

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JANUARY 8, 1992
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 January, 1992.

John L. Witt was appointed President for new year. John H. Lopez was appointed Purchasing Agent and Debbie Berry Assistant Purchasing Agent.

The Commissioners met with Attorney Teresa Daniels with Petition of Samuel Sapp to have Committee Appointed for Martha S. Kincaid.

Attorney Gordon Billheimer was present representing George Milam.

Nancy Skaggs was present and was approved guardian et litem. She informed she felt it was best to have someone appointed Committee for Ms. Kincaid.

Mary Beth Erickson from Smith Barney Harris Investment firm was questioned concerning investments of Ms. Kincaid from Merchants National Bank.

Ms. Connie Linkenhogan was also questioned.

Samuel Sapp was questioned and recommended appointment of George Milam as Committee for Ms. Kincaid.

Paul Blake appeared at meeting and informed he felt he had no problem with family member being appointed if proper bond was set. He informed Ms. Kincaid had assets in amount of approximately \$200,000.00.

George Milam was also questioned and felt a Committee Appointment was needed. He agreed to serve as Committee and felt he understood duties. He felt wording of order should be to handle business affairs. All agreed this could be done.

Commissioner John Lopez offered motion to approve. Commissioner Gene Carte seconded. Vote was unanimous. Bond was set in amount of \$200,000.00.

Teresa Daniels also questioned if \$350.00 fee for guardian et litem come from assets. This was approved.

The Commissioners met with Ann Skaggs regarding clean-up program.

Discussions were held concerning having clean-up crew clean up Stone property.

President Witt informed he felt they should determine if all is legal before allowing clean-up crew to clean-up.

Ms. Skaggs requested the Commissioners to meet with her sometime this month to go view site on Route 60. The Commissioners agreed to get back with Ms. Skaggs concerning request.

Ms. Skaggs also requested a letter be written to Commissioner of Department of Highways to investigate if property of Carolyn and Robert Paul is operating as a salvage yard. This was approved.

Ms. Skaggs also requested Jack Clark be written a final letter regarding clean-up of his property.

Ms. Skaggs also requested a letter be written to Kanawha County informing of program started by Ms. Skaggs and accomplishments. She requested they initiate such a program in Kanawha County. This was approved.

The Commissioners met with Attorney Erwin Conrad, Attorney James Keenan and Attorney T. E. Myles regarding Petition to have Margaret Morris and Betty Blume as Co-Committee Appointment for Eveline K. Bess.

Attorney Conrad went over prepared order. Assets totaled \$107,684.49.

Order requested Mr. Bess turn over title to Committee to Van. It is requested Mr. Bess pay 1/2 of cost of court proceedings.

Order requested estate pay other half of Attorney fees and guardian et litem fees. Mr. Myles was recommended to be appointed fiduciary commissioner.

Mr. Keenan had no objection to order but would have to go over with his client Bobby Bess.

Jeffrey Hartley brother of Eveline Bess and Kathy L. Morris sister were questioned. Ms. Morris questioned if Ms. Bess would be allowed to go to her house to get personal things. Mr. Keenan agreed he would check with his client.

Commissioner Gene Carte made motion to approve contingent upon Ms. Bess approving. Commissioner Lopez seconded. All approved.

Commissioner Lopez mentioned possibility creating new precinct for voters in Belva/Dixie area. Some citizens did not want to travel across bridge at Jodie to vote. The Commissioners decided to advertise for Public Meeting February 10, 1992 at 10:30 a.m. concerning changes of boundaries of Precinct 31 to have new Polling place at Gauley River Volunteer Fire Department and Precinct 38 Gauley Bridge/Belva Dixie Polling Place Gauley Bridge High School.

Administrator Charlotte Holly also informed of Senatorial District change. She informed Legislative adopted census boundary line. The Commissioners would have to decide where to send voters. She also informed that the request the Commissioners had requested for extension in dealing with this has been approved.

Administrator Charlotte Holly informed she had prepared titles for Town of Fayetteville for 2 old cruisers they requested to purchase. The Commissioners requested to hold titles until they pay for vehicles.

The Commissioners signed order appointing Robert Stephens to the Fayette County Planning Commission.

