation of property; .91 acres W. end Monroe Street.

A letter was sent to Mr. Jack Gannon confirming week of June 22 - 26, 1987 for 4-H summer camp. A copy was also sent to Mr. Robert Arthur, 4-H Agent.

Commissioners received exoneration of Real and Personal Property list from Assessor's Office.

Commissioners signed order authorizing Sheriff of Fayette County to invest any excess funds which from time to time might exceed current County needs and that said investments will be available to meet future County needs; and be it further ordered that all investments and deposits with County banking institutions be made in accordance with the County depository requirements as provided in Section 7-6-1 through 7-6-4 of the code of West Virginia.

Commissioners received letter from Nichols Construction Company concerning air conditioning system which was located in the former annex building.

Commissioners drafted letter for Nichols Construction Company informing Mr. Nichols of records of the June 13th, 1986 meeting stating the Commission was to arrange to have the air conditioning unit along with the furnace to be retained for County use.

Commissioners drafted letter for State Tax Department of West Virginia forwarding true copies of petitions for review which the County Commission of Fayette County had received as of this date.

Commissioners drafted letter for FMRS Mental Health Council, Inc., informing them funds would be made available for purchase of property for new facility in Fayette County when the plans for the center are finalized and a suitable site is located for the facility.

Commission also informed FMRS of disregarding their request for \$20,000 for the development of a detention center for mentally ill clients.


Commissioners approved request from James W. Keenan for a contribution of \$2,500.00 to cover stationery and secretarial expenses of the Building Commission.

Commissioner Lively received letter from Governor Arch Moore, Jr. concerning comments relating to veto of the governmental Liability insurance legislation.

Commissioners reviewed letter.

Commissioners also reviewed letter from John D. Rockefeller IV informing of the Small Business Incubator Wrokshop being sponsored by himself along with Chamber of Commerce to be held on August 20, 1986.

The Meeting was adjourned. The next scheduled meeting will be August 15th.



MEETING OF FAYETTE COUNTY COMMISSION
AUGUST 15, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commissioners met in regular session on Friday, August 15, 1986.

Outstanding bills and payroll was approved.

Mrs. Webb from local Homemakers Club in Fayette County appeared before Commissioners with other club member requesting permission to place Norway Spruce tree on Courthouse lawn.

Mrs. Webb agreed to work with County Agent, Mike Hogan on correct procedures of planting.

Commissioners decided to review bids for re-roofing Memorial Building at the next scheduled meeting on August 27, 1986.

The Fayette County Commissioners received and reviewed Resolution regarding disbursement of Funds of Water System Improvements for Gauley River Public Service District. Amount being \$150,500.16.

A letter was prepared for Governor's Office of Industrial and Community Development for Mr. William Spence requesting payment of \$141,105.16, pursuant to February 14, 1984, Small cities Block Grant Contract during the period of July 10, 1986 - August 13, 1986.

Commissioners received 4 copies of presentation & proposal which deals with Restructuring of 1979 Series Raleigh - Fayette - Nicholas Counties; Single Family Mortgage Revenue Bonds.

Commissioners received letter from Nira T. Kania opposing the payment of \$9,000.00 to Adam Toney for taxes collected while he was in office.

The Commissioners responded with letter confirming that this was not a decision that rests with the Fayette County Commission. It is a matter of law as required by State Code.

Commissioners received and reviewed minutes of July 11, 1986 of Board Meeting of Salem Gatewood Public Service District.

Commissioners received letter from Fred Cutlip/Governor's Office of Community & Industrial Development concerning an extension of Agreement/Purchase Order #484 between Fayette County Commission and State of WV.

The extension will provide sufficient time to complete project activities by June 30, 1987.

Letter was prepared for Department of Finance and Administration certifying Gauley River VFD as a statutory non-profit corporation operating in Fayette County.

Letter was prepared and signed for Mr. David Tincher, Senior Buyer of the Department of Finance & Administration of State of WV notifying of the Commissions' desire to participate in the up-coming State bid for 1987 model police cruisers.

Commissioners approved request from James W. Keenan, for payment # 2 for Nichols Construction Company, dated August 4, 1986, which covers work performed on the Judicial Annex Project through August 4th, 1986. Amount being \$100,155.00.

Commissioners received letter from Sheriff Bragg concerning the importance of the decision to be made and in order to structure an acceptable plan pending the loss of Revenue Sharing Funds. Sheriff Bragg requested the Commission to hold formal discussions to renew or restructure the current excess levy or draft some alternative plan to less the impact of the loss of Revenue Sharing Funds.

Commissioners agreed to hold informal meeting Monday, Aug. 18th at 7:00 p.m. at Jim Lively Associates office in Fayetteville to discuss this matter.

Commissioners received report from WV State Fire Marshall's Office for Fayette County Park.

Commissioners instructed Charlotte Holly to request Jack Gannon to review and make any minor corrections but to inform Fayette County Commission on any major corrections.

Commissioners received and reviewed monthly operations records from Randolph Epperly.

Exoneration of Personal & Real taxes approved by Charles Vickers and Daniel Neely were received and reviewed.

Commissioners approved \$2,725 for Camco Services Inc., for installation of air Conditioner to Road Office at Sheriff's Office.

Commissioners received and reviewed at this August 15th, 1986 meeting General Liability Policy; temporary insurance contract from Mountain State Insurance Agency.

Commissioners approved Charlotte Holly to attend school to complete course requirements for accountant degree.

Charlotte Holly asked whether the Commission wanted the Maintenance Department to paint and install carpet in the Court Reporter's office since Judge Abbot had objected to these measures. The Fayette County Commissioners decided to put project on hold for time being.

MEETING OF FAYETTE COUNTY COMMISSION
AUGUST 27, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session on Wednesday August 27, 1986.

Payroll and outstanding bills were approved.

Mr. Jim Jeffards of Colonial Insurance met with the Fayette County Commission with presentation of Employee Benefit Package.

President Jim Lively explained to Mr. Jim Jeffards that it was the policy of the Fayette County Commission to require Insurance Companies to have at least 51% of employees agree to insurance and the employees need to be contacted after work hours.

Mr. Lively confirmed if Mr. Jeffards could get 51% of employees, they would agree to payroll deductions.

President Jim Lively reported due to the problem of Dr. John Repaire, M.D. not being able to appear for witness with hearing of Committee Appointment for Hazel Graham, the appointment was rescheduled for September 24th, 1986, at 2:00 p.m.

Mr. Lee Massey met with Commissioners briefly discussing Travel Council, Occupancy Tax, & Hotel Motel Tax.

Mr. Massey informed the Commissioners that Dr. Pullman and Betty Beard from Raleigh County could explain details of how the system was working in their county.

Commissioners agree they would be happy to hear details of this.

Mr. Massey also discussed a \$80,000 to \$100,000 grant possibly being available for White Oak Public Service District. In order for White Oak to receive this grant they need support from Engineering Company.

Stafford Engineering Company from Princeton has agreed to assist White Oak Public Service District.

President Lively questioned of what chances White Oak has in receiving this Grant.

Mr. Massey confirmed they have at least 80% chance from Government.

Commissioner John Lopez questioned the \$25,000 White Oak had recently received from Fayette County Commission.

Mr. Massey confirmed it probably went to badly needed repairs.

Commissioner John Witt questioned if Larry Bradford had been informed of details.

Mr. Massey agreed he was informed.

Commissioners agreed if grant is available, they would approve Engineering Company.

Commissioners agreed to contact Region IV for information pertaining to this matter.

The Fayette County Commissioners briefly discussed procedures for handling Property Reappraisal Appeals.

Commissioners agreed they would not hear complaints on taxes. Appraised Market value of property was the only complaint needing to be discussed.

Fayette County Commissioners can take evidence of all hearings and then adjust figures.

The Fayette County Commission is not required to hear if there is error in Assessment procedure.

Judge Abbot met with Commissioners discussing arrangements for Master's headquarters.

The Commissioners questioned if this had been declared Unconstitutional.

Mr. Abbot confirmed he did not think it was.

The Fayette County Commission will do whatever possible to assist with this matter.

The Fayette County Commissioners briefly discussed PSD Commissioners at Gauley River. Mr. Buckby is leaving the state in December. Commissioners received letter wishing to have him appointed for another term.

Commissioner Lopez confirmed he would look into the matter and check into the matter of Mr. Buckby leaving before reappointing him as Commissioner.

Pat Hamilton met with Commissioners requesting guardian appointment of Herman O. Royal and Mary Elizabeth Royal guardian for Daphney Lynn Royal. Daphney consented before court of this appointment. Commissioners approved.

Attorney Travis Harrington and Mayor McGraw from Meadow Bridge met with Commissioners with petition for annexation in Meadow Bridge.

Commissioners approved.

Don Murphy met with Commissioners discussing the Amusement Park Project. Industrial Revenue Bonds and Taxes were discussed.

Mr. Lively questioned if Mr. Murphy had contacted a Mr. Denny Wood concerning 2,000 acres in Glen Jean.

Mr. Murphy felt the property in Nicholas and Fayette would be best suited for Park.

The Commissioners informed Mr. Murphy they had no problem in his asking for assistance but insisted they would need more information on the project.

Fayette County Commission would be willing to go Governor's office for help if Mr. Murphy can show evidence of 12 million backer evidence.

Clinton Gallaher met with Commissioners concerning appointment for James Lee.

The Commissioners confirmed they would have Charles Vickers review before signing order.

The Commissioners approved Alderson Roofing bid for re-roofing Memorial Building subject to receipt of letter of credit.

Committee appointment for Henry Shaw was canceled due to ad from paper not being complete.

Thomas Bowen and Mr. Black from Armstrong Public Service District met with Commissioners discussing guidelines for Public Service Districts.

Evelyn Jones appeared before Commissioners requesting funds for center in Mount Hope.

Commissioners explained with Revenue Sharing pending Fayette County Commission could not assist at this time.

A letter was drafted and signed for Executive Committee of Region IV Planning and Development Council opposing the awarding of the food management service contract to the Aladdin Food Management Service.

Commissioners signed Ambulance Application for General Ambulance Inc. from WV Dept of Health, Office of Emergency Medical Services Community EMS Assistance Program.

Commissioners approved NDAA Insurance Premium of \$2,600 for Prosecuting Attorney's Office.

Order was signed by Commissioners on this 27th day of August, 1986 ordering effective immediately the per capita daily cost for the care and feeding of prisoners shall be assessed at a sum in the amount of \$15.42.

Commissioners received letter from Salem-Gatewood Public Service District requesting Marvin Dangerfield be reappointed to serve as Board member of said Public Service District for another term. Commissioners approved.

Commissioners received minutes of Board Meeting of Danese Public Service District of meeting on July 17, 1986.

Commissioners signed eligibility contract for WV State Agency for Surplus Property.

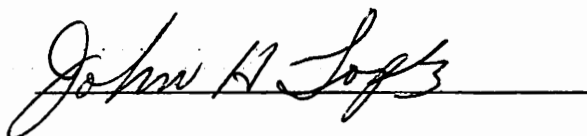
Commissioners approved employment of William McGraw on full-time basis to be paid from General County Fund at a monthly salary of \$941.66.

A letter was drafted for Public Service Commission and all Public Service Districts of the Commissions' desire to have the Public Service Commission conduct a study relative to the Legislative mandate imposed on each County Commission pursuant to Chapter 16, Article 13A Section 1b of the Code of WV as amended. The letter served as official notice by Fayette County Commission of this decision. Each chairman of the Public Service Districts will submit to the County Commission and the Public Service Commission a Public Service District profile.

Jack Gannon met with Commissioners to discuss a Steam Cleaner for Landfill, and of having a International V-8 Track Loader and Ripper no longer needed for operation at the Landfill.

Commissioners decided to try to sell this equipment to some other Governmental body, and requested Mr. Gannon to present more information on the Steam cleaner.

The meeting was adjourned.



On this the 27th day of August, 1986, the Fayette County Commission meeting in a regularly called session and having been advised that the per capita daily cost currently assessed for the care and feeding of prisoners incarcerated in the Fayette County Jail is insufficient to cover said cost and having carefully reviewed an audit report prepared by the West Virginia State Tax Department for the Fiscal Year ended June 30, 1985, which itemizes said cost, does hereby order that effective immediately the per capita daily cost for the care and feeding of prisoners shall be assessed at a sum in the amount of \$15.42.

FAYETTE COUNTY COMMISSION

James E. Lively
James E. Lively, President

John H. Lopez
John H. Lopez, Commissioner

John L. Witt
John L. Witt, Commissioner

MEETING OF FAYETTE COUNTY COMMISSION
SEPTEMBER 3, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session on Wednesday September 3rd, 1986.

Dave Withrow and Jim Edward from Deepwater Public Service District met with Commissioners requesting Emergency assistance for repair needs at Deepwater.

Commissioners agreed to committment of \$2,396 for pump from Precision Pump with the Fayette County Commission being reimbursed of these funds from Governor's Office of Emergency Services.

Mr. Withrow confirmed Don Smypth with Governor's Office at 1-348-4010 has agreed to this.

Mr. Wayne King met with Commissioners with guardian appointment for Valerie Hill. Commissioners approved of this appointment.

Commissioners briefly discussed procedures to start scheduling appeal hearing for Property Reappraisals.

Commissioners decided to meet with Dan Neely, Gloria Bozo and Charles Vickers to discuss procedures at 2:15 p.m. at this scheduled meeting of the Fayette County Commission.

Charles Vickers approached Commissioners with agreement from Cabot Corporation to be signed from Fayette County Commission giving them the right of way to re-lay gas line.

Commissioners approved.

Mr. Vickers also presented order to reopen the estate of James E. Viers.

Commissioners signed order.

Commissioners also received letter from Prosecuting Attorney, Charles Vickers regarding a request from the Fayette County Commissioners of an opinion from Mr. Vickers regarding the distributions of the sheriff's Commission for 1985 tax collection.

Mr. Vickers confirmed the commission can be shared between an incumbent sheriff and his predecessor on a pro-rata basis. Unless there were questions, the total commission that was

calculated by the auditor should be distributed. Mr. Vickers also presented the Commissioners a notice from the U.S. Attorney David Faber on behalf of the U.S. District Court in Beckley suggesting if the county grants Toney a commission it should be subject to attachment for the \$5,000 fine which is yet unpaid. The Commissioners were asked to respond to the court regarding their decision about payment of the commission.

The Commission decided to hold payment pending a response from U.S. District Court.

Chuck Steele with Baker, Watts & Co. and E.F. Hutton & Co. met with Commissioners to discuss restructuring the 1979 Single-Family Residence Mortgage Revenue Bonds.

Mr. Steele presented information concerning these bonds and the procedures of how the restructuring process would work.

After some discussion, the Commissioners agreed to sign resolution for Mr. Steele to proceed with some plan of the 1979 Bonds.

Gary Harding met with Commissioners with request from Edward A. Travis for change in land classification from R-R, Agricultural and Rural Residential, to B-2, General Business district, on 1 acre, Gatewood, Route 9/3, off Gatewood, New Haven District.

Commissioners approved.

Commissioners withdrew a request from Valerie Ritter for change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on Lot 2, Garvey Subdivision, near Winona, Route 82, New Haven District.

Mr. James Blankenship appeared before the Commissioners on behalf of Ms. Ritter and asked this be allowed to be withdrawn.

Commissioners approved a request from William C. Cales, for a change in land classification from RR-1, Agricultural and Rural Residence District, to 1-1, Light Industrial District, on Parcel 14, Hilltop, Old Hilltop Elementary School Property located on Hilltop Loop Road, Plateau District.

Mrs. Hitchens met with Commissioners concerning delinquent taxes with former owner of a business she purchased.

Fayette County Commissioners informed Mrs. Hitchens the Commission has no authority over such taxes.

Rosetta (Gill)Tyree, David Gill and Roy Gill met with Commissioners concerning guardian appointment for Rosetta Tyree to be appointed guardian for Roy Gill.

Commissioners approved of this appointment.

Commissioners received petition from residents of Charlton Heights submitting James R. Blevins as Commissioner to replace Mr. Buckbee as Commissioner on the KFPSD Commission.

Commissioner briefly discussed this appointment, and discussed rumors of Mr. Buckbee leaving before his term would expire. Commissioners discussed Mr. Lyle Blackwell filling this appointment if this should occur. Commissioners will take further action at future meeting.

Adrian Goff from General Ambulance met with Commissioners requesting a county ambulance. Ms. Goff informed the Commission she had little hope of receiving an ambulance from the State.

The Commissioners informed Ms. Goff they would contact State office on details and would inform her of information.

Commissioners discussed trying to get the EMS Service re-activated.

Greg Alexander with Capitol American Life Insurance Co. met with Commission discussing Employee Benefits.

Commissioners explained to Mr. Alexander that the Commission requires insurance companies to have at least 51% of employees approving of such insurance before they will payroll deduct.

Commissioners drafted letter for Landfill managers at City of Charleston, County Commission of Raleigh County and Greenbrier County informing of having an International V-8 Tract Loader and Ripper, Model C4-250 for sale.

Commissioners drafted letter for CNA Insurance Companies, approving their recommendation that the Commission annually review the State motor vehicle reports for all employees operating County vehicles. Mr. Wayne Vickers from Mountain State Insurance was sent a copy.

