

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JANUARY 9, 1991
COURTHOUSE
FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 9th day of January, 1991.

County Clerk Howard Janney appeared at meeting with proposal for repairing books in County Clerk's Office. Quote for proposal was \$6,645.00.

Gene Carte made motion to approve. John Lopez seconded. Vote was unanimous. This was approved pending no other quotes received.

County Clerk Howard Janney also presented information of records filmed in his office by Church of Latter Day Saints-Mormons.

Commissioner Gene Carte made motion to elect John L. Witt as President for Commission for year 1991. John Lopez seconded the motion. Vote was unanimous. John H. Lopez was elected Purchasing Agent and Debbie Berry was elected Assistant Purchasing Agent.

The Commissioner met with Attorney Andy Keenan and Randy Prince with petition to abandon and close end of State Street in Oak Hill. With no one appearing to object this the Commissioners unanimously voted to approve. Attorney Keenan is to prepare order.

The Commissioners met with Bobby Gee and Henry Sizemore from Page-Kincaid area.

Mr. Gee and Mr. Sizemore informed of committee formed in Page-Kincaid area to complain against Commissioners and practices of Page-Kincaid Public Service District. He reported of not being satisfied with records given by members of Public Service District and that they have been removed from some meetings.

After much discussion concerning the matter President Witt informed the Commission would draft a letter to the Public Service District with these concerns and have representatives from Public Service District at a future meeting to discuss this.

The Commissioners met with Attorney Paul Clay with petition for Committee Appointment for Damar Meadow.

Petitioner Garnett Garden was questioned. T. E. Myles was approved guardian et litem.

After questioning Commissioner Carte made motion for appointment. Commissioner Lopez second. Vote was unanimous. Bond was set at \$50,000.00.

The Commissioners reviewed letter from Cecil L. McCormick, Correctional Officer, concerning county policy on Health Insurance. The Commissioners informed the order issued to Mr. McCormick should answer this.

The Commissioners received and reviewed letter from Supreme Court of Appeals concerning regional jails.

The Commissioner reviewed dates set for Board of Equalization and Review. Dates as follows:

February 1, 1991--9:30 a.m.	February 15, 1991--9:30 a.m.
February 5, 1991--1:00 p.m.	February 19, 1991--9:30 a.m.
February 8, 1991--9:30 a.m.	February 22, 1991--9:30 a.m.
February 13, 1991--9:30 a.m.	February 26, 1991--1:00 p.m.
February 28, 1991--2:00 p.m. (if necessary)	

The Commissioners decided to change regular meeting date for February. The first regular meeting in February will be February 5, 1991. The last meeting will be February 26, 1991.

The Commissioners met with Gary Harding, Zoning Officer, regarding the following request:

Z-348-91-1: Request of Karol L. & Coleen M. Jeffries, Owners, by Mountain Enterprises, Inc., for a change in land classification from R-R, Agricultural and Rural Residence District, to I-2, Heavy Industrial District, on 9.231 acres, Turnpike, U.S. Route 60, Lookout, New Haven District.

This was withdrawn.

The Commissioners also approved waiver of rental fee of Memorial Building on January 26, 1991 for Gospel Sing Benefit for Nathan Olson.

The Commissioners signed order reappointing Ann B. Covington to the Fayette County Housing Authority.

The Commissioners also signed orders appointing William R. Skaggs to replace J. Walter Brown, and Herb Jones to replace Carl Harris and John L. Walker to replace Barbara Hickman on the Fayette County Building Commission.

A letter was also signed to Mercer Funeral Home regarding estate of Bessie Bourne.

The Commissioners discussed request of Dennis Spangler regarding payment plan for purchase of old cruiser. The Commissioners agreed they would try to work out plan.

Administrator Charlotte Holly informed she has sent Gauley Bridge a second request for payment for used cruiser.

Mr. Witt informed that this had been approved at a town meeting.

The Commissioners met with Attorney Phil Tissue and Attorney James Blankenship and Petitioner Dollie Fox with request for Committee Appointment for Charles Edward Adkins.

Jamie Blankenship was approved guardian et litem and recommended the appointment.

After questioning Gene Carte made motion for appointment of Ms. Fox. John Lopez second. Vote was unanimous. Bond was set in the amount of \$500.00.

Administrator Charlotte Holly informed of request from Jane Hughes for advancement of Library Levy Fund.

Ms. Holly explained there was only \$2,700.00 in Library Levy account.

The Commission discussed the matter with Attorney Phil Tissue who is on Library Board. Mr. Tissue explained of cash flow problems.

The Commissioners agreed to advance \$3,300 but would be reimbursed when next levy taxes are received.

The Commissioners met with Alice King, Region 4, W. D. Amick, Wilderness Public Service District and Ed Shutt, Stafford Consultants with request from Wilderness Public Service District for \$50,000.00 request to extend water into Nallen area in Fayette County.

Ed Shutt explained project.

President Witt informed this request would be put with others for consideration.

The Commissioners discussed trying to work out way to assist Smithers Officials and Region 4 to repair Smithers Community Center. No final decision was made.

Administrator Charlotte Holly reported of problems with vending machines. The Commissioner agreed to have them removed.

The Commissioners met with Evelyn O'Dell and Russell Matthew concerning request for funds for Retired Senior Citizens Volunteer Program.

Ms. O'Dell explained program and the need to keep project going. She requested \$3,000.00 for program or what Fayette County Commission could fund.

President Witt informed the Commission will do their best to help and will consider during budget session.

A letter was reviewed from Department of Health regarding Mr. Lee Massey on Fayette County Solid Waste Authority.

The Commissioners reviewed letter from General Preservation Corp. regarding roof leaks at Courthouse. The letter stated the firm planned

to be in West Virginia in February and they would try to arrange meeting to investigate this then.

President Witt informed to keep this letter available so if they are not here by March other action will be taken.

The Commissioner received and reviewed information on the 2 new cruisers which arrived November 4, 1990.

The Dog warden Report for month of December, 1990 was received and reviewed.

Maintenance Report for month of December for vehicle repair from Fayette County Park was received and reviewed.

Sheriff Bill Laird appeared at meeting and informed of claims filed for collection of costs for confinement of State Committed Inmates held in Fayette County Jail from August 17, 1987 to June 30, 1990. Total amount \$35,185.17.

The Sheriff also advised of looking at purchase of K-9 Unit for Fayette County Sheriff Department. The Sheriff explains of the United States Park Service agreeing to pay \$4,000 toward purchase and \$1,000.00 from Drug Free Fayette Committee. The remainder would be raised from fund raisers.

The Sheriff also notified of receiving Highway Safety Grant Award which will provide funds for employment of one full time deputy sheriff. No local funds will be needed. This would be 12 month period only.

The Sheriff also explained certification requirement for computer terminal operators.

The Sheriff explained cost sharing plan for 5 municipalities to assist with plan. The money could be used as incentive for Correctional Offices.

The Sheriff explained he wanted to advise of requirements and would pursue proposal.

The Commissioner reviewed request from Mountain Transit Authority. This will be considered in Budget Session.

Administrator Charlotte Holly reported request from Lois Grites for wall mural. This would be at her own expense. This was approved if material is easily removed.

The Commission also approved Soloflex for Jail at cost of \$1,050.00. This to be from Jail Improvement Fund.

The Commission discussed status of their request for release of Jail Improvement Fund.

President Witt requested that the Sheriff draft a letter on behalf of the Commission to free up these funds.

Ms. Holly reported of quotes from Mr. Ivey for drapes. Judge Hatcher and Ms. Holly felt quotes were high. The Commissioners agreed to get different quotes.

Ms. Holly reported discussion were held about putting oak behind judge bench instead of drapes. The Commission agreed this would be best and approved this.

Ms. Holly reported of receiving quotes for tables for Judge Hatcher. Quotes being \$300 to \$400 each. This was approved.

Ms. Holly also reported that Alderson Roofing had informed they will be by for repair work as soon as weather clears.

The Commissioners also instructed to send table from Judges' office to Administrator Holly's office.

The Commissioners discussed clean-up efforts of some of the resident's who the Fayette County Commission had notified about clean-up of their property.

Commissioner Lopez informed he felt the Code should be revamped to allow more authority on this matter.

The Commissioners approved renewal of Vision Care Insurance.
Employees were notified of increase.

The meeting was adjourned. The next scheduled meeting is
January 15, 1991.

John L. Witt

Filed
11/25/92

IN THE COUNTY COMMISSION OF FAYETTE COUNTY, WEST VIRGINIA

IN RE: CLOSURE OF AN ABANDONED STREET
NEAR OAK HILL, PLATEAU DISTRICT,
FAYETTE COUNTY, WEST VIRGINIA

P E T I T I O N

Now come the Petitioners, RANDY PRINCE and JEAN IRALENE PRINCE, his wife, and LINDA A. WOODSON and RANDALL WOODSON, her husband, and as and for their "PETITION" state and say as follows:

1. The Petitioners, RANDY PRINCE and JEAN IRALENE PRINCE, his wife, are the owners of a certain tract or parcel of real estate situate near the City of Oak Hill, Plateau District, Fayette County, West Virginia, and being more particularly bounded and described as follows:

Lots Nos. 7 & 8 of the Clark Subdivision developed by Clark Industries situate near Oak Hill, Plateau District, Fayette County, West Virginia.

2. That the Petitioners, LINDA A. WOODSON and RANDALL WOODSON, her husband, are the owners of the following described tract or parcel of real estate situate near the City of Oak Hill, Plateau District, Fayette County, West Virginia, and being more particularly bounded and described as follows:

Lot No. 9 of the Clark Subdivision developed by Clark Industries situate near Oak Hill, Plateau District, Fayette County, West Virginia.

3. That there is a forty (40) foot roadway that runs between the aforesaid parcels, owned by the Petitioners, respectively, which has never been used by the public in any

manner whatsoever;

4. That Petitioners desire that a portion of said roadway, containing four thousand one hundred sixty (4,160.00) square feet, as set forth and described upon the map attached hereto and made a part hereof, be abandoned and closed; and

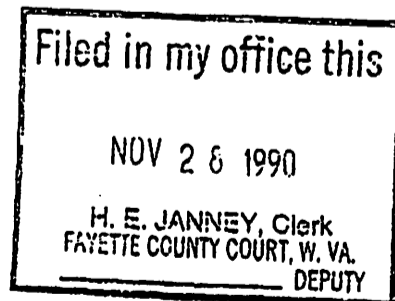
5. That Petitioners believe that such abandonment and closure would not prejudice the public or any adjoining landowners in any manner whatsoever.

WHEREFORE, Petitioners pray that this "PETITION" be filed with the County Commission of Fayette County, West Virginia; that a hearing upon said "PETITION" be scheduled; that an "ORDER" be entered by the County Commission of Fayette County, West Virginia, abandoning and closing a portion of the forty (40) foot roadway, containing four thousand one hundred sixty (4,160.00) square feet, lying between Lots 7 and 8, owned by Petitioners RANDY PRINCE and JEAN IRALENE PRINCE, his wife, and Lot 9, owned by LINDA A. WOODSON and RANDALL WOODSON, her husband; and for such other and further relief as to the County Commission may seem appropriate.

RANDY PRINCE and JEAN IRALENE PRINCE, his wife, and LINDA A. WOODSON and RANDALL WOODSON, her husband, Petitioners

By Counsel

C. Andy Keenan
C. Andy Keenan
Attorney at Law
P. O. Box 613
Fayetteville, West Virginia 25840



V E R I F I C A T I O N

STATE OF WEST VIRGINIA,
COUNTY OF FAYETTE, to-wit:

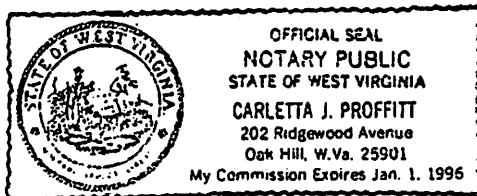
RANDY PRINCE and JEAN IRALENE PRINCE, his wife, having been duly sworn upon their oath, state and say that they are the Petitioners named in the foregoing "PETITION"; that they have read said "PETITION" and know the contents thereof; that the contents therein are true, except insofar as the same are therein stated to be upon information and belief; and that insofar as the same is therein so stated, they believe them to be true.


RANDY PRINCE

JEAN IRALENE PRINCE

Taken, subscribed and sworn to by RANDY PRINCE and JEAN IRALENE PRINCE, his wife, before the undersigned Notary Public within and for the County and State aforesaid, on this 8th. day of November, 1990.

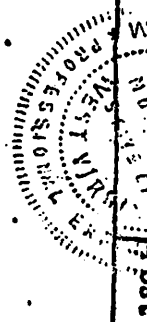
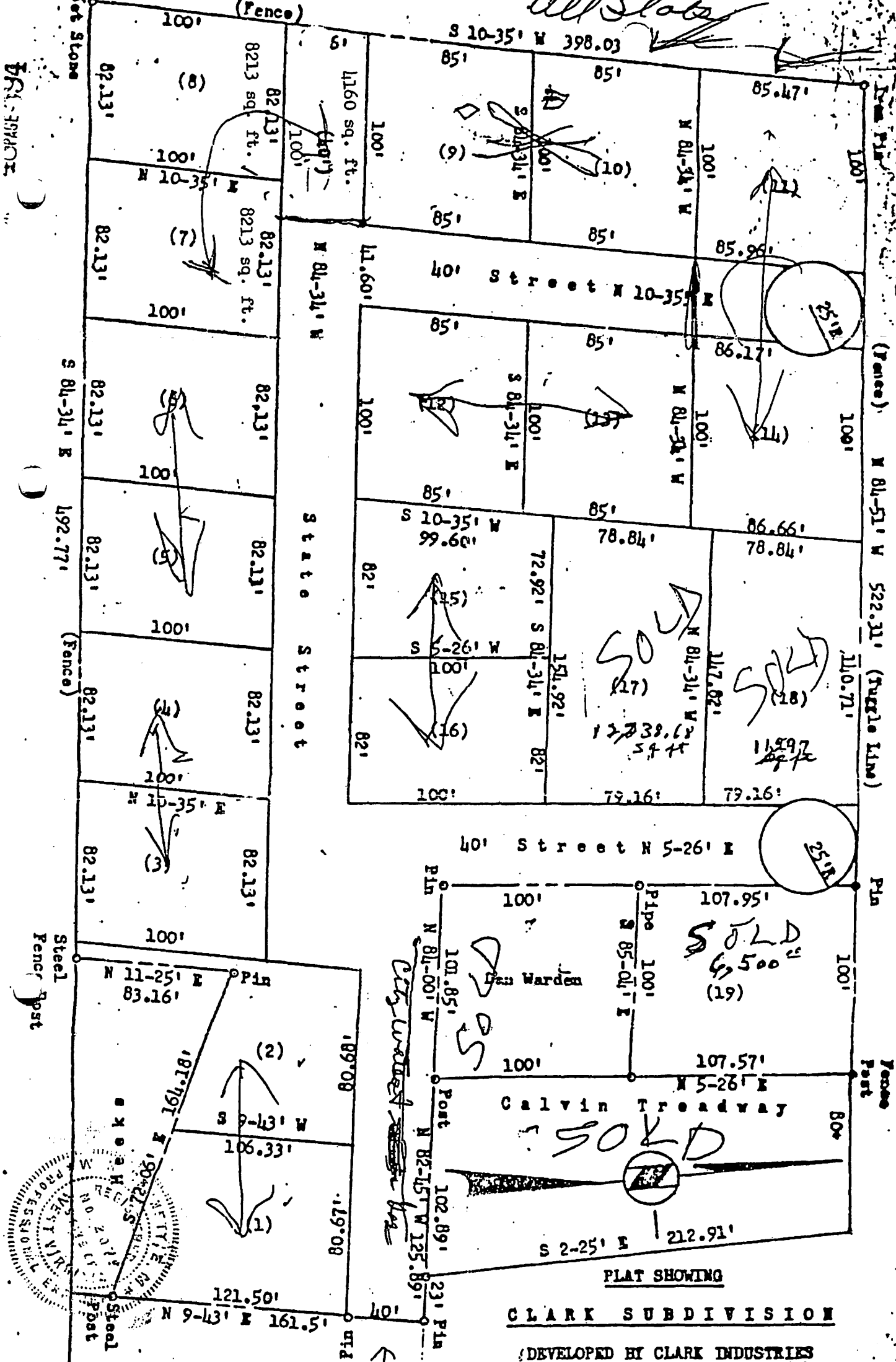
My commission expires: January 1, 1996.




NOTARY PUBLIC

All Slats

FRONT SPACE



Iron Pins on all corners

CLARK SUBDIVISION
(DEVELOPED BY CLARK INDUSTRIES)

SITUATE NEAR OAK HILL

PLATEAU DISTRICT, FAYETTE COUNTY, WEST VIRGINIA

Scale 1" = 60 Feet

May 12, 1977

Wallace Bennett
Wallace Bennett

References: DB 340 - 164

Surveyed by ENBOB, Inc., W. R. Bennett, RPE #2079, Field Book 5, Page 57

10000 59 ft

IN THE COUNTY COMMISSION OF FAYETTE COUNTY, WEST VIRGINIA

IN RE: CLOSURE OF AN ABANDONED STREET
NEAR OAK HILL, PLATEAU DISTRICT,
FAYETTE COUNTY, WEST VIRGINIA

O R D E R

This cause came on to be heard on the 9th day of January, 1991, the Petitioners appearing in person and by their counsel, C. Andy Keenan.

WHEREUPON, the County Commission proceeded to review the file with regard thereto and to hear the sworn testimony by and on behalf of the Petitioners.

UPON considerationn of all of which, the County Commission determined that the use and rights of no person in such roadway would be impaired or lost by the closing and vacation of the roadway sought to be closed.

THEREFORE, it is hereby the ORDER of the County Commission that the forty (40) foot roadway between Lots 8 and 9 of the Clark Subdivision, developed by Clark Industries situate near Oak Hill, Plateau District, Fayette County, West Virginia, containing four thousand one hundred sixty square feet (4,160.00) be closed and vacated.

ORDER:

ENTER:



President, County Commission

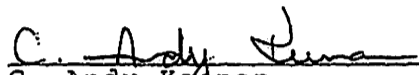


Member, County Commission



Member, County Commission

Prepared and presented by:



C. Andy Keenan
Attorney at Law
P. O. Box 613
Fayetteville, West Virginia 25840

Counsel for Petitioners

FAYETTE COUNTY COMMISSION MEETING
JANUARY 15, 1991
REGULAR SESSION
COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 15th day of January, 1991.

The Commissioners discussed establishing leash law in Fayette County.

Commissioner John Lopez offered motion to search code to instate leash law in Fayette County. President Witt seconded the motion.

The Commissioners met with Mayor of Smithers Eddie Long and Tim Oxley from Region 4 Planning and Development.

An Agreement between Town of Smithers was discussed in which the Fayette County Commission would grant a loan for construction of a new roof for the Smithers Recreation Center, for which the City did not have adequate funds. This loan to be repaid from the rent due from Region 4 commencing with the amount due for the month of October, 1990. This will continue through March, 1992, or until otherwise notified by the City of Smithers.

Commissioner Lopez offered motion to approve.

President Witt explained he approved on conditions that County is to be repaid.

Tim Oxley also informed the Commission that at a meeting held recently concerning Deepwater Public Service District that he and Engineer Paul Gosh discussed proposal to protest requirement for funding from Small Cities Block Grants. Each felt that more than likely Fayette County would not be able to submit for funds this next fiscal year and this should be protested. He just wanted to

inform the County Commission they were exploring this.

Administrator Charlotte Holly presented list of personal office furniture, fixture and equipment brought into the Judge's office in the Annex building, by John W. Hatcher, Jr., January 4, 1991.

Administrator Charlotte Holly informed that Janette Woodrum informed that a candlelighting vigil would be held this evening at 5:30 to honor service men in Persian Gulf.

Minutes of meeting held December 10, 1990 of Salem-Gatewood Public Service District were received and reviewed.

President Witt also signed letter regarding lease/purchase agreement in an aggregate principle amount not to exceed \$100,000 to finance equipment consisting of Pierce Dash D-8000 Pumper to be located at 104 Page Street, Ansted, West Virginia. This approval given following a public hearing held at 7:00 P.M. on January 14, 1991 and is solely for purpose of satisfying the requirements of Section 147 (f) of the Code.

The Commissioners also signed letter to Wilderness Public Service District regarding request for \$50,000 for construction of water line in Fayette County portion of Nallen. The Commission explained they were not able to assist at this time but if funds become available at a later date this will be reconsidered.

A letter was also addressed and signed to Ms. Janet M. Childers concerning this.

Administrator Charlotte Holly reported of receiving Inter-governmental Agreement for review from Region 4 for White Oak Public Service District and County Commission, Ms. Holly reported she felt

Agreement should set out Region 4 as being Project Administrator. Ms. Holly reported she would forward this to the Prosecutor to review. President Witt requested that she request a reply in writing concerning this.

Administrator Charlotte Holly reported that the Sheriff had submitted invoices for grant money for Highway Safety Grant. She reported she had not worked up vouchers yet but requested approval to issue checks. This was approved.

Administrator Charlotte Holly reported that Ann Covington had received check cashing card for Fayette County Housing Authority but it required 2 signatures and felt the Commission should consider appointing new members. Old files were reviewed to see who previously served. The Commissioners requested to poll these people to see who would be willing to serve and they would consider at the January 30 meeting.

Ms. Holly also questioned when the Commissioners would like to schedule a meeting between Page-Kincaid Public Service District Commissioners and Bobby Gee and others who had complaints about the Public Service District.

The Commissioners agreed this could be scheduled with the Board of Equalization Hearings on February 1, 1991.

The Commissioners signed and approved list of exonerations of real and personal property taxes as presented from Assessor's Office and approved by Prosecutor's Office.

President Witt also mentioned report by Weatherization Program coordinator that a local contractor who did some electrical repairs at a home in Scarbro did a very poor job. The work was considered a fire hazard. He felt the County should designate someone to go and make inspections on these type of repairs.

The Commissioners also received and reviewed Fayette County Firemen's Association Agreement with Rainelle Volunteer Fire Department.

The Commissioners also informed they would consider request of Mountain Transit Authority during Budget Session.

The meeting was adjourned. Next scheduled meeting January 30, 1991.

John L. Watt

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JANUARY 30, 1991
COURTHOUSE
FAYETTEVILLE, WV
MEMBERS Present: John L. Witt, John H. Lopez

The Fayette County Commission met in Regular Session on this 30th day of January, 1991.

The members discussed not receiving any word from Tax Commissioner's office regarding transfer of Jail Improvement Funds.

The members agreed to send all information again concerning this request.

Administrator Charlotte Holly presented all information she could find regarding adopting Leash Law in Fayette County. Ms. Holly explained that there was a bill in legislature now regarding this matter. She also presented information from Raleigh County concerning this matter. The Commissioners informed they would wait to review new legislation before attempting to adopt Leash Law.

The Commissioners received and approved draw down request No. 2 for White Oak Public Service District.

The Commissioners approved forms submitted from Assessor's Office to Combine or Divide and Segregate Land.

County Administrator Charlotte Holly informed the Commission that Assessor Tom Aiello had been informed Property Re-Valuation Plan submitted to State Tax Department had been approved which allowed him to borrow \$128,161 to begin Evaluation Plan. This to be under supervision of Assessor's Office. An order was signed pertaining to this.

The Commissioners signed letter to all elected officials and department heads requesting that each office, prior to March 2, 1991, submit to Commission a detailed request for appropriations for anticipated or expected expenditures for its office, including the compensation for its

assistants, deputies, and employees for the ensuing fiscal year.

The Commissioners also signed order approving loan funds for Town of Smithers for repairs and improvements to the Town of Smithers Recreation Building Roof.

The Commissioners signed letter to West Virginia Department of Education and the Arts, Division of Culture and History endorsing nomination of the Whipple Store in Scarbro and Glen Ferris Inn to the National Register.

The Commissioners signed orders reappointing Eddie E. Whitt, John D. Gray, Thomas L. Carson to the Fayette County Housing Authority.

Ms. Holly questioned if they had anyone in mind to replace Jim Mahoney from the Oak Hill area on Fayette County Housing Authority Board. The Commissioners informed they would keep this in mind.

Ms. Holly also questioned if they had found someone to appoint to the Mountain Transit Authority Board.

The Commissioners also reviewed letter from Director of Fayette County Public Libraries Jane Hughes regarding resignation of Mrs. Elizabeth Lewis from Library Board of Trustees. She had submitted names of Allen Whitt of Danese and Gloria Friedrichs from Fayetteville to appoint.

The Commissioners requested to check to see if either are willing to serve.

The Commissioners signed order transferring the sum of \$13,795.77 from the Fayette County Worthless Check Fund to the Fayette County General Fund as reimbursement for previous expenditures.

The Commissioners signed order transferring balance of the Fayette County General School Fund \$7,917.00 for the calendar year 1990, to be transferred to the Fayette County General Fund to defray the balance due fund for the cost of care and feeding of prisoners incarcerated by

Magistrates.

The Commissioners also approved transferring \$18,091.64 from Solid Waste Fund due to Fayette County Commission from past Accounts Receivable.

Administrator Charlotte Holly reminded the Commission they were to meet with Bobby Gee and members of Page-Kincaid Public Service District on Friday, February 1, 1991.

The Commissioners met with Nedra Nicholson of the Alta area concerning voters interested in changing their voters registration from Jodie precinct to Gauley Bridge precinct. Ms. Nicholson gave reasons of the distance and bridge as reasons for objecting to present voting place.

After much discussion the Commissioners informed they would check with Secretary of State's office about possibly using Public Service District Office in Nicholas County for place to vote and also requested Ms. Nicholson to continue trying to find suitable place.

The Commissioners met with Opal Leggett, Program Director for Fayette County Child Development.

Ms. Leggett reported they were unable to continue using Lookout Fire Station as site for program and requested if the Commission would have land they could donate to Headstart Program. She explained that Government would allow to build modular building for Program. The old Cannelton School was discussed. Commissioner John Lopez informed he would check into availability of this building and informed the Commission would check into other available property and buildings.

The Commissioners met with Darrell and Wanda Shrewsbury in regards to complaints they have against Linda Hornsby who is Administrator over Ms. Shrewsbury mother's estate.

The Commissioners informed after reviewing file from County Clerk's office that they have no authority over this matter and advised them to

obtain an attorney.

Janette Woodrum appeared at the Commission meeting and questioned if the Commission would object to Proclaiming Tuesday, February 5, 1991, as Red, White and Blue Day to Support troops in Persian Gulf. The Commissioners informed they did not object to this.

President Witt informed that Allen Workman is working at getting quotes for obtaining gasoline for vehicles.


The Commissioners signed letter to Sheriff Laird regarding Public Employees Insurance Agency premium payment responsibilities for Garland Burke. The Commission felt that reinstatement of an employee who is currently laid off by the County would qualify the reinstated employee to health insurance coverage as provided in order entered December 21, 1990. The Commission has agreed to pay difference, if applicable, in the amount of the employer's share of monthly health insurance and vision insurance premiums and the amount of Highway Safety Program grant funds approved for insurance (currently 242) for Mr. Burke's reinstatement under terms and condition of said grant.

The Commissioners received and reviewed audit reports for Mount Hope Volunteer Fire Department and Loup Creek Volunteer Fire Department for fiscal year ending June 30, 1990.

Administrator Charlotte Holly reported of receiving official population counts for all jurisdictions in West Virginia from United States Department of Commerce, Bureau of the Census. Count for Fayette County is 47,952.

Ms. Holly questioned if the Commissioners planned to attend 1991 Annual Meeting of the Association of Counties on February 10, 1991. Commissioner Lopez and Commissioner Witt informed they do not plan to attend.

Administrator Charlotte Holly questioned the Commission regarding



invoice from Business Record Corporation they were holding due to dissatisfaction for services. The Commissioners informed to pay.

The Commissioners received and reviewed copy of Governor's Community Partnership application for Mossey Public Service District.

The Commissioners approved proposal for repairing and rebuilding books in County Clerk's Office from Thomas V. Malone after not receiving any bids for this project.

The Commissioners received and reviewed notice from Department of Health and Human Resources of meeting to discuss recommended changes in State and to local Health Departments funding formula.

The Commissioners met with Jimmy Edward, Chairman of Deepwater Public Service District and Paul Gosh, Engineer to discuss their request for \$80,000 for Sewer Project.

The Commissioners informed they were pleased to inform that \$40,000 has been approved from this fiscal year and would approve \$40,000 from next fiscal year. President Witt questioned construction date.

Mr. Gosh informed March, 1992 would be earliest construction date.

Mr. Gosh explained they would need \$40,000 within 40 to 60 days. The other \$40,000 would be expected sometime around October, 1991.

Mr. Gosh questioned when Deepwater would be considered for application for HUD monies.

President Witt informed they could apply in 1992.

Administrator Charlotte Holly informed that Senator Bill Wooten had informed he would need list of projects the Commission planned to fund from monies received from the refinancing of Raleigh, Fayette and Nicholas County Mortgage Bonds.

President Witt informed to advise of \$80,000 commitment to Deepwater Public Service District.

Steve Cruikshanks appeared at meeting and was questioned concerning

funds for Gauley River Fire Department. Mr. Cruikshank explained they did not have accounting in order and had not signed Agreement.

Mr. Cruikshank also informed Valley, Danese and Fayetteville should be considered for ambulance allocation.

The Commissioners reviewed letter from Timothy D. Velie, Executive Vice President of Merchants & Miners National Bank concerning Town of Pax.

A letter signed to Inez Kirkwood, Mayor of Ansted informing the Commission agreed to sell 1984 Dodge Diplomat in the amount of \$700.00 payable in three consecutive monthly payments.