Administrator Holly reported she had spoken to Attorney of Insurance Company representing Fayette County Commission in law suit of Pritchard vs Town of Fayetteville et al. The hearing is before Judge Hollahan today and it was not required that the Commission be there.

The Commissioners also reviewed letter from Sheriff Laird informed to increase Ann Berry salary \$100.00 a month.

Administrator Holly requested if she should void 3 old checks written to Jan-Care Ambulance which were never approved. This was approved.

The Commission reviewed letter from K. R. Carson from Board of Education requesting they meet January 13, 1992 concerning Fayette Memorial Building.

President Witt informed the Commission could not meet on 13th but to schedule January 15, 1992 at 10:00 a.m. for meeting. He requested sending a copy to Carl Harris, Major Johnson and Bootie Bess requesting they attend also.

Fayette County Dog Warden report for month of December was received and reviewed.

The Commissioners received and reviewed letters from Governor Caperton approving Highway Safety Grant in amount of \$25,556 and Drug Control and System Improvement Grant for \$3,728.00.

The Commissioners reviewed Petition of Trustee of the Oak Hill United Methodist Church requesting relief from Assessment.

Commissioner Carte informed this would be heard during the month of February when the Commission is setting as Board of Equalization and Review.

The Commissioners approved and signed Service Agreement between Home Confinement Monitoring Service and Fayette County, West Virginia.

The Commissioners signed letters to All Elected Officials and Department Heads requesting each office, prior to March 2, 1992 to submit a detailed request for appropriations for anticipated or expected expenditures for its respective offices.

The Commissioners reviewed letter from Senator Holliday regarding Fayette Historic Museum and quicker completion of four-lane highway on U. S. Rt. 19.

The Commission requested a letter be written to Senator Holliday asking him to work out a meeting date with the Governor to discuss these matters. A copy is to be sent to Dale Payne and George Bragg.

Administrator Holly reported Jim Gannon had telephone and informed new transmission was need for vehicle from Assessor's office. He had quote of \$847.00 from Napa in Montgomery. The Commission requested to find out which vehicle it was and to check if it could be under warranty.

Assessor Tom Aiello appeared at meeting with exonerations that were presented at last meeting. Mr. Aiello explained he had went over list with Prosecutor.

President Witt informed this was not how they agreed on handling exonerations and he would not sign unless Prosecutor was present.

Administrator Holly presented 2 copies of 1990 Land Sale list presented by Sheriff. 1 copy is to go to State Auditor and 1 copy remains with County Clerk. This was presented on December 13, 1991 after the Fayette County Commission had adjourned. The Commission acknowledged this was received and forwarded to County Clerk.

State Sales Tax Reports were approved and signed.

The Commissioners approved dates and time for meeting as Board of Equalization and Review of Property Assessment:

January 29, 1992	1:00 P.M.
February 1, 1992	9:30 A.M.
February 5, 1992	1:00 P.M.
February 10, 1992	9:30 A.M.
February 14, 1992	9:30 A.M.
February 18, 1992	9:30 A.M.
February 21, 1992	9:30 A.M.
February 25, 1992	9:30 P.M.

Administrator Charlotte Holly questioned if she should prepare Notice to Implement Salary Increase for County Commission which is to come into effect January, 1993. This was approved.

Final Budget hearing will be March 25, 1992.

The Commissioners reviewed letter from Lynn B. Pollard regarding Grievance Hearing for Fayette County Correctional Officers Civil Service Commission on January 21, 1992 at 1:00 in Commission chambers.

The Commissioners reviewed request from Kelvin Holliday for 1st week in August for camping for Camp Kismet at Fayette County Park. This request will be forwarded to Jack Gannon.

Administrator Holly reported she had received revised corrected order from Mr. Susman concerning the creation of Morris Creek Public Service District. Hearing date was scheduled for February 14, 1992 at 11:00 A.M.

Administrator Holly reported she received only Auditor's Report for Humane Society. The Commission had requested to ^{receive} Treasurer Report also. Commissioner Lopez and Commissioner Carte approved to pay monthly contribution.

Administrator Holly reported that Payroll Clerk Judy Hess will be off 6 weeks from January 10, 1992. County Clerk had talked to Jackie Hickman to take over while Ms. Hess is off.