Letters were prepared and signed for Mellon Bank, NA and Kanawha Valley Bank reminding of the need to pledge securities for Fayette County Commission and that they would not be released by no one other than the Fayette County Commission. Commissioners requested receiving this by September 15, 1986.

Commissioners received reports from Billy Blake on Fayette County Dog Pound.

Commissioners received Temporary Insurance Contract from Mountain State Insurance Agency.

Commissioners approved purchase of Washer & Dryer from Brothers Appliance for Maintenance Department.

Commissioners received Feasibility Information on the Amusement Park Project and selected poems from the works of Don O. Murphy.

Commissioners received State Liability Insurance Plan from State of WV Board of Risk and Insurance Management.

Commissioners received request from William L. Graham requesting reserving Shelter #2 or #3 at Fayette County Park on Sunday August 2, 1987.

Commissioners approved purchase of Landa model PGHW 4-2000 hot, high pressure washer with 11 hp Honda gasoline engine and standard dump wand at \$4139.50 and a 55 gallon drum Boxley SP-66 Equipment Degreaser for \$217.25 from Boxley Jet-A-Way, 1105 Indiana Street, P.O. Box 568, Salem, Virginia.

Commissioners received letter from Mayor Charles Keenan reporting serious financial problems with KFPSD and requesting Dr. Lyle Blackwell to be appointed Commissioner to fill the expiring term of Mr. Buckbee on September 30, 1986.

Commissioners also received letter from Kanawha Public Service District requesting Mr. Bert Buckbee to be reappointed as Public Service District Commissioner.

Commissioners received exoneration and refund list of personal and real estate tax tickets approved by Dan Neely and Charles Vickers.

The Fayette County Commissioners along with Dan Neely, Charles Vickers, Gloria Bozo and Acting Administrator, Charlotte Holly met to discuss procedures of scheduling Property Reappraisal Hearings.

Different discussions were held on how to schedule these hearings.

Certain guidelines need to be followed on pricing. Rooms, bedrooms, porches, heat, garages, lots, economic evaluation need to be considered.

The question of what to do about people who don't complain

in certain districts came up. It was agreed that adjustments would have to be made.

The Commission questioned who would handle Mineral Right appeals, Timber, Industrial, Commercial complaints.

It was determined to have Charlotte complete her copies and to have Gloria present a computer print-out of information the Commission will need. Commissioners decided to try to schedule New Haven District first.

Commissioners reviewed and signed Annual County Financial Statement for fiscal year ending June 30, 1986.



RIGHT-OF-WAY

THIS AGREEMENT, made this 3rdday of September, 1986, by
and between FAYETTE COUNTY COMMISSION

herein called "Grantor", whether one or more persons, and CABOT
CORPORATION, herein called "Grantee".

WITNESSETH:

That for and in consideration of the sum of One and no/100 Dollars (\$1.00) and other valuable considerations, the receipt of which is hereby acknowledged, Grantor hereby grants, conveys, and generally warrants to Grantee a right-of-way and easement to lay, operate, protect, repair, replace, and remove, a pipeline for the transportation of gas, over, through, upon and across the following described lands of Grantor situate in New Haven District, County of Fayette, State of West Virginia, and bounded and described as follows:

On the North by the lands of _____
On the East by the lands of _____
On the South by the lands of _____
On the West by the lands of _____

to have and to hold the same unto Grantee, its successors and assigns, subject and in accordance with the following covenants and provisions:

1. Grantor hereby grants such rights of ingress and egress across the lands of Grantor as are necessary or convenient to the exercise by Grantee of the rights granted them by this or other easements relating to such pipeline.
2. Grantee shall have the right to cut, trim, remove, and otherwise control, such trees, brush, weeds, or other undergrowth, on, along, or adjoining the right-of-way (temporary or permanent) as may in the judgment of Grantee interfere with the installation, maintenance, replacement, operation, use or safety of said pipeline and related appurtenances authorized hereunder.
3. Cabot shall pay Grantor the additional sum of \$ _____ when and if such pipeline is initially constructed on Grantor's lands.
4. This right-of-way shall continue in force as long as said pipeline is used and operated for the purposes recited above, without cessation of more than twelve (12) consecutive months.
5. This agreement contains all agreements, express or implied, between the parties hereto and shall inure to the benefit of and be binding upon heirs, legal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the Grantor has executed this agreement on the day and year first above written.

James E. Lively (SEAL) _____ (SEAL)
____ (SEAL) _____ (SEAL)
____ (SEAL) _____ (SEAL)
____ (SEAL) _____ (SEAL)
____ (SEAL) _____ (SEAL)
____ (SEAL) _____ (SEAL)

STATE OF WEST VIRGINIA,
COUNTY OF FAYETTE, to-wit:

The foregoing instrument was acknowledged before me this 3rd day of September, 1986, by JAMES E. LIVELY, as President of the FAYETTE COUNTY COMMISSION.

Charles M. J. [Signature]
NOTARY PUBLIC

My Commission expires: Oct 1, 1992

STATE OF WEST VIRGINIA
COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by _____

NOTARY PUBLIC

My Commission expires; _____

Under the penalties provided by law, Grantee hereby declares that the total consideration of the property transferred by this document is \$ _____

SIGNED _____

This Instrument Prepared By:

TO THIS HONORABLE COURT, FAYETTE COUNTY, WEST VIRGINIA:

IN RE: Estate of James E. Viers

O R D E R

On the 30th day of July, 1986, there appeared the Petitioner, by his counsel, Howard J. Blyler, and the respondent appeared not. Whereupon, the Commission heard the argument of counsel and upon examination of the petition, supporting documents, and original file, the Commission does hereby find that the claim of the petitioner was filed with the executor of the estate of James E. Viers prior to the settlement of the aforesaid estate by this Commission and that the executor of the estate of James E. Viers failed to advise the Commission of the claim or to advise the creditor that the claim would not be honored or presented to the Commission.

The Commission further finds that the executor of the estate of James E. Viers was in violation of his duties as such executor in failing to notify the claimant that the claim would be denied or that it would not be presented before this Commission.

Wherefore, this Commission does hereby ORDER that the estate of James E. Viers be re-opened and that the petitioner be allowed to present his claim before this Commission for determination as to whether or not the same should be paid, that the executor re-execute a bond with good and sufficient surety in the same amount as previously given conditioned for the faithful performance of his duties as such. It is further ADJUDGED and ORDERED that a certified copy of this Order be served upon the executor of the estate of James E. Viers and the surety under his bond as such executor, by certified mail and return receipt.

It is further ADJUDGED and ORDERED that this claim shall be set for hearing before this Commission by the Clerk of this Commission at such time as she shall deem appropriate giving all parties thereto at least ten days notice prior to hearing.

Enter, this 3rd day of September, 1986.



COMMISSIONER



COMMISSIONER



COMMISSIONER

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON WEDNESDAY, SEPTEMBER 3rd, 1986.

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

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

Z-292-86-1: Request of Edward A. Travis, Owner, for a change in land classification from R-R, Agricultural and Rural Residential, to B-2, General Business District, on 1 acre, Gatewood, Route 9/3, off Gatewood Road, New Haven District.

The County Commission was informed by the Zoning Officer that this was a request to operate a garage in an existing building and that the Planning Commission did by a 9 - 0 vote recommend that this be approved. After a general discussion a motion was made by John Lopez that this be approved as recommended. Motion was seconded by John Witt and passed by a vote of 3 - 0.

Z-294-86-1: Request of Valerie Ritter, Owner, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on Lot 2, Garvey Subdivision, near Winona, Route 82, New Haven District.

The Commission was informed that no one appeared at the Planning Commission on behalf of the applicant and that the request was denied by a vote of 9 - 0. Mr. James Blankenship appeared before the County Commission on behalf of Ms. Ritter and asked that this request be withdrawn. Mr. Witt made a motion that this be allowed to be withdrawn. Motion was seconded by Mr. Lopez and passed unanimously.


Z-295-86-1: Request of Challenges Unlimited, Owner, by Partsco Sales Corp., William C. Cales, for a change in land classification from RR-1, Agricultural and Rural Residence District, to I-1, Light Industrial District, on Parcel 14, Hilltop, old Hilltop Elementary School Property located on Hilltop Loop Road, Plateau District.

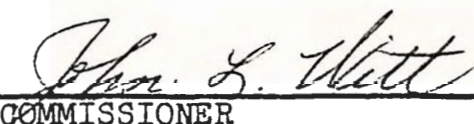
The Commission was informed that this was a request to operate a mining machinery sales and storage operation and that the Planning Commission did by a vote of 9 - 0 recommend that this be approved. After a general discussion a motion was made by John Witt that this be approved. Motion was seconded by John Lopez and passed 3 - 0.

The County Commission was informed that an amendment to Article III, Section 300, Subsection 3 and Article III (a), Section 300 (a), Subsection 3 of the Zoning Ordinance had been advertised. This amendment relates to requiring a Use Permit for B-1 commercial uses in a rural residential district. A Public Hearing and Public Notice will be given each request before the Board of Zoning Appeals. After a general discussion at which the Commission was informed that the Planning Commission did recommend this unanimously a motion was made by John Witt that this be approved as recommended. Motion was seconded by John Lopez and carried by a vote of 3 - 0.

THE FAYETTE COUNTY COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER

RESOLUTION

DESIGNATING BAKER, WATTS & CO. AND E.F. HUTTON & COMPANY, INC. AS UNDERWRITERS TO THE FAYETTE COUNTY COMMISSION IN CONNECTION WITH THE REFUNDING AND DEFEASANCE OF THE SERIES 1979 SINGLE-FAMILY RESIDENCE MORTGAGE REVENUE BONDS.

WHEREAS, The County Commission of Fayette County ("The Commission") issued its Series 1979 Single-Family Residence Mortgage Revenue Bonds (The "Bonds") and the proceeds thereof were used to finance home mortgage loans for eligible homeowners in Fayette County; and

WHEREAS, Baker, Watts & Co. ("Baker Watts") and E.F. Hutton & Company, Inc. ("E.F. Hutton") have proposed to refund and defease the Bonds in order to provide cash benefits to the Commission for appropriation and use in any manner as may be determined by the Commission; and

WHEREAS, Baker Watts and E.F. Hutton have further represented that such refunding and defeasance will neither affect the outstanding home mortgage loans nor the ability of local participating lending institutions to service such loans; and

WHEREAS, the undertaking of such refunding and defeasance of the Bonds will require the expenditure of substantial time and expense by Baker Watts and E.F. Hutton; and

NOW THEREFORE BE IT RESOLVED BY THE COUNTY COMMISSION OF FAYETTE COUNTY:

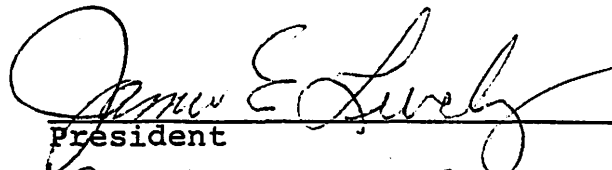
Section 1. That Baker Watts and E.F. Hutton are hereby designated as exclusive Underwriters to the Commission in connection with the refunding and defeasance of the Bonds;

Section 2. That said designation of exclusive Underwriters shall remain in full force and effect for a period of sixty (60) days from the date of adoption of this Resolution unless such time period shall be extended by further action of the Commission;

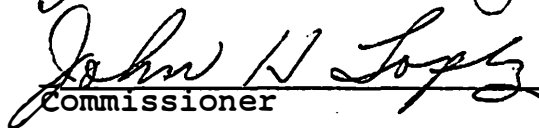
Section 3. That within said sixty (60) day period the Underwriters shall deliver to the Commission for final approval a firm offer of financial benefit together with all definitive documents, instruments and other writing prepared, or caused to be prepared by the underwriters, and by Bond Counsel.

Section 4. It is understood and agreed by and between the Commission and the Underwriters that the provisions of this resolution are not intended to, and shall not be construed or interpreted to, either (a) obligate, or authorize the expenditure of, any funds or monies of the County derived from any source whatsoever other than the proceeds from the refunding and defeasance of the Bonds as provided for in this resolution, or (b) create any personal liability of any officer or member of the Commission or any official or employee of the County, present or future.

Section 5. This resolution shall take effect immediately.



President



Commissioner



Commissioner

Attest:



County Clerk

Court House Annex
Fayetteville, WV

PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 25th day of August, 1986, at a regular meeting of the Planning Commission of Fayette County, West Virginia, to be held in the basement of the Fayette County Memorial Building, Fayetteville, 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 a recommendation.

ALSO, PLEASE TAKE NOTICE that on the 3rd day of September, 1986, 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, Fayette County Memorial Building, Fayetteville, West Virginia.

Z-294-86-1: Request of Valerie Ritter, Owner, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on Lot 2, Garvey Subdivision, near Winona, Route 82, New Haven District.

Z-295-86-1: Request of Challenges Unlimited, Owner, by Partsco Sales Corp., William C. Cales, for a change in land classification from RR-1, Agricultural and Rural Residence District, to I-1, Light Industrial District, on Parcel 14, Hilltop, old Hilltop Elementary School Property located on Hilltop Loop Road, Plateau District.

Gary E. Harding
Zoning Officer

BEFORE THE COUNTY COMMISSION OF FAYETTE COUNTY, WEST VIRGINIA

IN RE: THE APPOINTMENT OF DAVID RAY GILL AS GUARDIAN FOR ROY SHANNON GILL, INFANT OVER THE AGE OF 14 YEARS

This day appeared David Ray Gill, Guardian for Roy Shannon Gill, an infant child, sixteen years of age, and along with Rosetta Tyree asked the Commission to discharge David Ray Gill from his duties as Guardian and to appoint Rosetta Tyree as such Guardian.

The Commission having determined that pursuant to the West Virginia Code 44-10-3, the said Rosetta Tyree is a suitable person to be appointed guardian of said infant, and the said Rosetta Tyree is competent and fit to be guardian of Roy Shannon Gill, and that the welfare and best interest of the minor will best be met and protected by the appointment of said Rosetta Tyree, as guardian.

It is therefore ORDERED and ADJUDGED that the said Rosetta Tyree be and hereby is appointed guardian of Roy Shannon Gill and that the appointment of David Ray Gill, as Guardian be void and discharged.

ORDER:

ENTER:


PRESIDENT, FAYETTE COUNTY COMMISSION

COMMISSIONER, FAYETTE COUNTY COMMISSION


COMMISSIONER, FAYETTE COUNTY COMMISSION

MEETING OF FAYETTE COUNTY COMMISSION
SEPTEMBER 15, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez

The Fayette County Commission met in regular session on Monday, September 15, 1986.

Payroll and outstanding bills were approved.

Commissioner Lively drafted letter to Charles M. Vickers requesting advice relative to John Witt serving on the Fayette County Commission following his recent indictment. The Commissioners requested an answer by the next scheduled meeting on September 24th, 1986.

Mr. Vickers, appearing at this meeting advised that he didn't think there would be a problem with Mr. Witt Serving but he would look into the matter further.

Sheriff Richard Bragg approached the Fayette County Commission requesting eight deputies to work overtime for Bridge Day Activities. Commissioners approved.

Mr. Bragg also requested hiring temporary secretary for Law Enforcement. Position to be full-time/part-time with benefits. Commissioners approved of this part-time employment.

Commissioners signed order reappointing Mr. Bert Buckbee as Commissioner for Kanawha Falls Public Service District. Term to expire September 1, 1992.

Commissioners signed order reappointing Mr. Marvin Dangerfield as Commissioner for Salem-Gatewood Public Service District. Term to expire September 1, 1992.

Commissioners reviewed and signed exoneration of real and personal tax list from Assessor's office.

The Fayette County Commissioners received letter from Erseline Rumbach, District Division Leader for Cooperative Extension Service requesting County Commission to reimburse Mary Lou Schmidt and Robert Arthur for travel expenses for National Association Meetings.

Commissioners also reviewed letter from Ms. Rumbach pertaining to 1986 Block Grant explaining transferring of money from Board of Education to County Commission. \$10,000 for matching salary money for the 4-H Agent position and \$2,100 for travel expenses.

Commissioners reviewed letter from H. Fred Anders from Glen Ferris representing Charlton Heights Men Association, requesting Don E. Rice or Donald Benda, Jr. to replace Mr. Bert Buckbee as Commissioner for Kanawha Falls Public Service District.

Commissioners reviewed letter from Lyle M. Blackwell concerning Kanawha Falls Public Service District and requesting Mr. Bert Buckbee be reappointed as Commissioner for Kanawha Falls Public Service District.

Commissioners reviewed letter from Lloyd Lee requesting Stafford Thorton to be appointed as Commissioner for Kanawha Falls Public Service District.

Commissioners received letter from Michael E. Caryl, State Tax Department informing them if West Virginia Tech Foundation, Inc. meets the requirements of Code 8-32-1, relating to its status as a nonstock, nonprofit corporation, the Fayette County Commission would be authorized to appropriate funds for Community College in Fayette County.

The Commissioners received letter from Gary Harding with recommendations from Fayette County Planning Commission appointing W.R. Bennett, Oak Hill, Guy Dooley, Montgomery, and Hobart Booth, Oak Hill, whose terms expired on August 3rd, 1986 be reappointed to the Fayette County Planning Commission for an additional 3 year term ending August 3rd, 1989.

The Planning Commission also recommended appointing Mr. Lee Massey of Victor to fill the vacancy created by the resignation of Albert E. Deligne Jr. to the Planning Commission for the term of 3 years. Term expiring August 3rd, 1986. Commissioners approved of these appointments for Planning Commission.