A copy of letter was received from Mary Collins, Executive Secretary of West Virginia Cable Television Advisory Board.

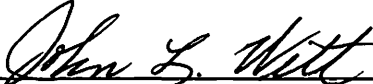
A letter was also reviewed from Tele-Media Company concerning Notice to Subscribers Privacy Rights under the Cable Communication Policy Act of 1984 & A/B Selector Switch Availability Notice.

The Commissioners also reviewed letter from Hico Charge Church Camp regarding camp at Fayette County Park.

The Commissioners informed camping would be under same conditions as last year.

The Commissioners also reviewed letter from McDonough Caperton Insurance Group regarding health Care Program.

The meeting was adjourned. Next scheduled meeting is February 1, 1991.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION &
BOARD OF EQUALIZATION & REVIEW
FEBRUARY 1, 1991
COURTHOUSE
FAYETTEVILLE, WV

Members Present: John L. Witt, John H. Lopez

The Fayette County Commission met in Special Session on this 1st day of February, 1991 as Board of Equalization and Review of Property Assessment. There were no scheduled appointments.

The Commissioners met with Henry Sizemore, Bobby Gee, Everette Hannah, Tim Hannah and Page-Kincaid Public Service District Commissioners Kenneth Fox, John David and James A. Kincaid, Jr.

Bobby Gee presented list of complaints and concerns citizens of the area had against the operation of the Public Service District.

The main concerns was not having adequate space for holding public meetings and not being able to obtain monthly financial reports.

Much discussion was held concerning these complaints.

Chairman Kenneth Fox explained as Chairman he felt that office where business conducted should be limited to visitors and felt books and papers should not be moved from place of business. He also informed that Public Service Commission felt their office was in proper order.

John David and James Kincaid each felt they were doing the best job they could as Commissioners of the Public Service District.

After much discussion concerning employees, different meeting places, and operations of the district, Commissioner John Lopez explained that the County Commission has no judicial powers concerning this matter. He explained they were only trying to help both parties come to a peaceful solution.

President Witt requested Mr. Fox inquire to Public Service Commission about alternate meeting place.

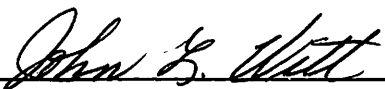
The Commissioners requested the Page-Kincaid Public Service Commissioners to look over and deal with the complaints issued.

The Commissioners also signed letter to the Honorable Gaston Caperton, Mr. J. D. Brackenrich, Ms. Lucille Meadows, Mr. Paul Blake, Mr. Thomas Louisos and Mr. Robert Holliday requesting assistance in obtaining a Partnership Grant for the Mossey Public Service District.

The Commissioners received letter from Judge W. Robert Abbot regarding a four page report of a recent inspection of the Fayette County Jail.

The Commissioners signed letter to Sheriff Laird forwarding this information.

The meeting was adjourned. Next scheduled meeting is February 5, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION &
BOARD OF EQUALIZATION & REVIEW
FEBRUARY 5, 1991
COURTHOUSE
FAYETTEVILLE, WV
MEMBERS Present: John L. Witt, John H. Lopez

The Fayette County Commission met in Regular Session on this 5th day of February, 1991 as Board of Equalization and Review of Property Assessment. There were no scheduled appointments.

The Commissioners met with Attorney Carl Harris with request for Committee Appointment for Leoda V. Thompson.

Petitioner Betty Jean Rhodes was questioned.

Attorney James Blankenship was approved guardian et litem and recommend the appointment.

Commissioner John Lopez made motion to approve appointment. All approved. Bond was set in the amount of \$1,000.00

Commissioner Lopez informed he would like to report for a matter of record he had inquired to Cannelton Industries about property or building for Opal Leggett of the Fayette County Child Development Program. He was informed that they were in the process of selling assets and they could not assist at this time.

The Commissioners met with Susan Latterner, Debbie Zerbe, representing Fayette Dock and Assessor Tom Aiello.

Ms. Latterner explained of matter in which Fayette Dock was assessed for Personal Property in 1988 instead of Real Estate. In 1990 she was sent Notice of being delinquent. She had no choice but to pay.

Assessor Tom Aiello explained he did not have authority after books were certified to refund or exonerate. He recommend that they be given credit on 1991 taxes. This was approved.

The Commissioners met with Attorney James Blankenship, counsel for Cecelia O'Dell, a creditor of the Estate of Barbara Marie Yates, deceased.

Ms. Yates was at the time of her death a resident of Fayette County and Fayette County is the proper jurisdiction to grant administration of her estate and that more than two months has elapsed since the time of her death without there being an Executor or Administrator of her estate. Mr. Blankenship moved the Court to appoint William R. Laird, IV, Sheriff as Administrator de bonis non according to the provisions of Chapter 44, Article 1, Section 11 of the WV Code, as amended.

Sheriff Laird was requested to appear and was questioned concerning the matter. The Sheriff informed he was willing to accept.

With this Commissioner Lopez offered motion to appoint. Vote was unanimous. Order was approved and signed.

The Sheriff informed the Commission he would try to have something prepared for next Wednesday dealing with Jerri Copley case.

Administrator Charlotte Holly informed she had inquired to Russell Deering of Gauley River Public Service District about possibly using their building as Poling Place. He is to send letter confirming after their next meeting.

A letter was signed to Ken Hechler regarding this matter being as it is in Nicholas County.

Ms. Holly also informed that there is a scheduled hearing at 9:00 A.M. on April 24, 1991 in Workers Compensation Hearing Office for Fred Sizemore. Gene Carte is to be notified concerning this.

Administrator Holly also informed that after reviewing notice of meeting concerning changes in State aid to local health departments on February 7, 1991 she felt it may affect County Government and

thought she may attend.

Administrator Holly also explained she still had 2 outstanding accounts from the Landfill. The Commission instructed her to take necessary steps to collect.

Administrator Holly informed she may attend upcoming Annual Meeting with West Virginia Association of Counties. She informed they would be discussing Health Insurance and felt this may be important information. Mr. Witt was not sure if he was going to attend.

Administrator Holly also informed of receiving information from Governor's Office of Community and Industrial Development concerning FY 91 JJDP Grant Funds for Prospective Juvenile Justice and Delinquency Prevention (JJDP) grant applications. She informed she would forward these to S.A.I.N.T, Big Brother and Big Sister Programs.

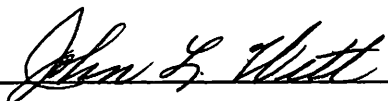
Administrator Holly also informed she had contacted both Allen Whitt and Gloria Friedrichs about serving on Library Board. Both are willing to serve.

A letter was received and reviewed from Peggy Day concerning appointment to this Board.

The Commission also reviewed information from One Valley Bank concerning Raleigh, Fayette, and Nicholas County Municipal Collateralized Mortgage Obligation Bonds, Series 1990-B.

A letter was reviewed concerning appraisal of residential property for Charles W. Perry, of Smithers.

The meeting was adjourned. Next meeting February 8, 1991.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
FEBRUARY 8, 1991
COURTHOUSE
FAYETTEVILLE, WV
MEMBERS Present: John L. Witt, John H. Lopez

The Fayette County Commission met in Special Session on this 8th day of February, 1991 as Board of Equalization and Review of Property Assessment. There were no scheduled appointments.

Sheriff Bill Laird appeared before the Commission and presented letter concerning Civil Action No. 2:88-1496. Geraldine Copley v. Jack Manning, Reinstatement of Plaintiff to former position of employment. The Sheriff explained and presented offer he is sending to Ms. Copley.

President John Witt expressed he felt the County and the Commission should not suffer from political mistakes and questioned Sheriff if he would have to cut someone from his staff.

The Sheriff informed he would not. He explained he would have to adjust line items in his budget to reinstate Ms. Copley.

The Commission also reviewed letter from Attorney addressed to Deputy Martin in Arbogast, et al vs. Town of Fayetteville, et al Civil Action No. 5:89-1470 BK & Pritchard vs. Town of Fayetteville, et al Civil Action No. 5:89-1457 BK. The letter informed these cases are to be tried at same time.

Sheriff Laird also informed that he had moved 3 inmates to Braxton County due to limit of inmates in jail.

Different programs were discussed concerning using inmates for work in County to reduce or even cut jail time.

Discussion was held about checking with Board of Education for use of bus.

Vehicle Repair Maintenance Report from Fayette County Park was received and reviewed.

Monthly contribution of \$1,500.00 from Coal Severance and \$750.00 Dog Tax Fund was approved to Humane Society.

Administrator Charlotte Holly reported that Leon Spencer had informed he would pay difference for framing maps he donated.

Administrator Holly also informed of receiving a letter from Tom Oxley regarding Harlem Heights Property. She explained that conditions in grant specify for outdoor use only and the city had plans for indoor facility. Because of the limitation imposed by the LWCF project agreement, Oak Hill City Council has opted

not to accept offer of the property.

Ms. Holly also presented letter from Governor's Office of Community and Industrial Development informing funds for Page-Kincaid Public Service District Sewer System, Beards Fork component have been released.

The Commissioners discussed appointment to Library Board. President Witt informed he was waiting to hear from Jane Hughes.

Administrator Charlotte Holly reported she may attend the Association of Counties meeting on Monday.

Administrator Charlotte Holly presented quotes for carpet for Voters Registration Office and County Administrator Office.

Quotes received Voters Registration Office from Direct Carpet \$271.30 and \$343.98 from Superior. Administrator's Office \$1,048.00 Direct Carpet and \$1,620.00 Superior. President Witt requested Ms. Holly get quotes from Roy Lee of Lee's Carpet.

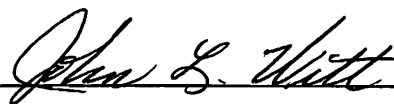
Administrator Holly reported of upcoming seminars sponsored by West Virginia University on February 14th & 20th. The Commission approved Ms. Holly to attend.

The Commissioners also sent letter to Public Service Commission regarding sewer service to Adena Village. The Commission again asked Public Service Commission to approve Armstrong Public Service District as utility to provide sewer service to Adena Village.

The Commissioners discussed letter received from Cecil McCormick in which he had canceled Health Insurance. He had asked if he decided to be reinstated if he would be able to do so.

The Commissioners informed this would be OK.

The meeting was adjourned. Next meeting February 13, 1991.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
FEBRUARY 13, 1991
COURTHOUSE
FAYETTEVILLE, WV
MEMBERS Present: John L. Witt, John H. Lopez

The Fayette County Commission met in Special Session on this 13th day of February, 1991 as Board of Equalization and Review of Property Assessments. There were no scheduled appointments.

President Witt reported of request from Jack Gannon for panel for garage at Fayette County Park. Cost to be approximately \$200.00. This was approved.

County Clerk Howard Janney reported that one employee had requested payroll check on the 14th. With payroll due Friday, February 15, the Commission reviewed vouchers and approved payroll today.

Administrator Charlotte Holly questioned Commission on whether they would advertise for Agent of Record for County Insurance. With present Company (Jim Lively Insurance) willing to continue at present Commission rate, the Commissioners informed they would remain with said Company and would review every two years.

Administrator Charlotte Holly reported of receiving copies of letter from Region 4 of Division of Highways plans for upgrading roads and bridges. The Commissioners reviewed and informed they meet Fayette County Commission approval.

Administrator Charlotte Holly reported receiving letter from Mercer Funeral Home regarding case of Bessie Bourne. Ms. Holly informed that the Sheriff had reported he was talking to Prosecutor about this case.

Administrator Charlotte Holly reported of talking with Terry Adkins of Cyprus Coal Company regarding leasing property to Fayette County Commission for playground and Little League ball field for Armstrong and Elkridge area in Fayette County. She reported they would lease to County for maintenance and insurance. Ms. Holly reported she will check with Insurance carrier regarding this matter. She explained that Mr. Adkins had informed after talking with citizens in area that they would take care of maintenance. Commissioner Lopez informed he felt this would greatly benefit this area.

Administrator Holly reported that Lease Agreement could spell out terms of Agreement for all parties involved to follow.

Administrator Charlotte Holly questioned if the Commissioner would like her to send out letters to Agencies who might want to participate in Governors Summer Youth Program. They approved.

A letter was received and reviewed regarding Homeless funding for fiscal year 1991 from Governor's Office of Community and Industrial Development.

The Commissioners discussed life guards at pool for upcoming summer. Discussion were held concerning need to correct policy of opening park later and closing early as it has happened in the last couple of years.

Lee Massey appeared at meeting and questioned the members to write letter to elected official regarding opposition to Senate Bill #296 and House Bill #2461 for Health Programs. This was approved.

Copies of minutes of Salem-Gatewood Public Service District meeting held January 10, 1991 were received and reviewed.

The Commissioners received and reviewed grant announcement of Drug Control and System Improvement.

The meeting was adjourned. Next scheduled meeting is
February 15, 1991.

John L. Witt

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION & BOARD OF EQUALIZATION
AND REVIEW
FEBRUARY 15, 1991
COURTHOUSE
FAYETTEVILLE, WV
MEMBERS Present: John L. Witt, John H. Lopez

The Fayette County Commission met in regular session on this 15th day of February, 1991.

There were two scheduled hearings for Board of Equalization and Review of Property Assessment. One appointment (Phil Manning) rescheduled for February 19, 1991 at 9:30 due to bad weather. The other scheduled appointment of Alex Parsons Presitge Motors did not show.

The Commissioners met with Ted McAllister, Line Construction and Maintenance Representative for Appalachian Power Company.

Mr. McAllister presented Tree Replacement Program for Town of Fayetteville. He presented copy of Agreement and list of replacement trees for the Commissioners to review.

President Witt informed that they would probably form Committee of interested citizens to study and review to make recommendations to the Commission concerning this matter.

Administrator Charlotte Holly presented information received from Tim Oxley of Region 4 in which a check for \$375.00 was forwarded to the Fayette County Commission for rent for Smithers site for Senior program in that area. The Fayette County Commission had granted a loan for use in constructing a new roof for Smithers Recreation Center, for which City did not have adequate funds.

The Commissioners reviewed letter from Howard M. Cunningham of Public Service Commission regarding letter the Fayette County Commission had written concerning sale of Adena Utilities.

The Fayette County Commission also reviewed letter from

Secretary of State regarding polling place for Precinct No. 31.

A letter was also received and reviewed from Gauley River Public Service District concerning the approval to unanimously approve the use of district building for a voting place for the above mentioned precinct.

The Commissioners approved an Intergovernmental Agreement between the Fayette County Commission and White Oak Public Service District for improvements to the sewer system.

Outstanding bills were approved.

The meeting was adjourned. Next scheduled meeting is February 19, 1991.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
FEBRUARY 19, 1991
COURTHOUSE
FAYETTEVILLE, WV

Members Present: John L. Witt, John H. Lopez

The Fayette County Commission met in Special Session on this 19th day of February, 1991.

The Commissioners met as Board of Equalization and Review of Property Assessment.

The Reverend Phil Manning appeared before the Commission with questions concerning property in Mount Hope area.

After discussion concerning this property Commissioner Lopez suggested Harvey Young, who was present from Assessor's Office, go review this property and get back with the Commission. The Commissioners informed if they could give any relief, they would let him know by the end of the month.

The Commissioners approved and signed letter addressed to Delegates Tom Louisos, Paul Blake, and Lucille Meadows and Senate members Robert Holliday, and J. D. Brackenrich concerning opposition to Senate Bill 296 and House Bill 2461. Lee Massey was given copies of these letters.

Administrator Charlotte Holly informed of question she had concerning survey from Delegate Ken Adkins regarding WV Board of Risk and Insurance Management. The survey asked question if the Board did not require that the Fayette County Commission utilize an agent would they choose to do so. Both Commissioners agreed no if this would reduce premium.

Administrator Charlotte Holly informed of being contacted by Brenda Richardson of the Green Thumb program. Ms. Richardson had

informed she had found someone to work under the Green Thumb Program at the Courthouse if the Commission could use him.

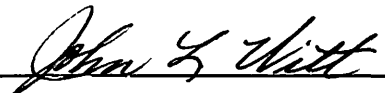
The Commissioners discussed this would have to be only on a yearly basis with no commitment from Fayette County Commission. There would be no way to hire full-time. The Commission suggested Ms. Holly interview to make sure he was aware of this.

The Commissioners met with Assessor Tom Aiello concerning exempt of taxes for local non-profit organizations such as Moose Clubs, American Legion, Lion Clubs.

The Commissioners discussed they felt if the organizations opened their door to community projects then they should be exempt.

Assessor Tom Aiello agreed and informed he would review and see what he can come up with.

The meeting was adjourned. Next scheduled meeting is February 22, 1991.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
FEBRUARY 22, 1991
COURTHOUSE
FAYETTEVILLE, WV
MEMBERS Present: John L. Witt, John H. Lopez

The Fayette County Commission met in Special Session on this 22nd day of February, 1991. There were no scheduled appointments.

The Commissions met with Clyde Bennett of the West Virginia Department of Natural Resources and George Bragg from the Fayette County Solid Waste Authority.

Mr. Bennett explained Program which he would supply all necessary equipment and supplies for clean-up of certain areas in Fayette County. Department of Natural Resources would even pay tipping fees at Landfill. He explained that prisoners from jail could do clean-up work.

He requested the Fayette County Commission to furnish a supervisor. He informed the Solid Waste Authority could designate areas that needed cleaned. He informed he would like to concentrate on New River Gorge area.

Administrator Charlotte Holly inquired if this program could be used in conjunction with Governor's Summer Youth Program. Mr. Bennett informed it could be.

President Witt informed that the Commission would definitely participate.

Mr. Bennett informed the program could start whenever the Commission was ready.

Mr. Bragg informed the Fayette County Solid Waste Authority will furnish a list of dumps. He also questioned that when the County Commission hire a supervisor, would Mr. Bennett work with him for a day. Mr. Bennett informed he would.

The Commissioners approved Randall Patterson to the Fayette County Public Library Board.

The Commissioners also reviewed response from Senator Robert Holliday of letter the Commission had written in opposition to Senate Bill 296 and House Bill 2461. Senator Holliday informed he hoped to amend bill to the Countys' satisfaction.

The Commissioners approved Gene Carte to Foundation for Hawks Nest State Park.

Administrator Charlotte Holly informed of cost of \$25.00 to file charges in Magistrate Court against 2 overdue accounts from Landfill. The Commission authorized to write these off as uncollectible.

Administrator Charlotte Holly questioned if the Commisioners would like her to go ahead and request draw-down for funds for Deep-water Public Service District.

The Commissioners informed they felt she should wait until they receive written request.

Administrator Charlotte Holly also questioned if the Commissioners would like her to put ad in the Newspaper concerning Governor's Summers Youth Program. This was approved.

The Commissioners approved reimbursement of \$150.00 to Corporal Lawrence E. Washington for personal articles damaged in trunk of car due to leak in trunk.

The Commissioners reviewed letter from Town of Pax concerning request for funds. They reduced request from the original \$42,000.00 down to \$19,000.00.

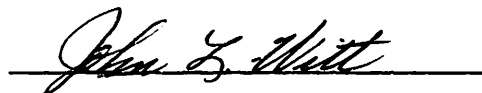
A letter was also reviewed from Betty Lavelle, from Ansted Health Care Center concerning resident at Center from Pocahontas County. The Sheriff of Pocahontas County felt he should not serve as Committee for this person due to her not being in his county. Mis Holly is to draft

letter concerning this matter.

Gasoline costs were received and reviewed from Timothy J. Ball.

Copy of appraisal of property of Charles W. Perry of Smithers were reviewed. The Assessor's Office has informed this was reduced.

The meeting was adjourned. Next scheduled meeting is February 26, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION & BOARD OF
EQUALIZATION AND REVIEW
FEBRUARY 26, 1991
COURTHOUSE
FAYETTEVILLE, WV
MEMBERS Present: John L. Witt, John H. Lopez

The Fayette County Commission met in regular session on this 26th day of February, 1991 as Board of Equalization and Review of Property Assessment. There were no scheduled appointments.

The Commissioners met with G. Lee Massey of the Fayette County Health Department. Mr. Massey informed the Health Department would request contribution of \$5,000.00 again this year and presented Agreement.

The Commissioners called Correctional Officer Bill Webb and Sheriff Laird to meeting concerning invoices from Jan-Care Ambulance for transporting of prisoners.

The Commissioners approved payroll and all outstanding bills except the one from Jan-Care.

President Witt requested that Sheriff Laird speak to Rick Cornett of Jan-Care about these costs. The Sheriff agreed to look into this.

The Commissioners signed orders reappointing Kenny Hayes, Frank Hill and Paul Breuer to the New Haven Public Service District.

A letter was written and signed to One Valley Bank concerning approval to pay lost coupon #962/63 dated 8/1/90 in the amount of \$350.00 each registered in the name of Bearer.

Petitions for consolidation/Division of real estate for assessment purposes were signed presented from Assessor's office.

The Commissioners signed order for approval of Grant Funds for Deepwater Public Service District.

Administrator Charlotte Holly informed of message from Mary W. Abbot concerning audit for Humane Society. Mrs. Abbot had requested extension for audit being as auditor was dragging his feet in preparing for them. The Commissioners informed they could not give extension and approved for Ms. Holly to notify Mrs. Abbot.

Administrator Charlotte Holly informed of call from George Caldwell of National Guard informing the Guard can provide service of moving earthwork during Summer.

The Commissioners met with Gary Harding with Zoning Hearing Z-350-91-1-Request of Judith A. and Michael Simmons, owners, for a change in land classification from L-C, Land Conservation District, to P-D, Planned Development District on 2.31 acres, Old Anderson homeplace located on Hresan-Boulevard off Route 19, at Fayetteville Town limits, New Haven Haven District.

Richard Bonham planned to buy and have John Veard, a developer build 36-unit apartment complex. Copy of those attending attached.

Michael Simmons who represented the property owners expressed he felt a retirement facility in this area would benefit everyone.

After much discussion the Commissioners informed they would review site with Zoning Officer before making a decision. A final decision would be made fore March 15, 1991 meeting.

Zoning Hearing Z-349-91-1-Request of Teddy H. and Karen Rider, Owners for a change in land classification from R-R, Agricultural and Rural Residence District, to I-1, Light Industrial District, on 1.2 acres Sewell Mountain, located on Route 10, Corliss Road, New Haven District. This was withdrawn.

The Commissioners met with Attorney Tom Casto with 4 petitions for Committee Appointments.

Prosecuting Attorney Charles Vickers appeared at meeting and informed he was present on behalf of Sheriff regarding petition to have Sheriff appointed for Herald Judson.

Mr. Vickers expressed he felt that other friends or family members should take on this responsibility due to obligation associated with these appointments. The Prosecutor informed this did not have to be family members and requested they not appoint Sheriff.

Mr. Casto informed they have explored other alternatives and have not come up with anyone.

Melissa Narry, Administrator for Hidden Valley Health Care Center and Jim Pack, a Social Worker for Ansted Health Care spoke on urgency to have someone appointed for Mr. Judson.

Mr. Casto requested that the Sheriff temporarily take appointment until they find someone.

President Witt requested the name of past landlord of Mr. Judson

Mr. Pack informed he would try to get this for Mr. Witt.

Mr. Witt informed he would not appoint Sheriff unless he agreed.

The Commissioners denied this appointment for time being and informed they would agree to hear again if they can not come up with someone for appointment.

The Commissioners received petition to have Ira Holyman appointed Committee for Woodrow Holyman. Ira Holyman was questioned. Commissioner John Lopez made motion for appointment of Ira Holyman. Vote was unanimous. Minimal bond was set.

The Commissioners received petition of request to appoint Earl Lilly committee for Richard Lilly. Earl Lilly was questioned. John Lopez made motion to approve appointment. Vote was unanimous. Minimal bond was set.

The Commissioners received petition to have Clayborn Matthews appointed Committee for Jeffrey Matthews. Clayborn Matthews was questioned. Commissioner Lopez made motion for appointment. Vote was unanimous. Minimal bond was set.

Mr. Casto presented information of petition to have Bobby G. Smith appointed Committee for Lola Smith.

Bobby G. Smith was unable to be present due to no transportation from Boone County. President Witt informed the Commission would temporarily appoint but would check with Prosecutor to see if he had any objections.

The Commissioners signed order appointing Randall Patterson of Meadow Bridge to the Fayette County Library Board to replace Elizabeth Lewis.

Letters were signed to J. D. Brackenrich, Robert Holliday, Oshel B. Craigo, Paul Blake, Tom Louisos, and Lucille Meadows regarding Senate Bill 116 which has been introduced in Legislature to exempt counties from state fuel tax. The Commissioners requested their support for this Bill.

Administrator Charlotte Holly reported that Insurance Agent had informed it would cost approximately \$500.00 a year for Insurance if the Commission decided to lease land from Cyprus Kanawha Corporation for recreation area. No decision was made.

The Commissioners signed letters to Jack Clark, Lissie Carte, Jr., Dalporto Realty Company, Factory Discount Store, and Mrs. Olivia Stone regarding clean-up of property they own.

The Commissioners signed letters to West Virginia Department of Transportation approving projects in Fayette County: County 1712-US 19, Summerlee Road Bridge over US 19 and over Loop Creek, 0.31 mi N Co 16/17.

The Commissioners also signed letter to Ansted Health Care Center concerning letter they had written 2/19/91 regarding Committee for Tena Shuman. The Commission felt the appointment should remain the responsibility of Pocahontas County Commission.

The Commissioner reviewed request for commercial grade tile for Road Office. No decision was made.

The Commissioners signed letter to Walt Blackburn of Metmor Financial, Inc. and Phil Manning of Mount Hope informing their application for review of property assessment will not be changed at this time.

The Sheriff appeared before the Commission regarding matter of estate of Bessie Bourne.

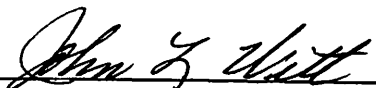
The Sheriff explained that previous appointments where he was appointed as Committee for someone always stopped when death occurred.

The Commission have received several letters from Attorney in Mercer County requesting the Sheriff take care of claim by Mercer Funeral Home of Bluefield against Estate of Bessie Bourne.

The Sheriff informed the Prosecutor had advised the Sheriff to qualify as Administrator and take care of this matter. The Sheriff was to take care of this in the County Clerk's office.

The Sheriff also reported that Clyde Bennett from Department of Natural Resources had found a van to use to transport inmates for litter clean up.

The meeting was adjourned. The next scheduled meeting is February 28, 1991.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
FEBRUARY 28, 1991
COURTHOUSE
FAYETTEVILLE, WV

MEMBERS Present: John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in Special Session as Board of Equalization and Review.

The Commissioners met with Clyde Dowdy concerning Missions of the Masters, Inc. property.

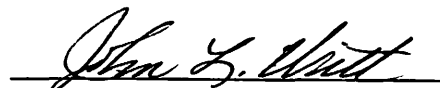
Commissioner John Lopez read letter from Assessor Tom Aiello regarding telephone conversation with Mr. Robert C. Hoffman of the Department of Tax and Revenue concerning this property. He advised that neither the local Assessor nor the County Commission sitting as the Board of Equalization and Review, has any authority to make decisions affecting properties owned or sold to state. In order for Missions of the Masters, Inc. to lay any claim to the property, the title must first be cleared by redemption from the Office of the State Auditor.

The Commissioners met with Denny Wood concerning property of Samual Price, Hrs. Mr. Woods explained that he did not understand how Assessor's office came up with assessed value.

Gloria Bozo who was present reviewed information and informed Mr. Woods this was for gas royalties only. This did not include any surface land. The Fayette County Commission has no authority on gas. These figures come from State office.

The Commissioners signed order certifying that they have examined each and every item and valuation fixed by the Assessor and have made such corrections and fixed such valuation, and that record shows the complete valuation and assessments of the land of Fayette County for year 1991, fixed by them as required by law.

The meeting was adjourned. The next scheduled meeting is March 6, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
MARCH 6, 1991
COURTHOUSE

FAYETTEVILLE, WV
MEMBERS Present: John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 6th day of March, 1991.

The Commissioners received and reviewed audit report for Nuttall Volunteer Fire Department for fiscal year ending June 30, 1990.

The Commissioners received and reviewed Regional Wetlands Concept Plan from the United States Department of the Interior.

The Commissioners received and reviewed letters from Department of Education and the Arts, Division of Culture and History informing that Glen Ferris Inn, U.S. Route 60, Glen Ferris, and Whipple Store Company, Route 15, Whipple have been approved to the National Register of Historic Places.

The Commissioners reviewed response back from Senator Robert Holliday regarding a letter the Commissioners addressed to him concerning support for Senate Bill 116 to exempt counties from state fuel tax.

The Commissioners received and reviewed information from Department of Tax and Revenue regarding Bill Summary of new re-appraisal laws.

The Commissioners signed orders reappointing Leon Newman, Jimmy Edwards and Woodrow Brent Walker to the Deepwater Public Service District.

The Fayette County Dog Warden's Report for month of February was received and reviewed.

The Vehicle Maintenance Report for month of February was received and reviewed.

The Commissioners received and reviewed letter from Bill and Margaret Toney concerning old buildings in Lookout.

The Commissioners reviewed letter from Sheriff Laird regarding order relating to Public Employees Insurance Agency premium cost for Geraldine Copley. The Commissioners signed letter to Sheriff Laird informing that it is the opinion of the Commission that the reinstatement of Ms. Copley according to the terms of the U. S. District Court order would qualify her to health insurance coverage.

The Commissioners signed request for positions for 1991 Governor's Summer Youth Program.