Ms. Holly informed she had no problem with this except County Commission work would come first. Ms. Hickman could possible work after work hours on hourly basis. This was approved.

President Witt informed to make sure someone from Assessor's Office would have to relieve Switchboard during this time. Nancy is to be notified no relief from Fayette County Commission during this time.

The Commissioners also reviewed information and Notices regarding Proposed boundary enlargements of Wilderness Public Service District.

The Commissioners reviewed letter from Secretary of State approving extension for publication of proposed precinct changes necessary to implement legislative redistricting.

A letter was also reviewed regarding precinct location change made on December 13, 1991.

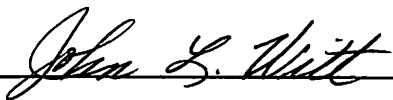
Quarterly report for Boomer Volunteer Fire Department was approved.

A letter was reviewed from Community Development Division regarding extension of State/Local Agreement for Fiscal Year 1988 SMBDG for Northern Fayette County Water Systems Plan until 12/31/92.

A letter was reviewed from Ann M. Johnson, Director, from Governor's Office Community Industrial Development concerning allocation of \$1,337,000 for Calendar year 1992.

Administrator Holly reported Carol Vest falling down steps at Courthouse.

The meeting was adjourned. The next scheduled meeting is January 15th, 1992.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JANUARY 15, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: John L. Witt, John H. Lopez

The Fayette County Commission met in regular session on this 15th day of January, 1992.

Administrator Holly reported of receiving notice of Board of Review Hearings for Cecil and Michael McCormick from Employment Office for 1/23/92 at 9:40 A.M.

Administrator Holly also informed of letter from Library Board informing that Iola Jones has resigned and submitted names of Jim Casebolt and Felice Stark for appointments to this board. Jim Casebolt was approved for appointment.

The Commissioners signed letter to Commissioner of Highways, Mr. Fred VanKirk concerning property of Carolyn Paul operating as a salvage yard.

The Commissioners conducted Public Hearing concerning the change of Precinct 37 from Lenten Auditorium to Boomer Volunteer Fire Department. There was no one appearing at meeting for objection to this change. The Commissioners signed order approving change.

The Commissioners reviewed letter from Sheriff Laird regarding the hiring of 4 Correctional Officers at rate of \$1,050 each per month.

Administrator Holly reminded Commissioners of Public Hearing scheduled on 1/27/92 at 7:30 P.M. regarding 911. Commissioner Lopez requested being notified the Friday before (1/24/92) regarding this meeting.

Assessor Aiello appeared at meeting with list of exonerations for approval.

President Witt explained he felt policy was to have Prosecutor present before he would approve. With the Prosecutor being in Court involved with Grand Jury, President Witt approved Assistant Prosecutor Paul Blake reviewing for approval.

Assessor Aiello read list of exonerations.

Assistant Prosecutor Paul Blake reviewed list and informed he had no problem with list after examination.

Assessor Aiello explained that exoneration request for 1 ticket was from Ann Berry in which Clyde Dowdy (with Missions of the Master) had paid wrong amount in 1979 and had refused to pick up check. The check had been held over the years and now Mr. Dowdy and his attorney wanted to pick up check. Ms. Berry felt proper way to handle was to have the Commissioners approve to authorize another check.

President Witt and Commissioner Lopez approved subject to prior approval and prior checks written concerning this matter.

Assessor Aiello also informed he had tickets to void from Fayette County to transfer to Greenbrier County. President Witt informed he would review list with Mr. Aiello tomorrow.

A letter was signed to Ms. Patricia McCallion, Economic Development Administration regarding Final 1991 Regional Development Plan Update.

Administrator Holly informed she had maps for the Commissioners to review before she presented legal advertisement for publishing regarding the Senatorial District change. President Witt informed to let Commissioner Lopez review today and informed he would review tomorrow. He informed he felt if Administrator Holly was satisfied with them that he would be also. He informed he would look at tomorrow.

A letter was signed to Governor Caperton regarding the missing of one book of Criminal and Civil Law Records of 1831 to August, 1842 from Fayette County Circuit Clerk's Office and one book of birth records from 1831 - 1861 and minute book 1831 - 36 from the Fayette County Clerk's Office. The Commissioners requested assistance in search to be made in Virginia State Library to try and locate these records.