Commissioners received and reviewed list of securities shown on the books at Kanawha Valley Bank, NA as pledges to secure deposits for Fayette County Commission.

Acting Administrator, Charlotte Holly informed the Commissioners that Billy Blake had informed her the Dog Warden truck was in badly need of repairs. Commissioners discussed mileage and conditions and decided to advertise bids for new truck.

Charlotte informed the Commissioners that Jack Gannon could use the old truck at Fayette County Park.

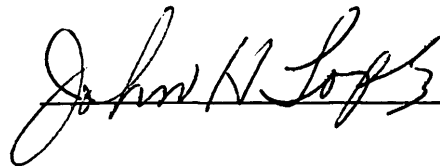
Commissioners reviewed Minutes of August 11, 1986, meeting of Salem Gatewood Public Service District.

Commissioners approved payment of \$3025.10 from grant allocation of 1986-87 to Page-Kincaid Public Service District.

Commissioners received and reviewed Resolution regarding draw down of funds for water system improvements to Gauley River Public Service District.

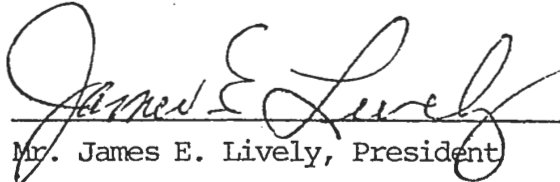
Commissioners received and reviewed Public Service District Profile for Wolf Creek Public Service District.

Commissioners approved \$1,600 to Gauley River Public Service District from Grant allocation to Pipeline Crossing.



ORDER

On this the 15th day of September, 1986 the County Commission of Fayette County meeting in a regular called session and having been advised of the expiration of the term of office for Mr. Bert Buckbee as Commissioner for the Kanawha Falls Public Service District, does hereby order that Mr. Buckbee be reappointed to said office for a term of six years, said term expiring September 1, 1992.


Mr. James E. Lively, President

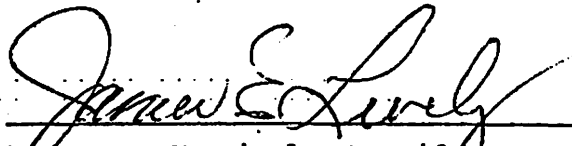

Mr. John H. Lopez, Commissioner

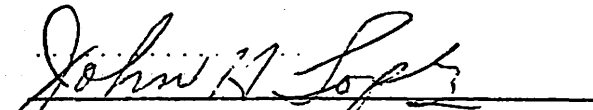
Absent

Mr. John L. Witt, Commissioner

ORDER

On this the 15th day of September, 1986 the County Commission of Fayette County meeting in a regular called session and having been advised of the expiration of the term of office for Mr. Marvin Dangerfield as Commissioner for the Salem-Gatewood Public Service District, does hereby order that Mr. Dangerfield be reappointed to said office for a term of six years, said term expiring September 1, 1992.


Mr. James E. Lively, President


Mr. John H. Lopez, Commissioner

..... Absent

Mr. John L. Witt, Commissioner

MEETING OF FAYETTE COUNTY COMMISSION
SEPTEMBER 24, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session on Wednesday, September 24, 1986.

Outstanding bills and payroll that were presented were approved.

Tom Myles met with Commissioners with guardian appointment. The Fayette County Commissioners approved Bonnie Harrah guardian for Rebecca Dawn Harrah.

Joyce Ferrebee & Ron Wood, auditors with State Tax Dept. met with the Fayette County Commission to hold exit interview.

The auditors informed the Commission they found the Fayette County Commissioners needed to have written agreements/contracts with ambulance authorities.

They also informed the Commission a five-year old discrepancy in the Tax Office accounts should be corrected.

Conducting the audit for fiscal years 1984-85 and 1985-86, the auditors indicated the \$534.32 is still unaccounted for since May, 1981.

Auditors informed the Commissioners that all money deposited should be secured. Commissioners informed the auditor this had been taken care of.

The auditors informed the Fayette County Commissioners that access for the handicap was needed for second floor.

Other articles that were brought to the attention of the Commissioners were the need for a purchasing order system, more information on Travel vouchers, receipts for meals, etc., and different audit adjustments.

Commissioners held Committee appointment for Ronald R. Walton petitioner for committee for Henry H. Shaw. Commissioners approved in receipt of guardian at light and doctor's signature.

Larry Dotson presented results from Arbitration Committee in the James T. & Mary Alice Moore and Levi McClung case.

Commissioners met with Gary Harding and upheld the Planning Commission's denial of Rodger Shuemake's request to rezone

from Agricultural and Rural residence to Heavy Industrial land at Whipple. John H. Lopez moved to deny this request, John L. Witt seconded. It was unanimous to deny this request.

Michael Andrews met with Commissioners with request to substitute Sylvia Marie Avancini, Patsy Dixon, Hazel Martin committee for William Avancini. Commissioners approved setting bond at \$5,000 each.

Gary Holcomb met with Danese Volunteer Fire Department and Rescue Squad met with Commissioners requesting \$4,500 to assist with costs of unpaid utility bills and supplies.

Commissioners agreed to give \$3000 to assist the Danese Fire Department and Rescue Squad.

Commissioners briefly discussed trying to get EMSOR reactivated in Fayette County.

The Commissioners instructed Acting Administrator, Charlotte Holly, to inform Alderson Roofing they needed an irrevocable letter of credit before they could have them start the project at the Fayetteville Memorial Building.

Russell Bennett met with Commissioners requesting aid to provide an office for Deputy Jack Smith in the Nuttall Fire Association's building at Lookout that houses the fire Department.

Mr. Bennett said material will cost about \$1,500 to install a bathroom and partitions. Mr. Bennett requested assistance from employees at courthouse.

The Commissioners will discuss with Sheriff Richard Bragg before making a decision.

The Fayette County Commissioners met with Dr. V. Sahadevan, operator of the Dag Hammarskjold Cancer Treatment Center and Research Center and Research Institute of Oncology, Inc., at Beckley requesting assistance in locating a treatment center in the county. Commissioner Lively told Dr. Sahadevan they could not contribute to him but would be willing to assist him if he put together an industrial revenue bond issue for financing.

The Commissioners met with Chuck Steele of Baker-Watts discussing Restructuring Revenue Bonds. Commissioners agreed to participate in the restructuring of the 1979 mortgage bond issue to share with other participating counties, Raleigh and Nicholas.

Herb Mann, Circuit Clerk met with Commissioners to discuss International Association meeting. Mr. Mann informed the Commissioners he was the Delegate from the State. Commissioners approved Mr. Mann attending this meeting.

Mr. Mann requested part time worker for Election help to be paid \$40.00 a day instead of \$35.00. The Commissioners informed Mr. Mann it was the policy to pay workers \$35.00 a day. Commissioners approved \$35.00 a day.

Commissioners heard request for George R. Tolley & Connie Tolley to be appointed guardian for Misty Tolley. Commissioners approved.

Mrs. Ruby Jefferson met with Commissioners requesting to be appointed guardian over grandson. Commissioners informed Ms. Jefferson they needed consent from Natural parent before they could agree to this appointment.

Commissioners discussed and decided to change all the county's insurance through the state. This will make the advisory committee for emergency medical services eligible for coverage which will allow its reactivation.

The Commissioners received letter from Prosecuting Attorney, Charles Vickers informing of a letter from Mr. David Pruitt who is in the Fayette County jail, advising the American Diabetes Association of his condition. The Commissioners instructed Acting Administrator Charlotte Holly to request Sheriff Bragg to make arrangements for physical examination of Pruitt's condition by a physician. Further action pending doctor's recommendation. Ms. Holly discussed with Sheriff Bragg on 9/26/86 and Mr. Pruitt was released 9/25/86.

Order was prepared on this 24th day of September to void outstanding checks from the Sheriff's General Account, exoneration Refunds per attached copy.

The Commissioners signed order rescinding and superseding the Commission Order entered to record on the 15th day of July, 1985, in Order Book 47, pages 317 and 318, which prescribed the rules ^{by}said Commission with regard to inspection of voters' registration records.

Commissioners received Public Service District Profile from Kanawha Falls Public Service District.

The Commissioners received and reviewed Public Service District Profile from Armstrong Public Service District.

Deepwater Public Service District's Profile was presented and reviewed.

Arbuckle Public Service District's Profile was presented and reviewed.

A letter was prepared for Mountain State Insurance Agency forwarding an estimate report for damages to a vehicle owned by the Fayette County Commission.

The Fayette County Commissioners waived fee for #1 shelter at Fayette County Park for Oak Hill Church of the Nazarene.

Commissioners reviewed letter from Howard Cunningham, Public Service Commission of West Virginia thanking the Commission of letter dated August 27, wherein the Fayette County Commission desired to have their Commission prepare the proposed plan required by Senate Bill 191.

Commissioners reviewed letter from Gladys Gray, executive director of Fayette County Committee on Aging thanking the Commission for the letter of support the Commissioners had written to Region IV Planning and Development Council.

Commissioners signed order appointing and reappointing W. R. Bennett, Guy Dooley, Hobart Booth and Lee Massey to the Fayette County Planning Commission. Said terms to expire August 3rd, 1989.

Commissioners approved decal for ambulance vehicles in county.

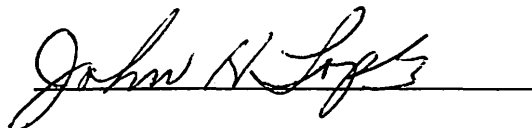
Members of the Fayette County Building Commission met with the Fayette County Commission to discuss the block work on the Judicial Annex Building. James Keenan, Angelo L. Argento, James B. Hess, William R. Skaggs, Major E. Johnson were present at this meeting.

Brick work and a crack in the floor were different inspection reports presented.

The Commissioners agreed that the architect should be on the job site more often.

Mr. Keenan informed the Commissioners that the architect has been requested to submit an itemized list of visits to the site.

Commissioners agreed to request Mr. Snead and Mr. Stark to be at the Commission meeting on Oct. 8, 1986.



The County Commission of Fayette County having met in a regular session on July 30, 1986, and having been advised that:

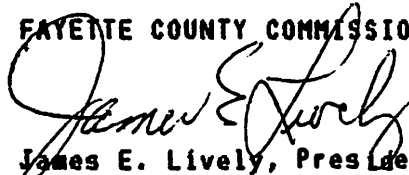
Pursuant to Chapter 3, Article 2, Section 16 of the Code of West Virginia, as amended, registration records shall be open for public inspection under reasonable regulations prescribed by the county commission; and

Pursuant to an opinion issued on November 23, 1953, by the Office of the Attorney General of the State of West Virginia, "registration records" referred to in said section are meant to be all registration records, specifically, both the alphabet file and the file listing voters by street address.

NOW THEREFORE, the Fayette County Commission having reviewed and discussed the above findings, does hereby unanimously rescind and supersede the Commission Order entered to record on the 15th day of July, 1985, in Order Book 47, pages 317 and 318, which prescribed the rules by said Commission with regard to inspection of voters' registration records.

Entered this 24th day of September, 1986.

FAYETTE COUNTY COMMISSION


James E. Lively, President


John H. Lopez, Commissioner


John C. Witt, Commissioner

JOHN H. LOPEZ
SMITHERS, W. VA.
COMMISSIONER

JAMES E. LIVELY
OAK HILL W. VA.
PRESIDENT

JOHN L. WITT
FAYETTEVILLE, W.
COMMISSIONER

FAYETTE COUNTY COMMISSION
FAYETTEVILLE, W. VA. 25840-0307
TELEPHONE (304) 574-1200

CHARLOTTE HOLLY
ACTING ADMINISTRATOR

September 24, 1986

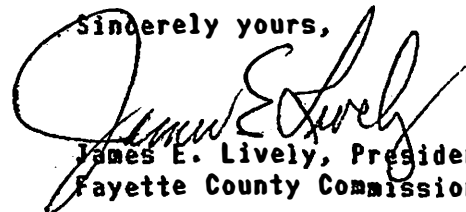
Alderson Roofing & Building Company
attn: L. W. Lightner
Rt. 1, Box 61N1
Alderson, WV 24910

Dear Mr. Lightner:

The Fayette County Commission has reviewed the letter of credit which we received from Greenbrier Valley National Bank for the reroofing of the Soldiers and Sailors Memorial Building in Fayetteville which has been tentatively awarded to your company. As you were notified previously, this letter of credit must be an irrevocable letter; however, the document which the Commission received was not irrevocable.

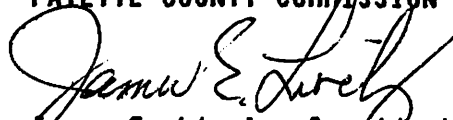
Therefore, the Commission must request that you submit the irrevocable letter of credit for approval before any further action is taken in this matter.

Sincerely yours,


James E. Lively, President
Fayette County Commission

On this the 24th day of September, 1986, the County Commission of Fayette County meeting in a regularly called session and finding that the list of checks issued, attached hereto, having been properly issued and being outstanding prior to January 1, 1986, and acting upon the request and recommendation of the Sheriff of Fayette County and the West Virginia State Tax Department does hereby order that the Sheriff of Fayette County take what action is necessary and proper to cancel and account for said issued checks.

FAYETTE COUNTY COMMISSION


James E. Lively, President


John H. Lopez, Commissioner


John L. Witt, Commissioner

PHONE NO.

P. O. BOX 509

TAX OFFICE 574-1200 EXT. 16-19: 38

LAW ENFORCEMENT 574-1200 EXT 55-57



Sheriff and Treasurer of Fayette County

FAYETTEVILLE, W. VA. 25840

August 15, 1986

Fayette County Commission
James Lively, President
John Lopez, Commissioner
John Witt, Commissioner

Dear Commissioners:

I hereby request approval, that an order be issued, to void the following outstanding checks from the Sheriff's General Account, Exoneration Refunds.

SHERIFF'S GENERAL ACCOUNT, (EXONERATION REFUNDS)

<u>CHECK NO.</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAYABLE</u>
239	121.14	09/05/73	Lola & Robert Breeden
316	10.71	02/15/74	Keith & Debby Smith
1093	11.08	09/08/76	Goins, Mrs. Ruth B.
1111	1.40	09/29/76	Larry Allen Holstein
1119	11.53	10/01/76	Preston Collins
1120	15.94	10/01/76	Preston Collins
1122	338.25	10/27/76	Edward O. Skaggs
1134	9.48	10/27/76	Cox, Nazimova
1539	14.02	03/09/78	Davis, Earl V.
1749	3.61	09/27/78	James Crosier
2095	933.97	?	?
2148	3.43	05/07/80	Gray, Clyde and Leona
882	2.73	?	?
TOTAL	<u>1477.29</u>		

Richard W. Bragg
Richard W. Bragg, Sheriff

September 24, 1986

To: Fayette County Commission:
Fayette County Court House
Fayetteville, West Virginia 25840

From: Arbitration Committee

Subject: 1785.96 of Lineal Feet of Partition Fence consisting of Metal Posts with 6 strand of 12.5 gauge barbed wire with pressure treated wood corner posts-belonging to James Moore and Levi McClung.

Our final conclusion in this matter is based upon the legal definition of a lawful partition fence as contained in West Virginia Code 19-17-1. The cost sharing responsibility of such a fence as contained in West Virginia Code 19-17-6, intention to build or repair such fence as contained in West Virginia Code 19-7-7.

It is our finding after examination of the property under consideration and a hearing of the evidence presented on September 2, 1986 and September 3, 1986 that James Moore was found to be in agreement with the above cited West Virginia Code in that he attempted to come into a final agreement with Levi McClung regarding the shared cost and type of partition fence to be erected.

Finally, it is the considered opinion of this committee that;

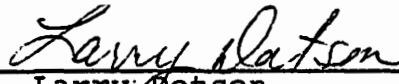
- (1) Levi McClung, in accordance with Exhibit #1, be responsible for maintaining said partition fence from a stone found N3° 12E 570-54 feet to lp. set N 85° 13E 250 feet lp set to N 3° 12 E 25 feet for a total of 845.54 lineal feet.
- (2) James Moore in accordance with Exhibit # 1, be responsible for maintaining said partition fence from pin set N 85° 13E, 301.31 feet to set stone, from set stone N 82-52E, 639.11 feet to set stone for a total of 940.42 lineal feet.
- (3) And that James Moore and Levi McClung in accordance with West Virginia Code 19-17-8 be responsible for one-half of said fence erected by Dennler's Fencing which total amount is \$3,323.00 with each party being responsible for the amount of \$1,661.50.



Jewell Withrow



Benton Conner



Larry Dotson

cc: Erwin L. Conrad, Esq.
D. Clinton Gallaher, Esq.

Court House Annex
Fayetteville, WV

PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 22nd day of September, 1986, at a regular meeting of the Planning Commission of Fayette County, West Virginia, to be held in the basement of the Fayette County Memorial Building, Fayetteville, 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 a recommendation.

ALSO, PLEASE TAKE NOTICE that on the 24th day of September, 1986, 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, Fayette County Memorial Building, Fayetteville, West Virginia.