The Commissioners approved Administrator Charlotte Holly to attend Grant Writing Workshop on March 12, 1991 sponsored by WVU Extension Office. Cost is \$10.00.

The Commissioners approved monthly contribution for Humane Society for \$2,250.00.

The Commissioners reviewed information from CNA Insurance regarding additional Attorney fees for William W. Carter in case of Willard O. Brown.

Commissioner Carte informed he would talk to Mr. Carter and requested Assistant Prosecuting Jim Billings be given a copy of all information.

The Commissioners also discussed law suit of James Thompson. A copy of this information was requested to be given to James Billings also.

Administrator Charlotte Holly reported of request from Carolyn O'Dell for new sweeper for Prosecuting Attorney Office. This was approved.

Ms. Holly also reported of quote from Harvey's Cabinet for repairing cabinets. This was approved. Quote being \$544.00.

The Commissioners also reviewed check from Senior Program of Region IV for rent payment of Smithers Recreation Center.

The Commissioners reviewed letter from Carl L. Bradford, Director of Office of Emergency Services regarding fiscal year 1991 EMA allocation of Federal funds.

The Commissioners signed letters to Rick Murensky, Chairman of House Finance Committee, Oshel B. Craigo, Vice-Chairman of Senate Finance Committee, Senator Robert Holliday, Senator J. D. Brackenrich and House of Delegates members Tom Louisos, Lucille Meadows, and Paul Blake requesting support of Senate Bill 527 and House Bill 2979.

The Commissioners discussed setting dates for Budget Hearing. The Commissioners decided to wait until President John Witt returned before setting hearings.

Administrator Charlotte Holly reported of having invoices due to 4-C Economic Development Authority on 2nd and 3rd quarter contributions.

The Commissioners approved paying 2nd quarter at old rate but to pay 3rd quarter at current census rate of 1.05 per new population figures of 47,952. This figure to be divided by 4. Total cost for 2nd and 3rd quarter \$27,776.44.

The meeting was adjourned. The next scheduled meeting is March 15, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
MARCH 15, 1991
COURTHOUSE
FAYETTEVILLE, WV
MEMBERS Present: John L. Witt, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 15th day of March, 1991.

The Commissioners discussed request from Allen Workman for \$2,600.00 for police dog. This amount of funds has been collected from private donations. Commissioner Gene Carte made motion to approve. President Witt approved also. Check for \$2,600.00 to Castle's K-9, Inc. was written and approved.

The Commissioners met with Steve Cruikshank. Mr. Cruikshank presented information regarding grant for clerical help. All monies would be from federal or fire levy funds.

President Witt questioned if person was made aware that this job would only last as long as grant funds available.

Steve informed that this person was aware.

Commissioner Carte expressed that he felt Fire Association should be given this information and questioned for approval. President Witt agreed. The Commissioners requested Mr. Cruikshank to inform them of this information for approval.

A letter was received and reviewed from Page-Kincaid Public Service District thanking the Commission for efforts in attempt to solve customer problem within the Public Service District.

President Witt also read letter from Page-Kincaid Public Service District regarding a request they had presented several months ago for \$60,000.00.

President Witt informed that there were no funds available at this time.

The Commissioners approved exonerations of real and personal property taxes as presented from Assessor's office and approved by Prosecutor's office.

The Commissioners discussed letter from Jim Lively in which he agreed to continue through fiscal year 1991 as Agent of Record on insurance program with the West Virginia Board of Risk at current 4% commission level.

The Commissioners approved contingent upon requirements to have local Agent of Record to participate.

The Commissioners discussed previous invoice from Jan-Care Ambulance. Administrator Charlotte Holly reported that the Sheriff informed he felt Jan-Care would not reduce cost for service for transporting inmates. With this President Witt made motion for the County to transfer titles to Jan-Care for all County owned vehicle and stop paying insurance. Commissioner Carte informed that he felt that Commissioner Lopez should be present to discuss this and did not second the motion. This is to be tabled until Special Session on Tuesday, March 19th.

The Commissioners met with Frederick L. Bonham, Wilson Neff, James Roles and Virginia Neff regarding decision on Zoning Hearing Z-350-91-1-- Request of Judith A. and Michael Simmons, Owners for a change in land classification from L-C, Land Conservation District, to P-D, Planned Development District on 2.31 acres old Anderson homeplace located on Hresan Boulevard off Route 19, at Fayetteville, Town limits, New Haven District.

President Witt informed that all three Commissioners have viewed the site.

Commissioner Carte made motion to affirm Zoning Commissioners decision to approve 7-0 for Planning and Development. Vote was unanimous.

President Witt informed Administrator Holly he felt different no smoking signs were needed at the Annex.

The Commissioners signed letter to Hico United Methodist Church informing list of regulations for camping at Fayette County Park.

The Commissioners signed letters to all office holders requesting each to schedule time on March 21, 1991 to discuss budget requests for fiscal year 1991-92.

Jim Lively appeared before the Commission with list of properties owned by Fayette County Commission. Values of each property was reviewed.

The Commissioners agreed all values should stay the same with no increase.

When reviewing list, Administrator Charlotte Holly informed Health Center property was listed twice.

Mr. Lively informed this would be corrected. Total insurance values would be \$10,446,570.00

Administrator Charlotte Holly also questioned if Health Department had paid their share for insurance. Mr. Lively informed he would check into.

Commissioner Carte and President Witt informed they would discuss this with Lee Massey.

The Commissioners signed letter to Governor's Office of Community and Industrial Development regarding Proposed Small Cities Block Grant Program Design Statement for fiscal year 1991.

The Commissioners discussed Weatherization Program and agreement to be sponsor. Commission Carte requested a letter be written informing Fayette County Commission had agreed to be sponsor.

Administrator Charlotte Holly presented the Commissioners with request from Jack Gannon for paint for Fayette County Park.

The Commissioners approved painting pool and request for 5 gallon white exterior paint and 1 gallon silver exterior paint.

President Witt informed he felt the Commission needed to look seriously at replacing water pipes at Park. Discussions were held concerning cost. No decision was made.

The Commissioners discussed and reviewed quotes for marbleizing fireplace mantles in County Clerk and Voter's Registration Offices. Cost to be \$200.00 each. The Commissioners approved cost to do mantle in County Clerk Office only.

Administrator Charlotte Holly reported of request from Prosecutor office for Secretarial Desk. Dee had informed there was a desk stored downstairs that Rose Morrison had used. The Commission approved if this is what Prosecutor Office wanted.

The Commissioners approved purchase of (2) typewriters. One for Voter's Registration and one for Jackie Hickman in County Commission Office.

Administrator Charlotte Holly informed of request to advertise for new vehicle for Assessor's Office under Assessor's Evaluation Fund. The Commissioners informed they would discuss this further with Assessor on Tuesday.

Administrator Charlotte Holly also presented invoice from Erisco for data processing service rendered for Public Employees Insurance Agency Claims Experience Report. Ms. Holly informed they did not notify of this.

The Commissioners informed they would not pay.

Administrator Holly also presented information concerning 4-H camping at Fayette County Park.

They were given a letter stating costs and conditions. They were asked to pay \$300.00 yearly but had only paid \$200.00. Mr. Witt informed he would discuss with Bob Arthur.

Administrator Holly also reported of receiving 3 Cable Company Application for Cable Franchise. Ms. Holly also reported the Commission had 30 days to notify of acceptance. Commissioner Carte informed he would review these.

The Commissioners reviewed minutes of Salem-Gatewood Public Service District meeting on February 11, 1991.

The Commissioners received and reviewed letters from Florence Fitzwater, Wanda Jones and Luella Harrell concerning property that needs cleaned up.

President Witt informed of being notified by Magistrate Lopez that he is using prisoners and Montgomery is housing and feeding them so County does not have to pay other Counties when over populated.

Applications were received from Timothy Dwayne Canterbury and Dalmas Lacy Lawhorn for maintenance or other type work.

President Witt requested application for Dalmas L. Lawhorn be forwarded to Fayette County Solid Waste Authority for possible Supervisor position for Clean-up Program with Department of Natural Resources.

The Commissioners reviewed letter from J. D. Brackenrich concerning legislation with local health services.

Administrator Charlotte Holly presented information from Kelly A. Wymer, Legal Assistant with Law Offices of Lewis, Ciccarello, and Friedberg regarding committee appointment on February 26, 1991. The

Commissioners felt orders should be revised concerning bonds.

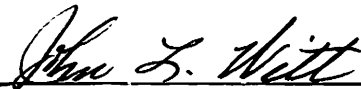
A letter was drafted and signed to Stephen Cruikshank requesting a comprehensive report on the status of Emergency 911 system for Fayette County before April 15, 1991.

A letter was also signed to State Tax Department Chief Inspector Division informing the policy for the purchase of commodities for various departments of Fayette County has been that the Office of the County Commission will be central purchasing office. The County Jail is not budgeted for contractual services. These cost are included with County Commission and Courthouse Expenses. The letter is to serve as certification that all elected officials are in agreement with this.

A letter was also reviewed from County Commission Association of West Virginia regarding Association dues.

A letter was reviewed from State Department of Tax and Revenue regarding cost of new property valuation.

The meeting was adjourned. Next scheduled meeting is March 19, 1991.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
MARCH 21, 1991
COURTHOUSE
FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in Special Session on this 21st day of March, 1991 to discuss budget for fiscal year 1991-92.

The Commissioners met with County Clerk, Howard Janney.

The Commissioners questioned Mr. Janney regarding projected cost for a new election tabulator machine. Mr. Janney estimated cost of somewhere in range of \$25,000.00.

President Witt requested Mr. Janney meet with representative to get demonstration and cost for a new machine. The Commissioners also informed Mr. Janney his budget for next year would be the same with no salary increases with exception of increase for Public Employees Insurance Agency.

The Commissioners met with Sheriff Bill Laird.

County Administrator Charlotte Holly explained Sheriff's budget. Ms. Holly explained \$30,000 was approved for Law Enforcement overtime instead of \$40,000. The County Commission had approved purchase of 3 new police cruisers out of Coal Severance Fund at approximate cost of \$46,525.80; \$10,000 was approved for Correctional Officer overtime; \$270,000 was amount estimated for Law Enforcement Levy; \$10,000 was approved for additional to Jail Food and Drug line item of budget. Total Budget \$130,000; \$1,500 was approved for part-time cook expenses; \$5.00 was added to uniform allowance for Deputies and Correctional Officers. Each to receive \$20.00 monthly for uniform allowance; \$50.00 was approved for each Correctional Officer who passed certification for teletype for Jail.

Ms. Holly explained that the Commissioners had approved office storage space for Tax Office.

Commissioner John Lopez informed the Commissioners have also agreed to fund salary for Jerri Copley for 20 months.

Ms. Holly explained to Sheriff Laird that she had funds from Speed Reduction Grant for 6 months under State Grant line item.

Sheriff Laird thanked Commissioners for all their support for last 2 years and requested to address some needs he felt were important to his department.

Sheriff Laird began to explain Radio and Communication needs of his department.

President Witt explained of meeting with representative from Motorola on proposed 911. He explained of upcoming meeting on April 15th with Steve Cruikshank for status of 911 System for Fayette County.

Sheriff Laird also addressed need to upgrade capabilities of Valley Detachment due to anticipated activity and heavy traffic flows in Mount Olive area due to Prison opening in this area in 1992.

President Witt suggested letting State know of this so possibly they would upgrade State Detachment in this area.

Sheriff Laird also informed of Rank Classification Proposal for Correctional Officers. He informed Correctional Officer's Civil Service Commission has tentatively approved.

The Commissioners informed to add this to budget for now but would not be used until Proposal implemented.

Administrator Charlotte Holly informed of Public Hearing on Budget, Monday, March 25th at 10:00 A.M.

Administrator Charlotte Holly informed Coal Severance Funds appear to be approximately \$482,284 for next year.

Major expenses from this fund to be Law Enforcement cruisers, Region Development contributions, Correctional Officers salaries and contributions to Health Department, FMRS and Humane Society.

The General Fund appears to be \$3,154,343.

Excess Levies --

Fire Levy	-	\$578,074
Library Levy	-	\$113,693
Law Enforcement Levy	-	\$270,622

The Commissioners informed again that all office holder's budgets were approved the same as they were last year with increase only for Public Employees Insurance Agency increases.

The Commissioners met with Assessor Tom Aiello. Commissioner Lopez informed Mr. Aiello that Administrator Holly would prepare specification for new vehicle to be purchased from Assessor's Valuation Fund.

Administrator Holly questioned Mr. Aiello if he felt Valuation Plan would be revised to include computerized mapping. Mr. Aiello expressed that he did not feel would be good idea. A revised plan would have to be submitted. No initial request would be received until all request taken care of under Valuation Plan.

Assessor Tom Aiello also reported that he had spoken to different Assessor's in the State regarding tax status for Fraternal Organization. At this time he had

declared all Fraternal Organization tax exempt.

Administrator Charlotte Holly presented Commissioners with Statement of Balance of Accounts as of February 28, 1991 on comparative basis with February 28, 1990.

Administrator Holly presented request from Prosecutor's Office to install a transcribe station at front desk at Prosecutor's Office and move one station from upstairs to an office downstairs. Cost to be \$479.60. This was approved.

The Commissioners approved check to 4-C Economic Development Authority in amount of \$2,601.64 for difference paid March 19, 1991 for 3rd quarter contributions.

The Commissioners signed petitions for consolidation/division of real estate for assessment purposes.

The Commissioners signed letter to Kelly A. Wymer, Legal Assistant with Attorneys Lewis, Ciccarello and Friedberg returning unsigned orders regarding the Committee Appointments for Lola Smith, Jeffery Matthews, Richard Lilly, and Woodrow Hoylman.

The Commissioners signed letter and resolution in which they agreed to act as sponsor for Weatherization Program in Fayette County effective April 1, 1991.

The Commissioners signed letter to Page-Kincaid Public Service District informing they were unable to approve their requests for funding.

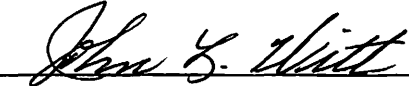
The Commissioners signed letters addressed to Mr. & Mrs. Bill Toney, Mrs. Eva Fitzwater, Mrs. Florence Fitzwater, Mrs. Wanda Jones and Mrs. Luella Harrell regarding notifications sent to property owners in their area for need to clean-up their property. The Commissioners thanked them for concern and asked patience as they pursued matters according to requirements set forth in West Virginia Code.

Judge Robert Abbot appeared before the Commission with request for bailiff salary increase. The Commissioners informed this would be considered.

The Commissioners informed they would not join Association of Counties this year.

The Commissioners informed park, pool and camp fees would be same as last year.

The meeting was adjourned. Next scheduled meeting is March 25, 1991.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
MARCH 25, 1991
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: John L. Witt, Gene Carte, Jr.

The Fayette County Commission met in Special Session on this 25th day of March, 1991.

The Commissioners held Public Hearing concerning Proposed Budget for Fiscal year 1991- 92.

No one appeared from public for comments concerning budget.

Administrator Charlotte Holly informed she had one change in budget. The Commission had been unable to obtain information regarding proposed increase in P.E.I.A. insurance premiums. A Representative from P.E.I.A. had informed he would advise a 10% increase. A 20% increase had been calculated. President Witt made motion to change calculations to 10% and put difference in contingencies. Commissioner Carte also approved. Commissioner Lopez will be notified of change. Pending approval from State Tax Department, the budget will be finalized April 16, 1991. The Commissioners will lay levy for upcoming fiscal year on this date. Commissioner Carte made motion to approve Budget. It was unanimous decision to accept budget as prepared for fiscal year 1991-92.

The meeting was adjourned. The next schedule meeting is March 27, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
MARCH 27, 1991
COURTHOUSE
FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 27th day of March, 1991.

Attorney Douglas Mooney appeared before the Commission with a petition of Quanita Sims, Committee of James L. Thacker, for approval of expenditures of funds to purchase new automobile on behalf of her brother, James L. Thacker, for whom she is committee.

The vehicle will be used for purpose of transporting James L. Thacker to and from doctors, hospitals, and will be used for his vacation, entertainment trips and for his use and benefit. This was approved.

Attorney Douglas Mooney also presented petition for minor boundary change in City of Oak Hill. Mr. Mooney scheduled April 24, 1991, 10:00 A.M. for public hearing.

The Commissioners met with Attorney Paul Blake with petition from Sam Mazer to be appointed Committee for Irene Mazer. Sam Mazer was questioned. Nancy Skaggs was approved guardian et litem and recommended the appointment.

Commissioner John Lopez made motion to approve the appointment at minimal bond. Vote was unanimous.

Russell Smith and Debbie Short from Womens' Resource Center appeared before the Commission with request for help with funding.

The Commissioners explained of already finalizing upcoming year budget but would look at information and possibly consider next year.

The Commissioners met with Attorney Philip Tissue and Attorney Ernest Skaggs regarding estate of Edmond N. Duncan.

Attorney Philip Tissue explained will has already been offered for probate. Files were reviewed from County Clerk's Office.

Attorney Ernest Skaggs explained he felt Phil Tissue has asked for motion for Summary Judgment and must show no tryable issue.

Attorney Tissue argued he has presented evidence that Mr. Painter witnessed well.

After discussion President Witt informed he felt this case may belong in Circuit Court. Neither the Commission or the attorneys could decide on jurisdiction of this matter.

Final decision was to hold in abeyance until this was determined.

The Commissioners approved and signed budget amendment to decrease the construction line item by \$5,227 and establish an equipment line item of \$5,227, be submitted to Small Community Block Grant office for equipment purchase for Page-Kincaid Public Service District.

The Commissioners discussed meetings they had had regarding a Green Thumb worker as Supervisor over Department of Natural Resources litter clean-up program. The Commissioners was not certain about status of Fayette County Solid Waste Authority hiring someone for this job. The decision was to hold this until the 15th of April.

Kelvin Holliday appeared before Commission requesting use of 4-H camp August 5-9 for camping for Camp Kismet. This was approved. Condition will be the same as last year.

Administrator Charlotte Holly requested permission to attend Grant Writing Workshop on Tuesday, April 2, 1991 at Scarbro. This was approved.

The Commissioners discussed private Ambulance Service in County. President Witt informed he had talked to Prosecutor about possibly turning ambulance that county has title to over to Private Companies and dropping insurance coverage.

Prosecuting Attorney Charles Vickers appeared at meeting and informed he was not sure County Commission could just give ambulance to private profit making organizations.

Discussions were held about conditions, age and value of these vehicles.

President Witt suggested a meeting be held with the Ambulance Companies to discuss this.

The Prosecutor also questioned the Commission about status of closure proceeding for Committee on Aging Senior Citizens Building in Oak Hill.

Commissioner Gene Carte offered motion to authorize Prosecutor to look into and informed he would assist Prosecutor. John Lopez seconded. Vote was unanimous.

Exonerations of real and personal property taxes were approved and signed as submitted from Assessor's office and approved by Prosecutor's office.

The Commissioners discussed applications filed by Cable Companies.

The Commission signed letters to West Virginia Cable Telephone Advisory Board and Econoco, Inc. The Commission had not received results of Board's review of Econoco, Inc. application.

After the Commission receive results from review by West Virginia Cable Television Advisory Board they will let companies know if they accept or reject application.

On other applications, Administrator Charlotte Holly informed Advisory Board sited deficiencies.

The Fayette County Commission signed letter to Bob Arthur, 4-H Extension Agent advising of regulations for camping at Fayette County Park.

The Commissioners signed letter to Mr. Gerald Walker of Hico regarding the need for clean up of property on Route 60 just west of Dexters opposite side of Route 60.

The Commissioners met with Mary W. Abbot and Keith Spangler. Ms. Abbot explained of need for approximately \$800.00 for water pipes for Humane Society to tie into public water system. Ms. Abbot also explained additional funds were needed to meet cost of operating the Shelter. She requested the Commission fund amount of \$30,000 as for next fiscal year.

President Witt informed \$9,000 has been approved from Coal Severance Fund and \$18,000.00 from General County Fund.

Ms. Abbot explained that Leland O'Neal was doing audit and she should be able to submit within a couple weeks. This was why she had not approached Commission earlier for budget request.

President Witt explained that Budget was already finalized. He explained the Commission would be willing to assist with funds for tie into public water system.

Commissioner Lopez offered motion approve \$800 for water line and \$3,000 to bring Humane Society back to amount they were previously budgeted in the past. Commissioner Carte seconded. President Witt explained he did not approve. He felt this should be discussed further to decide where these funds would come from.

Discussioners were held about where funds would come from and whether they would come out of this years budget or next years.

The Commissioners left this for Administrator Charlotte Holly to decide.

The Commissioners signed order from Attorney Thomas G. Casto appointing the Sheriff as Committee for Herald Judson.

The Commissioners approved travel expenses for Academy mileage for Deanna Saxton in amount of \$499.62.

The Commissioners reviewed letter from Sheriff Laird regarding Grievance Hearing scheduled March 28, 1991 of Correctional Officer Deanna Saxton.

The Commissioners reviewed letter and information from Board of Risk and Insurance Management regarding Loss prevention Report dated February 21, 1991 of Memorial Building. The letter requested that within (60) days a "Plan of Action" be submitted for compliance with each recommendation. Commissioner Gene Carte informed that some repairs would be made by the County Commission but informed this should be forwarded to Board of Education.

President Witt informed of meeting at 10:00 on March 28, 1991 with representatives of Appalachain Power Company and committee that has been formed to discuss trees at Courthouse.

The meeting was adjourned. The next scheduled meeting will be April 3, 1991.

John L. Witt

FAYETTE COUNTY COMMISSION MEETING

REGULAR SESSION

APRIL 3, 1991

COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 3rd day of April, 1991.

Administrator Charlotte Holly presented letter from Otis Elevator regarding a letter the Commission had addressed to them concerning charges for repair work. The Commission felt this should be covered under Maintenance Agreement. The letter noted a reduction of one hour.

The Commissioners informed they still felt this should be covered under Maintenance Agreement and refused to pay invoice. Commissioner Carte expressed that when Otis Elevator gave presentation they informed that contract would cover everything.

Administrator Charlotte Holly presented orders prepared by Attorney Thomas Casto concerning previous Committee Appointment requests held before the County Commission.

The Commissioners reviewed and informed the orders needed to have appraisers added.

Quarterly excise tax report was signed for Fayette County Park.

Administrator Charlotte Holly reported that monthly contributions for Fayette Humane Society were due and funds normally paid out of Dog Tax Fund could not be paid due to this fund operating in the red at present time.

Commissioner Carte instructed that this amount could be taken out of Coal Severance Fund as has been done in the past.

The Commissioners signed Budget Certification for FY 91-92 Budget for Mental Health Services from Fayette-Monroe-Raleigh-Summers Mental Health Council, Inc. The Certification informed \$5,000.00 has been budgeted for said fiscal year.

Administrator Charlotte Holly informed that Fayetteville Fire Department Auxillary had informed they would be willing to instruct Maintenance Crew at no charge how to inspect fire extinguishers. If needed, will recharge extinguishers at \$2.00 per lb (includes everything but replacement of valve if defective). This was approved.

The Commissioners met with Steve Cruikshanks. Mr. Cruikshanks presented copy of letter from Postal Service in which they would like the County Commission

to type on County Commission letterhead.

The Commissioners reviewed but informed they would not respond until all maps are complete and have met public approval.

Steve also presented copy of Emergency Appointment Form for employee to sign informed he/she is accepting position not under the West Virginia Civil Service System. Steve informed that State Office has approved. Mr. Cruikshanks also informed that 12 out of 15 fire chiefs are in favor of hiring person under this grant. He informed he should have a letter by the 15th of April.

A check was received in amount of \$3,897.44 from Federal Emergency Management Contribution (Personnel and Administrative Expense Program.)

The Commissioners met with Sheriff Laird. Discussions were held concerning so many Committee Appointment request being made to the Sheriff. The Sheriff explained that he had no problem in serving as Committee when there is a need.

Commissioner Lopez instructed that from now on when Attorneys call to have the Sheriff appointed that they be referred to the Sheriff only. The Sheriff will then notify if he is willing to serve.

Discussions were held concerning the Sheriff being appointed Committee for Larry Pezzanite, Jr. The Sheriff informed he was working with the Prosecutor regarding this matter.

The Commissioners and the Sheriff discussed House Bill 2139 - Sheriff's Fee Increase.

After discussion Commissioner Lopez offered motion to allow Sheriff to increase fees up to maximum amount. Commissioner Carte seconded the motion. Motion passed 3 - 0.

The Sheriff also presented proclamation for the Commissioners to sign proclaiming the month of April, 1991 as Drunk Driving Prevention Month. This was approved and signed.

Administrator Charlotte Holly informed that Esther Webb from Mossey Public Service District has contacted her regarding request for funds. Ms. Holly reported that apparently funds will not be approved. President Witt instructed to keep working on and hopefully they could have an answer by the end of the month.

Letters were written to Tim Oxley concerning letter and reporting for White Oak Public Service Sewer Improvement Project Progress Report.

Administrator Charlotte Holly reported that she has requested bids for vehicle for Assessor. Funds for truck to come from Assessor's Valuation Fund.

Ms. Holly reported she has received copy of regulations from West Virginia Television Cable. Ms. Holly reported she and Commissioner Carte can review to

make sure certain provisions are in contract.

Letter was written to Rifkins and Associates, Tele-Media Franchises, Inc. and Econoco, Inc. concerning Cable Television Franchises Application.

The Commissioners signed letter to Ray Carson at Fayette County Board of Education attaching a copy of loss prevention survey made at the Memorial Building by Schirmer Engineering Company. The Commission requested that the Board take immediate corrective measure to comply with recommendations.

The Commissioners reviewed information concerning Know Your County Government Day. This will be May 3, 1991.

The Fayette County Dog Warden Report for the month of March, 1991 was received and reviewed.

President Witt signed Go Mart credit card application as requested from Deputies in the Valley area.

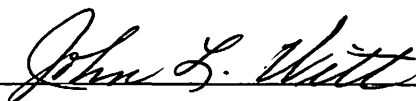
Administrator Charlotte Holly reported that Dee Lively was progressing with repairs to steps at Danese Detachment. She reported that ceiling has also been repaired in Circuit Clerk's Office.

The Commissioners reviewed letter from Mr. and Mrs. Paul E. Bennett regarding \$750,000 grant given to expand the Wilderness Public Service District's Water System to the Town of Nallen.

A letter was written to Mr. & Mrs. Bennett regarding this matter.

The Commissioners received and reviewed Loss Prevention Report for Court-house and Jail from Board of Risk and Insurance Management.

The meeting was adjourned. The next scheduled meeting is April 15, 1991.



FAYETTE COUNTY COMMISSION

REGULAR SESSION

APRIL 15, 1991

COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 15th day of April, 1991.

The Commissioners met with Lee Massey and Sheriff Laird regarding supervisor hired by Fayette County Solid Waste Authority.

Mr. Massey explained he was present to question if the County Commission was willing to help pay salary for employee.

Mr. Massey explained that person hired (Larry Parsons) was to receive salary of \$1,000.00 a month with no retirement or insurance benefits.

Commissioner Lopez offered motion to approve paying half of salary (\$500.00) a month. President Witt approved. Commissioner Carte did not vote. Motion passed 2-1.

Sheriff Laird informed of proposal to enforce litter control.

Sheriff Laird explained methods he would try to detect and prosecute violators. He also presented a sign which he felt would be helpful if posted after the clean up crew cleaned up a certain area.

The Commission approved the purchase of 1,000 signs. The Sheriff is to get prices.

Commissioner John Lopez questioned if there were additional phones in Courthouse that Smithers Detachment could have.

Charlotte will check and see if there are any available. If not, she will check about ordering.

The Commissioners signed letter addressed to McDonough Caperton Insurance Group (Chuck Johnson) informing that the Commission unanimously decided to continue the County Health Insurance coverage through the West Virginia Public Employees Insurance Agency.

The Commissioners signed order increasing fees to be charged by the Sheriff of Fayette County for service of process, subpoenas and various writs and in the mileage charge for conveying prisoners.

The Commissioners signed letter to Otis Elevator regarding invoices the Commission felt they did not owe.

The Commissioners signed order transferring \$50,000 from Magistrate Court Fund to Fayette County General Fund.

The Commissioners signed letter to Francis R. Janney regarding review of increase in assessment on two parcels of property in Fayette County. The Commissioners explained that February 28, 1991 was last day on which the County Commission could meet for the purpose of reviewing and equalizing the assessment made by the assessor for the 1991 property tax year.

President Witt informed that Steve Cruikshank was called to a fire and would not make presentation on 911.

Administrator Charlotte Holly reported that County Clerk Howard Janney had reported that he, Linda Johnson, and Barbara McGuffin would be attending an Election Seminar at Canaan Valley Resort on April 21-23, 1991. These expenses to come from Election Expense Account.

The Commissioners reviewed bids for vehicle for Assessor's office. Cost to come from Assessor's Evaluation Fund. Bids reviewed were: Blackburn Ford Sales, Inc. - \$12,840.50, Brown Chevrolet, Inc. - \$9,770.00, \$9,851.00, \$11,114.00, \$11,165.00, King Coal - \$10,031.36.

County Administrator Charlotte Holly and Assessor Tom Aiello are to get together to review these bids.

The Commissioners signed orders appointing Paul Leshner to Ames Public Service District, Barney Wade of Meadow Bridge to Meadow Bridge Public Service District, Robert Vandall to Meadow Bridge Public Service District, Mike Skaggs to Ames Public Service District, Cathy Dunlap to Ames Public Service District and Claude B. Bess to Wolf Creek Public Service District.

The Commissioners reviewed letter from Region 4 Planning & Development Council regarding Spring Quarterly Dinner on April 17, 1991. President Witt informed he would attend.

The Commissioners reviewed letter from Lois E. Crites, CCR at Courthouse Annex requesting metal shelving unit to place in room for storing supplies and work related books. This was approved subject to Administrator approval.

Administrator Charlotte Holly reminded Commissioner Carte of upcoming Worker's Compensation Hearings on April 24, 1991 for Fred Sizemore and May 6, 1991 for Percy Lee Gilliam.

The Commissioners reviewed information regarding elected public officials no longer required to have workers' compensation coverage or benefits. The Commissioners decided they would continue paying for coverage.

The Commissioners reviewed monthly Maintenance Report for vehicle repair at Fayette County Park.

The Commissioners reviewed letter from William Spencer regarding monitoring visit #1 of Fiscal Year 1989 Small Cities Block Grant for Beards Fork Component

Page-Kincaid Public Service District Sewer.

A letter was also reviewed from Fred Cutlip of Governor's Office of Community and Industrial Development regarding a request of Page-Kincaid/Public Service District for a change to project budget of the Beards Fork component of Page-Kincaid Public Service District Sewer Improvement Project.

The letter informed the policy of their office was to not transfer funds from construction line item until the project has been bid and actual construction costs are known.

The Commissioners discussed article they had reviewed regarding funds for Deepwater Public Service District. The discussion of needing invoices before submitting a check was discussed.

President Witt requested a copy of order be sent to chairman of Deepwater Public Service District concerning decision of Fayette County Commission.

Administrator Charlotte Holly reported that Governor's Office of Community and Industrial Development had informed that property owned by Fayette County Commission at Harlem Heights needed to be surveyed and split into 2 parcels.

The Commissioners reviewed letter and information of proposed railroad abandonment CSX Transportation, Inc.

The Commissioners discussed previous request of Mossey Public Service District for Emergency Funds to assist with cost for repair work to pumps. Administrator Charlotte Holly reported that they would probably not receive grant. President Witt requested that chairman of Mossey Public Service District appear at future meeting and the Fayette County Commission would review and decide after meeting.

The Commissioners reviewed Attorney General's approval of The Intergovernmental Relations Agreement between Fayette County Commission and White Oak Public Service District.

Prosecuting Attorney Charles Vickers appeared at meeting and questioned if it was the desire of the Commission for him to close files on Senior Citizen.

President Witt informed that he would check to make sure but he felt matter was settled.

Minutes of meeting on March 11, 1991 of Salem-Gatewood Public Service District was received and reviewed.

The Commissioners reviewed letter from Governor's Office and Community Industrial Development regarding free service which may help reduce the cost of operating community facilities. The Commissioners approved for Ms. Holly to get more information on this.

The Commissioners received and reviewed Facilities Review Panel Interim Re-

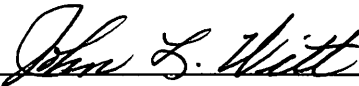
port on Fayette County Jail from Juvenile Justice Committee Facilities Review Panel.

The Commissioners reviewed letter from Attorney Ralph Young representing Mr. Wesley Tincher whose cow died as a result of injuries received from a wild dog attack.

The Commissioners discussed that the letter did not give full details.

Administrator Charlotte Holly informed Dog Tax Fund is in red at current time. President Witt requested a letter be written regarding this matter.

The meeting was adjourned. Next scheduled meeting April 16, 1991.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
APRIL 16, 1991

COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in Special Session on this 16th day of April, 1991.

Administrator Charlotte Holly informed that Levy Rates for fiscal year beginning July 1, 1999 have been approved by State Tax Commissioner.

The letter also informed that the estimate of all other revenue sources and proposed expenditures are currently under review.


There was no representation from general public appearing at meeting.

Commissioner Gene Carte made motion to approve Levy Rates. President Witt informed Levy Rates are approved 9:55 A.M. on this 16th day of April, 1991.

Levy Rate sheet was signed by County Clerk Howard E. Janney and Order was signed by Commissioners.

The Commissioners also reviewed letter from John David of Page-Kincaid Public Service District regarding a meeting held April 13, 1991.

The meeting was adjourned. Next scheduled meeting April 24, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION

APRIL 24, 1991

COURTHOUSE

FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in Regular Session on this 24th day of April, 1991.

The Commissioners met with Steve Cruikshank.

Steve presented proposal for E-911 for Fayette County.

Discussions were held concerning how many telephone lines and estimated cost. He explained there would be approximately 20,000 lines and cost would probably be \$1.00 per month.

Steve also presented information concerning application for funds from Governor's Highway Safety Fund for emergency equipment.

President Witt asked if there was a motion to authorize Steve to apply for grant through WV Highway Safety Grant for emergency equipment. There would be no commitment from Fayette County Commission. Funds would come from Office of Emergency Services and 911 fee.

Commissioner John Lopez offered motion to approve.

President Witt voted to approve. Commissioner Gene Carte voted no. Motion passed 2-1.

Steve also informed he would be back before the Commission within next 30 days to discuss 911 further.

Darrell Rakes appeared before the Commission requesting the Commission to adopt Building Code Ordinance.

Mr. Rakes explained fees could be charged to aid in enforcement.

President Witt requested Mr. Rakes get list of licensed electrician, plumbers, etc. get their support to give the Commissioners reasons to push for Ordinance.

Attorney Doug Mooney representing City of Oak Hill, Tom Oxley and Walter Brown appeared before County Commission for Annexation of Minor Boundary Adjustment of 11.4 acres adjoining the City of Oak Hill and owned by the City of Oak Hill, a municipal corporation, acting through the Sanitary Board of the City of Oak Hill.

Commissioner Gene Carte offered motion to approve. Commissioner Lopez seconded. All approved.

Herb Mann appeared before the Commission requesting Caller ID charges be picked up by county for his home telephone due to life threatening calls.

This was approved.

The Commissioners signed order reappointing David K. Lively of Kimberly to the Armstrong Public Service District.

The Commissioners signed letter to Charles Keenan congratulating him of appointment to House of Delegates.

The Commissioners signed exoneration of personal property taxes as submitted from Assessor's office and approved by Prosecutor's office.

Administrator Charlotte Holly presented list of County owned ambulance and old contracts and regulations for the Commissioners to review.

The Commissioners met with Gary Harding with Zoning Request Z-351-91-2; Request of C. R. Hill, Jr., W. R. Abbot, G. M. Edwards, and F. I. Blankenship, Owners, for a change in land classification from I-1, Light Industrial District, to B-2, General Business District, on 3.05 acres near Courthouse located at the intersection of Route 19 and Laurel Creek Road, New Haven District. Matt Edwards was present for hearing. Mr. Harding informed this was for a proposed 28 Unit Project for Senior Citizens. Mr. Harding informed the Planning Commission recommended 9-0 that this be approved.

Commissioner Lopez made motion to approve as recommended by Planning Commission. Commissioner Carte seconded. Motion passed 3-0.

The Commissioner also heard Zoning Request Z-352-91-1; Request of Colleen Rogers, owner for a change in land classification from R-R Rural Residential, to B-2, General Business District, on 2.40 acres, Hendricks Creek, Miller Ridge Road at Route 19, New Haven District. Gary Harding informed there was no opposition to this at Monday's hearing and the Planning Commission voted 7-2 to approve. However, Pam Ford who was present presented information today of adjoining land owners who were in opposition. Charles Flint and Gertrude Browning were also present. Mr. Harding informed that Planning Commission recommend 7-2 to approve, but felt should be sent back for next meeting to review again. Diana Alexander was present to represent C. Rogers.

Commissioner Lopez offered motion to send back to Planning Commission for review. Gene Carte seconded. Motion passed 3-0.

The Commissioners signed letter to Peggy E. Freeman waiving rental fee of Memorial Building on August 24, 1991 for Sports Festival Dance sponsored by Oak Hill Civitans.

Administrator Charlotte Holly presented information and invoice from Brown Reporting Agency in amount of \$233.00 for Civil Service Commission Hearing held on March 28, 1991 for Dianna Saxton. No decision was made.

Administrator Charlotte Holly reported that she and Assessor Aiello have reviewed bids for vehicle for Assessor's Office. Blackburn Ford had lowest quote of \$8,958.00 for Ford Tempo.

Commissioner Lopez offered motion to approve vehicle from Blackburn Ford. Commissioner Carte seconded. All approved.

Administrator Charlotte Holly reported that latest Fire Marshal Inspection Report indicated 12 emergency lights were needed throughout Courthouse and Jail. Ms. Holly gave prices for new lights and cost for batteries. Permission was given to purchase after getting additional quotes from different vendors.

Administrator Charlotte Holly informed of letter from Joyce S. Gibson, Assessor from Clay County regarding property listed in names of Ella Marie Nichols and Charles H. Nichols etvir, being located in Clay County, not in Fayette County. The Assessor had informed property was in Clay County. The Commissioners authorized to do what is necessary to proceed.

Direct Payment Request were approved for Gauley River Fire Department, Inc., Ansted Certified Fire Department, Meadow Bridge Fire Department, Danese Volunteer Fire Department, Gauley River Volunteer Fire Department, Jodie Fire Department, Mount Hope Fire Department, Pax Fire Department, and Armstrong Creek Volunteer Fire Department.

Ann Skaggs appeared before the Commission with Progress Report for Fayette County Clean-up.

Ms. Skaggs reported that 6 out of the 12 people notified have complied.

Ms. Skaggs informed that Property owned by Carolyn Paul on Route 19 has not been cleaned up and requested Assessor's office visit and check vehicles on lot to make sure they are being assessed for. The Assessor was present and informed he would check into matter.

The Commissioner instructed letters be written again to those who have not complied; pointing out again laws.

Ms. Holly explained that previous letters did give 90 days. Decision was to wait for this time period to end and then send letters.

The Commissioners met with David Thomas, West Virginia Health Department, Lee Massey, Fayette County Health Department, Norma Isaacs, Clifftop, H. G. Christenson, Clifftop, Ray D. May, Clifftop, Fred Miller, Clifftop, Pauline Christenson, R. C. Horrocks, Mitch Cole and Robert McMillion regarding assistance with water problems at Clifftop and Winona. Mr. Thomas explained that certain problems with these systems were under Environmental Protection Agency (EPA) orders to correct. He explained \$18,000 was needed for Winona, and \$14,000 for Clifftop.

Mr. Thomas questioned qualification for applying for grants.

President Witt instructed him to work with Administrator Charlotte Holly for assistance with this matter.

Robert Horrocks questioned if there were some type of Emergency funds from the County that could assist with Emergency problems?

After discussion concerning the need for chlorinator for Winona, the Commissioners instructed Mr. Massey, Mr. Thomas to get quotes for supplying power and chlorinator for Winona and informed the Commission may be able to assist with funds for these.

The Commissioners reviewed letter from Citizen's Advisory Board of Southern Regional Juvenile Detention Center requesting voluntary contribution to Southern Regional Juvenile Detention Center. The Commission informed they could not at this time.

The Commissioner informed they unanimously denied request for abandonment of railroad line in Paint Creek junction at Kingston.

The Commissioners informed it would be OK to arrange tour of Courthouse for Kathy White, teacher, Fayette County Vo-Tech.

Administrator Charlotte Holly questioned if Fayette County Commission had found person willing to serve on Meadow Bridge or Wolfe Creek Public Service Districts. The Commissioners had not.

Administrator Charlotte Holly reported some offices were not aware of being charged for calls. They felt if they did not have to dial (1) they felt were not charged calls. A letter will be written explaining this.

Administrator Charlotte Holly informed she was unable to come up with phones for Smithers Detachment but informed she could purchase AT&T phones from Wal-Mart.

The Commissioners approved purchase of 2 telephones and 2 dust busters.

Commissioner John Lopez explained Cyprus was requesting certificate of liability on Insurance to lease property to County. The Commissioners informed that Insurance Agent could supply information needed and would approve this 1 year at a time.

Charles Puckett appeared before the Commission concerning complaints on tax tickets. Mr. Puckett explained he did not own property a single month of 1990 but had to pay for. Administrator Charlotte Holly explained that deadline for paying tickets are set by State not by County.

Esther Webb and Joyce Seletyn appeared before the Commission regarding unpaid invoices owed by Mossy Public Service District.

Ms. Seletyn explained they have been told from Governor's Office that they cannot help.

The Commissioners informed they would contact elected official for assistance

in trying to get help from Governor and would get back with them sometime during the afternoon.

The Commissioners signed contract with C & P Telephone to increase commission from 8% to 10% for coin operated telephones.

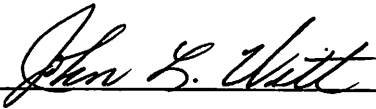
The Commissioners reviewed letter from Attorney G. Ernest Skaggs regarding Estate of Edmond H. Duncan, deceased.

The decision was Will is already admitted to probate.

The Commissioners received and reviewed information concerning National Law Enforcement Memorial Day and Welcome Home to all the Troops on May 15, 1991.

The Commissioners reviewed letter from Governor's Office of Community and Industrial Development regarding mandatory In-Service Training for Certified Officers. This is to be forwarded to the Sheriff.

The meeting was adjourned. Next scheduled meeting May 8, 1991.



FAYETTE COUNTY COMMISSION
REGULAR SESSION
MAY 8, 1991
COURTHOUSE
FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 8th day of May, 1991.

The Commissioners met with Attorney Doug Mooney. Mr. Mooney explained he was representing Pat Hamilton who is Committee for Orland Nichols, who is a veteran. Mr. Mooney requested the Commission's authorization to expend funds to purchase home in Florida. This has been approved by Veteran's Administration. Commissioner Lopez authorized for approval. President Witt and Commissioner Lopez also approved.

Vehicle Maintenance Report for vehicle repairs from Jim Gannon was received and reviewed.

Monthly Dog Warden Report was reviewed.

A letter was signed to William W. Jones, Jr. concerning property that needs cleaned up in Glen Jean area.

The Commissioners signed minutes of Zoning Hearings held March 15, 1991 and April 24, 1991.

The Commissioners received letter from Gregory A. Burton, Senior Trust Officer, Charleston National Bank requesting the Commission's approval to have Smith, Cochran and Hicks, a Charleston based accounting firm to perform the audits on single family mortgage bond issues for next 3 years. This was approved.

President Witt signed pay phone exemption certificate for Fayette County Park.

John H. Lopez offered motion to pledge Fayette County Commission's continued participation as a member of the Region IV Planning and Development Council Economic Development District. Commissioner Carte second. Motion passed unanimously.

The Commissioners met with John David of the Page-Kincaid Public Service District.

Mr. David informed of receiving letter from the Fayette County Commission in which they were denied emergency funds to help district with water and sewer problems. He explained that he felt the Commission should appeal the decision of the State Tax Department in which the Commission was denied their request to transfer Jail Improvement funds to the General Fund to help Public Service District with water and sewer problems.

Discussions were held concerning why Public Service District's were not allowed to save funds for emergencies.

Administrator Charlotte Holly suggested he talk with Region IV to apply for grant for problems they were having. Mr. David explained he had spoken to Region IV.

Discussions were held concerning final Fayette County Public Service District Plan submitted from Public Service Commission.

Centralization was discussed. Mr. David informed he felt that all services were not looked at and he was not confident that a thorough job was done.

The Commissioners signed letter to Interstate Commerce Commission objecting abandonment of CSXT's line of railroad from Milepost 0.00 at Paint Creek Junction to Milepost 22.42 at Kingston.

The Commission signed order informing that the Commission is of the opinion that the will of Edmond H. Duncan was admitted in vacation in the Clerk's office on June 15, 1990, and approved and confirmed on September 5, 1990, by this Commission without objection to probate being filed in accordance with West Virginia Code §41-5-10. The Commission ordered that the Order of June 15, 1990 be ratified and will be admitted to probate.

Exonerations of real and personal property taxes as submitted from Assessor office were questioned. Some groups such as Masons, Lions, and Moose etc were presented for exonerations. The Commissions felt if one was exonerated they all should be. The Commissioners called Irene Long to meeting to discuss this further. Ms. Long explained that the groups the Commission questioned were exonerated but informed they have not proved what buildings are used for. The Commissioners questioned Ms. Long if Prosecuting Attorney Charles Vickers had signed. Ms Long informed they were given to Prosecuting Office and signed there.

The Commissioners signed release form for State of West Virginia Court of Claims. John Lopez offered motion. Gene Carte seconded. All approved.

The Commissioners signed letter to Citizens Advisory Board regarding their request for a contribution to Southern Regional Juvenile Detention Center. The Commissioners informed they could not approve request.

The Commissioners signed order appointing Mike Skaggs to Ames Public Service District. Term to expire May 1, 1997.

The Commissioners signed letter to Stephen R. Eades of Park Commission for Town of Ansted informing they cannot approve request to install 300 feet of 10 foot high chain link fence at Ansted Ball Park.

The Commissioners signed letter to All Elected Officials and Department Heads, regarding procedures for long distance dialing.

Ms. Holly also informed she was waiting for information from telephone company to have changes to current system to prevent some of the calling. This would have to be done after work hours and she was waiting for estimate of the cost.

Administrator Charlotte Holly informed that the demonstration for Election Tabulator is scheduled for May 15, 1991 at 1:30 p.m.

Administrator Charlotte Holly reported that Commissioner Carte had requested her to check about reduced swimming for girl scouts this summer. The Commissioner's decision was to charge .75¢ per swimmer.

Administrator Charlotte Holly reported request of Dee Lively for paint for Jail. The Sheriff appeared at meeting and informed this was needed. This was approved.

The Commissioners also questioned the Sheriff about invoice from Dennler Fencing for material for building Dog Cage.

This was approved. Funds to come from money contributed for police dog. Amount being \$520.00.

The Sheriff also informed of Substitute Cook working due to Phyllis Sullivan being off. The Sheriff also informed compensation funds collected in excess of Ms. Sullivan salary have been deposited in General County Fund.

Administrator Charlotte Holly reported and presented copy of No Smoking Ordinance passed by Raleigh County.

Administrator Charlotte Holly reported and presented several past due invoices for supplies and materials that are normally paid from Dog Tax Fund. The Dog Tax Fund is currently in red. The Commissioners authorized to pay from General County Fund.

Ms. Holly informed that next Workmen's Compensation Hearing for Fred Sizemore is July 1, 1991 at 7:00 p.m.

The Commission received and reviewed letter from Public Service Commission in which they reversed the recommended decision on January 23, 1991 and denied the petition of Kanawha Falls Public Service District to purchase Adena Utilities. The order approved petition of Armstrong Public Service District to purchase the assets of Adena Utilities, Inc.

The Commissioners reviewed letter and information from Kanawha Mining Company, Inc. informing that beginning July 3, 1991 they will order the closing of its contract mining operations located on Cannelton Hollow Road within Kanawha and Fayette Counties.

Administrator Charlotte Holly reported that Harold Blake had presented check in amount of \$214.28 for amount due Fayette County Commission for operating Canteen at Fayette County Park last summer. This is 15% of \$1,428.54 made from (\$7,114.46) sales minus total expenses \$5,685.92. The Commission approved. Mr. Blake to operate for Summer, 1991.

Ms. Holly also presented information Jack had left. Park to open May 18, 1991. He planned to open pool June 8, 1991. The Commissions informed Pool should remain open thru Labor Day. Rates to be same as last year. Weekdays \$1.50 children, \$2.50 adults, and on Weekends-\$2.00 children, \$3.00 adults. Season passes would be \$50.00 for first member and \$5.00 each additional family member. Monday-Thursday 11:00 a.m.-6:00 p.m., Friday 11:00 a.m.-7:00 p.m., Saturday 11:00 a.m.-6:00 p.m., Sunday 1:00 p.m.-6:00 p.m.

Charles Keenan appeared before the County Commission informing he felt the Commission should appeal decision of State Tax Department denial to allow Fayette County Commission to use Jail Improvement Funds to aide necessary water and sewer problems in Fayette County. He informed funds were needed to assist Kanawha Falls Public Service District with utilities to new prison.

After much discussion concerning new prison and funds needed for Public Service Districts the Commissioners informed they would take under advisement and would try to let him know something by May 15th, 1991.

Administrator Charlotte Holly reported of request from Assessor's office for 2 new Key Boards. This was approved.

The Commissioners authorized Ms. Holly to schedule public hearing for Cable Franchises on regular meeting dates.

The Commissioners reviewed letter from Ann Skaggs requesting to Commission to request Jack Clark to clean up property at Lookout. Mr. Clark had already been written 2 letters concerning this matter.

The Commissioners reviewed letter from Jack Clark addressed to Zoning Board in which he requested an extension.

The Commissioners informed they would allow until June 30, 1991.

The Commissioners reviewed letter from Rod Lindsey concerning letter the Commission had written him concerning clean up of property in Lookout.

Administrator Charlotte holly also reported County Commissioner and Assistant's In-Service Training Program will be August 4-7 at Lakeview Resort and Conference Center.

The Commisisoners also reviewed letter from Tom Oxley concerning status of 911 System in Fayette County. The City of Oak Hill had contemplated purchasing

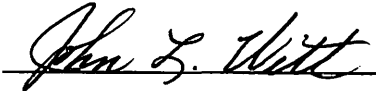
new communications system but would like to make sure any communication gear purchased would be compatible with 911 system. The Commissioner requested he be invited to attend future Fayette County Commission meeting.

The Commissioner reviewed letter from James R. Grate, Highway Safety Program Coordinator, Governor's Office of Community Industrial Development, informing they were in receipt of letter from Nuttall Volunteer Fire Department for \$4,375 in Highway Safety Funds.

Letters were also reviewed from Jack T. Fugett, President of Capels Resources, regarding Transfer Station for Solid Waste Disposal.

The Commissioners received and reviewed check and information for refund due (\$1,888.40) Fayette County Commission which was erroneously deducted from the final payment for 1987-88 Public Utility Taxes due Fayette County Commission.

The meeting was adjourned. Next scheduled meeting is May 15, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
MAY 15, 1991
COURTHOUSE
FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session this 15th day of May, 1991.

The Commissioners met with 4-H Extension Agent Bob Arthur. Mr. Arthur informed of \$850.00 being in budget for Work Study Student. He requested hiring person for 23 days under contracted services. This was approved.

Discussions were held concerning Agricultural Agent receiving a lot of calls and not being able to handle them all. Bob Arthur had been assisting when possible.

The Commissioners signed letter to Howard E. Janney informing effective May 1, 1991, Annette Lynn Holstine has been approved as a 90 day emergency hire part time clerical employee under an EMA grant with an entry levy monthly salary of \$873.00 to be paid from the Fire Levy Fund. Ms. Holstine is not eligible for employee benefits under the 90 day hire.

Letters were signed to Fayette County National Bank, Merchants & Miners National Bank, Mount Hope Banking Center, One Valley Bank, Montgomery National Bank, Merchants National Bank, Gauley National Bank, National Bank of Ansted, and First Empire Federal proposing to designate as depositories of public monies for fiscal year 1991-1992. The Commission requested that those wishing to be named as depositories, please submit bonds and or securities.

The Commissioners signed letters to William R. Laird, IV, Sheriff, Howard E. Janney, County Clerk, Herbert A. Mann, Circuit Clerk, Thomas Aiello, Assessor, and Charles M. Vickers, Prosecuting Attorney attaching an Annual Report form for each to use in filing report with the County Commission and State Tax Commissioners.

Monthly Sales Tax Report for Fayette County Park was approved and signed.

The Commissioners signed letter to Governor Caperton thanking him for the Governor's Community Partnership Grant for Mossy Public Service District.

Payroll and outstanding bills were approved.

Jack Gannon appeared before the Commission concerning camping, help at Park,--- opening and closing dates and water pipe repairs needed at Park.

The Commissioners informed they felt the Park should remain open through Labor Day.

The Commissioners discussed only hiring workers who would work through Labor Day.

The Commissioners also authorized Mr. Gannon to use inmates at Park when ever possible.

Discussions were held concerning repairs needed on drinking water pipes. The Commissioners informed they would discuss this again in the fall.

Discussions were held concerning camp schedule for Summer 1991. Mr. Gannon had informed he only had 4-H Camp Kismet and Red Star Baptist scheduled. Discussion were held concerning contacting others, who have camped in past to see if they were going to camp.

The Commissioners also informed children 15 and under would be charged at children price, 16 and over would be considered adult.

Steve Cruikshank appeared at meeting

Discussions were held concerning different ambulances receiving emergency calls.

President Witt informed General Ambulance was willing to give service for no charge as long as she is given a few emergency calls.

Commissioner John Lopez suggested some type retainer for Ambulance Company willing to do this.

Final decision was to discuss this with all parties before making a decision.

Sheriff Laird was present at meeting.

President Witt questioned if he had any details on Regional Jail. The Sheriff informed site was still not determined and they were experiencing repeated delays.

Administrator Charlotte Holly reported she has filed public notice to hold Cable Franchise hearing on June 14, 1991.

The Commissioners signed letter to WV Cable Television Advisory Board informing the Fayette County Commission felt Cannelton TV Lines, Inc. should be exempt from the cable law since it provides master antenna wire service rather than satellite service.

The Commissioners approved monthly contributions to Humane Society to be paid from Coal Severance Fund being as the Dog Tax Fund is currently in the red.

Administrator Charlotte Holly also reported that she had contacted Governor's Office of Community Industrial Development about request from Nuttall Volunteer Fire Department for \$4,375.00 in Highway Safety Funds. She was informed the request was to cover cost for hand power tools and hydraulic equipment.

The Commissioners received and reviewed letters from Judge John W. Hatcher regarding memorandum concerning long distance telephone lines and a thank you for invitation for Mossy Public Service District Ceremony on Tuesday, May 7, 1991.

The Commissioners reviewed letter from Ann Skaggs regarding Ron Lindsay property at Lookout.

The Commissioners reviewed letter from Zoning Officer, Gary Harding informing Zoning Hearing on April 24, 1991, Z-352-91-1 has been withdrawn.

The Commissioners signed order transferring \$140,055.00 from Jail Improvement Fund to Fayette County General Fund to reimburse General Fund from General School Fund for costs of caring for prisoners.

An Order was approved and signed transferring \$112,200.00 from Fayette County Jail Improvement Fund to General Fund to cover county's additional premium expense for Public Employees Insurance Agency group coverage.

An Order was approved and signed transferring \$140,055.00 from Fayette County General School Fund to be transferred to Fayette County General Fund to defray balance due fund for cost of care and feeding prisoners incarcerated by Magistrates.

The Commissioners signed order appointing Ira Hoylman. Attorney Thomas G. Casto was notified concerning person to come to County Clerk's office to qualify, post bond and name fiduciary supervisor.

Mr. Casto was informed that other orders presented needed corrected before signing.

The Commissioners met with Joe McGinnis, of Business Records Corporation and Ron Pugh of Dayton Legal Blank for demonstration of DELL 316/386SX Ballot counting machine.

The meeting was adjourned. Next scheduled meeting is May 29, 1991.



FAYETTE COUNTY COMMISSION MEETING

MAY 29, 1991

REGULAR SESSION

COURTHOUSE

FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in Regular Session on this 29th day of May, 1991.

The Commissioners met with Attorney Scot Stanton with Petition of Brenda Crookshank to be appointed committee for Alberta Crookshanks. Ms. Crookshanks was questioned. Carl Harris was appointed guardian et litem and felt committee was needed.

Commissioner John Lopez offered motion to approve appointment. Attorney Stanton requested the waiver of bond. The Commissioners informed they felt a minimal bond should be set. With this Mr. Lopez informed a minimal bond of \$500.00 should be set. With Commissioner Carte absent from hearing, motion passed 2-0.

The Commissioners met with Attorney Doug Mooney with Petition for Annexation by Minor Boundary Adjustment of 18.956 acres adjoining the city of Oak Hill and owned by West Virginia Power and Lamplighter Industries, Inc. Petition was approved and final hearing was set for June 26, 1991 at 9:30 a.m.

Exonerations of real and personal properties taxes as presented from Assessor's office and approved by Prosecutor were approved.

Administrator Charlotte Holly reported that no word has been received from State Tax Commissioner concerning budget document. Each office holder was written what funds were approved for each office contingent upon receipt of written approval from West Virginia State Tax Commissioner of fiscal year 1991-92 official budget document.

The Commissioners met with Jack Gannon concerning season passes at Fayette County Park Pool.

Decision was to charge \$35.00 for each individual ticket instead of \$50.00 and \$5.00 for each additional member.

Motion was made by Commissioner Carte and seconded by John Lopez. Vote was unanimous.

Discussion were held concerning building a permanent stage at Fayette County Park.

The Commissioners met with Attorney Paul Clay with petition of Doris Huddleston and Vernon Holmes to be appointed to committee for Nellie Holmes. Ms. Huddleston was questioned. T. E. Myles was approved guardian et litem and recommended the appointment.

Commissioner Lopez offered motion to approve appointment. Commissioner Carte seconded. Vote was unanimous. Bond was set in amount of \$500.00

Attorney Paul Clay presented Commissioners petition of Hula Fox to be appointed committee for Joyce Cook. Ms. Fox was questioned. Commissioner Carte offered motion to appoint Ms. Fox as committee. Commissioner Lopez seconded. Vote was unanimous. Bond was set in the amount of \$5,000.00

Discussion was held concerning recent request of Charles Keenan for \$25,000 for Upper Kanawha Valley Economic Development Authority. Commissioner Gene Carte offered motion to deny request. Commissioner Lopez voted to approve request. With President Witt voting to deny, motion passed 2-1.

Administrator Charlotte Holly presented invoice from Leon Spencer for Harlem Heights Park Survey. Invoice in amount of \$2,017.50 was approved.

Discussions were held concerning auctioning off property. Decision was to check about legality of putting up for auction.