Z-296-86-1: Request of Rodger L. Shuemake, Owner, for a change in land classification from ~~RR-1, Agricultural and Rural Residence District~~, to I-2, Heavy Industrial District, to operate a salvage yard on Lots 61 and 63, Section 1 and 2, Collins-Whipple Subdivision, Route 15, Whipple, Valley District.

Gary E. Harding
Zoning Officer

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON
WEDNESDAY, SEPTEMBER 24th, 1986.

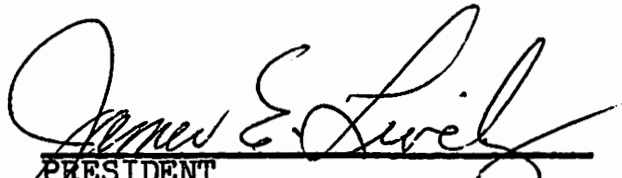
Present were: James E. Lively, President
John H. Lopez, Commissioner
John L. Witt, Commissioner

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

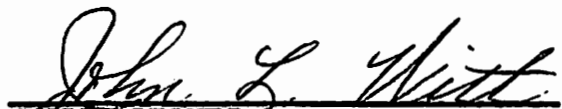
Z-296-86-1: Request of Rödger L. Shuemake, Owner, for a change in
land classification from RR-1, Agricultural and Rural Residence
District, to I-2, Heavy Industrial District, to operate a
salvage yard on Lots 61 and 63, Section 1 and 2, Collins-Whipple
Subdivision, Route 15, Whipple, Valley District.

The County Commission was informed by the Zoning Officer that
the applicant was not present and did not attend the meeting of the
Planning Commission on Monday. Three ladies were present that had
submitted a petition bearing 13 signatures opposing granting this
request. The Commission was informed that the Planning Commission
did recommend by a vote of 8 - 0 that this request be denied and
that Mr. Shuemake be given 15 days to clean up this lot. After
a general discussion a motion was made by John Lopez that this be
denied as recommended by the Planning Commission. The motion was
seconded by John Witt and passed by a vote of 3 - 0.

THE FAYETTE COUNTY COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER

MEETING OF FAYETTE COUNTY COMMISSION

OCTOBER 8, 1986

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS PRESENT: Mr. James E. Lively
Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session on Wednesday, October 8, 1986.

The Commissioners met with newly appointed Law Master, Clint Gallaher for purpose of signing lease agreement for office space for Law Master. Mr. Gallaher discussed having a separate phone line installed for this office. Mr. Gallaher informed the Commissioners the Supreme Court of Appeals of West Virginia would possibly reimburse the Commission for these services.

The lease being with John W. Hatcher, Jr. and the County Commission of Fayette County to commence on the first day of October, 1986, and shall terminate June 30, 1987 was approved by the County Commissioners.

Mr. Gallaher was instructed to contact Acting Administrator Charlotte Holly to discuss the telephone line.

Agnes Williams, Jail Administrator met with Commissioners requesting raises for Correctional Officers equal to what the deputies make. The Commissioners agreed to take this matter under consideration.

The Commissioners met with Abraham Stover requesting to be appointed Committee for his mother Dottie Bibb. Phil Tissue presented this matter before the Commissioners. The Commissioners approved subject to waiver from Mr. Stover's sister.

Margaret Murphy met with Commissioners requesting to be appointed guardian over her sister Lucy Stead. Ms. Murphy was instructed to go through proceeding to be appointed Committee for her sister.

Gene Carte and Sheriff Richard Bragg met with the Commissioners to discuss settlement of the Leonard LaPrade Manning law suit.

Mr. Carte presented settlement plan to the Commissioners. Mr. John L. Witt made motion to approve plan. James E. Lively seconded. John H. Lopez, Aye. Fayette County Commission unanimously approved the plan.

The Fayette County Commissioners met with Mayor Edward McGraw and Travers Harrington concerning Boundary adjustments for the Town of Meadow Bridge. Commissioners approved.

A copy of Application for Transfer of Federally Forfeited Property was presented from Sheriff Richard Bragg.

Sheriff Bragg also submitted a funding proposal from the Emergency Operations Unit of the Fayette County Sheriff's Department.

A letter was received from Joe W. Hatfield, Executive Director of West Virginia Housing Development Fund concerning Single-Family Mortgage Program Restructured Bond Issues.

Commissioners received copies of the Commitment for Municipal Bond Insurance and the Municipal Bond Insurance Policy for the Bond financing from Kutak Rock and Campbell.

Commissioners approved waiver for \$500 rental fee at Fayette County Memorial Building for WCIR since the proceeds received will be donated to a public, non-profit organization.

Letters were prepared and signed by the Commissioners for Mr. Charles Vickers, Ms. Gloria Bozo & Mr. Daniel Neely, Sr., requesting them or a member of their staff to attend hearings for property owners who have submitted petitions for review of reappraisal valuations in Fayette County.

Commissioners approved list of Election Officials to work November 4, 1986 Election.

Copy of letter from Danese Volunteer Fire Department to Opal Leggett informing of the terminated use of the Danese Fire House for the Pre-School Program effective immediately was received and reviewed by the Commissioners.

The Irrevocable Letter of Credit the Commissioners requested from Alderson Roofing was received and reviewed.

The Commissioners also received debtor copies of the U.C.C. Financing Statements for the Single Family Residence Mortgage Revenue Bonds.

The Fayette County Commissioners received letter from Fayette County Public Library Board, requesting to list the Library Levy as a separate issue.

A list of Personal and Real exoneration of taxes was presented from the Assessor's Office.

The September Report from Fayette County Dog Pound was received and reviewed.

The Monthly Operations Record for August was received from Sheriff's Department.

Jack Gannon met with the Fayette County Commissioners to discuss the End Loader which the Commission has for sale. The only bid received for this equipment was from Starcher Construction Company in Craigsville, with bid of \$7,000. It was decided that the equipment should be sold for no less than \$20,000.

Mr. Gannon discussed hunting at the Landfill. The Commissioners agreed that hunters are not permitted at the Landfill.

Landfill hours and holidays were discussed. The Landfill is opened 6 days a week 9:00 a.m. to 7:00 p.m. After November 1, 1986, the Landfill will be opened from 9:00 a.m. to 5:00 p.m. Holidays to be observed are Thanksgiving, Christmas, and Easter, for now. Comp time for OT on Holidays.

The Commissioners also discussed exploring the idea of having power put in at the Landfill.

Jack Gannon also requested 2 sets of tracks and rails. Cost would be approximately \$20,000.

Commissioners approved Jack to bid for these items.

Evelyn Jones met with Commissioners requesting \$1,010. needed to open facility in Mount Hope. Commissioners informed Ms. Jones they could not help her at this time and for her to submit a budget for them to review. Ms. Jones submitted a budget for Martin Luther King Junior College Center.

Acting Administrator Charlotte Holly questioned the Commission on Insurance for Life Line Ambulance Service on behalf of Steve Bowen. Mr. Lively informed Ms. Holly to have Mr. Bowen check if his insurance is for non-owned automobile liability insurance.

Audit Report was received from Armstrong Public Service District.

Page-Kincaid Public Service Districts' Profile was presented and reviewed.

Letter was received from Board of Directors of White Oak Public Service District concerning New River Gorge National River as Headquarters for New River Gorge National River.

Received Memorandum from State Fire Commission concerning National Firefighters' Memorial Sunday.

Commission approved News Release for papers concerning Property Reappraisal Hearings.

Commissioners approved guardian appointment for John Wroten guardian over Joshua Wroten.

The Fayette County Commissioners met with members of the Building Commission, along with Lee Hill & Sammie Gee with firm of Jackson, Kelly, Holt and O'Farrell to discuss options for financing portion of the cost of new Judicial Annex.

Jim Lively informed that the County gets \$50,000 a year from the Magistrate Fund so the County wants to issue whatever amount of bonds can be retired on \$50,000 a year. The rest should be paid from its other income sources.

The Commissioners, along with James B. Hess, Bill Bragg, Major Johnson, J. Dan Snead and Donald H. Stark met to discuss problems occurring at the Judicial Annex.

The Commissioners questioned Mr. Snead and Mr. Stark about the crack in the foundation.

Mr. Snead and Mr. Stark confirmed the crack to be a shrinkage crack and should not be a problem.

The Commissioners, along with the Building Commissioners, Mr. Snead and Mr. Stark, Charlottee Holly, Howard Janney and members of news media went to the Judicial Annex site to tour the progress of the Judicial Annex.

After the inspection, Mr. Stark informed that the Contractors felt they were on schedule.

The Commissioners received letter from Mr. James W. Keenan, from the Building Commission returning the \$2,500 the Commission had given to the Building Commission for expenses. Mr. Keenan learned that if the Building Commission opened its own checking account to pay expenses there may attached to that activity the necessity to file several reports with the Internal Revenue Service and other agencies. The Building Commission will submit to the County Commission requests for reimbursement of expenses as they arise.

Mr. Keenan also forwarded copies of correspondences directed to him from J. Dan Snead, in relation to an article that appeared in the Fayette Tribune on September 29, 1986. He also forwarded a copy of his response to this.

Commissioners received and approved list of Election Official to work November 4th Election.

Sheriff Richard Bragg and Deputy Everette Steele met with the Fayette County Commission to discuss the fate of the employees that are funded through Revenue Sharing. Mr. Bragg informed the Commission that Revenue Sharing is dead.

The Commissioners briefly discussed holding another meeting to discuss levy for fire and police protection and libraries. However,

the Fire Association and the Library are in favor of separate levies.

President Jim Lively presented the Commissioners with his resignation letter to be effective October 15th, 1986. Mr. Lively informed the Commissioners that increased business obligations have now made it impossible for him to give the required time to the ever increasing workload of the County Commission.

John H. Lopez

JOHN W. HATCHER, JR.

ATTORNEY AT LAW

105 E. WISEMAN AVENUE

P. O. DRAWER 90

FAYETTEVILLE, W. VA. 25840

September 24, 1986

TELEPHONE 574-3838

AREA CODE 304

Mr. Richard W. Bragg
Fayette County Sheriff
Fayette County Courthouse
Fayetteville, WV 25840

Re: Laprade v Manning

Dear Richard:

In 1982, Leonard Wayne Laprade, a then prisoner at the Penitentiary, and formerly incarcerated in the Fayette County Jail, instituted a pro se civil action in Federal District Court, on his behalf and on the behalf of all others similarly situate, against the then Sheriff of Fayette County, Jack Manning, and the Fayette County Commission. I was employed by the insurance company for the Sheriff to defend the interests of the Sheriff, i.e., the Office of Sheriff, and the Prosecuting Attorney's Office, through various Assistants of the Prosecutor's Office, represented the Commission. For a number of years, the civil action was dormant; however, last year Judge Elizabeth Hallanhan appointed Alan H. Larrick, Attorney at Law, Beckley, West Virginia, as plaintiff's counsel. On September 11, 1985, a Pre-Trial Conference, scheduled by the Court, was held before the Court's Law Clerk; those present being Mr. Larrick, Gene Carte, the undersigned and the Court's Clerk. A copy of the order resulting therefrom is enclosed herewith. In an effort to try to resolve this matter without any further problems, I arranged for various jail tours for the plaintiff and his counsel, and the tours were conducted. Subsequent to all of this, Mr. Larrick's law offices burned, and nothing was done until early August 1986 when Mr. Larrick informed me that the Court instructed him that he was to move on the case, either by settlement or by trial before the end of 1986.

Accordingly, I prepared a proposed settlement order for this case, a copy of which is enclosed, and sent the same to Mr. Larrick on August 13, 1986. On Wednesday, September 24, 1986, Mr. Larrick called me and informed me that his client, Mr. Laprade, was agreeable to the contents of the aforementioned order.

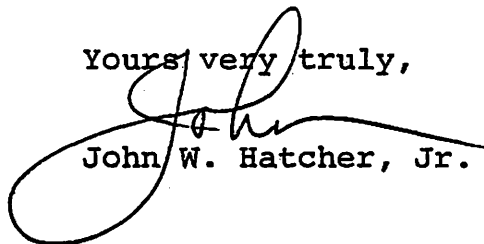
In view of the fact that Kanawha County and other counties have been under very strict, severe and costly court orders concerning improvements of their various jail facilities, it is my opinion that the aforementioned proposed order is much better than we might hope to expect were we to litigate the matter before the Federal Judge. Also, the aforementioned proposed Court order is far, far less than was proposed by Mr. Larrick and his client in the early part of 1986. They sent me a proposed order which was fashioned after the consent order entered in Marion County, and the said order was absolutely devastating.

Mr. Richard W. Bragg, Sheriff
September 24, 1986
Page: Two

Please review the enclosed proposed order and notify me by letter, at the earliest possible time, as to your thoughts concerning same.

By copy of this letter, I am forwarding the very same information to Gene Carte for his review and discussion with his client, the Fayette County Commission.

Yours very truly,



John W. Hatcher, Jr.

JWH, JR/1a
Enclosures
cc Mr. Gene Carte, Jr.
Assistant Prosecuting Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

LEONARD WAYNE LAPRADE, et als,

PLAINTIFFS,

VS:

CIVIL ACTION NO. 82-5209-BK

JACK MANNING, et als,

DEFENDANTS

O R D E R

At the suggestion of the Court and upon the concurrence of the parties, it was agreed that an effort would be made to resolve the issues raised or sought to be raised by the plaintiff's complaint in this action.

Pursuant to that goal, John W. Hatcher, Jr., Counsel for the Defendant Sheriff, arranged for and attended two (2) thorough tours of the Fayette County Jail facility, one (1) such tour was conducted for plaintiff's counsel, Alan H. Larrick, on February 7, 1986, and one (1) such tour for the plaintiff, Leonard Wayne Laprade, on March 4, 1986.

FURTHER, in an effort to arrive at some reasonable agreement between the parties the aforementioned John W. Hatcher, Jr. provided plaintiff's counsel with a detailed list of all jail improvements, both physical and operational, which had been made during the pendency of this civil action.

ACCORDINGLY, the Court makes the following findings of fact, upon the mutual motion and recommendation of the parties to this civil action:

(1) All electrical wiring in the jail has been replaced;

(2) An approved fire alarm system has been installed in the jail;

(3) Fireproof sheetrock has been installed in various portions of the jail;

(4) A new shower facility has been installed in cell block 5;

(5) An indoor recreation room has been created, said room containing a six (6) station weight machine and a stationary exercise bicycle;

(6) Private, individual interview rooms have been conducted for inmates' use when meeting with attorneys or counselors;

(7) The roof over the jail kitchen has been replaced;

(8) The jail kitchen has been completely repainted;

(9) Plumbing in the jail complex has been completely replaced and repaired as needed;

(10) Various steel has been placed in cell block 4;

(11) New, institutional type, stainless steel commodes have been installed throughout the jail complex;

(12) Two (2) new one hundred twenty gallon (120), each, hot water heaters have been installed in the jail;

(13) An airconditioner has been installed in the jail kitchen;

(14) A closed circuit TV monitoring system has been installed for each cell block;

(15) Telephones have been installed in each cell block;

(16) A new fire door has been installed between the jailor's office and cell block 2;

(17) A lock-box system is used in the jail for securing all firearms of all police officers who enter the jail premises;

(18) Eight (8) State trained, Civil Service selected corrections officers operate the jail;

(19) Each person confined in the Fayette County Jail, for whatever reason, is, by the corrections officer on duty given an orientation, at which time, printed rules and regulations for the jail are given to the inmate;

(20) Inmates are supplied jumpsuit-type uniforms which are regularly laundered, all at county expense;

(21) Inmates are furnished, free of charge, toothbrushes, toothpaste, shaving cream, safety razors, soap, paper towels, toilet tissue, combs, blankets, mattresses, and feminine hygiene items for female inmates;

(22) Inmates have access to adult education training Tuesday and Thursday of each week, said training provided by the Fayette County Board of Education Vocational School instructor, and inmates can and have obtained GED certificates;

(23) Inmates confined in the jail for DUI offenses are provided regular, weekly counseling by FMRS Mental Health Counsel, Inc., of Fayetteville, West Virginia;

(24) Visiting hours at the jail, each week, are Monday,

6:00 p.m. to 8: p.m., Wednesday, 2:00 p.m. to 4:00 p.m.,
and Friday, 2:00 p.m. to 4:00 p.m.;

(25) Once per week, non-denominational religious services are conducted in the jail and inmate participation is on a purely voluntarily basis;

(26) Inmate sick call is provided on an as needed basis, including dental care, all at no expense to the inmate;

(27) Each new inmate, during in-processing orientation, is questioned concerning his medical status, and a medical screening is conducted to detect any communicable diseases;

(28) Medicine for inmates is kept under lock and key by the corrections officer on duty, such medication is dispensed per directions on the medication;

(29) A medication log is maintained by the correction officers concerning each prisoner to whom medication is dispensed;

(30) Patent or non-prescription medicine is also available on an as needed basis; prescriptions being filled at a local pharmacy, all at county expense;

(31) An inmates grievance procedure is operational;

(32) Inmates are segregated, classified and confined according to the nature of their offense and their sex;

(33) Juveniles are never incarcerated in the jail; juveniles being either placed in a Court approved group home or taken to the juvenile detention facility at Princeton, West Virginia;

(34) Inmates have mail call once per day, Monday through Friday, of every week;

(35) A jail emergency evacuation plan exists and is operational;

(36) The jail kitchen is operating under current and valid approvals by the State Health Department and the Fayette County Health Departments; said jail kitchen is regularly inspected by such health facilities, pursuant to state law;

(37) The jail kitchen serves brand-name food products such as Stockleys, Delmonte, Armour and Smuckers;

(38) Legal research materials are not located in the jail facility, but are made available to inmates upon request;

(39) Mental health counseling is readily available for any inmate who request same, said counseling being conducted either at the jail or at the Fayetteville FMRS Mental Health Counsel Office;

(40) Attorneys for inmates have access to inmates on a 24-Hour, 7-Day per week basis;

(41) Any inmate may file a grievance in writing or verbally, and the inmate has immediate access to the Chief Deputy Sheriff concerning said grievance;

(42) Alcoholics are never confined in the Fayette County jail;

(43) Mentally ill persons are never confined in the Fayette County Jail, but are given immediate mental hygiene hearings pursuant to state law;

(44) No "drunk tank" exist at this Fayette County Jail;

(45) Inmates have access to various reading materials; including access to the Fayette County Public Library in Fayetteville, West Virginia;

(46) The jail population at the jail, at any given time, does not exceed fifteen (15) prisoners, and is not over crowded;

(47) Inmates are given credit for statutory good time during their incarceration;

(48) Inmates are not interfered with by officials in the event inmates make efforts to provide legal or other assistance to fellow inmates;

(49) There is no system of routine imposition of severe or unlawful disciplinary measures against inmates;

(50) There are no retaliatory actions of any kind against prisoners who complain about their confinement conditions or who attempt to otherwise exercise any legal rights;

(51) No outdoor recreational facilities exist at the jail;

(52) No legal library exists inside the jail;

It appearing to the parties to this action and to the Court that the following areas may have some inadequacies: Grievance procedure, mail handling procedure, discipline procedure, recreation facilities, visitation, and law library, it is therefore the ORDER and JUDGMENT of the Court that the defendants shall, within six (6) months from the date of the entry of this order, provide to the Court and plaintiff's counsel,

the defendants' written proposals for the correction of the aforementioned deficiencies, at which time the court shall review same, and upon approval thereof, order their institution and dismiss this action.