The Commissioners met with Sheriff Bill Laird. Regional Jail was discussed. President Witt informed Raleigh County had requested a letter in support from Fayette County Commission. President Witt requested the Sheriff address one also.

The Sheriff informed the Commission of meeting recently with Attorney Will Carter and Jim Billings concerning population count in jail and State Fire Marshal's request for immediate plan for corrections and improvements to jail. The Sheriff made appointment for June 5, 1991 to report on this situation.

The Commissioners signed renewal application for Business License for Fayette County Park.

The Commissioners signed letter to Kathryn South approving her application for position of supervisor of Beard's Fork segment of Governor's Summer Youth Program.

Discussions were held about arranging meeting with Deepwater Public Service District to discuss status (up date) of project before funding.

Administrator Charlotte Holly reported that Region 4 was working on preparing Community Partnership grant for Winona and Clifftop water system. She also reported they were looking at request for Bellwood.

The Commissioners approved and signed maintenance agreement for phones in Prosecutor's Office cost to be \$56.65 month.

The Commissioners received and reviewed Pledge of Securities from One Valley Bank.

Administrator Charlotte Holly also reported Civil Action suit filed by Judy Nuckols Stafford was forwarded to Insurance Agent.

Administrator Charlotte Holly also reported Woolwine brothers had talked to her concerning letter from Fayette County Commission had written regarding property clean up. They had questioned if the Fayette County Commission was wanting them to remove foundation and basement. President Witt informed he felt if they were removing burned building that is what was needed.

Commissioner Carte informed of building in Oak Hill whose owner should be notified to clean up.

The Commissioners signed letter to Ronald P. Lindsey regarding clean up of his property. The Commission granted extension of time for clean up till October 16, 1991.

The Commissioners signed order reappointing Russell Matthew to Fayette County Board of Health.

The Commissioners signed contract and Agreement with Fayette County Health Department agreeing to fund \$5,000.00 for next fiscal year contingent upon receipt by Fayette County Commission of written approval from West Virginia State Tax Commissioner of official budget document.

Administrator Charlotte Holly also reported Public Service Commission has scheduled meeting with all Public Service District on June 26, 1991 to discuss Fayette County Plan.

Commissioner Lopez informed he would not be in favor of consolidation.

President Witt informed he felt this should be considered.

The Commissioners also received letter from WV Cable Television Advisory Board acknowledging receipt of Fayette County Commission letter requesting exemption from WV Cable Television System Act for Cannelton TV Line. This was approved.

The Commissioners received and reviewed minutes from Salem-Gatewood Public Service District's meeting of April 10, 1991.

Discussions were held concerning In-Service Training scheduled by State Tax Commissioner. Commissioner Carte and Administrator Holly are tentatively scheduled to attend July 28 - 31, 1991 in Morgantown.

Administrator Charlotte Holly also reported she may attend The Americans with Disabilities Act Seminar on July 26, 1991 in Charleston.

The Commissioners reviewed letter from Bobby D. Stover regarding help to get dump on Mount Hope Road cleaned up.

The Commissioners requested to get in touch with Clyde Bennett to discuss what kind of help he feels Fayette County Commission can offer.

The Commissioner received letter from First Empire Federal regarding Public Monies Depositories Bonds.

Letter was received and reviewed from WV Association of Counties regarding self-funded Health Insurance Plan. Discussion were held regarding Public Employees Insurance Agency still being best plan for employees.

Letter was received from WV Worker's Compensation Fund regarding claim filed by Fred Sizemore.

The Commissioners reviewed letter from Departemnt of Education and the Arts informing Glen Ferris Inn and Whipple Store have been entered in the National Register of Historic Places.

The Commissioners reviewed letter and information regarding Midland Trail Scenic Highway Association.

The Commissioners signed letter to Mr. George Lodge regarding clean-up of property in Scarbro.

The Commissioner reviewed thank you letter from Mossy Public Service District for help in getting Governor's grant.

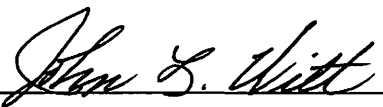
The Commissioner reviewed Order from Mercer County Commission and Pocahontas County Commission regarding Sheriff's fees.

The Commissioners received letters from Assessor Thomas Aiello requesting transfer of line items and request for supplement to current budget.

The Commissioners approved payment of Court Reporter fee for Correctional Office Civil Service Commission Grievance filed by Deanna Saxton. Amount being \$233.00.

Annual Reports were received and reviewed from Prosecutor's Office and County Clerk's Office.

The meeting was adjourned. The next scheduled meeting June 5, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JUNE 5, 1991
COURTHOUSE

FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 5th day of June, 1991.

The Commissioners met with Claude "Bootie" Bess concerning the moving of four precincts in Fayetteville area to more accessible place at Fayetteville High School.

President Witt read section of West Virginia Code book relating to this and informed the Commission would take under advisement until they check with Secretary of State.

Discussion were held about Commissioners for Wolf Creek Public Service District. President Witt requested Mr. Bess get with him within the next few days to try and come up with two names.

Sheriff Bill Laird and Correctional Officer Bill Webb appeared before the Commission.

Sheriff Laird informed he did not have written report today but will forward one at a later date.

A letter was reviewed that Sheriff Laird had written to Billy Burke regarding Regional Jail status. Hopefully, this will get answers concerning regional jail.

President Witt requested the Sheriff and Administrator Charlotte Holly draft follow-up letter also.

The Compliance Plan submitted from Fire Marshal was discussed. Sheriff Laird informed he felt if a few of the problems existing were addressed it may buy time to be in compliance.

The Commissioners met with Attorney Lee Hill who was representing Coal and Timber Resources who are interested in purchasing properties of Mountain Laurel Resources. He explained he was present to ask Fayette County Commission to join Raleigh and Summers Counties in financing taxable Industrial Revenue Bonds for purchase.

Commissioner Gene Carte made motion to approve to participate with these Counties to finance bond issue. Commissioner Lopez seconded. Vote was unanimous.

Administrator Charlotte Holly reported of receiving letter from CNA Insurance regarding letter Attorney J. David Cecil had written regarding Settlement Agreement Violation of Copley v. Manning law suit. Ms. Holly reported that the Sheriff is going to speak to Attorney handling this to see whats going on.

The Commissioners reviewed letter from Governor's Office of Community and Industrial Development regarding Budget Revision to Page-Kincaid Public Service District, Beards Fork Sewer Component 1989 Small Community Block Grant.

The Monthly Dog Warden report submitted by Dog Warden Billy Blake was received and reviewed.

Administrator Charolotte Holly reported and presented request of WVU Extension Office for 1 TV/VCR combination and 1 dozen VCR blank tapes. This was approved, but Mr. Witt informed he would talk to Mary Lou about getting different quotes for a better unit.

Administrator Charlotte Holly presented letter the Commission had addressed to Ray Carson of Fayette County Board of Education regarding Loss Prevention Report of Fayette County Memorial Building. The Commission requested the Fayette County Commission be notified by May 8, 1991 of corrective measures taken or planned in this matter, but have not had a response from Board of Education.

The Commissioners discussed sending copy of letter back to Mr. Carson with copy to new superintendent regarding this matter.

The Commissioners received and reviewed letter from Fayette County Volunteers thanking Fayette County Commission for support and asking for support for Camp Kismet 1991. The Commissioners informed they could not assist at this time.

The Commissioners received and reviewed letter from Governor Caperton regarding Health Care Planning Commission.

The Commissioners met with Christy Gill regarding Pool Rates at Fayette County Park, at past commission meeting the Fayette County Commission had approved charge of \$35.00 for each season ticket at pool instead of \$50.00 first member and \$5.00 each additional member.

Ms. Gill presented a letter to each Commissioner requesting old rates be re-instituted.

The Commissioners informed that after reviewing the matter they felt this should be done.

Commissioner Lopez offered motion to rescind motion made to change pool rates to \$35.00 for each season pass. Commissioner Carte seconded. Vote was unanimous. Pool passes will be same as last year. \$50.00 for first member, \$5.00 for each additional family member.

Attorney Erwin Conrad appeared before the Commission requesting emergency appointment of Sheriff as Committee be made for a Sonja Fladger to allow for acceptance of process for client of Mr. Conrads. Mr. Conrad was to present petition later in meeting but did not appear.

The Commissioners discussed letter from Worker's Compensation fund regarding claim filed by Fred Sizemore. The Commissioners felt they were not responsible and should protest payment of claim.

The Commissioners reviewed letter from Senior Program where they requested assistance with match money to purchase Van. Mr. Witt informed he was checking to see what MTA May have available.

Administrator Charlotte Holly reported Dee was checking about fans for jail. The Commissioners informed to do what is needed to keep in compliance with standards.

Administrator Charlotte Holly reported Judge Hatcher requested chair (like one purchased for Court Reporter) for his Secretary. Administrator Charlotte Holly is talk to Judge Hatcher concerning price.

Administrator Holly presented voucher submitted by Assessor Tom Aiello for Dog Tax commission. Amount being \$873.60. Currently there are not enough funds to cover this in Dog Tax Fund. Commissioner Lopez instructed to check to see if Mr. Aiello could wait until funds were available. If not, to issue check out of General Fund.

Administrator Charlotte Holly presented Audit Report for Humane Society. After reviewing the Commissioners informed the audit report shows that the Society is not in order and felt if they did not get things in order they will not receive funding.

The Commissioners signed letter to Dr. Fred M. Cooley, M.D., Director of Office of Emergency Medical Services forwarding titles for two ambulances for the processing of the release of any liens to which vehicles are subject. The Commissioners also requested any restrictions which apply to the disposal of ambulances in writing.

Administrator Charlotte Holly questioned if the Commissioners knew of someone interested in Supervisor Job for Governor's Summer Youth Program. 1 Supervisor and 5 workers will be working at Courthouse.

The Commissioners signed letter to Lloyd Allen Good approving application for supervisor of the Page-Kincaid segment of the Governor's Summer Youth Program for 1991.

The Commissioners approved request of Jim Gannon to donate old cruiser to Fayette Plateau Vo-Tech Center and the purchase of Front in Alignment Equipment.

The Commissioners signed drafted letter to Mr. Gerald K. Chandler, President of Master Telecable, Inc., informing application has been accepted for franchise and public hearing is scheduled for June 14, 1991, at 10:00 A.M.

The Commissioners reviewed letter from West Virginia Cable Television Advisory Board regarding C & N Cable operating in Fayette County but not complying with West Virginia Cable Television Systems Act.

Administrator Charlotte Holly reported she had inquired about company with the Assessor's Office. President Witt made call to Town of Ansted to check about this.

The Commissioners reviewed Order issued from Public Service Commission in which decision for Fayette County Commission, County Plans of Public Service Districts will be extended until March 23, 1992.

The Commissioners reviewed letter from U. S. Department of Labor informing of increased penalties for violations of the child labor provisions of the Fair Labor Standards Act.

The Commissioners received and reviewed letter from Governor's Office of Community and Industrial Development informing of officers who have completed In-Service Training between July 10, 1990 and May 15, 1991.

The Commissioners received and reviewed letter from Timothy R. Oxley, Executive Director of Region 4 Planning & Development Council, thanking the Commission on behalf of the Mountain Transit Authority for the commitment of \$1,000.00.

The Commissioners reviewed letter from Attorney Skaggs regarding estate of Edmond Duncan. Hearing has been scheduled for June 26, 1991, at 10:00 regarding this matter.

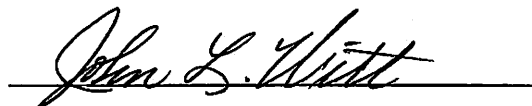
The Commissioners received and reviewed information relating to Interstate Commerce Commission decision of CSX Transportation, Inc. --Abandonment exemption in Kanawha and Fayette Counties.

County Clerk appeared before the County Commission requesting permission to hire part-time worker for typing needed in books in Clerk's Office. Pay to be \$35.00 a day. This was approved. The Clerk informed he would also need a long carriage typewriter. The Commissioners informed to try and find one here at Courthouse to use and if not to possibly rent one.

The Commissioners also informed there will be Policy for Pool at Fayette County Park. Pool will remain open if it rains. In the past the Commissioners had complaints that if it rained in the morning the pool would close for the remainder of the day. This will not happen this year.

The Commissioners reviewed invoice from Jan-Care Ambulance. The Commissioners informed they will not pay.

The meeting was adjourned. Next scheduled meeting June 14, 1991.

A handwritten signature in cursive script, reading "John L. Witt", is written over a solid horizontal line.

FAYETTE COUNTY COMMISSION MEETING

JUNE 14, 1991

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: John L. Witt, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 14th day of June, 1991.

The Commissioners met with George Sparks and Al Gannon from White Oak Public Service District and Thomas Bowen of Armstrong Public Service District concerning their views on Proposed Fayette County Public Service District Plan.

Mr. Sparks informed of newly formed Organization in County addressing this issue.

After discussion concerning this matter President Witt informed that at this time all 3 Commissioners feel it would not be best to consolidate Public Service District's and asked group to keep Fayette County Commission informed of organization's findings concerning Public Service District's in County.

The Commissioners also gave permission to let this group use room in Courthouse to hold meetings.

The Commissioners signed letter to Mr. Ray Carson, Fayette County Board of Education approving waiver of rental fee on Fayette County Memorial Building on June 16, 1991 by Fraternal Order of Police, Lodge #118 for Annual Music Show.

The Commissioners also approved waiver of rental fee for Fayette County Memorial Building for Annual New River Gorge Festival on July 4, 5, 6, 1991. The Commission also informed the Courthouse will be open to view paintings on these days 11:00 A.M. - 2:00 P.M.

The Commissioners signed order donating (1) 1984 Dodge Diplomat and (1) 1985 Dodge Diplomat to Fayette Plateau Vocational Technical Center.

The Commissioners signed letter to Charles Cook et ux concerning clean-up of property at entrance to Turkey Creek just off Route 60, 361 Turkey Creek West of Hawk's Nest State Park.

The Commissioners received and reviewed letters from Sheriff and County Clerk regarding reappropriation for line items in their 1990-91 budget.

The Commissioners signed Budget Revision #2 to Coal Severance Fund Budget and Budget Revision #3 to General Fund Budget.

The Commissioners received and reviewed response from Fayette County Board of Education regarding recent loss prevention survey for Fayette County Memorial Building made by Schirmer Engineering Company.

The Commissioners received and reviewed resignation of Ms. Ann B. Covington

from Fayette County Housing Authority. This to be effective immediately.

The Commissioners received and reviewed letter from Kanawha Mining Company, Inc. providing information concerning anticipated schedule of employment separations as result from the permanent closing of Kanawha Mining Company.

The Commissioners reviewed monthly Maintenance Report for Vehicle Maintenance at Fayette County Park.

The Commissioners received and reviewed letter from Page-Kincaid Public Service District regarding upcoming meeting with Public Service Commission regarding Fayette County Plan of Public Service District's.

Sheriff Laird appeared at meeting and presented 1990 delinquent tax list.

The Sheriff also presented Compliance Plan, Fire Safety Requirements of Fayette County Jail based on Fire Safety Inspection Report prepared by West Virginia State Fire Marshal's Office on October 31, 1989 and September 25, 1990. Sheriff Laird explained he felt it was necessary to submit plan to address deficiencies in jail.

The Commissioners received and reviewed letter from WV Cable Television Advisory Board informing of receipt of a reply from Econoco, Inc. relating to its application for cable television franchise.

The Commissioners reviewed letters from West Virginia Worker's Compensation Fund regarding claim filed by Fred Sizemore.

The Commissioenrs met with Robert Herrald, Jr. of Tele-Media Company, Ben Todaro of Cable Equities/Cablevision, Jack Wade, Helicon Cablevision, Gerald K. Chandler of Master Telecable, Inc. and Stephen Zoeller of County Commission Association.

Public Hearing was held to consider and to receive written and oral public comments on cable television franchises unincorporated areas of Fayette County.

Each representative was introduced and spoke for each company's application for cable franchise.

There were no objections to filing applications for each cable company listed above.

Each representative expressed they felt they would rather have Fayette County Commission as Franchising Authority.

President Witt informed they would not make decision today. The Fayette County Commission will consider after reviewing all applications and will get with each Company if they have any more questions.

The Commissioners signed letter to Ron Rash, Manager, U.S. Department of Housing and Urban Development to consider letter as Fayette County Commission's response to the submission of application for Section 8 Housing Certificates and/or

Housing Vouchers by Housing Authority of Raleigh County.

Application for payment of \$5,000 for local Health Service—Fiscal Year 1990-91 approved and paid.

Minutes of Salem-Gatewood Public Service District meeting May 10, 1991 was received and reviewed.

Fayette County Commission confirmed employment of Thomas "Pete" Rule as supervisor of Fayette County Park segment of Governor's Summer Youth Program.

The Commissioners approved request of Herbert Mann, Circuit Clerk, to place "NO SMOKING" signs in Office of Circuit Clerk.

The Commissioners approved purchase of shaft to repair lawn mower at Fayette County Park. Disapproved request of Jack Gannon for purchase of new mower for Park. Charlotte Holly was instructed to check with Dee Lively to see if old lawn mowers available for use at park by inmates.

Fayette County Commission approved rental of Shelter #4 on Sunday, August 4, 1991 for Class of 1971 Reunion. Jack Gannon is to confirm reservation with group.

Fayette County Commission approved rental of Shelter #4 on Saturday, August 3, 1991, for Alloy Reunion.

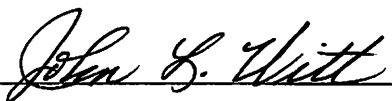
Fayette County Commission instructed Jack Gannon to contact County Administrator to obtain approval when he needs to hire employees at Park. Mr. Gannon was also instructed to submit list of names of lifeguards or other prospective employees to Fayette County Commission for approval prior to actual hiring.

Fayette County Commission will discuss at its June 26 meeting the moving of Fayetteville precincts.

Fayette County Commission will discuss status of June, 1991 and other future allotments to Fayette Humane Society at its June 26 meeting.

On motion of Gene Carte, Jr. and seconded by John L. Witt the Fayette County Commission voted that both current and new employees contributions for Public Employees Insurance Agency group insurance coverage would remain in effect in accordance with the premium rates as set forth in its order dated December 21, 1990. Monthly premium increases effective July 1, 1991, will be paid by the County for all employees, including employees hired on or after July 1, 1991. Future premium increases will be reviewed regarding employee's contributions as notices of increases are received.

The meeting was adjourned. Next scheduled meeting June 26, 1991.



FAYETTE COUNTY COMMISSION MEETING

REGULAR MEETING

JUNE 26, 1991

COURTHOUSE

FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 26th day of June, 1991.

Lee Massey appeared before the Commission with request to have Fayette County Commission pay \$100.00 month increase for Larry Parson. The Fayette County Solid Waste Authority would like to pick up insurance cost.

Commissioner John Lopez made motion to approve. President Witt and Commissioner Gene Carte voted to deny. President Witt informed it has been policy to not pay insurance for part-time employees.

Attorney Doug Mooney, City Manager, Tom Oxley, Larry Mayberry with Appalachian Power Company and David Emmitt from Lamplighter Industries appeared before the Fayette County Commission with final hearing from annexation by minor boundary adjustment of 18.956 acres adjoining the City of Oak Hill and owned by West Virginia Power and Lamplighter Industries, Inc. With no one appearing with objections, Commissioner Carte made motion to approve. Commissioner Lopez seconded. Vote was unanimous to approve.

The Commissioners met with Leon Newman, Deepwater Public Service District Commissioner and Paul Ghosh, with Ghosh Engineering for Public Service District.

Mr. Newman expressed he was present to request \$80,000 from Fayette County Commission to complete Step 2 for Public Service District water and sewer project.

The Commissioners had previously agreed to \$40,000.00 from this fiscal year and \$40,000.00 from next year.

Discussions were held concerning commitment of Environmental Protection Agency (EPA) funds.

Mr. Ghosh explained they do have promise to funds from Environmental Protection Agency (EPA) and explained they may get more funds from projected over runs.

Mr. Witt explained the money is here contingent upon release of Environmental Protection Agency (EPA) funds.

Discussions were held regarding Housing and Urban Development (HUD) funds.

Administrator Charlotte Holly explained that Fayette County Commission is not eligible this year to apply for Housing and Urban Development (HUD) funds and the Fayette County Commission has 6 request from other Public Service District's.

W. D. Smith from Region 4 was at Courthouse and was called in to discuss

status of Housing and Urban Development (HUD) funds.

Mr. Smith explained he had not received a letter from Governor's office but was told funds were to be released this year for White Oak Public Service District and Fayette County Commission should be eligible next year. The Commissioners informed they would get with Region 4 to discuss early plans for request for Housing and Urban Development (HUD) funds.

Mr. Newman questioned if Fayette County Commission would prioritize request.

Mr. Ghosh explained that Deepwater Public Service District project should be ready to go in 90 days.

Commissioner John Lopez made motion to release \$38,000.00. Gene Carte seconded the motion. All approved; \$42,000.00 would be approved out of next fiscal year. This to be approved to pay to Deepwater Public Service District upon receipt of drawdown of bond refinancing proceeds. A letter was signed to One Valley concerning release of these funds from Fayette County Project Account.

The Commissioners met with Attorney Nancy Skaggs and Attorney Phil Tissue in regard to motion filed on behalf of Attorney Skaggs to set aside order concerning Estate of Edmond H. Duncan. Ms. Skaggs cited undue influence.

Commissioner Gene Carte explained that the Commission has taken this matter under advisement and felt Undue Influence hearing should be by Circuit Court. He felt Will should be entered to probate and was of opinion they cannot protest. He explained they had nothing to go on to set aside Will. Mr. Carte explained Mr. Tissue is to prepare Order. All Commissioners approved.

The Commissioners signed letters to Ms. Linda Estep and Claude H. Crawford Estate regarding clean-up of their property.

The Commissioners signed letters to Congressmen Harley O. Staggers, Jr., Nick Joe Rahall, Alan B. Mollohan, Robert C. Wise, Jr. and Senators John D. Rockefeller, and Robert L. Byrd asking for support of Senate Bill 140 and/or House Bill 1495 to increase the amount of federal payments in lieu of taxes.

Zoning Hearing Z-353-91-1 which was scheduled was withdraw by applicant.

The Commissioners signed letters and order to One Valley Bank of Charleston, First Wachovia Trust Services, Inc., Manufacturers Hanover Trust Company and Federal Home Loan Bank of Pittsburgh regarding depositories of public monies.

Administrator Charlotte Holly reported that the levy estimate (Budget) for the fiscal year beginning July 1, 1991 has been approved.

The Commissioners signed letter to Ken Hechler, Secretary of State and to the Public Service Commission forwarding list of current Public Service District Commissioners.

The Commissioners met with Danny Ellis and Joe Marakovitz with Public Service Commission to conduct Public Hearing regarding Fayette County Public Service District Plan. (List of others attending are attached).

Mr. Ellis explained that meeting was to inform of procedural matter. He explained that County has 6 months to forward comments. Shortly after that a final hearing date will be set.

All comments for or against should be in writing indicating specific reasons.

He explained the decision would be based on what is heard at hearing.

Commissioner Gene Carte questioned savings amount and informed the Public Service Commission should have gone to bond holders first.

He felt if the savings would only be \$45,000 this would not be beneficial.

Commissioners from different districts voiced opinions but did not want to make decision on Plan at this time.

President Witt thanked all in attendance and informed of the need to get comments in within 6 month period.

Exonerations of real and personal property taxes as submitted from Assessor and approved by Prosecutor were reviewed and approved.

Permit to operate Fayette County Jail/Kitchen was approved and signed.

Budget Statement for Fayette County Commission was approved and signed.

The Commissioners signed order transferring title of 1981 Ford Ambulance to Danese Volunteer Fire Department and 1982 Ford Ambulance to Valley Emergency Medical Service.

The Commissioners signed order regarding increase in monthly insurance premiums effective July 1, 1991 for single and family coverage (copy attached).

The Commissioner signed order transferring \$1,000.00 from Fayette County General Fund to Dog Tax Fund due to existence of deficit.

The Commissioners signed letter to Fayette Humane Society concerning auditor's reports for fiscal years ending June 30, 1989 and June 30, 1990. The Commissioners informed that a detailed plan of corrective measures should be submitted to Fayette County Commission before July 31, 1991 to ensure future funding.

The Commissioners signed Budget Revision #3 to Coal Severance Fund and Budget Revision #4 to General Fund.

A letter was signed to John McGarrity, Governor's Office of Community and Industrial Development (GOICD) requesting extension of the project deadline for Project "S.A.I.N.T." grant #88-102 until June 30, 1992.

The Commissioners signed and approved application and resolution for Clifftop Water System Improvement Project to Governor's Community Partnership Program.

The Commissioners reviewed letter from Attorney Ralph C. Young regarding

claims for value of a cow filed by Wesley Tinchler.

The Commissioners discussed not having evidence of dogs killing cow. No action was taken at this time.

Administrator Charlotte Holly requested if the Commissioners have given any thought to replacement for Charlie Kuebler on Regional Health Advisory Council. This is to be special order of business at next meeting.

The Commissioners received and reviewed Budget Reappropriation for Law Enforcement Levy Fund for fiscal year 1990-91 from Sheriff Laird.

The Commissioners discussed Disability Income Enrollment Opportunity for Deputy Sheriffs. The Commissioners felt Agent should not talk to employees during working hours and felt other insurance agents should be allowed to talk to employees also. Request was tabled.

President Witt informed that someone has agreed to build stage for Fayette County Park at only cost for materials at contractor's cost.

Commissioner John Lopez made motion to approve. President Witt seconded motion. Commissioner Gene Carte did not approve. Motion passed 2-1.

The Commissioners reviewed request from Bob Arthur, 4-H Agent for \$450.00 for fiscal year 1990 and \$450.00 fiscal year 1991 to assist with camp preparation. This was approved. Check is to be written to Fayette County 4-H Leaders Association.

Administrator Charlotte Holly presented invoice from AT&T for 1 headset for Switchboard. Commissioner Lopez informed he had approved.

The Commissioners received and reviewed information from Walter L. William of Steptoe & Johnson regarding Commercial Development Revenue Refunding Bonds (MPC, Inc. Project) Series 1990.

The Commissioners reviewed letter from Governor's Office of Community and Industrial Development regarding approval of extension for 1989 Small Cities Block Grant for White Oak Public Service District to June 30, 1992.

A letter was also reviewed from Governor's Office of Community Industrial Development (GOCID) informing that agreement has been extended between Governor's Office of Community and Industrial Development and Fayette County Commission for Small Cities Block Grant funds for Northern Fayette Water Study Planning Project.

A letter was also reviewed regarding Monitoring Visit #1 for Page-Kincaid Public Service District Sewer Project from Governor's Office of Community and Industrial Development. (GOCID)

A letter was received and reviewed from Page Kincaid Public Service District to Governor's Office of Community and Industrial Development (GOCID) requesting extension for Sewer Project.

Information was received and reviewed regarding Worker's Compensation claim of Fred Sizemore.

Administrator Charlotte Holly reported that the request of Commissioner to have Mr. Sizemore examined has been scheduled and the Commission will be responsible for costs.

Administrator Charlotte Holly questioned when to schedule Cable Hearings.

The Commissioners informed they could be held on the 31st of July.

The Commissioners informed they would wait until they receive letter from Secretary of State regarding Fayetteville precincts before they finalize.

The Commissioners informed to hold invoices for Jan-Care Ambulance for April and June. President Witt informed he had not received information to justify costs.

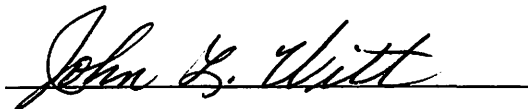
Administrator Charlotte Holly reported that Prosecutor's Office had reviewed information on warranty of roof repair and indicated there was no specific warranty.

President Witt informed that Courthouse hall ways will be open July 6, 11:00 - 2:00 p.m.

Mr. Witt informed Historical Landmark Commission had requested to place marker on Prosecutor's Office and Jail. This was approved.

Discussions were held regarding marker for Memorial Building. Mr. Witt informed he felt a wooden marker would not be suitable but informed possibly a bronze marker would be.

The meeting was adjourned. Next scheduled meeting is July 3, 1991.



ORDER

WHEREAS, the Fayette County Commission having been advised previously by the Public Employees Insurance Agency of increases in the monthly premiums effective July 1, 1991 for single coverage from \$168 to \$195 and for family coverage from \$353 to \$411; and

WHEREAS, the Fayette County Commission has determined that it is necessary to revise its policy dated December 21, 1990, regarding health insurance coverage for the County;

NOW THEREFORE, Be It and It Is Hereby Resolved and Ordered by the County Commission of Fayette County, West Virginia, as follows:

1. The Fayette County Commission will continue health insurance coverage through the Public Employees Insurance Agency.

2. Effective July 1, 1991, all elected officials and full time employees on the County payroll as of December 31, 1990, and who desire health insurance coverage as offered by the County through the Public Employees Insurance Agency will pay through payroll deduction a portion of the monthly premium cost as follows:

Single Coverage -- \$24.80;
Family Coverage -- \$44.40.

3. Effective July 1, 1991, all full time employees hired on or after January 1, 1991, and who desire health insurance coverage as offered by the County will pay through payroll deduction a portion of the monthly premium cost as follows:

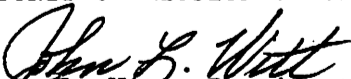
Single Coverage -- \$84.00;
Family Coverage -- \$176.50.

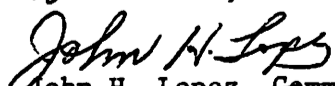
4. Reinstatement of an employee who was on lay-off status by the County on December 31, 1990, shall qualify the reinstated employee to health insurance coverage as provided in Section 2 of this order.