.....

JUDGE

APPROVED BY:

.....

Alan W. Larrick
Counsel for the Plaintiff

.....

John W. Hatcher, Jr.
Counsel for the defendant Sheriff

.....

Gene Carte, Jr.
Assistant Prosecuting Attorney, Fayette County
Counsel for defendant County Commission

October 8, 1986

Fayette County Commission
Fayetteville, WV

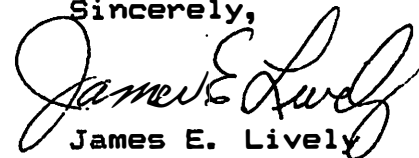
Gentlemen;

I hereby submit my resignation as a member of the Fayette County Commission, effective October 15, 1986. Increased business obligations have now made it impossible for me to give the required time to the ever increasing workload of the County Commission.

On October 1, 1986 my firm, Jim Lively Insurance, Inc. acquired ownership of the Nicholas County Insurance Agency in Summersville, WV. This acquisition doubled the size of our sales organization and requires that I spend most of my time outside Fayette County. Since I can no longer devote adequate time to effectively execute my responsibilities as a commissioner I feel I must vacate the office.

Therefore, after much consideration, I submit this resignation.

Sincerely,



James E. Lively

JOHN H. LOPEZ
SMITHERS, W. VA.
COMMISSIONER

JAMES E. LIVELY
OAK HILL W. VA.
PRESIDENT

JOHN L. WITT
FAYETTEVILLE, W. VA.
COMMISSIONER

FAYETTE COUNTY COMMISSION
FAYETTEVILLE, W. VA. 25840-0307
TELEPHONE (304) 574-1200

CHARLOTTE HOLLY
ACTING ADMINISTRATOR

October 9, 1986

Mr. Carlton Spicer
C/O Fayetteville Middle School
Fayetteville, WV 25840

Re: WCIR Rental of Fayette
County Memorial Building

Dear Mr. Spicer:

After consultation with the Fayette County Commission and Mr. Ray Carson, Fayette County Board of Education, it was decided that since the proceeds received by WCIR will be donated to a public, non-profit organization, the \$500 rental fee will be waived. All other rules are applicable.

Thanking you for your assistance, I am,

Sincerely,

Charlotte N. Holly
Charlotte N. Holly
Acting Administrator

FCC/db

MEETING OF FAYETTE COUNTY COMMISSION
OCTOBER 15, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session on Wednesday, October 15, 1986.

Payroll and outstanding bills were approved.

Commissioners briefly discussed truck bids for truck for Dog Catcher. After discussion, the Commissioners decided to continue looking for truck.

Commissioners unanimously elected John H. Lopez to serve as President of Fayette County Commission for the remainder of 1986 due to resignation of Mr. James E. Lively effective October 15, 1986.

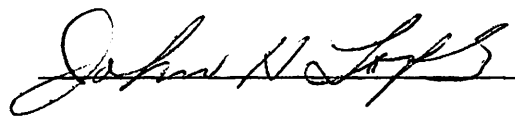
Commissioners signed Assignment Agreement for Clinton Gallaher with A T & T for separate telephone line for office of Law Master.

Commissioners held Property Reappraisal Hearings for remainder of the day.

Commissioners briefly discussed hiring someone to hold the Reappraisal Hearings.

The Meeting was adjourned 5:00 p.m.

Property Reappraisal Hearings are scheduled for Wednesday, October 22, 1986.



ASSIGNMENT AGREEMENT

FAYETTE COUNTY
COMMISSION

10/10/86 CLINTON

Effective as of (Date), GALLAHER ("Assignor") hereby assigns ("Assignee") agrees to accept assignment of the Service/Purchase Agreement No. 08P12150, as amended, between Assignor and AT&T Information Systems Inc. insofar as such Agreement provides for rights, benefits or obligations concerning the following products and services:

<u>Description</u>	<u>Item Code</u>	<u>Quantity</u>	<u>Monthly Charge Per Unit</u>	<u>Monthly Charges</u>
CONTROL UNIT 206	6106-CL1	1	33.00	33.00
5 BUTTON PHONE	3160-111	2	7.25	14.50

Henceforth the assigned portion of the Agreement will be referred to as Service/Purchase Agreement No. (New).

Assignee agrees to accept and be bound by the terms and conditions of the Service/Purchase Agreement as if Assignee had been the original Customer with respect to such equipment.

[Assignor agrees to remain responsible as a guarantor for the performance of this Agreement by Assignee.]

[As a condition of AT&T Information Systems approval of the Assignment, Assignee and AT&T Information Systems agree to modify the Service/Purchase Agreement, as assigned, to reflect the terms and conditions attached.]

Assignee also agrees to pay AT&T Information Systems a Seventy-Five Dollar (\$75.00) processing fee due upon the effective date of this Assignment in consideration of its approval of this assignment.

AT&T INFORMATION SYSTEMS, INC.
Received by: Thelma Burrow
Accepted by:

By: CLINTON GALLAHER (Assignor) (Auth. Signature) _____ (Typed Name) _____ (Title) _____ (Date) _____

By: FAYETTE COUNTY COMMISSION (Assignee) (Auth. Signature) John H. Lopez (Title) _____ (Date) _____

By: _____ (Auth. Signature) _____ (Typed Name) _____ (Title) _____ (Date) _____

at: _____ (Address) _____

On: 10-15-86 (Date) _____ (Date) _____

ASSIGNMENT AGREEMENT

FAYETTE COUNTY COMMISSION Effective as of (Date) 10/10/86 **CLINTON GALLAHER** ("Assignor") hereby assigns and **FAYETTE COUNTY COMMISSION** ("Assignee") agrees to accept assignment of the Service/Purchase Agreement No. 281912150 as amended, between Assignor and AT&T Information Systems Inc. insofar as such Agreement provides for rights, benefits or obligations concerning the following products and services:

<u>Description</u>	<u>Item Code</u>	<u>Quantity</u>	<u>Monthly Charge Per Unit</u>	<u>Monthly Charges</u>
CONTROL UNIT 206	6106-CU1	1	33.00	33.00
5-BUTTON PHONE	3160-111	2	7.25	14.50

Henceforth the assigned portion of the Agreement will be referred to as Service/Purchase Agreement No. (New).

Assignee agrees to accept and be bound by the terms and conditions of the Service/Purchase Agreement as if Assignee had been the original Customer with respect to such equipment.

[Assignor agrees to remain responsible as a guarantor for the performance of this Agreement by Assignee.]

[As a condition of AT&T Information Systems approval of the Assignment, Assignee and AT&T Information Systems agree to modify the Service/Purchase Agreement, as assigned, to reflect the terms and conditions attached.]

Assignee also agrees to pay AT&T Information Systems a Seventy-Five Dollar (\$75.00) processing fee due upon the effective date of this Assignment in consideration of its approval of this assignment.

AT&T INFORMATION SYSTEMS, INC.
 Received by: Thelma Currow
 Accepted by:

<u>CLINTON GALLAHER</u> (Assignor)	<u>FAYETTE COUNTY COMMISSION</u> (Assignee)	_____ (Auth. Signature)
By: <input checked="" type="checkbox"/> _____ (Auth. Signature)	By: <input checked="" type="checkbox"/> <u>Charlotte Holl</u> (Auth. Signature)	_____ (Typed Name)
<input checked="" type="checkbox"/> _____ (Typed Name)	<input checked="" type="checkbox"/> <u>Charlotte Holl</u> (Typed Name)	_____ (Title)
<input checked="" type="checkbox"/> _____ (Title)	<input checked="" type="checkbox"/> <u>Acting Administrator</u> (Title)	_____ (Address)
On: <input checked="" type="checkbox"/> _____ (Date)	On: <input checked="" type="checkbox"/> <u>10-15-86</u> (Date)	On: _____ (Date)

ORDER

On this the 15th day of October, 1986, the Fayette County Commission meeting in a regularly called session and having received and accepted the resignation of James E. Lively as a member of the County Commission of Fayette County to be effective as of this date, does hereby unanimously elect John H. Lopez to serve as President of said Commission for the remainder of the year 1986.

Fayette County Commission

James E. Lively, President

John H. Lopez

John H. Lopez, Commissioner

John L. Witt

John L. Witt, Commissioner

15
10-12-86

MEETING OF FAYETTE COUNTY COMMISSION
OCTOBER 22, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: John H. Lopez
John L. Witt

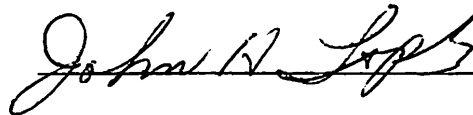
The Fayette County Commissioners met on this 22nd day of October for purpose of holding scheduled Property Reappraisal Hearings.

Mr. Lopez and Mr. Witt discussed hiring possibly two people to hold hearings. Mr. Denzil Rowe and Mr. William Jayne will be contacted to see if they can start holding hearings on November 6th. Commissioners discussed paying around \$65.00 to \$70.00 a day.

Valley District will be next on the scheduling list when New Haven District is complete.

Letter was drafted for Mr. William Spence; Governor's Office of Industrial and Community Development requesting payment of \$136,685.08 for Gauley River PSD.

Scheduled Property Reappraisal hearings were held until 5:00 p.m.
Meeting was adjourned.





Kanawha Valley Bank NA

One Valley Square - P.O. Box 1700 - Clarksburg, WV 26301-0170

September 3, 1986

County Commission of Fayette County
Fayette County Courthouse
Fayetteville, WV 25840

Gentlemen:

As per the letter from the Fayette County National Bank and your own approval, the following securities are now shown on our books as pledged to secure deposits for the Fayette County Commission:

			our rec.#
\$200M FNMA	12.25%	due 4/10/87	47458
\$100M WV Hsg. Auth.	5.15%	due 7/1/87	35669
\$ 50M Virginia HDA	5.60%	due 10/1/87	42332
\$100M Mississippi	4.60%	due 10/1/87	34703
\$100M FFCB	10.30%	due 12/1/87	49046
\$200M FFCB	10.30%	due 12/1/87	47115
\$100M Chesterfield Co.	6.00%	due 1/1/88	37613
\$200M FNMA	10.30%	due 2/10/88	45449
\$200M State of Oregon	5.00%	due 5/15/88	34566
\$ 50M Chesapeake VA	5.90%	due 7/1/89	39911
\$ 50M VA HDA Home Mtg.	11.50%	due 8/1/89	42402
\$100M Illinois	8.60%	due 10/1/89	45528
\$100M Newport News	8.60%	due 12/1/89	45032
\$200M West Virginia	7.90%	due 3/1/90	37959
\$100M Maine	10.00%	due 5/15/90	45937
\$ 50M Illinois	9.50%	due 6/1/90	45110
\$100M Washington Sub. San.	11.50%	due 8/1/90	44061
\$100M Southeastern VA Pub. Ser	7.95%	due 7/1/91	47511
\$100M TX Wat. Dev.	9.00%	due 8/1/91	45527
\$100M Delaware	9.50%	due 2/15/92	47264
\$100M Winchester VA	9.80%	due 10/1/92	44546
\$200M Charleston Co. SD	10.75%	due 3/1/93	46679
\$100M Alabama	10.90%	due 3/1/93	44314
\$ 50M Maryland	11.30%	due 11/15/93	46462
\$ 50M Richmond VA	11.75%	due 1/15/94	47167

Copies of all of the above safekeeping receipts are enclosed for your records. Some of these pledges are renewals, however new receipts are still enclosed for these. If there are any questions on this matter, please call me in the Investment Division at (304) 348-7256.

Sincerely yours,

Cheryl A. Sears

Investment Coordinator

cc: Linda Ramsey-Fayette County National

AN AFFILIATE OF ONE VALLEY BANCORP OF WEST VIRGINIA, INC

Enclosures

MEETING OF FAYETTE COUNTY COMMISSION
OCTOBER 29th, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session on Wednesday, October 29th, 1986.

The Fayette County Commissioners heard Guardian Appointment for Cynthia Gilkerson. Commissioners approved Patricia Calisina guardian for Cynthia Gilkerson.

Mr. Walsh, Gary Sizemore and Patsy Sizemore from Charlton Heights area met with the Fayette County Commissioners concerning Commissioners on Kanawha Falls Public Service District.

Mr. Walsh, Ms. Sizemore and Mr. Sizemore forwarded a petition from residents of Falls View and Charlton Heights area to replace Mr. Bert Buckbee who had recently resigned as Commissioner for the Kanawha Falls Public Service District.

Commissioners briefly discussed this appointment. Mr. Lopez pointed out that this appointment was mentioned in previous minutes with the Commissioners discussing Mr. Lyle Blackwell filling this appointment being as he was appointed by the town.

John Witt informed Mr. Walsh that an appointment will be made after Gene Carte takes over as Commissioner to fill the unexpired term of Mr. James E. Lively. Other Commissioners on this board will be contacted to see what opinions they have on this appointment.

Mr. Walsh and Mr. & Mrs. Sizemore informed the Commission they felt Dr. Rice of the Charlton Heights area would make excellent Commissioner for said Public Service District.

Commissioners heard Committee Appointment for Ollie Lattie. Commissioners approved Phil Tissue Committee for Ollie Lattie.

Commissioners briefly discussed hiring Hearing examiners to hold Property Reappraisal Hearings. Mr. Denzel Rowe and Mr. William Jayne will conduct these hearings beginning November 6th, 1986. Mr. Rowe and Mr. Jayne were contacted to attend the hearings scheduled for the afternoon of this meeting. Pay for these hearings will be \$75.00 a day.

Gary Harding from Zoning Office met with the Fayette County Commissioners with the following change in land Classifications.

Request of Samuel D. & Sementha R. Scarbro, Owners, for a change in land classification from R-R, Agricultural and Rural Residence District, to

B-2, General Business District, on part of 1.25 acres next to Lot 47, Martha Subdivision, Route 17/1, Rocklick, Plateau District.

John L. Witt made motion to pass change in land classification. John H. Lopez seconded. It was unanimous to approve of this change.

Commissioners heard request of Thomas & Belle Faye Piotrowski, Owners, by Charles R. Piotrowski, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on Lot 21, Lochgelly Subdivision, Route 21/18 located behind the Fayette Clinic, Plateau District.

The County Commission was informed that the Planning Commission did by an 8-2 vote recommend that this request be denied but that Charles Piotrowski would like to request that this be sent back to the Planning Commission since he was not prepared at the last meeting of the Planning Commission. After a discussion with Mr. Piotrowski Mr. Witt made a motion that this be sent back to the Planning Commission for further consideration. Motion was seconded by Mr. Lopez and passed by a vote of 2-0.

Commissioners heard request of Valerie Ritter, Owner, for a change in land classification from R-R, Agricultural and Rural Residence, to B-2, General Business District, on Lot 2, Garvey Subdivision, near Winona, Route 82, New Haven District.

The Commission was informed that the Planning Commission did by a vote of 9-1 recommend that this request be approved to use an existing house as a restaurant in connection with a rooming house on the adjoining lot. After a general discussion a motion was made by Mr. Witt that this request be approved as recommended. Motion was seconded by Mr. Lopez and passed by a vote of 2-0.

Gary Harding also informed the County Commission that the ordinance required that one member of the County Commission be a member of the Planning Commission and that seat was now vacant with the resignation of Mr. Lively. Mr. Lopez asked Mr. Witt if he would accept that appointment and he indicated that he would. Mr. Lopez then appointed Mr. Witt to serve as the County Commission's representative on the Planning Commission.

Commission approved Vicky Harris legal guardian for Timothy Harris.

Jane Hughes met with Commissioners requesting information on how the Levy will be presented. Ms. Hughes informed the Commission the Library Board would like to have a separate Levy.

Phil Tissue, Loretta Lively and Melba Carter from the Library Board met requesting a separate Levy.

Commissioner John Lopez informed Ms. Hughes that he felt the Firemen's Association, Deputy Sheriff's Association, along with the Sheriff should all meet to discuss exact procedures Associations prefer.

The Commissioners decided to have a meeting on November 10th, in the afternoon to discuss the Levy.

Jim Keenan met with the Fayette County Commissioners to discuss assigning office areas in the Courthouse Annex. Mr. Keenan felt the issue on occupants in the building needed to be addressed. He also informed the commission he felt ample room for the Law Master hearing room should be provided.

President John Lopez informed Mr. Keenan a decision would be made soon on who will reside in the annex.

Dr. Thomas Z. Jones, CPG from West Virginia Tech met with Commissioners requesting \$10,000 for Extension Center in Oak Hill. Mr. Jones also presented Summary of Fayette Plateau Educational Plan to each Commissioner.

The Fayette County Commissioners received resignation letter from James W. Keenan resigning from the Board of Directors of FMRS effective October 28, 1986.

The Commissioners discussed letter received from Peggy Coleman concerning rules at Fayette County Park. A letter was prepared and signed for Mrs. Coleman pertaining to this matter.

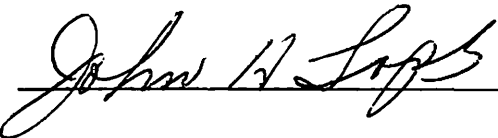
Commissioners approved Topper 7' Ford Truck Bed for Dog Catcher's Truck.

Commissioners received Deepwater Public Service District's report for the Fiscal year ended June 30, 1986.

Commissioners signed prepared orders for Mr. Denzil Rowe and Mr. William Jayne designating them as Hearing Officers for the Fayette County Commission for the purpose of conducting appraisal hearings in accordance with the legislation and regulations of the State of West Virginia.

The Fayette County Commission meeting was adjourned.

The Fayette County Commissioners held Property Reappraisal Hearings for the remainder of the day.



PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 27th day of October, 1986, at a regular meeting of the Planning Commission of Fayette County, West Virginia, to be held in the basement of the Fayette County Memorial Building, Fayetteville, 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 a recommendation.

ALSO, PLEASE TAKE NOTICE that on the 29th day of October, 1986, 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, Fayette County Memorial Building, Fayetteville, West Virginia.

Z-297-86-1: Request of Samuel D. & Sementha R. Scarbro, Owners, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on part of 1.25 acres next to Lot 47, Martha Subdivision, Route 17/1, ~~Rocklick, Plateau District.~~

Z-298-86-1: Request of Thomas & Belle Faye Piotrowski, Owners, by Charles R. Piotrowski, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on Lot 91, Lochgelly Subdivision, Route 21/18 located behind the Fayette Clinic, Plateau District.

Z-299-86-2: Request of Valerie Ritter, Owner, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on Lot 2, Garvey Subdivision, near Winona, Route 82, New Haven District.

Gary E. Harding
Zoning Officer

MINUTES OF THE FAYETTE COUNTY COMMISSION AT A MEETING HELD ON
WEDNESDAY, OCTOBER 29th, 1986.

Present were: John H. Lopez, President
John L. Witt, Commissioner

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

Z-297-86-1: Request of Samuel D. & Sementha R. Scarbro, Owners, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on part of 1.25 acres next to Lot 47, Martha Subdivision, Route 17/1 Rocklick, Plateau District.

The Zoning Officer informed the County Commission that the Planning Commission did by a vote of 10 - 0 recommend that an area 100' x 100' be rezoned to allow the operation of a public garage in an already existing building. John Witt made a motion that this request be approved as recommended by the Planning Commission. Motion was seconded by John Lopez and passed by a vote of 2 - 0.

Z-298-86-1: Request of Thomas & Belle Faye Piotrowski, Owners, by Charles R. Piotrowski, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on Lot 91, Lochgelly Subdivision, Route 21/18 located behind the Fayette Clinic, Plateau District.

The County Commission was informed that the Planning Commission did by an 8 - 2 vote recommend that this request be denied but that Charles Piotrowski would like to request that this be sent back to the Planning Commission since he was not prepared at the last meeting. After a discussion with Mr. Piotrowski Mr. Witt made a motion that this be sent back to the Planning Commission for further consideration. Motion was seconded by Mr. Lopez and passed by a vote of 2 - 0.

Z-299-86-2: Request of Valerie Ritter, Owner, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on Lot 2, Garvey Subdivision, near Winona, Route 82, New Haven District.

The Commission was informed that the Planning Commission did by a vote of 9 - 1 recommend that this request be approved to use an existing house as a restaurant in connection with a rooming house on the adjoining lot. After a general discussion a motion was made by Mr. Witt that this request be approved as recommended. Motion was seconded by Mr. Lopez and passed by a vote of 2 - 0.

The Zoning Officer informed the County Commission that the ordinance required that one member of the County Commission be a member of the Planning Commission and that seat was now vacant with the resignation of Mr. Lively. Mr. Lopez asked Mr. Witt if he would accept that appointment and he indicated that he would. Mr. Lopez then appointed Mr. Witt to serve as the County Commission's representative on the Planning Commission.

THE FAYETTE COUNTY COMMISSION


PRESIDENT


COMMISSIONER

MEETING OF FAYETTE COUNTY COMMISSION
NOVEMBER 5, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. John H. Lopez
Mr. John L. Witt

The Fayette County Commission met in regular session on Wednesday, November 5th, 1986.

Commissioners heard Committee appointment for Sonya Pools. Commissioners approved Aubry Williams committee for Sonya Pools.

Fayette County Commissioners approved Glenna White and Mrs. Burgess Committee for Viola Inscore.

Commissioners approved David and Ruth Bennett guardian for Rebecca Ann Moorehead.

Commissioners signed order reappointing Mr. Guy Baker as Commissioner and chairman of the Board of Commissioners of the Beckwith Public Service District. Term expiring September 29th, 1992.

Commissioners received and reviewed list of Personal Prior Year and Real Exoneration of Taxes from Assessor's office.

Commissioners received and reviewed letter and material from County Commissioners' Association of West Virginia.

Commissioners signed order appointing Andrew Wooten to fill the unexpired term of Wilbur Williams on the Arbuckle Public Service District.

Fayette County Commissioners received letter from James W. Keenan, President of Fayette County Building Commission concerning office space for Family Law Master.

The Fayette County Commission received letter from Arbuckle Public Service District recommending that John Harper be reappointed as a Commissioner for the Arbuckle Public Service District.

Commissioners received letter from Gerald E. Greene submitting his resignation from the Wolf Creek Public Service District effective immediately.

Commissioners received and reviewed Dog Warden Report and Mileage Report for October.

Commissioners reviewed Public Service District Profile from Ames Public Service District Profile.

On this 5th day of November, 1986, the Fayette County Commission met with representatives from 4 area banking institutions, the Fayette County Building Commission and Samme Gee of Jackson, Kelly, Holt and O'Farrell to discuss the idea of raising funds through a bond issue.

Present were: C. R. Hill, Jr., Merchants and Miners National Bank; L. G. Mullins, Merchants National Bank; Don Mitchell, Bank of Mt. Hope; and C. Noyes Banks, Fayette County National Bank.

Ms. Gee informed each Bank the County wants to raise as much money as can be repaid through the \$50,000 a year income from the Matistrate Court Fund.

Mr. Hill informed the Commission that each bank has a different situation because of the new tax law.

Mr. Keenan questioned the bankers if the banking community can look favorably on the proposal or if they would need further information.

Dicussion on the concerns of variable rate were discussed.

Each Banking institution agreed to look at an initial proposal using information gathered today and another meeting will be scheduled to make agreements.

John Witt informed that the new annex should be referred to as the Courthouse Annex, not the Judicial Annex.

Jim Keenan informed the Commissioners that some dicisions needed to be made immediately concerning office space at the annex.

John Lopez informed Mr. Keenan that a meeting would be scheduled with Donald Stark and they would designate what plans needed to be finalized.

A meeting will be held November 10th, with the Building Commission and the contractor to discuss the questioned areas in the new annex.

The Commissioners approved a \$5,000 contribution to the West Virginia Tech Foundation, Inc. for new center in Oak Hill.

The Commissioners briefly discussed the appointment of Commissioner for the Kanawha Falls Public Service District. The Commissioners decided to seek opinion from the Public Service Commission concerning appointing Lyle Blackwell to fill the unexpired term being as his appointment was made by the town.

Commissoners approved a bid of \$7,500 to Rich Equipment Company for tracks at the Landfill, upon approval of Jack Gannon seeing if they meet specifications. A bid was received from Walker Machinery for \$9,300.

Commissioners named Ed Boyd, superintendent of Babcock State Park to the Emergency Medical Service Council.

Commissioners approved reappointment of Virgil Burgess as Commissioner to White Oak Public Service District.

Gene Carte was sworn in as Commissioner of Fayette County to fill the unexpired term of James E. Lively.

Commissioners decided to have men at Landfill to do reseeding needed at the Landfill.

Commissioners decided to set terms for members of Emergency Medical Service Council before issuing orders for members.

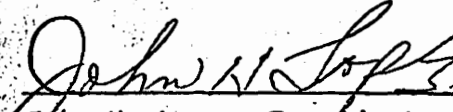
The Commission meeting was adjourned. Next scheduled meeting will be on Monday, November 10, 1986 to hold General Election Canvass.

ORDER

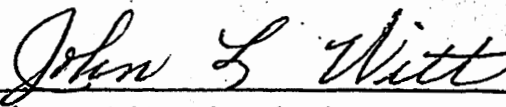
On this the 5th day of November, 1986, it appearing to the Commission that the term of office of Mr. Guy Owen Baker, of Fayetteville, West Virginia, as a Commissioner of the Board of Commissioners of the Beckwith Public Service District did expire on September 29, 1982 and that it is necessary and advisable that said position be filled immediately and it further appearing that his reappointment is recommended by the Board of said Beckwith Public Service District it is hereby ordered that Mr. Guy Baker be and he is hereby reappointed as Commissioner and chairman of the Board of Commissioners of the Beckwith Public Service District as and of November 5, 1986 to serve for and during a period of six years, said term expiring September 29, 1992.

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Fayette County Commission



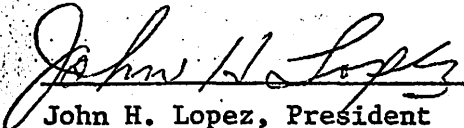
John H. Lopez, President

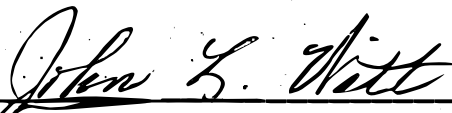


John L. Witt, Commissioner

ORDER

On this the 5th day of November, 1986, the Fayette County Commission having received and accepted as of October 15, 1986, the resignation of James E. Lively of Oak Hill, West Virginia, as a member of said Commission does hereby unanimously appoint Gene Carte, Jr. of Oak Hill to fill the unexpired term of office of James E. Lively.

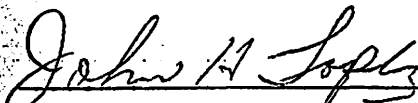

John H. Lopez, President


John L. Witt, Commissioner

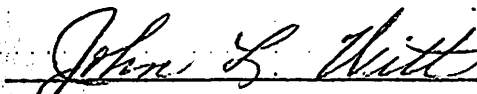
ORDER

On this the 5th day of November, 1986, it appearing to the Fayette County Commission that there is a vacancy on the Arbuckle Public Service District due to the resignation of Wilbur Williams, and that it is necessary and advisable that said position be filled, it is hereby ordered that Andrew Wooten be appointed to fill the unexpired term of Wilbur Williams, said term to expire September 1, 1990.

Fayette County Commission



John H. Lopez, President



John L. Witt, Commissioner

MEETING OF FAYETTE COUNTY COMMISSION
NOVEMBER 10, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. John H. Lopez
Mr. John L. Witt
Mr. Gene Carte

The Fayette County Commission met in special session on this 10th day of November to conduct General Election Canvass.

Canvass results were approved and will be certified Friday morning.

The Fayette County Commission met with Sheriff Richard Bragg, Deputy Chuck Moses, Deputy Garland Burke, Deputy Gary Reed, Deputy Evertte Steele, Deputy Charlie Bryant, Steve Cruikshanks, John Burns, Lawrence Aquino, Paige Skaggs, Mike Rutledge and Jane Hughes to secure directions to pursue the Levies.

Jane Hughes; from Fayette County Libraries informed Commission she felt the Library Levy should be separate.

Steve Cruikshanks felt the Fire Levy should be listed separate.

Mr. Witt felt Emergency Services and Police Protection should be listed together. He felt the people should know also that the Levy will not raise taxes.

Jane Huges questioned how to fund expenses for the Levy.

Mr. Lopez felt the public needed to know how they will benefit.

It was decided to look into legal way of wording the levy together.

Mr. Aguiño questioned the public's opinion after reviewing results from Sheriff's Election. He felt portion of the public might be anti-Manning and might be against levy for Police Protection. He also informed the Commission that he realizes the deputies are not to blame for shape the Sheriff's department is in.

Mr. Lopez expressed he felt that there was not all negative attitudes. He also felt there was some support in Fayette County.

Mr. Paige Skaggs also felt there were negative feelings with the Sheriff's Department and that a levy with them might cause some mixed feelings.

Mr. Lopez expressed that if Fire and Law Enforcement pushed Levy there shouldn't be a problem.

Mike Rutledge felt that each association needed to look at what's best.

Garland Burke felt a combined levy would go if each association worked together. Mr. Burke informed he was the last hired, so he would be the first to be dismissed.

Mr. Burns expressed he felt it should be a mutual thing.

At this November 10th meeting, Mr. Burns felt certain procedures needed to be dealt with.

#1 Wording should be on where monies are going.

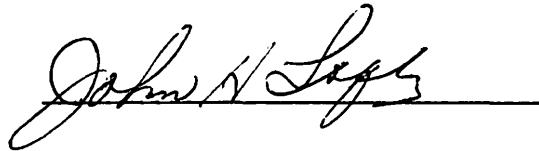
#2 What public has to loose.

#3 How they will benefit.

Mr. Witt expressed he felt the Levies should be combined and presented to public in a way it would be accepted and supported.

Each Association agreed to present information to their Association and to attend meeting on Friday with results and decide how they will present Levy.

Howard Janney was informed the Levy Election would be Saturday, February 21, 1987.



MEETING OF FAYETTE COUNTY COMMISSION
NOVEMBER 14th, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. John H. Lopez
Mr. John L. Witt
Mr. Gene Carste

The Fayette County Commissioners met in special session on this 14th day of November, 1986 to certify results of General Election Canvass. Payroll was approved.

Sheriff Richard Bragg appeared before Commissioners informing he destroyed Owl Card he obtained when he took over the office as Sheriff.

Commissioners informed Mr. Bragg he was to assume duties as County Administrator. The Commissioners also requested Mr. Bragg to work with the Associations to work out important procedures of Levy.

The Commissioners met with Steve Cruiershanks, Lawrence Aquino, John Burns, Paige Skaggs, and Deputies from the Sheriff's department to discuss the Levy and how it should be presented.

It was decided for Richard to work up figures including election costs, and deputy budget with each Association and to get back with Commission with results.

Jack Manning was sworn in as Sheriff of Fayette County at 10:00 a.m. on this 14th day of November, 1986.

Commissioners briefly discussed having Jane Hughes notified that it needed to be discussed further regarding the Library Levy being presented separate.

President John Lopez informed the Association that the Commission would meet with the Associations any time to discuss the Levies.

Commissioners informed that each Association would be divided with expenses for the Election costs.

Mr. Skaggs felt if all were combined together there would no question that it would pass.

Commissioner Witt made motion authorizing Administrator Richard Bragg to draw up plan with all three entities included in package.

Gene Carste seconded. John H. Lopez approved. It was voted unanimous for plan.

Administrator Richard Bragg was requested to work with Steve Cruiershanks on Levy and to present proposal within 30 days.

At this November 14th, 1986 meeting of the Fayette County Commission, the Commissioners received and reviewed letter from James W. Keenan, President of Building Commission, pertaining to Fayette County Judicial Annex financing.

The Commissioners received request from Russell Bennett of the Nuttall Substation requesting a letter from Fayette County Commission giving their approval of going fully independent to the Ansted Fire Department, Nuttall Substation.

Commissioners drafted a letter for Mr. Bennett and WV State Fire Commission regarding this request.

Commissioners received letter from Phil Sundstrom, Fayette Mental Health Council, Inc. submitting list of prospective FMRS Board of Director candidates for their consideration.

Letter was prepared and signed to West Virginia State Tax Department concerning Property Reappraisal Hearings.