5. Employee premium costs are subject to change as deemed necessary by the Fayette County Commission.

Entered to record this 14th day of June, 1991.

COUNTY COMMISSION OF FAYETTE COUNTY


John L. Witt, President


John H. Lopez, Commissioner


Gene Carte, Jr., Commissioner

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JULY 3, 1991
COURTHOUSE
FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 3rd day of July, 1991.

The Commissioners met with Ann Skaggs regarding Report of Progress of Clean-up efforts.

Ms. Skaggs reports that most people who have been written concerning clean-up have done so. She explained that property owned by Mr. Clark at Lookout (Old Stone building and store owned by Mr. Clark at Mount Cove) have not had anything done to. She felt serious actions needed to be taken regarding these two properties. The Commissioners advised they would let her know of decision. Later in meeting the Commissioners decided to send strong letter to these property owners and request action by August 1, 1991 or further action will be taken to Circuit Judge.

Gene Carte made motion to approve July 15th and July 30th, 1991 part-time and full-time payrolls. John Lopez seconded. All approved.

Exonerations of real and personal property as submitted from Assessor and approved by Prosecutor were reviewed and approved.

Administrator Charlotte Holly requested if the Commission had given anymore thought about replacement for Charlie Kuebler on Regional Health Advisory Counsel. No replacement has been found at this time.

Fayette County Dog Warden Report for month of June was presented and reviewed.

Administrator Charlotte Holly presented information from Assistant Prosecuting Attorney James B. Billings where Notice and Motion for Contempt or in Lieu Thereof for Order of Compliance is case Willard Orlando Brown v. William Laird, Sheriff et al, Civil Action No. 5:85-0259.

The Commissioners received and reviewed letter from Ken Hechler, Secretary of State concerning 4 poling places in Town of Fayetteville. The poling places in question would need to be in adjacent precinct to be legally designated as poling place for another precinct. The Commissioners informed they would review this further.

The Commissioners met with Irene Long concerning purchase of copier machine for Assessor's office.

Ms. Long explained that a copier with double-sided capabilities and a faster machine was needed. After reviewing quotes and information Commissioner Carte made

motion to approve purchase of copier from Savings from Assessor's Evaluation Fund. Commissioner Lopez seconded. This was approved.

The Commissioners signed letter to Lakeview Resort and Conference Center authorizing Howard E. Janney, County Clerk, deputies Linda Johnson, Barbara McGuffin, and Circuit Clerk Herbert Mann to have travel expenses paid while they are attending Conference on August 4, 5, and 6, 1991.

A letter was signed to General Preservation Corporation regarding roof repairs. To this date the Fayette County Commission has not been contacted concerning this matter and informed the Prosecuting Attorney will be notified to proceed with legal action against them if corrective measures are not taken by July 31, 1991.

The Commissioners signed Fire Levy Protection Agreement for Boomer Volunteer Fire Department.

Invoice was presented from National TV and Appliance for (1) Camcorde and (5) tapes for Law Enforcement. This was approved. Cost being \$977.95

The Commissioners signed Order denying motion filed by Attorney Skaggs to set aside Fayette County Commission Order of April 24, 1991 in matter of Last Will and Testament of Edmond M. Duncan.

The Commissioners signed letter to Mayor Jim Murdock and members of the Town Council requesting Police Chief Tunney Hunsaker to patrol parking lots in Town of Fayetteville which Fayette County owns that are utilized as parking lots.

The Commissioners approved and signed Governor's Summer Youth Program Subgrantee Agreement for calendar year 1991.

Administrator Charlotte Holly presented information from WV Cable Television Advisory Board concerning Public Hearings 1 franchise agreement for Cable Television operators in Fayette County. She also advised that C & N TV Cable, Inc. has been given an exemption from WV Cable Television System Act.

Administrator Charlotte Holly reported that Page-Kincaid Public Service District have been given extension until June 30, 1992 for Page-Kincaid/Beards Fork Sewer Project.

The Commissioners received and reviewed information from Page-Kincaid Public Service District requesting letter of support for Partnership Grant application.

The Commissioners reviewed letter from Judge W. Robert Abbot concerning certain telephone line needs of Probation Department.

The Commissioners informed the parties involved should decide this if it would save money. They also informed they thought the County should be reimbursed for home confinement costs.

Administrator Charlotte Holly reported and presented letter from State Department of Health and Human Resources concerning need for plant operator at Armstrong

Public Service District. Commissioner Lopez informed he had information that Kanawha Falls operator was going to assist with this matter.

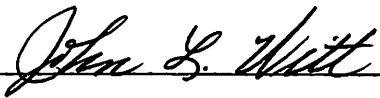
Administrator Charlotte Holly reported of letter from Governor's Office of Community and Industrial Development (GOCID) regarding property at Harlem Heights. Ms. Holly reported she need to check on this further. The letter mentioned repairs that were needed. Ms. Holly informed she would send maintenance crew to check this out.

The Commissioners received and reviewed and accepted audit report from Gauley Bridge Volunteer Fire Department.

The Commissioners reviewed letters from Sheriff Laird forwarding receipts for Corporal Everette Steele and Corporal Wayne Connors for reimbursement of disability benefits.

The Commissioners met with Sheriff Laird. Sheriff Laird went over law suit filed by W. O. Brown and felt the Sheriff's Department and Fayette County Commission should proceed in responsible manner in handling this.

The meeting was adjourned. The next scheduled meeting is July 15, 1991.



FAYETTE COUNTY COMMISSION MEETING

JULY 15, 1991

COURTHOUSE

FAYETTEVILLE, WV

MEMBERS Present: John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 15th day of July, 1991.

Invoices were approved for payment.

Administrator Charlotte Holly presented quarterly invoice from 4-C Economic Development Authority.

Ms. Holly questioned if invoice should be held until audit is received.

Commissioner Lopez instructed Ms. Holly to telephone John Hunt and ask where audit is and inform funds will be held until this is received.

Administrator Charlotte Holly reported Sheriff had picked up 3 new cruisers and invoices will be paid when CD come due. Applications for titles were signed.

Administrator Holly reported that Mrs. Abbot had questioned Friday when monthly contribution would be distributed--\$453.00 is currently in Dog Tax Fund. Ms. Holly also informed she has increased Fayette Humane Society \$2,500.00 as per decision of March 27, 1991.

Administrator Charlotte Holly reported Billy Blake is still off due to health problems.

The Commissioners met with Sheriff Laird regarding request for 10 additional bracelets (Home Confinement Program). Discussions were held to possible check on grant funds.

Commissioner Lopez authorized approval for 10 additional bracelets.

Commissioner Lopez requested to get amount (tax dollars) spent on Jail Improvements.

Montly sales tax report was signed for Fayette County Park.

Administrator Charlotte Holly reported that Lissie Carte has telephone and reported she is working on property clean-up but is having trouble with copperheads and rattlesnakes.

Commissioner Lopez informed to give her until Fall to try to get cleaned up.

Administrator Holly reported Ann Bowling was willing to serve on Regional Health Advisory Council.

The Commissioners signed order appointing her to replace Charles Kuebler.

Administrator Holly requested permission to replace rotary phones at Fayette County Park. This was approved.

Prosecuting Attorney Charles Vickers appeared at meeting. Commissioner Lopez questioned if Prosecuting Attorney's office would be at Hearing scheduled on July 25, 1991, regarding suit filed by Willard Orlando Brown.

Mr. Vickers reported he had murder case hearing and Assistant Prosecuting Attorney Jim Billings may try to get continuance because of other hearings scheduled that day but someone would be at hearing if necessary.

The Sheriff and Assistant Prosecuting Attorney Jim Billings discussed this and agreed to keep the Commission up to date.

Administrator Charlotte Holly reported that air-conditioner at Smithers was repaired by Maintenance Crew.

Ms. Holly also reported that Judge Hatcher had requested chair railings in Jury Room to protect walls. This was approved.

Administrator Charlotte Holly reported of letter received from First Empire Federal explaining certain securities owned by First Emplire Federal Savings and Loan are segregated in Public Funds Pool and held in safekeeping but do not secure funds for any one particular depositor.

Commissioner Carte instructed to write letter informing Fayette County Commission by Code would have to withdraw funds if they do not receive certificate.

Administrator Holly reported of having final figures together for Coal Severance Fund. Necessary revisions were approved.

The meeting was adjourned. The next scheduled meeting is July 31, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JULY 31, 1991
COURTHOUSE
FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 31st day of July, 1991.

The Commissioners met with Ann Skaggs concerning "Clean-Up" project going on in Fayette County.

Joe Laughery with Department of Natural Resources was present and informed he was willing to assist with these clean up efforts.

Mr. Skaggs mentioned particularly the Patton Oil Company property.

She also mentioned she has gotten quote for clean-up of Olivia Stone property. She requested a letter be written to Ms. Stone regarding this with amount that would cost for clean-up.

When discussing Woolwine property she felt they would need to spread dirt and remove wooden out building.

Ms. Skaggs reported Charles R. Eddy, Jr. should be written a letter thanking for information on property owners and inform that Darrell Hypes with Department of Highways has been contacted and he informed house will be torn down within 30-40 days.

She requested Mr. Jack Clark be written explaining what he has outlined in letter is fine but Sewage System needs corrected to meet Health Department standards.

Ms. Skaggs also requested "Thank you" letters be written to Nuttall Fire Department for burning down John Bragg house and "Thank you" letter to Ansted Fire Department for burning Charlie Cook house.

Discussions were held concerning auction house on Route 19 owned by Carolyn Paul. Mr. Laughery agreed to assist with this.

Letters were drafted and signed to each Public Service District regarding requests for written comments about Fayette County Public Service District Plan.

Ms. Holly reported she has scheduled September 4, 1991 at 11:00 A.M. for Public Hearing concerning Fayette County Plan.

The Commissioners met with Sheila Bills regarding Cable Franchise Application for Econoco, Inc.

Administrator Charlotte Holly explained of letter from Cable Advisory Board outlined certain things for compliance that she was not sure on.

Ms. Bills explained they have 8 customers in Fayette County. She explained they do have vacant channels for PEG but do not have facility.

After reviewing the information President Witt informed he would get back with Ms. Bills regarding application.

The Commissioners met with Lucile Meadows, Bootie Bess, Alice Law, Lucile Dempsey, and Janice Comer.

Public Hearing was conducted to receive written and oral comments from the voters registered in precincts #52, 53, 55 and 56 located in the Town of Fayetteville. At a previous meeting Bootie Bess and Nancy McKown had approached the Commission to have Precinct #52 (Fayetteville Memorial Building), Precinct #53 (Fayetteville Elementary School), Precinct #55 (Fayetteville Middle School), and Precinct #56 (Memorial Building) to Fayetteville High School.

Bootie Bess and Alice Law spoke in favor mentioning they thought it would be more handicapped accessible.

Lucile Meadows, Alice Law and Lucile Dempsey expressed they were not in favor of because they felt it may loose voters in 1992 election.

After much discussion Commissioner Carte offered motion to leave Precincts as is for now. Commissioner Lopez seconded. Motion passed unanimously.

President Witt explained they will review after 1992 election and if there is an interest they will look at further.

The Commissioners reviewed bids for a computer aided drafting (CAD) system to include hardware, software, delivery, set-up, training and maintenance for Assessor's office. This cost to come from Assessor's Evaluation Fund.

After reviewing the Commissioners informed they would forward to Assessor and recommend they take low bid.

Fayette County Dog Warden Report for month of July was received and reviewed. Monthly Maintenance Report for Vehicle Repair was received and reviewed.

Steve Cruikshank appeared at meeting and questioned if Commission would draft letter on their letterhead to residents concerning numbering of streets.

The Commissioners felt this should be responsibility of Postal System.

The Commissioners discussed ambulance allocation for Fayette County.

Commissioner John Lopez offered motion to leave ambulance allocation same as is. Commissioners Carte seconded.

Audith Report for Fayette County Magistrate Court for fiscal year ending June 30, 1989 was received and reviewed.

The Commisisoners met with Esther Webb, Delores Thacker and Joyce Seletyn from Mossy Public Service District.

Ms. Webb explained that current Commissioners, Plant Manager and Ms. Seletyn plain to resign.

Ms. Webb explained all were willing to assist till the Fayette County Com-

missioners can find someone to fill these positions.

Ms. Webb explained existing problems at District and dissatisfied customers were some of the reasons for resigning.

President Witt explained he wished they had informed of all the problems, especially with water lines they were having when the Fayette County Commission helped them with Grant from Governors office.

Mr. Witt requested persons attending to talk to persons who they felt may be willing to serve as Commissioners.

Ms. Thacker questioned if the Commissioners felt they should conduct Public Meeting to inform customers of whats happening.

The Commisisoners felt this would be good idea to inform all persons involved of whats going on.

Charles Vickers appeared at meeting and presented check in amount of \$35,184.17 from Court of Claims for Fayette County housing state prisoners.

The Commissioners received and reviewed letters from Assessor Tom Aiello informing that Lelia I. Long will no longer be a full time employee effective July 31, 1991. She will remain on staff as part-time employee beginning August 1, 1991. Her rate of pay will be \$8.75 an hour.

Mr. Aiello also infomred effective August 1, 1991, Wallace "Cabby" Bennett will assume duties as Chief Office Deputy and Robert Blackburn will go onto payroll as Mapper to replace Mr. Bennett. Salary for Mr. Bennett \$1,775.00 a month and Mr. Blackburn \$1,050.00 a month.

The Commissioners reviewed letters from Sheriff Laird in which he presented updated summary of General and Coal Severance line item expenditure from fiscal year 1987-88 through 1991-92 for Fayette County Jail.

The Commissioners reviewed letter from Sheriff Laird drafted to Department of Corrections invoicing them for confinement of State inmates in Fayette County Jail during fiscal year 1990-91.

Exonerations of real and personal property taxes as submitted from Assessor and approved by Prosecutor were reviewed and approved.

The Commissioners approved and signed letter to Chief Tunny Hunsaker, Town of Fayetteville requesting he please monitor county owned property in Town of Fayetteville and prohibit offenders from using the property for skateboarding, bicycling etc.

The Commissioners reviewed and approved estimate from Bud Fox Body Shop to do repair work where cruiser had hit a deer.

Administrator Charlotte Holly presented quarterly excise tax return for Fayette County Park.

Ms. Holly informed she has questioned why Fayette County Park would be required to fill this out being as there is no excise tax. She was informed to mark this final return.

The Commissioners received and reviewed information from Workers Compensation Fund regarding hearing held for Fred Sizemore, July 1, 1991.

The Commissioners instructed to notify they did not receive notice of hearing.

Commissioners approved invoice of \$250.00 to Mountain Resource Conservation and Development Area, Inc. for appropriation.

Invoice for Mountain Transit Authority amount of \$1,000.00 was also approved.

The Commissioners reviewed letter from Mike Parsons requesting phone be put in arraignment room in Magistrate Court Annex. This was approved.

Administrator Charlotte Holly reported that Mary Lou Schmidt had reported that Board of Education would transfer money August 15th for portion of funds for West Virginia University office Secretary. The Commissioners approved to go ahead and write check for salary.

The Commissioners approved and signed affidavit informing Valley Emergency Medical Service, Inc. is a bona fide volunteer fire department, non-profit ambulance service or emergency rescue service within County of Fayette.

The Commissioners reviewed request from Sherrie McLaughlin Senior Program for assistance in purchasing van.

The Commissioners approved contract bid of \$30.00 month for pest control for Prosecuting Attorney's Office with General Exterminating Company.

The Commissioners signed letter to Public Service Commission requesting they provide Page-Kincaid Public Service District with information they had requested.

A letter was received and reviewed from Governor's Office of Community and Industrial Development regarding grant from Winona Water System. Request is being reviewed.

Administrator Charlotte Holly presented invoice from State Board of Risk and Insurance Management. She explained credit is for difference in 8% and Agent's 4% Commission.

The Commissioners received and reviewed letter from State Fire Marshal regarding Plan of Correction for Fire Safety requirements for Fayette County Jail.

The Commissioners also received notice that Hearing for Willard O. Brown suit has been rescheduled for August 8, 1991 at 1:30 P. M.

The Commissioners received and reviewed letter from Kenenth E. Knopf regarding Deskins et ux v. County Commissioners.

The Commissioners received and reviewed letter from One Valley Bank and Bank of Mount Hope pledging securities.

A letter was signed to First Empire Federal Savings and Loan informing they require confirmation from Federal Home Loan of Pittsburgh prior to the deposit of any public funds in their institution.

Discussions were held about withdrawing funds from One Valley Bank in Oak Hill due to law suit against Fayette County Commission and County Clerk's office. Commissioner Carte made motion to withdraw all funds from One Valley. Commisisoner Lopez seconded motion but later withdrew because there was question of how much money was actually in bank. No further action was taken.

Administrator Holly did recommend leaving HUD account due to requirement of State.

The meeting was adjourned. The next scheduled meeting is scheduled for August 7, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
AUGUST 7, 1991
COURTHOUSE
FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 7th day of August, 1991.

T. E. Myles appeared before the County Commission with order regarding Lonnie James. Commissioners approved and signed order.

The Commissioners met with Zane Self, David Ward, Everette Wickline, Less Moore, Evelyn Self, Elizabeth Carrico and Gary Harding concerning complaint of Zane Self. Mr. Self explained he was given unfair decision from Zoning Board to place mobile home on his property.

Mr. Moore spoke on behalf of West Virginia Manufactured Housing. He gave information on requirements of manufactured housing and informed he felt the Commission should consider coming up with revised Zoning Plan and informed his office would be willing to assist.

The Commissioners informed they could not change decision of Zoning Board but listened to arguments concerning matter.

The Commissioners met with Steve Cruikshanks. He presented Fayette County Fire Levy Fire Protection Agreements for Pax Volunteer Fire Department, Inc., Gauley Bridge Volunteer Fire Department, Nuttall Fire Department, Mount Hope Fire Department, Danese Volunteer Fire Department, Ansted Certified Fire Department, Smithers Fire Department, Armstrong Creek Volunteer Fire Department, Montgomery Fire Department and Gauley River Volunteer Fire Department. All were approved and signed. Mr. Cruikshanks scheduled appoint on August 28th, 1991 to present Scarbro addressing map for approval.

The Commissioners met with Esther Webb, Delores Thacker, Joyce Seletyn, and Roma Lively.

Ms. Webb and Ms. Thacker thanked Commissioner for help and assistance and presented names of Roma Lively, Ted Gray and Mark Aliff who would be willing to accept appointment as Commissioners of Mossy Public Service District.

Commissioner Gene Carte made motion to approve subject to receiving resignation from current Commissioners. Commissioners John Lopez seconded. Vote was unanimous.

Exonerations of real and personal property taxes as submitted from Assessor and approved by Prosecutor were reviewed and approved.

Assessor Thomas Aiello appeared before Commission to inform of needed renovations to basement of Court House Annex for computerized mapping equipment. He

explained that Maintenance Crew would do necessary repairs. Two additional phone lines would be needed.

Mr. Aiello also informed that 2 employees would be attending IAAO School September 16-20, 1991. Eddie Young from County Fund and John Kania from Assessor's Evaluation Fund.

Discussions were held concerning forms that may need to go out next year. No final decisions were made. Mr. Aiello agreed to discuss and get opinion from Sheriff and Raleigh County Assessor.

Administrator Charlotte Holly informed that Magistrate Lopez had informed he felt that phone was not needed in Arraignment Room of Annex and he would discuss request with Mike Parsons.

The Commissioners received and reviewed National Water Management During Drought Study prepared by Department of the Army.

Monthly Maintenance Report for vehicle repair from Fayette County Park was presented and reviewed.

Administrator Holly presented Plan of Corrective Measures for operations by Fayette Humane Society.

Bob Arthur and Daryl Clay appeared before Fayette County Commission to request executive session concerning personnel matters and for Mr. Arthur to inquire about \$200.00 request for 4-H camp supplies. This was approved.

Administrator Charlotte Holly informed she spoke to Jack Gannon about request he had presented for Fayette County Commission to pay for shirts for lifeguards at Fayette County Park Pool. The Commissioners did not approve.

The Commissioners approved payroll for August 15th, 1991 because they were not sure they would have quorum on that date.

The Commissioners received and reviewed annual report of all monies collected by Circuit Clerk office for period July 1, 1990 - June 30, 1991.

The Commissioners received and reviewed audit reports for Gauley River Fire Department and Gauley Bridge Volunteer Fire Department.

Resignation letter submitted from Thomas Bowen from Armstrong Public Service District was withdrawn.

Gene Carte made motion to reappoint Roy Young to Kanawha Falls Public Service District. Commissioner Lopez seconded. Vote was unanimous.

Administrator Holly presented letter from Sheriff regarding overtime for Jail Cook while Phyllis Sullivan was off during compensation leave from hurting back at jail. This was approved.

The Commissioners reviewed letter from Public Service Commission concerning request of County Plan information for Page-Kincaid Public Service District. The

letter stated information requested is not public record as defined in West Virginia Code §29B-1-2.

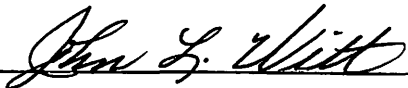
The Commissioner reviewed letter from Gary E. Pullin, Attorney regarding case Thompson v. Laird, etal, case in which inmate fell in Jail.

The Commissioners received and reviewed resume from Christopher Davy with Agawa Consulting for 911 mapping for Fayette County.

The Commissioners reviewed letter from U S Postal Service to Mr. Fred Cutlip of Community Development Division of Governor's Office of Community and Industrial Development regarding information on Hico Post Office. Gary Harding had informed new facility would be on same site as current building and there should not be a zoning problem.

The Commissioners received and reviewed property tax regulation regarding the three year reappraisal.

The meeting was adjourned. The next scheduled meeting is August 28, 1991.



8/7/91

Zane Self
hearing regarding
mobile home application.

Jammy Ward

Rt 1, Box 157D

Fayetteville WV 25840

David W. Ward

Rt. 1. Box 157-D

Fayetteville WV 25840

Everette R Wickliffe

Rt 1 Box 158

Fayetteville WV 25840

Loyd Moore

Wick Mfg. Housing Assoc

205-1st Ave

Netts. WV 25143

Evilyn L. Self

Rt 1 Box 159

Fayetteville. WV 25840

16 H 111

FAYETTE COUNTY COMMISSION MEETING

AUGUST 28, 1991

COURTHOUSE

FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 28th day of August, 1991.

The Commissioners met with Lee Massey, Chairman of the Fayette County Solid Waste Authority. Mr. Massey requested approval of Fayette County Commission to support proposal for Raleigh, Fayette and Kanawha counties for agreement for proposed Landfill in eastern Kanawha County.

President Witt questioned if all members of Fayette County Solid Waste Authority were in agreement with Plan. Mr. Witt requested the Fayette County Solid Waste Authority send letter to Fayette County Commission with this request.

Annual Financial Statement and list of vendors were reviewed and approved.

The Commissioners met with Attorney Phil Tissue with Petition of Biddle F. Williams to be appointed Committee for Mary V. Williams. Attorney James Blankenship was approved guardian et litem and recommended appointment.

Biddle Williams was questioned.

Commissioner Carte made motion to approve. John Lopez seconded. Vote was unanimous. Minimal bond of \$500.00 was approved.

The Commissioners approved payroll and outstanding bills.

Exonerations on Real and Personal Property taxes as presented from Assessor and approved by Prosecuting Attorney were reviewed and approved.

The Commissioners met with Steve Cruikshank, David Neal and Mike Carr of U S Postal Service.

The Commissioners reviewed copy of letter that Raleigh County Commission had approved concerning the renaming of streets and roads in Raleigh County.

Steve Cruikshank presented Scarbro addressing map for approval.

Mr. Carr explained Department of Highways has approved.

Mr. Witt expressed he thought if there were no complaints from citizens in area he was willing to approve.

Commissioner Lopez offered motion to approve Scarbro map. Gene Carte voted not to approve. President Witt voted to approve. Motion passed 2-1.

President Witt requested Steve rewrite Article #3 of letter to be sent to patrons for change and bring back to Fayette County Commission next week for approval.

After patrons receive letter they have 1 year to get address changed and

mail will be forwarded for 1 year.

A letter was drafted and signed to Glen H. Sydnor and Annis F. Meadows regarding clean-up of property.

The Commissioners met with Sheriff William R. Laird and Assistant Prosecuting Attorney James Billings. The Commissioners voted to go into executive session to discuss on-going law suit of Willard O. Brown v. Sheriff and Fayette County Commission.

Travel voucher for Fred Sizemore was approved. This being for travel expenses for examination for Worker's Compensation claim.

The Commissioners reviewed prepared order to reappoint Phil Tissue to Library Board. Mr. Tissue had not decided if he wanted appointment. The Commissioners decided to hold until next meeting.

Fire Levy contract for Meadow Bridge Fire Department was approved.

Administrator Charlotte Holly informed that she had received notice of increase in monthly contract for picking up garbage from Hall's Sanitation. Monthly rate will increase from \$185.76 to \$223.00.

The Commissioners signed order reappointing Roy Young to Kanawha Falls Public Service District.

Administrator Charlotte Holly informed Kathy Ramsey had informed walls in Public Defender's office were starting to look bad. Ms. Holly reported she had requested Dee Lively to look at.

Ms. Holly presented copy of letter from Sheriff Laird to Criminal Justice and Highway Safety requesting reimbursement for Speed Enforcement Project Grant.

The Commissioners received and reviewed notice from Kanawha County Clerk of establishing Morris Creek Public Service District in Kanawha County.

Ms. Holly reported this is insufficient time for publication of Notice required under §16-13A-2 of West Virginia Code.

Minutes of Salem-Gatewood Public Service District meeting held July 15, 1991, was received and reviewed.

The Commissioners received and reviewed comments from Arbuckle Public Service District and Salem-Gatewood Public Service District regarding their desire to not consolidate Public Service District's.

The Commissioners received and reviewed letter from West Virginia Association of Counties concerning self funded health insurance and information concerning successful Annual Meeting.

A letter was received from Tom Oxley regarding property of William Shockey of 106 Huff Street in Oak Hill just outside city limits that needs cleaned up.

A letter was signed to William Shockey concerning clean up of property.

Maintenance Agreement was approved and signed to Casto Technical Service for maintenance on Heating and Cooling System.

Information was reviewed from Cuz Jack Norman regarding legalization of hemp in West Virginia.

The Commissioners signed orders appointing Ted Gray to replace Earl Davis, Mark Aliff to replace Delores Thacker and Roma Lively to replace Esther Webb on Mossy Public Service District.

The Commissioners received information from Secretary of State's office regarding scheduling of upcoming Special Elections

The Commissioners reviewed information concerning medical/custodial cost of inmate Nelson Foraker.

Information was reviewed from John David of Page-Kincaid Public Service District regarding a request for Fayette County Commission to file injunctive relief in Kanawha County for information they had requested. This was tabled until next meeting.

A letter was reviewed from Jay Rockefeller IV regarding assisting Mrs. Doris Workman of Hico with water problems.

An order was reviewed regarding accident Steve Cruikshank had on Bridge (Deskins v. County Commission) Civil Action No. 90-C-799.

Tom Aiello appeared before the County Commission regarding a meeting he had with tax attorney and accountant of Elkem Metals.

Instead of receiving tax ticket of \$377,317.82 the Company was billed \$825,081.94 based on incorrect report filed by accountant. Elkem did not take credit for depreciation of equipment. Mr. Aiello explained this was error on Elkem's part. He informed Elkem requested paying ticket and to be given credit in future. No decision was made.

Administrator Charlotte Holly is to check code and do calculations before decision is made.

The Commissioners signed letter to Ms. Mary Collins asking for review of proposed Cable franchise agreements between Fayette County Commission and Cedar Grove Cablevision Association, Inc; Cable Franchises, Inc.; Cable Equities of the Virginias, Ltd.; Rifkin/CCG, Inc.; Master Telecable, Inc.; and Helicon Group, Ltd.

The Commissioners signed letter to Econoco, Inc., concerning needed information before approving application for Cable franchise.

A letter was also signed to West Virginia Worker's Compensation Fund regarding Claim No. 88-549780 of Fred Sizemore.

The Commissioners reviewed Custodian and Security Agreement for Third Party Deposits regarding pledge of securities. This was signed and approved.

The meeting was adjourned. Next scheduled meeting is September 4, 1991.

John G. Witt

FAYETTE COUNTY COMMISSISON MEETING

SEPTEMBER 4, 1991

COURTHOUSE

FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 4th day of September, 1991.

The Commissioners met with Attorney T. E. Myles with Petition of Stella Terry to be appointed committee for Cary M. Terry. Ms. Terry was questioned. Paul Clay appeared representing Ervin Conrad as guardian et litem and recommended appointment.

After questioning Commissioner Carte offered motion to approve appointment. Commissioner Lopez seconded. All approved. T. E. Myles approved fiduciary commission. Minimal bond of \$500.00 was set.

Commissioner Carte mentioned Tunney Hunsaker had questions about patrolling county owned parking lots. President Witt informed he is to talk to Prosecutor to get directions.

Commissioner Carte also informed he felt financial statement that was published in Fayette Tribune was on too many pages. President Witt also agreed.

The Commissioners met with Attorney John Shumate, Jr. with petition of Carol Oliver to be appointed Committee for Effie Kesler. Ms. Oliver was questioned. Carl Harris was approved guardian et litem and recommended appointment. Commissioner Carte informed minimal bond should be set with waiver of appraisers. All Commissioners approved.