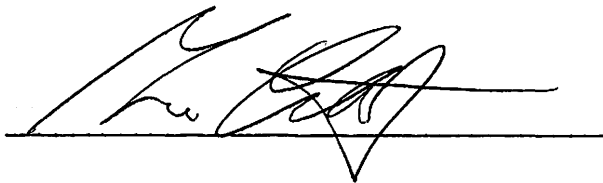
Letter and Order was prepared for West Virginia Tech Foundation, Inc. informing of contribution of \$5,000 for establishment of a Community College in the Plateau area of Fayette County.

Commissioners received and reviewed information concerning Gauley River Public Service District.

Commissioners received and reviewed minutes of October 10, 1986 meeting of Salem Gatewood Public Service District.

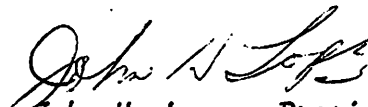
Commissioners signed order informing the three appraisers to continue in their official capacities in the appraisal of the real estate of Mattie Payne, deceased.

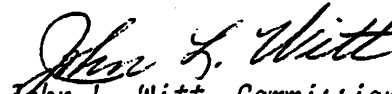
The next scheduled meeting will be November 26, 1986.

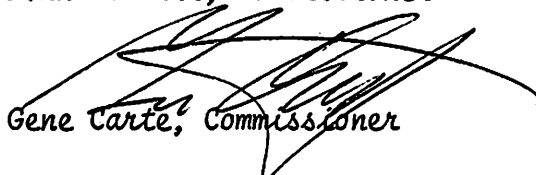
A handwritten signature in black ink, appearing to be "R. Bennett", is written over a horizontal line.

On this the 14th day of November, 1986, the Fayette County Commission considered the petition submitted on this date in the estate of Mattie Payne requesting the removal of the three named appraisers, to wit: Rev. Allen Gallimore, Shirley Gallimore, and Almeda Duncan who were appointed to appraise the real property of Mattie Payne.

Wherefore the Commission did not find sufficient evidence to duly support this request, the three appraisers so stated above shall continue in their official capacities in the appraisal of the real estate of Mattie Payne, deceased.


John H. Lopez, President


John L. Witt, Commissioner


Gene Carte, Commissioner

MEETING OF FAYETTE COUNTY COMMISSION
NOVEMBER 26th, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. John H. Lopez
Mr. John L. Witt
Mr. Gene Carte

The Fayette County Commission met in regular session on Wednesday, November 26th, 1986.

The Fayette County Commissioners approved guardian appointment of Mr. John Falbo for Joey & Jason Falbo.

Commissioners discussed Commissioner for Kanawha Falls Public Service District. Mr. John Witt made motion to appoint Lyle Blackwell to this position. Mr. Gene Carte seconded. All members approved of this appointment upon Mr. Blackwell resigning from the Town appointment.

The Fayette County Commissioners approved \$13,402.01 for Construction in progress at Page-Kincaid Public Service District.

Commissioners briefly discussed the recent order from the State Supreme Court ordering all courthouses to remain open on Saturdays.

Commissioner Gene Carte said he has contacted high court officials to obtain a copy of the order and recommended that no action be taken until further instructions are received.

The Fayette County Commissioners approved payment of \$5,000 to the U.S. District Court of Southern West Virginia for Adam Toney's fine. The remainder of the tax commission of \$4,474.07 to Adam Toney and \$1,975.61 to Interim Sheriff Richard Bragg.

Commissioners received and reviewed Fire Safety Inspector Report for Fayette County Health Department.

Commissioners approved printout from Cott Computer Service for County Clerk's office.

Commissioners approved and signed order reappointing John Harper as Commissioner for Arbuckle Public Service District. Term to expire September 1, 1992.

Commissioners agreed to have Hearing Officers return on December 1st to finalize Property Reappraisal work.

Commissioners briefly discussed roof leak in Commission office. Charlotte informed the Commission that the one repair was completed but another one has occurred.

Charlotte informed the Commissioners that all work is under warranty.

Commissioners discussed having work for Roof above Herb Mann's office. Mr. Horrocks will be contacted to decide if temporary work can be done until spring and then have bids received for the repairs needed.

Commissioners agreed to check on the Roof repairs at the Memorial Building.

Commissioners received and reviewed audit report of Danese Public Service District for year ending June 30, 1986.

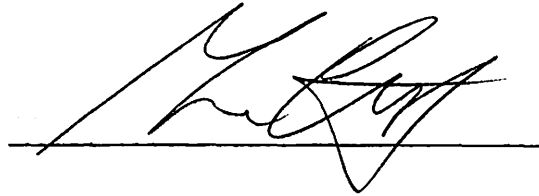
Commissioners received resignation of James W. Keenan from the Fayette County Building Commission.

Commissioners met with Mike McMorrow and Patsy Sizemore to discuss Commissioner for Kanawha Falls Public Service District.

The Meeting was interrupted by bomb threat to the Courthouse.

The Courthouse was evacuated and closed for the remainder of the day.

The next scheduled meeting is December 3rd, 1986.

A handwritten signature in black ink, appearing to be "M. R. ...", is written over a horizontal line. The signature is stylized and cursive.

STATE OF WEST VIRGINIA
DEPARTMENT OF MOTOR VEHICLES
CHARLESTON
25305

*no insurance
12/22/86*

CLASS _____

NUMBER _____

Application for a Certificate of Title for a Vehicle

EXP. DATE _____

MUST BE PREPARED IN INK OR TYPEWRITER

TO COMMISSIONER OF MOTOR VEHICLES:

The undersigned owner or owners of the following described vehicle hereby make application for a certificate of title for said vehicle and for that purpose state under oath the following facts:

NAME Fayette County Commission

(Name of purchaser to be written plainly and exactly as it is to appear on the Certificate of Title)*

ADDRESS Court House, Fayetteville, West Virginia 25840

Number Street City or Town County State Zip Code

VEHICLE DESCRIPTION

CERTIFICATE OF INSURANCE MUST BE ATTACHED IF REGISTRATION IS ISSUED

MAKE Ford YEAR 1986 V.I.N. _____

STYLE OF BODY ambulance WEIGHT _____
Passenger vehicles only TRUCKS (Requested GVW)

ODOMETER READING _____ MOTOR POWER _____
Gasoline, Fuel Oil, Electric

Purchase Price \$ 25,699.44 Trade in \$ _____ Net Cost \$ _____ 5% Tax _____
(Credit allowed only on vehicles registered in West Virginia and the tax paid thereon by applicant)

TRADE IN DESCRIPTION

Make	Year	Serial No.	West Virginia Title No.
Registration Plate			
Transferred from	Make of Vehicle	Weight	Serial No. Title No. License No.

LIENS AND ENCUMBRANCES

First Lien: Amount \$ 1.00 Kind of Lien D/T Date _____
C/S/C Rm/D/T 426, S/A 1800 Washington Street, East
Name Department of Health - Office of EMS Address Charleston, West Virginia 25305
Name of Lienholder Address of Lienholder

Second Lien: Amount \$ _____ Kind of Lien _____ Date _____
C/S/C D/T S/A
Name _____ Address _____
Name of Lienholder Address of Lienholder

I hereby certify, under penalty of perjury, that the statements made herein are true and correct to the best of my knowledge and belief.

Signature John W. Lopez

DEALER CERTIFICATION

This is to certify that the above described vehicle was purchased from the undersigned dealership on _____ Month _____ Day _____ Year _____ by the above described purchaser, and the undersigned further certifies that the sale price, trade-in, and net cost is true and correct.

Trade Name of Dealership _____

Dealer Certificate Number _____

City _____ State _____ Zip Code _____

Authorized Agent's Signature _____ Title _____

A G R E E M E N T

THIS AGREEMENT, Made this 26th day of November 1986, by and between the WEST VIRGINIA DEPARTMENT OF HEALTH, OFFICE OF EMERGENCY MEDICAL SERVICES, hereinafter referred to as party of the first part, and the FAYETTE COUNTY COMMISSION of Fayetteville, West Virginia, hereinafter referred to as party of the second part:

W I T N E S S E T H:

WHEREAS, the County of Fayette has determined to provide for emergency medical services to the extent provided by law; and

WHEREAS, the County of Fayette will continue to maintain a countywide emergency medical services system to the extent provided by law; and

WHEREAS, the County of Fayette has provided for Basic Life Support with the training and retention of Emergency Medical Technicians;

NOW, THEREFORE, in consideration of the promises and mutual covenants and conditions hereinafter contained, it is AGREED by the parties hereto as follows:

1. That the Fayette County Commission shall retain title of vehicle _____ and further agrees not to dispose of said vehicle without first obtaining the expressed written authorization to do so from the West Virginia Department of Health, Office of Emergency Medical Services, according to guidelines and policies of the Office of Emergency Medical Services which may apply at such time.

2. That the Fayette County Commission provide or cause to provide insurance on said vehicle in the amount of one hundred thousand dollars (\$100,000.00)/five hundred thousand dollars (\$500,000.00) limits for bodily injury or liability inclusive of Fire, Theft, and Collision for the actual market value of said vehicle with a fifty thousand dollar (\$50,000.00) limit for property damage liability with a minimum of five hundred dollars (\$500.00) deductible.

3. That the Fayette County Commission will provide or cause to provide emergency medical services without prior inquiry as to the ability of the party to pay for such service.

4. That the Fayette County Commission participate in Regional Emergency Medical Service programs inclusive of mutual aid agreements, data collection and evaluation, and regional disaster programs;

5. That the Fayette County Commission will cause only fully certified personnel to operate said vehicle in accordance with the laws, rules and regulations of the State of West Virginia.

6. That this agreement shall not impose a duty to provide emergency medical services except as otherwise provided by law.

In testimony whereof, the first and second parties hereto have set their hands and seals this ____ day of _____, 1986.

WEST VIRGINIA DEPARTMENT OF HEALTH

BY _____

ITS _____

FAYETTE COUNTY COMMISSION

BY John H. Lopez

ITS President

STATE OF WEST VIRGINIA

COUNTY OF _____, to wit:

_____, a Notary Public in and for the county aforesaid, do hereby certify that _____ who signed the foregoing and annexed writing, bearing date of the _____ day of _____, 19____, has this day in my said county, before me, acknowledged the said writing.

Given under my hand this _____ day of _____, 19____.

My Commission expires the _____ day of _____, 19____.

Notary Public

STATE OF WEST VIRGINIA

COUNTY OF Fayette, to wit:

I, Linda Johnson, a Notary Public in and for the county aforesaid, do hereby certify that John H. Lopez who signed the foregoing and annexed writing, bearing date of the 26 day of November, 19 86, has this day in my said county, before me, acknowledged the said writing.

Given under my hand this 26th day of November, 19 86.

My Commission expires the 29 day of June, 19 89.

Linda Johnson
Notary Public

MEETING OF FAYETTE COUNTY COMMISSION
DECEMBER 3rd, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. John H. Lopez
Mr. John L. Witt
Mr. Gene Carte, Jr.

The Fayette County Commission met in regular session on Wednesday, December 3, 1986.

Judy Learmonth appeared before Commissioners questioning why she was not paid for attending school for General Election.

Commissioners discussed that County employees are not paid for election work that occurs during regular working hours, and they would get back with her concerning her check.

Andy Keenan appeared before the Commission to reschedule his appointment of this meeting. Mr. Keenan scheduled appointment for January 7th, 1987.

Commissioners discussed Christmas Holidays at the Courthouse. Gene Carte made motion to change holidays to December 25th and December 26th instead of December 24th and 25th. John Lopez seconded.

John Lopez "aye"

John Witt "aye"

Gene Carte "aye"

Gary Harding met with Fayette County Commissioners and informed the Commission that the request of Thomas & Belle Faye Piotroski, Owners, by Charles R. Piotrowski, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on Lot 91, Lochgelly Subdivision, Route 21/18, located behind the Fayette Clinic Plateau District was scheduled for hearing on November 26th, 1986, but due to the Court House being closed because of a bomb threat it was unable to be presented. The Commission was informed that a petition with 15 signatures was submitted in opposition to this request and that the planning Commission did by a 7-0 vote recommend that this be denied. After a general discussion a motion was made by Mr. Witt that this be denied as recommended by the Planning Commission. Motion was seconded by Mr. Carte and passed by a vote of 3-0.

Patricia Goodwin appeared before Commission with guardian appointment for Allen Goodwin. Commissioners approved of this appointment.

Donald Woods appeared before Commissioners requesting Commissioners to appropriate money for reward for information on murder of Teresa Woods.

President John Lopez informed Mr. Woods that the Commission could not make a commitment right now but he will discuss request with the Prosecuting Attorney and will let him know if the Commission can appropriate the funds. Mr. Woods can be reached at Box 52, Kimberley, 25118. Telephones: 442-4133 or at his mothers; Deloris Keffer; 442-5303.

The Fayette County Commission met with the Fire Association members of Steve Cruikshanks, Paige Skaggs, Lawrence Aquino, Jane Hughes from the Library and Howard Hill from the Deputy Sheriff's Association to discuss Excess Levy Figures Administrator Richard Bragg had presented.

Paige Skaggs informed he felt the Fire Association and Library would do their share of work for the Levy but questioned the deputies.

Howard Hill informed the Association he could affirm every man in the Deputy Association would do their share to work for the Levy.

Mr. Skaggs felt a meeting should be set for each Association to get together to discuss procedures in campaigning for Levy.

John Witt made motion to accept figures for one combined Levy. It was duly seconded by Gene Carte and passed by 3-0 vote.

Figures for Excess Levy:

Fire	454,443
Library	85,064
Law Enforcement	201,500
Election	50,000
TOTAL	<u>791,007</u>

The Commissioners approved Administrator Richard Bragg to attend classes and training seminars with Assessor Dan Neely.

The Commissioners met with Dan Snead and Don Stark to discuss changes in Courthouse Annex.

Judge Summerfield and Judge Abbot met with Commission to discuss space for Probation Department. Judge Abbot explained he has direct responsibility to the Probation Officers. Mr. Abbot explained he feels the Commission needs to consider relocating expenses if the Commission decides to have the Probation department relocate in the existing tax office instead of the new Courthouse annex.

Mr. Lopez informed the Judges that contractors would examine the offices and the Probation department would have what is needed to run their office.

The Commissioners, along with Dan Neely discussed with Dan Snead and Don Stark the necessary changes needed to be made for the Assessor's office.

Mr. Snead and Mr. Stark agreed to give corrections to be made to the contractors and hopefully it won't be more than 2 weeks be get results from them and if there should be a change in cost amount.

Pauline Hoisten met with the Commissioners requesting be be appointed guardian for Laura Hoisten. Commissioners approved.

The Commissioners received request from Harry Marshall to have help from janitors from the Courthouse to help distribute fruit baskets on December 23 and 24th at the Memorial building. Commissioners approved if the janitors are not busy at the time.

Commissioners requested Charlotte Holly to contact Alderson Roofing and check on their work at the Memorial Building. Mr. Witt informed he doesn't want work to start now till the spring.

Commissioners approved amount of \$97 to Royal Oak Press for supplies for the Building Commission.

The Commissioners approved West Virginia Army National Guard to use the Fayette County Park facilities to use as alternate assembly area.

Commissioners approved payment to Nichols Construction Company for \$135,484.00.

Commissioners approved \$100 to Mountain Resource Conservation and Development Area.

Commissioners received and reviewed a copy of an order entered in Federal Court that requires certain action on behalf of the Commission from Prosecuting Attorney Charles M. Vickers concerning LaPrade vs. Manning case.

Commissioners drafted letter for Mr. P.L. Gainer, chairman of Region 4 Planning and Development Council stating that the Fayette County Commission supports the economic development Council and will continue to participate in the development activities.

The Fayette County Commissioners met with Sheriff Jack Manning. Mr. Manning informed the Commissioners he felt the Fayette County Jail needed improvements and the problems of lack of staff, absence of outdoor recreation, inadequate medical records, storage of medication, lack of linen and inadequate inmate programs needed to be addressed and solved by the officials of Fayette County.

Commissioner Carte questioned on prospect of having prisoners having outdoor activities at the Fayette County Park.

Mr. Manning informed the Commissioners to consider the security risks at the Park.

The Commissioners requested Mr. Manning to check at other County jails to view how they were dealing with outdoor activities.

Mr. Manning felt the catering service at the jail needed to be stopped. He also informed of roach problems and lack of cleanliness.

Commissioners informed Mr. Manning to document things he felt were wrong at the jail and to present them to the Commissioners. The Commissioners will also inspect the jail at a future meeting.

Mr. Manning also questioned the Commissioners on how Mr. Epperly is being paid through December after leaving on November 1, 1986. Mr. Manning questioned on how a county employee could have 45 days off. Mr. Manning informed it to not be county policy and he did not authorize approval.

The Commissioners agreed to look into the matter and to get back with him on the matter.

The Commissioners informed Judy Learmonth they could not pay for her attending the school for general election being as she attended on county time.

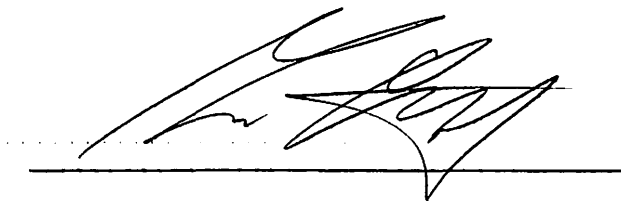
The Commissioners approved orders of petitioners of real estate for assessment purposes to combine or divide and segregate land.

The Commissioners approved \$562 to Appalachian Power Company for underground service work for new courthouse annex.