Administrator Charlotte Holly presented exonerations of real and personal property taxes as presented from Assessor. Ms. Holly reported that the Prosecutor had questioned why he had to sign these. Administrator Holly read section of code in which it read the Prosecutor should be notified of exonerations. Commissioner Carte informed to keep sending even if he didn't sign them.

Administrator Holly reported she received written resignations of Commissioners Delores Thacker, Esther Webb and Earl Davis effective September 1, 1991. She reported also that at meeting on August 7, 1991 the Commissioners accepted oral resignations and approved appointments of Mark Aliff, Roma Lively and Ted Gray. Orders were signed on August 28 for these appointments. The Commisisoners informed they would go with resignations of August 7, 1991 meeting.

Administrator Holly reported that Humane Society had questioned if they could submit accountant's monthly cash report instead of monthly expenditure report. John Witt reported he felt they could accept both. Discussions were

held about accountants report being a month behind.

The Commissioners met with Attorney Paul Clay regarding Estate of Eveline McCutcheon and Vada McCutcheon. Mr. Clay reported Attorney Keenan has filed appraisements. Mr. Clay reported he needs time to look at what is actually in estates.

Commissioner Carte reported Fayette County Commission would sign order to appoint T. E. Myles as fiduciary commissioner if needed.

Administrator Holly reported T. Koontz of Five Star Realty had contacted her about testifying in suit they have against West Virginia Water Company. Ms. Holly felt Magistrate would be able to give better information.

The Commissioners signed and approved letter from State Tax Department regarding conditions of terms and objectives of conducting audit for fiscal year ending June 30, 1991.

The Commissioners held public hearing for purpose of receiving written and oral opinions and comments regarding Fayette County Public Service District Plan as prepared by the Public Service Commission.

Commissioner Gene Carte welcomed all attending (copy attached).

Commissioner Gene Carte informed that all three Commissioners are in agreement that Consolidation is not in best interest. He also reported that the Commissioners would allow 10 more days for written comments of the Plan.

The Commissioners listened to several oral comments regarding the Plan.

Discussions were held concerning Public Service District's merging together to hire attorney. A new Plan for Public Service District's was also discussed.

The Commissioners requested Ms. Holly draft letter to Public Service Commission asking for extension.

The Commissioners decided to meet with a representative of each district on September 13, 1991 at 10:00 to discuss this further.

The Commissioners also approved and signed final act performance report for Northern Fayette County Water System Study.

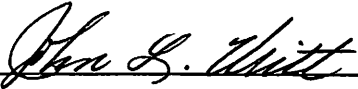
The Commissioners reviewed letter from Kanawha County Commission regarding meeting tentatively scheduled for September 10, 1991 at 9:30 a.m. to discuss professional engineering services to provide an integrated Waste Management Plan for Raleigh, Kanawha and Fayette County. This was tabled for more information from Solid Waste Authority.

Administrator Holly reported that bond debt designed to pay unemployment compensation trust fund debt encumbered during the recession in 1980's has been repaid and no further assessments will be required on any wages paid to employees after September 30, 1991.

Monthly Dog Warden Report for month of August was received and reviewed.

The Commissioners reviewed letter from Assessor Tom Aiello informing that he has spoken to Mr. Robert Hoffman with Department of Tax and Revenue concerning the Elkem Metals situation. Mr. Hoffman indicated 4 points to be considered and also suggested that the Commission work closely with Prosecutor to determine that all the legalities involved in this matter are properly addressed.

The meeting was adjourned. Next scheduled meeting September 13, 1991.



Conrad Richardson	521st St	Stetwood	PSD
L. J. Fox	"	"	"
Edith Jarrett	"	"	"
Eddie Willey	"	"	"
Lonnie Johnson	"	"	"
Carl Sanger	"	"	"
Brett Quiley	"	"	"
Quente V. Woodruff	"	"	"
Al Gannon	White Oak PSD		
W. D. Smith	Region 4		

FAYETTE COUNTY COMMISSION MEETING

SEPTEMBER 13, 1991

REGULAR SESSION

COURTHOUSE

FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 13th day of September, 1991.

The Commissioners met with Sheriff William R. Laird and Assistant Prosecuting Attorney James Billings.

Sheriff Laird went over draft order in matter of Willard Orlando Brown v. William R. Laird, Bill Webb and Fayette County Commission (Civl Action #5:85-0259), population in jail, staffing, rank structure, Health Care Services, visitation, removal of non-correctional equipment, Vocational Program and other matters were discussed.

After discussion the Commissioners agreed to send order to Judge as proposed with some revisions.

The Commissions met with representatives of Public Service District's in Fayette County (list attached).

George Sparks spoke representing the group. He informed that group needed to take actions as soon as possible regarding obtaining an attorney to represent them pertaining to Fayette County Public Service District Plan. He explained a decision needed to be made today concerning commitment of Public Service District's to fight against proposed plan.

Commissioner Gene Carte expressed that he felt Fayette County Prosecuting Attorney would represent Fayette County Commission interest and felt Fayette County Commission would be obligated to help districts obtain a lawyer.

Different discussions were held related to contacting bond holders.

Russell Deering confirmed that bond holders have agreed to wait until Plan is finalized.

Administrator Charlotte Holly informed that Public Service Commission has given extension until March 23, 1992 but comments have to be received by November deadline.

President John Witt explained that the County Commission would be willing to come up with some money but would be limited.

Commisisoner Carte offerd motion to approve \$5,000.00 to districts for attorney. Commission Lopez seconded.

The remaining would be pro-rated with Public Service District.

Commitments of \$1,000.00 each was made from Arbuckle, Salem-Gatewood,

Armstrong, Danese, Gauley River, Kanawha Falls, White Oak, Deepwater, and Page-Kincaid Public Service Districts. Mossy committed to \$500.00 for attorney fees.

After further discussion persons attending agreed to appoint George Sparks, Loren Fox, Russell Deering in charge of obtaining an attorney for group.

All agreed a different plan would be needed and felt the attorney would come up with plan.

The Commissioners signed order increasing per capita daily cost for the care and feeding of prisoners to Sum of \$33.00.

The Commissioners signed letter and approved waiver of rental fee for Memorial Building on September 22, 1991 for Annual Country Music Show sponsored by Fayette County Deputy Sheriff's Association.

The Commissioners signed letter and approved request for approval to replace lost certificate number R-8536 dated 09/01/10 in amount of \$15,000.00 registered in name of Thomas S. Lanava to One Valley Bank.

The Commissioners received and reviewed audit reports for Fayette County Board of Health for fiscal years ending 6/30/88, 6/30/89 and 6/30/90.

Commissioners also reviewed audit report for fiscal year ending 6/30/91 for White Oak Public Service District.

The Commissioners signed letter to Fayette Humane Society requesting them to submit a monthly cash report as prepared from accountant and most current monthly vendor expenditure as prepared by Treasurer.

The Commissioners signed order transferring property listed in names of Ella Marie Nichols and Charles H. Nichols from Fayette County to Clay County.

Dog Warden Billy Blake and Herma Cook appeared before the County Commission. Ms. Cook and her husband had been terminated from employment with Fayette Humane Society and requested the Commission to inquire about this matter with Humane Society. The Commissioners agreed to personally inquire about this.

The Commissioners received and reviewed monthly maintenance report for vehicles repaired at Fayette County Park.

The Commissioners reviewed letter from Elkem Metals Company regarding request for tax relief in amount of \$468,920.05 per amended return filed with Assessor's office due to incorrect 1990 filing of business property return.

The Commissioners requested this be forwarded to Prosecuting Attorney's office with letter requesting him to work with Assessor to determine if relief should be given.

The Commissioners reviewed and signed 1991 State and Local Government Information (EEO-4) Survey.

The Commissioners signed order transferring \$1,562.66 to Magistrate Court fund to reimburse the fund for expenditures in excess of revenues schedule of findings and questioned cost of audit report of 6/30/90.

Administrator Charlotte Holly presented prepared letter to Governor regarding road needed repair request of Richard Reed in Mount Carbon, Montgomery Heights area. Commissioner Lopez requested Mr. Reed be written letter also informing that county does not obtain orphan roads. Discussions were held to contact Department of Highways first and question about work on road.

Administrator Holly informed of receiving statement from 4-C Economic Development Authority.

The Commissioners instructed this would not be paid until audit report received.

The Commissioners reviewed Host Agency Agreement for Green Thumb Program.

A letter was received and reviewed from Lissie Jeannie Carte regarding clean-up of property. The letter stated as soon as weather cools they will finish job because there are snakes on property.

The Commissioners reviewed letter from State Tax Department regarding Bankruptcy of Columbia Gas Transmission Corporation and Columbia Gas, Inc.

The Commissioners informed that Kanawha County would proceed without Fayette County when discussing joining for cooperative regional effort for an Integrated Waste Management Plan.

The Commissioners received and reviewed order signed by counsel for plaintiff and defendants in order to dismiss the law suit of James L. Thompson v. William R. Laird, et al (Civil Action #90-C-968).

The Commissioners reviewed letter from Thomas P. Maroney regarding request to cross-examine Dr. George Zaldivar in regard to report in Worker's Compensation claim of Fred Sizemore.

Minutes of Salem-Gatewood Public Service District meeting held August 8, 1991, was received and reviewed.

Administrator Charlotte Holly reported she has met with 2 Cable Companies operators regarding proposed Agreement for Cable Franchise.

Discussions and questions have been brought up about number of houses per mile. The Commissioners authorized Ms. Holly to negotiate with operators when discussing 10 houses per mile but will authorize her to negotiate up to 15.

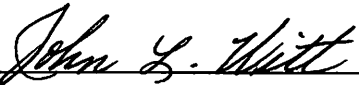
The Commissioners reviewed proposal from Camco for new air conditioner for Judge Abbot's office.

The Commissioners informed they did not feel this was needed at this time. Ms. Holly presented exonerations from Assessor's office. Ms. Holly ex-

plained that Cabbie Bennett informed that Prosecutor did not feel he should sign.

President Witt informed he did not want to sign until Prosecutor's has signed.

The meeting was adjourned. The next scheduled meeting is September 25th, 1991.



John L. Witt, President

9/13/91

Jim Mitchem
Edith Jarrett
L.S. Fox
D K Lively
Tom Bowen
GARY Halcomb
Russell Deering
Louise Gurnett
Ray Young
Roma Lively
George Sparks
Danie Wilkrow
W.D. Smith

Arbuckle 1000.
Salem-Hatewood PSD 1000
" " "
ARMSTRONG PSD 1000
" "
DANese PSD 1000
Stanley Levin PSD 1000
" " "
Kan. Falls PSD 1000
Mossy PSD 500
White Oak PSD 1000
DEEP Water P.S.D.
Regim 4 Planning ~~H.W. Kaul~~

John David

Pogo-Kivens PSD 1000

FAYETTE COUNTY COMMISSION
REGULAR SESSION
SEPTEMBER 25, 1991
COURTHOUSE
FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, Gene Carte, Jr., John H. Lopez (10:45 a.m.)

The Fayette County Commission met in regular session on this 25th day of September, 1991.

The members met with Attorneys T. E. Myles, Jamie Blankenship, Fred Jesser, Clint Gallaher, Erwin "Toad" Conrad, and Carl Harris attorney's in Fayette County concerning keys to County Clerk record room. Decision was for County Clerk to decide how keys to be given to attorneys for work after Court House closes.

The Commissioners met with Tom Susman with Smith, Cochran and Hicks concerning Public Hearing for establishment of Morris Creek Public Service District.

Commissioner Gene Carte offered motion to set public hearing concerning this matter. All approved.

Mr. Susman presented order for Commissioner to sign setting public hearing. He informed he would like to set as close to 40 days as possible. He informed he will take care of legal advertisement.

Lee Massey appeared at meeting and informed Commissioner Witt that he had talked to Clyde Bennett with Department of Natural Resources and was told Fayette County can have crusher December and January. Discussions were also held concerning landfill closing.

Administrator Charlotte Holly presented information concerning reappointment of James Kincaid of the Page-Kincaid Public Service District. President Witt informed he would like to check to make sure Mr. Kincaid is willing to serve before appointing.

Administrator Charlotte Holly presented letter concerning audit report to Prosecuting Attorney Charles Vickers. The Commissioners signed letter which informed of actions to remedy the instances of noncompliance with West Virginia State Statues: Remittance to the State--Magistrate Court Fund \$1,562.66 remitted to West Virginia State Auditor on September 13, 1991, Magistrate Court Fund check number 15.

Fire levy Agreement for Oak Hill Volunteer Fire Department was approved and signed.

Administrator Charlotte Holly presented request from Teresa Carter, Project Coordinator for "America's Missing Children" for waiver of rental fee of Fayette Memorial Building for October 27, 1991 for circus. Discussions were held about local people being involved of what percent of profits go for Missing Children. Commisisoner Carte instructed letter be written to Ms. Carter informing the Fayette County Commission will not waive rental fee and insurance requirements.

Discussions were held concerning recent hearing in Circuit Court Civil Action No. 89-C-263 Missions of the Masters, Inc. v. Fayette County Commission etal.

Copies of all documents contained in the Board of Equalization and Review file that pertain to hearing were certified to Circuit Court of Fayette County and forwarded to Prosecuting Attorney for review. Copies were also sent to attorney Michael C. Farber.

The Commissioners met again with Lee Massey. Mr. Massey requested the Fayette County Commission pay 1/2 of salary for Larry Parsons. When Mr. Parsons was hired for clean-up crew it was confirmed he would work through October 1, 1991.

The Commisisoners approved paying 1/2 of salary through October 30, 1991.

The Fayette County Commissioners met with Gary Harding with Zoning Hearing Z-354-91-1: Request of Jon A.Dragan, Owner, for a change in land classification from RR-1, Agricultural and Rural Residence District and R-1 Residence District to B-3, Highway Business District, an part of 165.92 acres (approximately 120 acres) located on Corridor "L" near Mount Hope and extending over to U.S. Route 21, Plateau District. With Mr. Dragan appearing and with Mr. Harding informing there was no opposition at hearing for this change, Commissioner Carte made motion to approve. President Witt also approved.

Administrator Charlotte Holly informed she still had questions concerning Cable Franchises. She requested permission to go to Charleston on Thursday to talk with Attorney General's Office. Commissioners informed to check to see if he would be willing to come here first, but if not this was approved. Questions were discussed about areas for application. Should this be for entire County, for only unincorporated areas of County or word Agreement to say contiguous areas of County.

The Commissioners met with Ann Skaggs concerning clean-up of private property in Fayette County.

Ms. Skaggs informed of meeting with Lee Massey last Friday morning concerning sewage problems on Jack Clark property.

Ms. Skaggs informed she felt Mr. Clark should be given deadline. The Commissioners informed letter would be written to Mr. Clark informing November 15 would be deadline for actions of clean-up and this should be considered last request.

Discussions were held about Bob Paul property. Ms. Skaggs informed Mr. Paul should be given Notice if he wants to get anything off property he should do so because Inmate clean-up crew had informed they would clean-up. He should be given November 15th deadline also.

Olivia Stone property was discussed. President Witt requested Ms. Stone be notified to attend 1st meeting in November regarding property clean-up. Ms. Skaggs gave address of Olivia Stone c/o Minnie Surbaugh, P. O. Box 13, Milroy, New Jersey 08340.

He also suggested others that haven't replied to requests for clean-up also be notified to appear.

Discussions were held of Belinda Estep property at Kimberly and Butch Giles property. These are to be checked out again.

Administrator Charlotte Holly presented letter from Fayette County Deputy Sheriff's Association concerning the purchase of a fax machine. The Association agreed to purchase machine and requested Fayette County Commission pay monthly rate and installation fee. It would be made accessible to all County offices 24 hours a day. Installation charge was \$165.00 and monthly rate is approximately \$33.00 per month.

Commissioner Lopez offered motion to approve. Gene Carte seconded. Machine is to be installed in Road office on bottom floor. All County offices will be allowed to use.

Boomer Volunteer Fire Department, Inc. Audit Report for period ending June 30, 1990 and 1991 was presented and reviewed.

A copy of letter from Fred Jesser to Belinda S. Morton was received and reviewed concerning bell being retrieved and transporting to Fayetteville for Courthouse Annex. This was tabled until this can be discussed with others.

The Commissioners reviewed copy of letter addressed to Ms. Phyllis Jean Sulesky from Sheriff Laird informing Ms. Sulesky she will be placed on an unpaid leave of absence for a period of 30 days effective September 29, 1991. All leave benefits will be exhausted on September 28, 1991. Ms. Sulesky is to advise Sheriff as soon as possible concerning whether she intends to return to work.

The Commissioners reviewed petition from Wanda C. Niday by Belinda Morton, Counsel for the estate of Morris C. Niday, Jr. to remove Henry H. Niday as administrator of the estate of Morris C. Niday, Jr. and move for appointment of James B. Billings as administrator of the estate of Morris C. Niday, Jr. Commissioner Carte informed to let Belinda know this is approved and for her to prepare Order.

Administrator Charlotte Holly requested if the Commissioners had someone in

in mind to replace Ann Covington on Fayette County Housing Authority due to her resignation in June, 1991. President Witt informed Ms. Holly to check with Betty Mulligan.

President Witt requested a letter be written to Ed Hamrick with Department of Natural Resources informing due to Order closing Fayette County Landfill the Fayette County Commission hereby requests Department of Natural Resources to routinely patrol sites where illegal dumping has been experience in past. Additional officers for areas of Fayette County should also be requested.

The Commissioners met with Sheriff William R. Laird concerning Order issued September 24, 1991 regarding Civil Action No. 5:85-0259.

Sheriff Laird summarized requirements of what has to be done to be in compliance.

Staffing, removal of non-correctional equipment, teletype responsibilities, cost sharing of Municipalities, Correctional Officer testing, health care services, and Law Library were discussed.

The Sheriff informed of getting cost of \$2,380.00 for new teletype. The Sheriff informed old one would have to be replaced in March of 1992.

The Commissioner informed they agreed to go ahead with purchase of new one been as old one has to be moved.

Gene Carte offerd motion to fund proposals that Sheriff proposed. These being Law Library—Sheriff proposed to check offices in County to obtain books at minimal costs. New Location and new teletype terminal cost \$2,380.00 and Emergency Medical Training trainee at Vo-Tech Center.

The Commissioners met with Steve Cruikshank. John Witt expressed the need to proceed as soon as possible with 911.

Steve presented information concerning match money for Secretary. He presented information concerning bill passed in legislature that new-employees have to come from preferential list. before he can hire Lynn Holstine who has workded for him. He has to ask persons on top of list. Steve informed he his working on. He is going to inquire if Fire Associaiton will assist hiring part-time.

Steve also advised that Armstrong Creek is under boil water advisory.

Letter that Postal Service is to send notifying persons of address change was presented and reviewed. This is requested to be on Fayette County Commission letterhead. This is to be of no expense to Fayette County Commission.

Commissioner Lopez offered motion to approve. President Witt also approved. Commissioner Carte voted to not approve. He felt this should not go out on Fayette County Commission letterhead.

Steve presented address changes for Thurmond (not including downtown Thurmond)

Victor (County Rt. 25).

Changes were reviewed. Commissioner John Lopez offered motion to approve as presented. Commissioner Carte seconded. Vote was unanimous.

The Commissioners reviewed quotes for heating and cooling in Judge Abbot's office.

The Commissioners visited the office of Judge Abbot and when they returned informed they approved purchase of unit from Camco for cost of \$1,300.00.

President Witt informed of talking with Van Honaker about cleaning outside of Jail. Mr. Honaker had given proposal of \$1,800.00. All Commissioners approved if this is not hazardous chemicals.

Administrator Holly informed of upcoming Solid Waste Management Workshop.

Ms. Holly also presented information and request to attend Governor's Workshop on October 8, 1991. This was approved.

Meeting was adjourned. Next scheduled meeting October 9, 1991.



FAYETTE COUNTY COMMISSION MEETING

OCTOBER 9, 1991

COURTHOUSE

FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, Gene Carte, Jr., John H. Lopez (10:50 a.m.)

The Fayette County Commission met in regular session on this 9th day of October, 1991.

The Commissioners met with Attorney Carl Harris concerning request to have final accounting for Estate of Johnny Grigg. This was approved. Carl Harris is to prepare order.

The Commissioners met with Attorney John Shumate with petition for minor boundary adjustment for City of Mount Hope. This was approved. Mr. Shumate is to forward information for hearing.

The Commissioners met with Attorney Phil Tissue with Petition of Mary Mahood to be appointed Committee for Elizabeth T. Donnelly. Ms. Mahood questioned. Clint Gallaher was approved guardian et litem and recommended appointment.

Commissioner Carte offered motion to approve appointment. President Witt seconded. All approved. Bond set at minimal of \$500.00.

The Fayette County Commission met with Prosecuting Attorney Charles Vickers, Assessor Tom Aiello, County Clerk Howard Janney, Montgomery Mayor James Higgins, Attorney Erwin "Toad" Conrad, Charles Lorensen, Henry Shaffer, Bob Hurka, and Joe Grimes.

Mr. Lorensen spoke representing Elkem Metals for request for tax relief due to incorrect report filed by accountant for 1990 Business Property Return.

Joseph Grimes, CPA for Elkem Metals and Bob Hurka, Tax Specialist for Elkem were both questioned regarding reasons for incorrect filing.

Prosecuting Attorney Charles Vickers and Assessor Tom Aiello and Attorney Erwin "Toad" Conrad spoke regarding the matter.

Mayor James Higgins spoke informing of importance of Elkem Metals to Valley area.

President Witt informed the group the Commission would take everything under advisement and would try to get back to them as soon as possible as to a decision on the matter.

Fire Levy Agreements were approved for Loup Creek Volunteer Fire Department, Fayetteville Fire Department, Oak Hill Volunteer Fire Department and Pax Volunteer Fire Department.

Administrator Charlotte Holly reported that Humane Society had send in accountant's report and monthly check stubs.

Commissioner Carte offered motion to accept what Humane Society presented. John Lopez seconded. President Witt did not vote.

The Commissioner signed order appointing James Kincaid to the Page-Kincaid Public Service District.

The Commissioners also signed order appointing Bruce Webb to the Mossy Public Service District due to resignation of Ted Gray.

An order from Attorney Belinda Morton requesting James Billing being approved substitution of Administrator of the Estate of Morris C. Niday, Jr. was presented to the Commission.

Commissioner Carte and Commissioner Lopez approved and signed. President Witt would not sign informing this should be presented by Attorney in person.

A letter was approved and signed to One Valley Bank approving request for approval to pay lost bond/coupon #4758/4759.

Administrator Charlotte Holly informed of request of Freda Cincinnati for new shampooer.

The Commissioner denied request because they felt one shampooer is enough for both buildings.

A letter was received and signed concerning cost due Fayette County for costs of confinement incurred by Fayette County Commission for incarcerating of State Committed inmates in McDowell County Jail for which reimbursement was requested. The Commissioners did approve to pay invoices while waiting for this reimbursement.

Discussions were held concerning heating and cooling unit purchased for Judge Abbot's office. Judge Abbot had old unit put back in his office. The Commissioners decided to keep new unit for when the old one gives out.

Administrator Holly reported Betty Mulligan did not wish to serve on Housing Authority.

Administrator Holly reported Allen had requested approval of overtime for Deputies for upcoming Bridge Day event. No figures or numbers of employees were available.

Commissioner Carte did not approve. He felt the Chamber should pick this up. Commissioner Lopez and President Witt approved.

Administrator Holly reported after looking over material left by Mr. Susman concerning Morris Creek Public Service District she found order to create Public Service District. Administrator Holly felt his purpose was to set Public Hearing. The Commissioners instructed to wait till Mr. Susman gets back in touch with her

with her before doing anything with Order.

A letter was signed to Ray Carson concerning conditions of the Memorial Building.

A repair estimate was presented for review for 1991 Ford LTD. President Witt informed Jim Gannon is to repair.

Reply Statement of CSX Transportation, Inc to request to set terms and conditions was reviewed.

Letters were received and reviewed from Congressman Harley O. Staggers, Jr. regarding funding for Economic Development Administration.

Fayette County Plan Survey was reviewed.

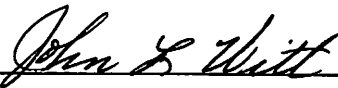
A memorandum was received and reviewed from West Virginia Cable Television Advisory Board regarding Cable Television Franchise Agreements.

Confirmation was received and reviewed from Bull HN Information Systems Inc. for order of an HDS7807, PRU7180 and M&317.

Status of Proposed project for Wilderness Public Service District was received and reviewed.

Information was received from CSX Corporation regarding—Re: Docket No. AB-55 (Sub-No. 382x).

The meeting was adjourned. Next scheduled meeting October 15, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
OCTOBER 15, 1991
COURTHOUSE
FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr. (10:45)

The Fayette County Commission met in regular session on this 15th day of October, 1991.

Payroll and outstanding bills were approved.

The Commissioners met with Assessor Tom Aiello and Prosecuting Attorney Charles Vickers. President Witt read letter dated October 7, 1991 from L. Frederick Williams, Jr., Secretary, West Virginia Department of Tax and Revenue concerning request of Elkem for relief from an erroneous assessment. Different options were discussed by all parties but no action was taken.

Assessor Aiello presented proposal of how to handle Exonerations of real and personal property taxes.

Mr. Aiello proposed to bring exonerations to Fayette County Commission once a month. Date to be in agreement with parties. He would present list. Prosecutor would be in attendance. List would be made a matter of record.

Discussions were held as to why Prosecutor would not sign. Prosecutor felt he is not supposed to sign. Only be present to witness exonerations.

Decision was to handle exonerations on the 15th of each month at 9:30 A.M. with exception to handle the ones that have backed up on the 30th of this month at 9:15 A.M. The Assessor will present list, approved by Prosecutor and then signed by President Witt.

Sheriff Laird appeared before Fayette County Commission informing steps have been taken to comply with Court Order regarding law-suit of Willard O. Brown. He informed he was progressing on schedule with compliance efforts in dealing with Communications requirement.

The Commissioners also authorized the Sheriff to negotiate with municipalities in Cost Agreement to share in cost for Communication Center.

President Witt informed he would like to meet with Sheriff and Administrator soon to talk about staffing for Communication Center. He informed they needed to look at current personnel and qualification for persons needed.

The Sheriff also informed that Civil Service Commission would void current Civil Service list and will give test on November 16, 1991, 8:30 A.M. at Fayetteville High School, November 8th, 1991 is cut off date.

Steve Cruikshank appeared at meeting and was authorized to work on Resolution to get 911 Process moving for Fayette County.

Steve Cruikshank also presented proposal for Fire Association to pay half of salary for full time permanent Secretary, Federal Grant would pay other half. There would be no cost for Fayette County Commission. The Commissioner approved as recommended. Prior Secretary will fill the position.

The Commissioner received and reviewed minutes of Salem-Gatewood Public Service District meeting held September 10, 1991.

The Commissioners signed order approving Zoning request Z-354-91-1.

The Commissioners signed letter to Edward Hundley of Piney View concerning property clean-up.

The Commissioners signed letter to Public Service Commission concerning Fayette County Public Service District Plan 1991.

Dog Warden Report for month of September, 1991 was reviewed.

Vehicle Maintenance Report for September, 1991 presented and reviewed.

Salem-Gatewood Public Service District audit for fiscal year ending June 30, 1991 was presented and reviewed.

The meeting was adjourned. The next scheduled meeting is set for October 30, 1991.



FAYETTE COUNTY COMMISSION MEETING
OCTOBER 30, 1991
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Gene Carte, Jr., John H. Lopez

The Fayette County Commission met in regular session on this 30th day of October, 1991.

Commissioner Gene Carte expressed he felt County should check around on interest of investment money for County funds. Discussions were held about separating into \$100,000.00 amount to several local banks.

Payroll and outstanding bills were approved.

Assessor Tom Aiello and Prosecuting Attorney Charles Vickers appeared before the Commission with list of real and personal property exonerations.

Lists were presented. Prosecuting Attorney offered no comment on lists. Commissioners Carte offered motion to approve. Commissioner Lopez seconded. Lists were approved and signed.

Attorney Henry Armstrong appeared before the Commission with petition of Ronald Keith and James Keith to be appointed to Co-Committee for Diane Keith. James Keith and Ronald Keith were questioned. Carl Harris was approved guardian et litem and informed he believed a Committee should be appointed. Bond was set in the amount of \$25,000.00. Commissioner Lopez offered motion to approve appointment. Commissioner Carte seconded. All approved.

Kelvin Holliday appeared before the Commission with request for waiver of rental fee of Fayette County Memorial Building on December 7th, 1991 at 3:00 P.M. for Fayette County Volunteers. This was approved.

Opal Leggett appeared before the Fayette County Commission with information concerning the need for property in the area for modular classroom for Headstart Program. Ms. Leggett explained that the program has 80 new eligible families on waiting list. With President not in attendance. Commissioner Lopez informed Ms. Leggett that he would discuss this with President Witt to see if the County may have property or know of building they could use. He informed he would try to get back with her after the next meeting scheduled on November 6, 1991.

Zoning Officer Gary Harding appeared before the Commission concerning request Z-355-91-4. Request of Marlin G. Middleton, Owner, for a change in land classification from RR-1, Agricultural and Rural Residence District to B-3, Highway Business District on Lot 21, Block 2, Section 2, Kimberly, located

on Route 61/24, Kimberly, Valley District. Mr. Harding explained Mr. Middleton withdrew this request but Planning Commission would like to recommend this be denied. Request was tabled until meeting on November 6, 1991.