Commissioners approved Darin Minor, Joetta Huddleston and Renee Eads to work through December.

Commissioners entered into an agreement with WV Department of Health Office of Emergency Medical Service for County ambulance for General Ambulance Service.

The next scheduled meeting is December 15th, 1986.

A handwritten signature in black ink, appearing to be a stylized name, is written above a horizontal line.

FAYETTE COUNTY COMMISSION MEETING
DECEMBER 15, 1986
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. John L. Witt
Mr. Gene Carte, Jr.

The Fayette County Commission met in regular session on Monday December 15th, 1986.

Outstanding bills and payroll were approved.

Steve Cruikshanks and Lawrence Aquino appeared before the Commissioners requesting clause in the Excess Levy to allow Fire Association any amount that succeeds from the Levy to be allocated to the Fire Association.

Commissioners agreed to look into the matter and to get back with them.

Howard Janney questioned the Commissioners if they would like to change or add to cards that need to be sent to poll workers for special levy on February 21, 1987. Commissioners approved the cards the way they were.

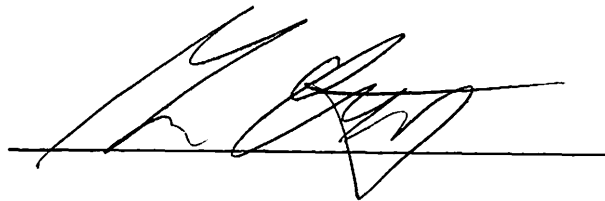
The meeting with Pat Hamilton concerning annexation in Oak Hill was canceled due to protestors against the annexation.

Commissioners received and reviewed Fayette County Dog Pound Report.

Commissioners received and reviewed Fire Safety Inspection Report for Fayette County Jail and Fayette County Courthouse from State Fire Commission.

Commissioners received letter from James W. Keenan withdrawing his resignation from the Building Commission. Mr. Keenan will continue to serve as President of the Commission.

The next scheduled meeting is December 31st, 1986.

A handwritten signature in black ink, appearing to be "Gene Carte, Jr.", written over a horizontal line.

MEETING OF FAYETTE COUNTY COMMISSION
DECEMBER 31, 1986
FAYETTE COUNTY COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Mr. John H. Lopez
Mr. John L. Witt
Mr. Gene Carte, Jr.

The Fayette County Commission met in regular session on this 31st day of December, 1986.

The Fayette County Commission discussed appropriating \$5,000 for reward of unsolved murders in Fayette County.

Sheriff Jack Manning met with the Fayette County Commission informing he felt the reward would surely help in these cases. Mr. Manning requested the Commission to appropriate this reward.

The Fayette County Commission unanimously approved this reward allocated from Law Enforcement budget with Fayette County Commission to subsidize any funds needed. The reward will not be given unless arrest and conviction of party is made.

The Fayette County Commission discussed overtime with Sheriff Jack Manning.

President John Lopez felt comp time should be observed for overtime.

Mr. Manning informed that deputies had not agreed upon comp time in an agreement that was to be finalized in April of 1986. Mr. Manning agreed to discuss this with deputies. Mr. Manning also agreed to talk with Prosecutor and Magistrate's Office to work out way of holding Night Court.

Sheriff Jack Manning questioned the Commissioners on the possibility of topping the Road Office for outdoor recreation for the jail.

Commission President John Lopez questioned expenses of such a job as this, and offered possibility of using the house on lot out from the jail.

Mr. Manning felt the public would question the prisoners moving handcuffed across the street.

The Commissioners decided to explore these and other possibilities for outdoor recreation and to get back with Sheriff Manning.

Commissioner John Witt also felt the Commission should invite others to help with the reward for the unsolved murders in Fayette County.

Details of setting up the Law Library in the jail were discussed.

The Fayette County Commissioners discussed closing the Courthouse at noon to observe New Year's holiday. An order was prepared pertaining to closing acting pursuant to order issued by Governor Arch Moore.

Commissioner John Witt instructed Richard Bragg to look into procedures of Board of Risk Liability insurance and agents, and also made motion to set up date in the next year to make it an order of business to discuss insurance and agents.

Commissioner Witt also informed the Commission he was in favor of appropriating \$1,500 to Nuttall Fire Station to pay for material and work at Nuttall Fire Station. Fayette County Commission voted to approve these funds but felt this would be the final appropriation for the station.

James Keenan met with the Commission forwarding payment # 6 from Nichols Construction Co. for work on Courthouse Annex. Commissioners approved of payment.

Mr. Keenan questioned the Commissioners about bonds discussed previously with Jackson, Kelly, Holt and O'Farrell for financing portion of the costs of new Courthouse Annex.

The Commissioners informed Mr. Keenan they will decide about bonds & financing after looking at entire budget.

Mr. Keenan informed the Commissioners that the contractors felt June 15th would be completion of the courthouse annex.

Commissioner John Witt questioned Mr. Keenan about having the building removed near the annex as soon as possible.

Commissioner Gene Carte questioned Mr. Keenan if persons involved in removing had insurance. Mr. Keenan informed he would have persons doing the work to sign waiver.

Mr. Witt informed he was asked permission from Rodney Myers for mantel from the building. Mr. Keenan informed he would give permission for mantel.

Charlotte Holly informed the Commissioners she also had requests for certain articles from the building. Mr. Lopez informed he felt we were not obligated to these requests.

After discussion the Fayette County Commissioners decided to wait until they look into legal matters before having the building removed.

James Lively appearing before the Commission forwarded an Ohio Brass Company check for \$1,000 representing the Lessee's purchase price for the Lease/Purchase Agreement pertaining to Fayette County Industrial Development Revenue Bonds dated June 1, 1971.

The Fayette County Commissioners briefly discussed having the Courthouse opened on Saturdays.

The Commissioners approved of \$5,000 to West Virginia Tech Foundation, Inc. for establishing a Community College in the Plateau area of Fayette County. The Commissioners also decided they would not be able to help with any other costs for the center.

Commission President John Lopez questioned Richard Bragg about expenses for upcoming levy.

Mr. Bragg informed the Commission he had consulted with the State Tax department and was informed if the order is written correctly, expenses come from parties involved.

The Fayette County Commissioners also approved request for revisions to approved Coal Severance, General County and Revenue Sharing budgets.

The Fayette County Commission submitted a report to the State Tax Dept. of number of hearings held by it in review of any and all appraisals and any adjustments in valuation made by the Commission.

The Commissioners received and reviewed letter from the Building Commission pertaining to the contractors request to reduce the retainage from 10% to 5% refused by the building Commission.

The Fayette County Commission voted to terminate the Snow Removal Contract. The Commissioners requested to have Jack Gannon meet with them on January 7th, to discuss this contract and shelter rental at Fayette County Park.

The Fayette County Commission after meeting with Lee Massey approved payment for White Oak Public Service District for Engineering fees with intentions of being reimbursed if their Grant is approved.

The meeting was adjourned.

The next scheduled meeting is January 7th, 1987.



At a regular session of the County Commission of Fayette County held on December 31, 1986, the following order was made and entered:

SUBJECT: The revision of the 1986-87 General Fund Budget of the County Commission of Fayette County.

The following resolution was offered by John L. Witt:

RESOLVED: That subject to the approval of the State Tax Commissioner (as required) the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number two (2), a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by John L. Witt, and duly seconded by Gene Carte, Jr., the vote thereon was as follows:


John H. Lopez	Aye;
John L. Witt	Aye;
Gene Carte, Jr.	Aye.

Whereupon, John H. Lopez, President, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED stated above, and the same is, hereby adopted as so stated above, and John H. Lopez is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1986-87 General Fund Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.


John H. Lopez, President


John L. Witt, Commissioner


Gene Carte, Jr., Commissioner

At a regular session of the County Commission of Fayette County held on December 31, 1986, the following order was made and entered:

SUBJECT: The revision of the 1986-87 Revenue Sharing Fund Budget of the County Commission of Fayette County.

The following resolution was offered by John L. Witt:

RESOLVED: That subject to the approval of the State Tax Commissioner (as required) the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number three (3), a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by John L. Witt, and duly seconded by Gene Carte, Jr., the vote thereon was as follows:

John H. Lopez	Aye;
John L. Witt	Aye;
Gene Carte, Jr.	Aye.

Whereupon, John H. Lopez, President, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED stated above, and the same is, hereby adopted as so stated above, and John H. Lopez is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1986-87 Revenue Sharing Fund Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.


John H. Lopez, President


John L. Witt, Commissioner


Gene Carte, Jr., Commissioner

At a regular session of the County Commission of Fayette County held on December 31, 1986, the following order was made and entered:

SUBJECT: The revision of the 1986-87 Coal Severance Fund Budget of the County Commission of Fayette County.

The following resolution was offered by John L. Witt:

RESOLVED: That subject to the approval of the State Tax Commissioner (as required) the County Commission of Fayette County does hereby direct that the budget be revised as shown on budget revision number two (2), a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by John L. Witt, and duly seconded by Gene Carte, Jr., the vote thereon was as follows:


John H. Lopez	Aye;
John L. Witt	Aye;
Gene Carte, Jr.	Aye.

Whereupon, John H. Lopez, President, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED stated above, and the same is, hereby adopted as so stated above, and John H. Lopez is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Tax Commissioner for approval.

The undersigned members of the County Commission of Fayette County do hereby state that the attached request for revision to the 1986-87 Coal Severance Fund Budget is requested prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.


John H. Lopez, President


John L. Witt, Commissioner


Gene Carte, Jr., Commissioner

Rev. #2

OCI: BR 1180 (Rev. 1984) REQUEST FOR REVISION TO APPROVED BUDGET

(§ 11-8-26a)

CONTROL NUMBER 8687
FY 01
FUND 2
REV. NO. 107

STATE TAX COMMISSIONER
OFFICE OF CHIEF INSPECTOR
DRAWER 2389
CHARLESTON, WV 25305

Fayette County Commission

12-31-86

GOVERNMENTAL ENTITY
P. O. Box 307

ENTITY APPROVAL DATE

STREET OR P.O. BOX
Fayetteville, WV 25840

RECEIPTS: (net each acct)

CITY ZIP CODE

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (INCREASE)	CREDIT (DECREASE)	REVISED AMOUNT
299		262,862	102,372		365,234

NET INCREASE/(DECREASE) 102,372

EXPENDITURES: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (DECREASE)	CREDIT (INCREASE)	REVISED AMOUNT
401	1-10	118,230		13,000	131,230
401	11-40	315,100		22,372	337,472
404	1-10	189,230		5,000	194,230
439	1-10	63,500		45,000	108,500
441	1-10	77,473		17,000	94,473
456	11-40	16,575	3,000		13,575
456	56-65	1,900		3,000	4,900

NET INCREASE/(DECREASE) 102,372

TAX DEPARTMENT USE ONLY

RECEIVED _____
 POSTED _____ BY _____
 APPROVED FOR THE STATE TAX COMMISSIONER BY:

 DIRECTOR - OFFICE OF CHIEF INSPECTOR

John A. Lopez
 AUTHORIZED SIGNATURE FOR GOVERNING BODY President
 DATE OF REQUEST 12-31-86
 SPECIAL NOTE: TRANSFERS TO/ FROM SPECIAL FUNDS MUST BE ACCOMPANIED BY A STATEMENT CONTAINING SIGNATURES OF ALL COUNTY COMMISSIONERS (§ 7-1-9)

PLEASE NOTE:

SUBMIT WHITE, PINK, AND BLUE COPIES TO TAX DEPARTMENT. RETAIN YELLOW COPY AS RECORD OF SUBMISSION.

STATE TAX COMMISSIONER
 OFFICE OF CHIEF INSPECTOR
 DRAWER 2389
 CHARLESTON, WV 25305

Fayette County Commission

12-31-86

GOVERNMENTAL ENTITY
 P. O. Box 307

ENTITY APPROVAL DATE

STREET OR P.O. BOX
 Fayetteville, WV 25840

RECEIPTS: (net each acct)

CITY ZIP CODE

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (INCREASE)	CREDIT (DECREASE)	REVISED AMOUNT
299		717,706	8,207		725,913
372		-0-	45,705		45,705

NET INCREASE/(DECREASE) 53,912

EXPENDITURES: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (DECREASE)	CREDIT (INCREASE)	REVISED AMOUNT
456	1-10	11,665		40,000	51,665
999		-0-		13,912	13,912

NET INCREASE/(DECREASE) 53,912

TAX DEPARTMENT USE ONLY

RECEIVED _____
 POSTED _____ BY _____
 APPROVED FOR THE STATE TAX COMMISSIONER BY:

 DIRECTOR - OFFICE OF CHIEF INSPECTOR

John H. Lupton 12-31-86
 AUTHORIZED SIGNATURE President DATE OF REQUEST
 FOR GOVERNING BODY

SPECIAL NOTE: TRANSFERS TO/ FROM SPECIAL FUNDS MUST BE ACCOMPANIED BY A STATEMENT CONTAINING SIGNATURES OF ALL COUNTY COMMISSIONERS. (7-1-81)

PLEASE NOTE:

SUBMIT WHITE, PINK, AND BLUE COPIES TO TAX DEPARTMENT. RETAIN YELLOW COPY AS RECORD OF SUBMISSION.

OCI: BR 1180 (Rev. 1984) REQUEST FOR REVISION TO APPROVED BUDGET

(§ 11-8-26a)

CONTROL NUMBER 86-87 03 3 10/1
 FY FUND REV. NO. PAGE NO.

STATE TAX COMMISSIONER
 OFFICE OF CHIEF INSPECTOR
 DRAWER 2389
 CHARLESTON, WV 25305

Fayette County Commission
 GOVERNMENTAL ENTITY

12-31-86

ENTITY APPROVAL DATE

P. O. Box 307

STREET OR P.O. BOX

Fayetteville,

WV 25840

CITY

ZIP CODE

RECEIPTS: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (INCREASE)	CREDIT (DECREASE)	REVISED AMOUNT
299		1,027,848	249,831		1,277,679
326		403,718		230,519	173,199

NET INCREASE/(DECREASE)

119,312

EXPENDITURES: (net each acct)

ACCOUNT NUMBER	ACCOUNT CATEGORY	APPROVED AMOUNT	DEBIT (DECREASE)	CREDIT (INCREASE)	REVISED AMOUNT
401	11-40	350,041		14,312	364,353 364,359
442	66-70	-0-		5,000	5,000

TAX DEPARTMENT USE ONLY

NET INCREASE/(DECREASE)

19,312

RECEIVED _____
 POSTED _____ BY _____
 APPROVED FOR THE STATE TAX COMMISSIONER BY:

 DIRECTOR - OFFICE OF CHIEF INSPECTOR

John W. Lops
 AUTHORIZED SIGNATURE

12-31-86
 DATE OF REQUEST

FOR GOVERNING BODY President
 SPECIAL NOTE: TRANSFERS TO/ FROM SPECIAL FUNDS MUST BE ACCOMPANIED BY A STATEMENT CONTAINING SIGNATURES OF ALL COUNTY COMMISSIONERS (7-1-91)

PLEASE NOTE:

SUBMIT WHITE, PINK, AND BLUE COPIES TO TAX DEPARTMENT. RETAIN YELLOW COPY AS RECORD OF SUBMISSION.

ORDER


On this 31st day of December, 1986, the Fayette County Commission acting pursuant to an order issued by the Honorable Arch Moore, Governor of the State of West Virginia, declaring the afternoon of Wednesday, December 31, 1986, to be an official State holiday, the Fayette County Courthouse will be closed commencing at 12:00 noon on December 31st, 1986, in observance of New Year's Day.



John H. Lopez, President



John L. Witt, Commissioner



Gene Carte, Jr., Commissioner

ORDER

On this the 31st day of December, 1986, the Fayette County Commission meeting in regular session and acting pursuant to Chapter 7, Article 6, Section 2 of the West Virginia Code, and having determined:

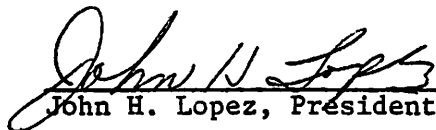
That, the Fayette County National Bank had pledged two million and nine-hundred thousand dollars (\$2,900,000) in securities for the balances of accounts of the Fayette County Commission in said banking institution.

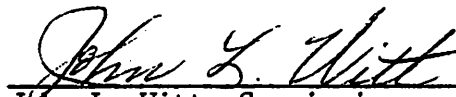
That, during the remainder of the fiscal year (1986-87), amount of said securities is in excess of the amount necessary to cover said balance of accounts.

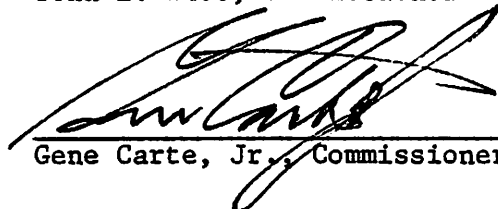
That, for and during the remainder of the fiscal year (1986-87), the amount of securities necessary to cover said accounts is two million dollars (\$2,000,000.).

Now, therefore, be it hereby ordered that the amount of securities pledged by the Fayette County National Bank to secure said accounts be reduced by \$900,000 for a remaining balance of pledged securities of \$2,000,000.

Fayette County Commission


John H. Lopez, President


John L. Witt, Commissioner


Gene Carte, Jr., Commissioner