Zoning Request Z-356-91-1, Request of Steven Campbell and the Rivermen, Inc. Contract Owners, by James C. Blankenship for a change in land classification from RR-1, Agricultural and Rural Residence District to B-2. General Business District, on 249.12 acres, Hickory Hill, Old Shirley's Motel Property, Route 60, near Hico, New Haven District. This request was tabled by Planning Commission.

The Commissioners met with Joe McGinnis with Business Records Corporation concerning proposal for conducting Primary and General Election in 1992. Cost would be approximately \$15,000.00 for both elections.

The Fayette County Commission would have option to purchase after election. Administrator Charlotte Holly informed the Commission she felt this should be advertised.

After discussion the Commissioner agreed. Ms. Holly is to review and place legal ad and forward information to Mr. McGinnis.

Mr. McGinnis also demonstrated deed book copying in which microfilm would also be made.

County Clerk expressed that eventually this would need to be done.

Administrator Charlotte Holly informed of drawdown request of \$12,000.00 for Deepwater Public Service District. Ms. Holly reported that members of Public Service District and Ghosh Engineer would be at meeting on November 6, 1991 to give status report. To meet requirements for fund a letter of requisition was also prepared and signed to One Valley Bank concerning this matter.

Administrator Holly reported that due to resignation of Gene Carte in December to the Mountain Resources Conservation and Development Board Phil Tissue has agreed to take appointment. An order was signed for this appointment as representative of the Fayette County Commission.

Renewal maintenance contract was signed and approved for 6215 copier in Road Office.

A letter was approved and signed to County Clerk regarding employment of Lynn Holstine as Secretary for Emergency Service to be paid \$873.00 plus benefits from Fire Levy Levy Fund.

Administrator Holly reported of letter from Worker's Compensation regarding hearing on December 10, 1991 at 1:15 for claim filed by Fred Sizemore.

Commissioner Carte informed he would attend.

The Commissioner approved for Ms. Holly to attend Seminar November 7, 1991 in Charleston.

Administrator Holly also reported that Mr. Veremessa had begone work on steps.

Steve Cruikshank is to attend meeting November 6, 1991 for update on Emergency 911.

Ms. Holly reported that Mossy Public Service District is having water problems. They are being advised to conserve water until pump problem is corrected.

Administrator Holly reported that audit reports were received from Arbuckle Public Service District for fiscal year June 30, 1991 and 4-C Economic Development Authority for fiscal year 1990/1991.

The Commissioners discussed that prior years were needed for 4-C Economic Development Authority. The Commissioners informed to hold invoices until prior year audits were received.

Ms. Holly reported that invoice was received from T. J. Ball Construction for work done for Human Society on water line at Shelter. The Commissioners had approved this at meeting held March 27, 1991, but quoted price was \$800.00. The Commissioners decided to approve.

A letter was prepared and signed to Esmer and Associates concerning monitoring wells at Landfill not complying with Department of Natural Resources regulations and with conditions set forth in a letter dated October 9, 1987 to them from Fayette County Commission.

After reviewed Analysis of monitoring well data the Commissioners felt that this needed to be addressed.

Letters were also signed to Southern WV Regional Health Council, Inc. and Joyce Engineering, Inc. requesting copy of specification under which a portion of landfill was planned and constructed under their supervision.

Administrator Charlotte Holly mentioned that if Landfill does close permanently, the Commission should check about auctioning equipment there that County owns. No decision was made. Commissioner Lopez requested Ms. Holly to check what other County do not have landfill.

The Commissioners received and reviewed checks from National Par for payment for land or itnerest acquired by the United States for to National Park Service. This being for loss due to such acquisi proportion to real property taxes collected on these lands in year Federal acquisition.

A letter was received and reviewed from Mercer County Commission regarding building for housing the residents of Southern Regional Juvenile Detention Center which is located in Mercer County requesting letter of financial support. The Commissioners informed they would not support financially but would send a letter of support.

Local Signatory Official Designation Form was signed allowing Steve Cruikshank to enter into an agreement with West Virginia Office of Emergency Services for Emergency Management Assistance (EMA) Program for Federal fiscal year 1992.

A letter was reviewed from Judge Robert Abbot regarding Bailiff Ed Koone taking other employment as of October 31, 1991.

The Commissioners reviewed letter from Cleek, Pullin and Bibb regarding suit of Deskin, et ux v. Fayette County Commission Civil Action No. 90-C-799.

The Commissioners reviewed letter from Richard Rosswurm of Supreme Court of Appeals regarding Central Home Confinement Monitoring Services Announcement.

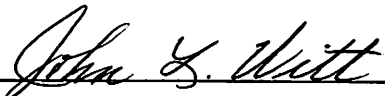
A letter was also received from Judge John W. Hatcher regarding alternative sentences and special conditions of probation for adults and juveniles, by assigning them meaningful and productive community service projects as a part of their punishment. This is to be discussed further at next meeting.

The Commissioners also reviewed letter from Governor's Office of Community and Industrial Development regarding Final Assessment Report Fiscal year 1988 Small City Block Grant for Northern Fayette County Regional Water System Planning Study.

Sheriff Laird appeared before the Fayette County Commission. He advised that current communication would switch over tomorrow October 31, 1991 at 4:00 P.M. to new communication center in Road Office.

Three (3) current employees will take employment in Communication Room and 2 new employees will be hired. Sheriff Laird advised that he has addressed letters to Municipalities with Agreements for each to approve to generate funds to fund the 2 new positions. The Sheriff will supervise these positions.

The meeting was adjourned. The next scheduled meeting is November 6, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
NOVEMBER 6, 1991
COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 6th day of November, 1991.

The Fayette County Commission met with Lee Massey and Mr. Carden regarding septic permit for Mr. Carden. Mr. Carden expressed he felt he had been lied to concerning his request for tank.

After discussion Mr. Massey informed that permit had been issued but certain conditions would have to be followed.

The Commissioner met with Lee Massey, Don Phillips and Erkan Esmer concerning problems at Fayette County Landfill.

Dr. Erkan Esmer spoke in reference to letter the Commission had written regarding monitoring wells. Dr. Esmer informed he had fulfilled his obligation in drilling the wells but the reason there was not water was because of underground mines.

Discussions were held about obtaining an injunction to open landfill.

Lee Massey informed another water sample will be taken on Tuesday, November 12th, 1991 and possibly the landfill will be reopened.

Mr. Massey did inform that he has applied for extension with Department of Natural Resources.

Discussions were held about information needed to prove Landfill has clay liner.

West Virginia Southern Regional Health Council had responded by letter after the Commission had requested this information that they did not have specification.

Erkan Esmer informed he would write letter stating with his engineering information from tests done at Landfill he would write letter supporting he felt there was clay liner.

Administrator Holly also reported she had found some reports of soil samples that indicated clay in soil.

With this information the Commissioners hoped to have information to prove they have clay liner.

The Commissioners met with Attorney John Shumate regarding Final Hearing for Minor Boundary Adjustment for City of Mount Hope.

There was no one appearing to object to this. Commissioner Carte made motion to approve. John Lopez seconded.

Attorney Shumate informed he would submit order when affidavit of publication is forwarded to him.

The Commissioners met with Zoning Officer, Gary Harding-Z-355-91-4 request of Marlin G. Middleton, Owner, for a change in land classification from RR-1, Agricultural and Rural Residence District, to B-3 Highway Business District on Lot 21, Block 2, Section 2, Kimberly located on Route 61/24, Kimberly, Valley District. Mr. Harding informed that the Planning Commission recommended that this request be denied because of the amount of opposition so that the applicant could not re-file within a year.

After discussion Gene Carte made motion that this be denied as recommended by the Planning Commission. Motion was seconded by John Witt and passed by a vote of 2-0.

The Commissioners met with Attorney Erwin "Toad" Conrad regarding Committee Appointment for Eveline K. Bess. Attorney Conrad reported he has talked with Attorney Bischoff in Summersville and he has agreed to have appointment continued because of his client contesting this appointment. Commissioner Carte made motion to continue hearing on November 27, 1991 at 10:45 A.M. This was approved. Attorney Conrad informed he would prepare order for continuance.

The Commissioners met with Paul Ghosh, Engineer, and Leon Newman of the Deepwater Public Service District.

Mr. Ghosh gave status report of project and information on invoices for draw-down request. Resolution was signed pertaining to request of \$12,000.00 and check was presented. Mr. Ghosh also mentioned another draw-down request of approximately \$4,800.00. All necessary steps of paper work will be handled for draw-down.

President Witt informed that due to resignation of John Eads of Ansted from the Board of Zoning Appeals he recommend that Ann Skaggs be appointed to replace him. An Order was signed and approved pertaining to this.

A letter was also signed to Mercer County Commission supporting their application for a partnership grant from the Governor's Office for Regional Juvenile Detention center for roof replacement for center.

A letter was signed to Richard R. Reed regarding Leash Law in Fayette County.

Audit Reports were received from Loup Creek Volunteer Fire Department and Fayette Humane Society for fiscal year ended June 30, 1991.

Fayette County Dog Warden Report for October, 1991 was received and reviewed.

Letters were written to Mr. Jack Clark, Mrs. Olivia Stone, etal, and Mr. Bob Paul regarding clean-up of property.

A letter was signed to Ed Hamrick of Department of Natural Resources regarding requests about information on landfill in West Virginia. A copy will also be sent to Governor.

The Commissioners also reviewed letter from Allen Dyer, M.D.P.H. of Southern Regional Primary care Centers, Inc. informing they could not locate information on landfill specification pertaining to the Cunard landfill.

The Commissioners received and reviewed copy of permit for Wilderness Public Service District Water Project on Old Nicholas Road (Nallen Project).

The Commissioners reviewed letter from CNA Insurance regarding Claim Number 42-117379 F3.

A letter was reviewed from J. Edward Hamrick, III regarding a request of the Commission to patrol Fayette County for illegal dumping.

The Commissioner met with Wanda Shrewsbury and Linda Hornsby concerning Estate of Frances Randolph.

Discussions were held about how property was being sold and divided. Commissioner Carte made motion to appoint Phil Tissue as Fiduciary Commission to take care of necessary matters. All approved.

The Commissioner informed that employees at Courthouse will observe the day after Thanksgiving being as the Governor had declared this a holiday for state employees.

The Commissioners met with Steve Cruikshank concerning possibility of getting 911 started in Fayette County.

Steve informed he was working on Resolution and hoped to have it by November 15, 1991. He informed that right now he is looking at cost of approximately \$1.00 - \$1.08 per customer. He informed that Resolution would go to Public Service Commission. Then the Fayette County Commission could conduct Public Hearings.

Commissioner Carte requestd Steve to check about reserving 574-0911 or 574-9111 number for dispatch center.

The Commissioners signed forms to combine or divide and segregate land as submitted from Assessor's office.

The Commissioners approved paying past invoices to 4-C Economic Development Authority.

County Administrator Charlotte Holly presented Public Notice she had prepared for list of changes in the locations of polling places. (copy attached)

Commissioner Gene Carte made motion to approve and publish list. John Lopez seconded. All approved. President Witt informed there would be no change in

Ames, Lansing area.

The Commissioners also signed necessary forms for authorizing investment in State Board of Investments Consolidation Fund.

Administrator Charlotte Holly also reported of receiving call from person with Fayette Dock with problem about decision Commission had made on February 5, 1991.

Assessor Tom Aiello explained to them at meeting on February 5, 1991 he did not have authority after books were certified to refund or exonerate. He recommend that they be given credit on 1991 taxes. This was what was approved and the Commission informed they would stick to this decision they made at this meeting.

The Commissioners received and accepted check for \$500.00 from the Shrine Circus Fund of Charleston for rental of Fayette County Memorial Building on November 8, 1991.

The Commissioners reviewed information from Carl W. Roop, Raleigh County Commission Attorney regarding copies of documents relevant to the question of tax refunds.

The meeting was adjourned. The next scheduled meeting is November 15, 1991.



FAYETTE COUNTY COMMISSION MEETING

REGULAR SESSION

NOVEMBER 15, 1991

COURTHOUSE

FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 15th day of November, 1991.

Commissioner John Lopez informed he felt Commissioners and Boards that represent County should be recognized for time and effort.

The decision was to send letter thanking them for effort, time and expense. Exposure for media was also mentioned.

The Commissioners discussed invitation received from Elkem Metals for upcoming event and informed they would not be able to attend due to previous scheduled appointments.

Commissioner Gene Carte presented bill from Sheriff Laird which was marked confidential. This was for cost for transporting mental health patient. Commissioner Lopez and Commissioner Carte felt Fayette County Commission should pay. President Witt expressed he felt bill's should not be paid that are marked confidential. He informed he did not agree with this process of handling bills. With Commissioner Carte offering motion to pay and Commissioner Lopez offering second to motion. Motion passed 2-1. Bill is for Jan Care at cost of \$566.00.

Payroll and outstanding bills were approved.

The Commissioners signed Order dealing with decision on February 5, 1991 for Fayette Dock to be given credit on tax year 1991 assessment (assessed value \$19,897) of Surf. 16.13/Deepwater, Valley District, Fayette County for tax year 1990 assessment.

Administrator Charlotte Holly also informed of telephone call from Tax payer with complaint on 1989 assessment of mobile home and vehicle. With this being a 1989 ticket the Assessor cannot cancel or give supplemental.

President Witt felt that if these taxes are due they should be paid. Assessor Thomas Aiello appeared and informed he felt ticket should be paid as exist or portion exonerated and given credit but this problem exists because of negligence on tax payer's part. The Commissioners instructed a letter be written informing that the Assessor had explained.

The Commissioners recessed to go to Prosecutor's office.

After returning President Witt informed of decision made by Fayette County Commission for request for tax refund. An Order was signed pertaining to matter (copy attached). Commissioner Lopez offered motion to approve order. Commissioner

Carte seconded. Vote was unanimous.

Assessor Thomas Aiello and Prosecuting Attorney Charles Vickers appeared at meeting with exonerations of Real and Personal Property Taxes.

Assessor Thomas Aiello read list of tax payers and gave reason. Prosecuting Attorney Charles Vickers expressed no problem with list. With this the Fayette County Commission approved.

The Commissioners discussed letters from Linda Sutton and Sheri Kettering of Hico protesting further strip mining that could take place on Shade Creek, by the Williams' Construction Company. President Witt informed the Fayette County Commission should wait for upcoming public hearing on this matter before making a decision to protest. The Fayette County Commission informed a letter should be written explaining this.

Administrator Charlotte Holly reported that Leland O'Neal had telephoned and questioned why Humane Society had not received monthly contribution. Ms. Holly reported that she informed Mr. O'Neal that they had not submitted monthly report. Mr. O'Neal expressed they did not need to submit monthly report. Ms. Holly reported that she understood that the Commission requested this be submitted monthly. Commissioner Carte and Commissioner Lopez gave permission to pay. President Witt abstained from voting being as he was not at past meeting when this was discussed. The Commissioners informed to let Humane Society know they would need monthly reports.

The Commissioners received and reviewed letter from Department of the Army concerning annual inspection of the Pax Local Flood Protection Project. The Commissioners instructed a copy of letter that was written in regard to this matter be forwarded to them.

The Commissioners approved renewal of subscription to 1992 Guide to Federal Funding. The Commissioners received and reviewed cost.

Administrator Charlotte Holly reported she had received information from Butch Joyce that he was researching his files to see what he could find about soil analysis for Fayette County Landfill.

Administrator Charlotte Holly reported that the Fayette County Commission has received letter from State of West Virginia Department of Tax and Revenue certifying that Assessor Thomas Aiello has complied with the Assessor's additional duties and supplemental salary of \$6,000.00 was approved.

The Commissioners signed order releasing bond of Sandra Niday and the only bond extant on the estate of Morris C. Niday, Jr. be that of corporate bond filed on October 22, 1991.

The Commissioners received and approved forms for West Virginia State Board

of Investments local Government Accounts for Jail Improvement Fund and Building Improvement Fund.

The Commissioners received and reviewed information from Sheriff Laird regarding invoice for overtime expenditures and hospital security for state inmate Nelson E. Foraker.

Information was received and reviewed from Chuck Johnson regarding insurance premiums.

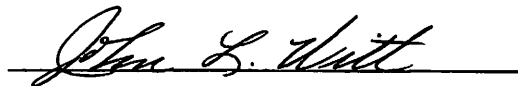
The Commissioners met with Sergeant Dale Payne, Lee Massey, Harold Stinnet, Senator Robert Holliday, Tom Louisos and George Bragg to discuss plans for Museum for Fayette County.

Discussions were held about funding from West Virginia Parkway Authority and donations. Location should be in Oak Hill, Fayetteville vicinity. The group had already discussed property on Route 19. They also discussed checking into property owned by Board of Education.

President Witt spoke on behalf of the Fayette County Commission informing the Fayette County Commission would be very supportive. He also agreed to talk to Don Stark, an architect in Mount Hope area about plans for museum.

Senator Holliday spoke endorsing the idea and agreed to set up meeting with Governor and Historical Society, Fayette County Commission, Legislators, and himself to discuss plans. Mr. Holliday informed he would make appointment.

The meeting was adjourned. The next scheduled meeting is scheduled for November 27, 1991.



FAYETTE COUNTY COMMISSION MEETING

REGULAR SESSION

NOVEMBER 27, 1991

COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA 25840

MEMBERS PRESENT: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 27th day of November, 1991.

The Commissioners met with Assessor Tom Aiello regarding a request of Richard Basham, Jr., for relief from erroneous assessment of a 1983 mobile home for 1989 personal property taxes.

Mr. Aiello presented divorce decree for Mr. Basham. All information was reviewed.

President Witt informed he felt taxes are owed and informed the Commission could not cancel.

Payroll and outstanding bills were approved.

The Commissioners met with Attorney Tom Canterbury with Committee Appointment for Gladys Dilly. Petitioner Alice Parrish was questioned. Teresa Daniels was approved guardian et litem and recommended the appointment.

Commissioner Gene Carte made motion for appointment with minimal bond. Commissioner Lopez seconded. Vote was unanimous.

The Commissioners met with Attorney T. E. Myles with Committee Appointment for Earl Koontz. Petitioner David Koontz was questioned. Toad Conrad was approved guardian et litem and recommended the appointment. Reverend John McLean was questioned and reported he felt appointment was needed.

Commissioner Lopez offered motion to approve appointment of David Koontz as Committee for Earl Koontz. Bond was set in the amount of \$40,000.00. Commissioner Carte seconded the motion. All approved.

Lee Massey appeared at the Commission meeting with Resolution in Memory of Wallace Bennett adopted by the Board of the Fayette County Planning Commission.

Commissioner Gene Carte made motion of approval for Memorial. All approved. President Witt informed the Commission would re-word a Memorial for the Fayette County Commission.

The Commissioners met with Gary Harding with Zoning request Z-357-91-1 for Mike Chaffin, for a change in land classification from R-2, Residence District to B-1, Neighborhood Business District, on Lot 201, Block 4, Minden Subdivision, Route 17, Minden, Plateau District.

Mr. Harding reported that the Planning Commission voted 6 - 0 to deny. Mr. Chaffin was present and informed he would like more time to present more information at next hearing before the Planning Commission. The Commissioners tabled the request and reset another hearing before the Planning Commission on January 27, 1992.

The Commissioners reviewed minutes of meeting of Salem Gatewood Public Service District held on 10/10/91.

The Commissioners reviewed Public Notice regarding list of changes in location of polling places. A hearing is scheduled for 12/13/91 at 9:30 A.M. regarding these changes.

The Commissioners reviewed and approved Assessor's Certificate of Compliance for Farm Report. Check for \$2,420.00 was issued.

The Commissioners met with Attorney Toad Conrad and Attorney Donald Bischoff regarding contested Committee Appointment for Eneline K. Bess.

Different discussions were held regarding Co-Committee appointments.

Attorney Conrad questioned Margaret Morris. Ms. Morris agreed to serve as Committee and post surety bond. Premium will be paid from State Assets. Mr. Bischoff agreed to cross examine this witness at next hearing scheduled for 1/8/92 at 10:00 A.M.

The meeting was adjourned. The next meeting is scheduled for 12/4/91.



FAYETTE COUNTY COMMISSION MEETING

REGULAR SESSION

DECEMBER 4, 1991

COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA

MEMBERS PRESENT: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 4th day of December, 1991.

The Commissioners reviewed bids for professional services and lease of automatic tabulating equipment and services for the conduct of the 1992 Primary and General Elections in Fayette County.

Bids received were from Business Records Corporation and Sequoia Pacific Voting Equipment. Quotes were reviewed. Joe McGinnis from Business Records Corporation and Charles Buckstram from Sequoia Pacific Voting Equipment reported on proposals.

President Witt informed that they would review and would try to come up with a decision by the December 13th meeting.

Later in the meeting, the Commissioners agreed to have Mr. Buckstram with Sequoia Pacific come in to demonstrate his equipment at the December 13th meeting at 10:00 A.M., being as Mr. McGinnis had had this opportunity.

The Commissioners discussed upcoming public hearing concerning poling places.

Administrator Charlotte Holly reported that she had spoken to Mary Ratliff in the Secretary of State's Office and was advised that when moving poling places you cannot move a place that is handicapped accessible to a place that is not.

Commissioner Lopez advised that Lenten Auditorium will not be available for poling place after the 1st of the year and reported that the Boomer Fire Department may be used. The Commissioners informed they would address this and try to resolve at meeting scheduled 12/13/91.

The Commissioners reviewed letter written to Humane Society regarding conditions for presenting monthly funds.

Commissioner Lopez suggested that prior to budget session next year that all organizations who request funds be written a letter informing that unless yearly audit reports are received, they will not allot funds for.

President Witt informed that the Humane Society knew what information is needed and they had supplied the correct information in the past.

Commissioner Carte informed he felt all groups should be treated the same and felt Humane Society should be treated the same as 4 C Economic Development Authority.

Administrator Charlotte Holly reported that 4 C Economic Development Authority receives funds the way they do based on 1988 legislation issued at Legislative Session to contribute annual allotments of \$1.05 per capita based on most recent decennial census.

After further discussion all Commissioners informed they would accept treasurer's report of monthly expenses.

The Commissioners signed Resolution in Memory of Wallace Bennett.

Monthly Reports were received and reviewed from Dog Warden and Jim Gannon from Fayette County Park with monthly maintenance work on county vehicles.

The Commissioners discussed hearing scheduled today regarding real property of Mrs. Olivia Stone (.097/Kennys Creek). No one appeared representing Ms. Stone. President Witt informed he felt Larry Parson could take clean-up crew and clean property and then bill Ms. Stone for expenses. If expenses were not paid then the Commission could place lien on property.

Administrator Charlotte Holly reported information received concerning civil action #91-C-0414, Judy K. Stafford, Clinton Crosier v. Fayette County Commission. All information was forwarded to Prosecuting Attorney Charles Vickers requesting he or member of his staff represent the Commission.

The Commissioners signed order appointing Mr. Galen Horrocks to the Mountain Transit Authority.

Discussions were held concerning holidays for Christmas. Ms. Holly reported that last year Christmas Eve, Christmas Day, New Year's Eve and New Year's Day was observed. Ms. Holly questioned if the employees would follow what ever the Governor declares for state employees. This was tabled until December 13th meeting.

The Commissioners received and reviewed letter from Helicon Cablevision. The letter informed that Helicon would cease charging franchise fees until Agreement has been signed and subscribers will be credited for these charges.

The Commissioners reviewed information from Home Confinement Monitoring offices regarding Service Agreement with Home Confinement Monitoring Service Office, West Virginia Supreme Court Administration Office.

The Commissioners advised to forward this to Sheriff and Judges for comments.

The Commissioners received and reviewed letter from Roy Young from Kanawha Falls Public Service District concerning his residing within Public Service District and serving as Commissioner.

Steve Cruikshank and Sheriff Laird appeared at Commission Meeting.
Steve Cruikshank presented Model Enhanced 911 County Ordinance.

Steve reported Ordinance will be forwarded to Public Service Commission to review. There will be Public Comment period. Discussions were held about cost of \$1.23 and \$1.48 per month.

Steve Recommended cost of \$1.48.

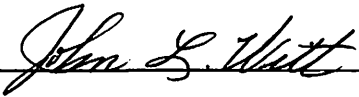
Discussions were held about costs being presented with levy election and the deteriorating of the current Communication system. The Commissioners felt this may be opportunity to network 911 with current Law Enforcement Communication system.

Commissioner John Lopez offered motion to authorize Steve to contact C & P of proposed rate of \$1.48 and prepare resolution.

President Witt seconded the motion. Commissioner Carte did not approve. Motion passed 2 - 1.

Public Hearing will be held for citizens to voice opinions.

The meeting was adjourned.. The next scheduled meeting is December 13th, 1991.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
DECEMBER 13, 1991
COURTHOUSE
FAYETTEVILLE, WV

MEMBERS Present: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 13th day of December, 1991.

Commissioner Gene Carte informed that checks due for 2 Correctional Officers who were terminated will be issued today.

The Commissioners reviewed letter from Zoning Officer Gary Harding regarding request to appoint Mr. Robert J. Stephens of Charlton Heights to replace Tom Harris of Gauley Bridge, whom was not reappointed in August, 1991 when his term expired to the Fayette County Planning Commission.

Commissioners Lopez felt the Commission should check if Mr. Harris would like to continue on Commission. Gary Harding informed he was not active on the Commission. Commissioner Carte and President Witt informed to write order on January 8, 1991.

The Commissioners met with Sylvia McComas, Carla Horrocks, Beverly Roop and Kenneth Roop regarding Public Hearing for changes in the locations of polling places in Fayette County for upcoming elections. (Copy Attached)

Mr. Kenneth Roop spoke on behalf of those attending and felt polling place should be at Gauley River Fire Department at Jodie. He felt that Gauley River Public Service District office was not handicap accessible and traffic problems exist at that site.

After discussion Commissioner Carte offered motion to keep polling place at Gauley River Volunteer Fire Department. Commissioner Lopez second. Vote was unanimous. An order was signed (as per attached copy) with changes in polling places.

Payroll and outstanding bills were approved.

Lee Massey appeared at meeting. A request was reported from the Fayette County Planning Commission to hire assistant for Zoning Officer. No consideration or action was taken.

The Commissioners reviewed bids submitted from Sequoia Pacific Voting Equipment and Business Records Corps for professional service and automatic tabulating equipment and services for conducting of 1992 elections.

President Witt informed quote from Business Records Corporation was \$8,000.00 for both election and Sequoia Pacific was \$4,990.00 for each election (\$9,980.00). With this information John Lopez offered motion to approve quote from Business Records.

Commissioner Carte seconded. Vote was unanimous.

The Commissioners met with Steve Cruikshank. Steve informed that contract from C & P had not been received for Resolution concerning E 911. He informed that any Commissioner could sign Service Contract but Billing Contract would need to be signed by all 3 Commissioners.

Commissioner Carte informed he could not sign Resolution until he reviews contract with C & P.

The Commissioners discussed holding public meetings to discuss E 911 in different locations. Discussion was held about conducting one in each district (Oak Hill City Hall, Lookout Lookout Volunteer Fire Department, and Smithers Fire Department or Recreation Hall). The Commissioners approved to advertise for Public Hearing January 27, 1992 at 7:30 at Fayette County Courthouse. Contract was received after Fayette County Commission returned from lunch but Fayette County Commission did not go back into session.

Tom Aiello appeared at meeting with Exonerations of Real and Personal Property for approval.

President Witt informed he could not sign unless the Prosecuting Attorney was present. This was decision made to handle at Payroll meeting on 15th of each month with Prosecuting Attorney present.

Decision was to let Mr. Aiello read list, the Prosecutor could review on Monday and then Mr. Witt could sign. The Assessor did read list. Gene Carte offered to approve this. John Lopez seconded. Mr. Witt also approved.

The County Clerk presented invoice from Hamilton, Burgess, young, Tissue and Pollard for handling Civil Service exam. This was approved.

A letter was signed to Mrs. Olivia Stone et al regarding clean-up of property.

The Commission reviewed Petition of the Trustees, The Oak Hill United Methodist Church for relief from Assessment small parcel directly across the street from fire damage church. The request informed they planned to use for parking lot or play ground.

Assessor Tom Aiello informed of State Tax Ability Rule that would not allow to exonerate because on July 1 property was not parking lot or playground. Property is not adjacent. He felt that there would not be a problem approving if this was done. Commissioner Lopez and President Witt informed this request would be tabled based on information. They felt they would be entitled to relief when they do construct parking lot or playground. Gene Carte felt should be approve. Decision was to table 2-1.

Forms to Combine or Divide and Segregate Land were reviewed and signed.

Letter from Department of Natural Resources concerning Landfill in Fayette

County were reviewed.

The Commissioners signed list of Holidays for 1992.

A letter was signed to Department Heads regarding Christmas and New Year's Holidays, 1991.

Requests for payment of invoice from Fire Levy Account for Meadow Bridge Fire Department were reviewed and approved.

Letters were signed to all Volunteer Boards and Authorities thanking for service to citizens of Fayette County.

Commissioner Lopez and President Witt signed letter to Fayette Humane Society informing process to submit request for monthly allotment. Commissioner Carte did not sign.

Orders were signed regarding continuance of Committee Appointment for Evelyn Kay Bess, by Margaret Morris, Petitioner.

The Commissioners reviewed invoice submitted from No Consolidation Fayette County Public Service District's.

Commissioner Carte made motion to approve. Commissioner John Lopez seconded. President Witt informed he felt this should not be paid until proof of districts being willing to submit their share. Motion to intervene that was submitted from Carl Harris was reviewed. Motion passed 2-1.

A letter was signed to Gordon Billheimer informing the Commission has never approved, endorsed or recommended the consolidation of Gauley River Public Service District and Kanawha Falls Public Service District.

The meeting was adjourned. The next scheduled meeting is January 8th, 1992.