The Commissioners approved week of 7-13/92 - 7-17/92 for camp at Fayette County Park for Hico United Methodist Charge. This was confirmed with Jack Gannon.

Also approved was week of 8-3/92 - 8-8/92 for Camp Kismet. May 16th, 1992, 10:00 - 4:00 P.M. was approved for Mini Camp. This was also confirmed with Jack Gannon.

A letter was reviewed from Board of Education regarding a meeting date to discuss lease for Memorial Building.

Information was also reviewed from Insurance Company concerning loss notice mailed to Board of Risk regarding Carol Vest falling on Courthouse steps.

A check was also received from Town of Fayetteville for two old cruisers. Titles are to be forwarded to Town of Fayetteville.

Information concerning Midland Trail Scenic Highway Association Technical Assistance Project was received and reviewed.

A letter was reviewed from Thomas Bell of the Fayette County Historic Landmark Commission thanking the Fayette County Commission for letter of appreciation.

Minutes of Salem Gatewood Public Service District meeting of 12/10/91 was received and reviewed.

The meeting was adjourned. The next scheduled meeting is scheduled for January 29, 1992.

John G. Witt

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JANUARY 29, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: John L. Witt, John H. Lopez

The Fayette County Commission met in regular session on this 29th day of January, 1992.

The Commissioners met with Attorney Phil Tissue regarding Committee Appointment for Tina Shuman. Attorney Jamie Blankenship was approved guardian et litem and felt Committee was needed for Ms. Shuman.

Jerri Hartsog, Administrator of Ansted Health Care Center was questioned and reported she felt Committee was needed.

Attorney Tissue reported of checking with Sheriff concerning this appointment. There was no one else willing to take on this appointment.

Commissioner Lopez offered motion to appoint Sheriff Laird as Committee for Tina Shuman. President Witt also approved. There would be no requirement for bond being as Sheriff is bonded by the County.

The Commissioners met with Attorney Henry Armstrong with petition of Herman James to be appointed Committee for John Hubert Lewis.

John Lewis, son of John Hubert Lewis of Columbus, Ohio was questioned and reported with him living out of State he felt he could not take Appointment and felt Mr. James would be best person for this being as he has taken care of Mr. Lewis in the past.

Attorney Steve Vickers was approved guardian et Litem and recommended appointment.

Commissioner Lopez offered motion to approve appointment of Herman James as Committee for John Hubert Lewis. President Witt also approved. Bond was set in the amount of \$500.00.

The Commissioners met with Attorney Jamie Blankenship with petition of Dwight Newsome to be appointed Committee for Ronald Leftwich. Jim Keenan was approved Guardian et Litem and questioned if Mr. Leftwich was aware of responsibilities and legalities. Mr. Leftwich answered that he was. With this Attorney recommended appointment.

Commission Lopez offered motion to approve appointment. President Witt seconded. Bond was set in the amount of \$10,000.00.

Attorney Blankenship submitted petition of Michael Redd to be appointed Committee for Marie Redd. Michael Redd was questioned. Attorney Jim Keenan was approved guardian et litem and questioned Michael Redd if

he was aware of responsibilities and legalities of this appointment and he answered that he was. With this Attorney Keenan recommended appointment of Michael Redd as Committee for Marie Redd.

Commissioner Lopez offered motion to approve appointment of Michael Redd as Committee for Marie Redd. President Witt also approved. Bond was set in the amount of \$500.00.

Outstanding bills and payroll was approved.

Attorney Blankenship presented petition of Kathryn Backus to be appointed Committee for Jesse C. Rupert. Attorney Tony Shepard was present and reported he was preparing petition for Ema Heiner to be appointed Committee for Ms. Rupert. He also pointed out discrepancies in Attorney Blankenship's petition and questioned for a continuance to allow time to prepare legal work. Attorney Blankenship did not approve reporting of ill health of Ms. Rupert and felt this should be done as soon as possible.

The Commissioners reported they would have to approve continuance and rescheduled for 2/7/92 at 9:30 a.m.

The Commissioners met with Gary Harding with the following Zoning Hearings:

A-359-91-1: Request of James Earl Bennett, Owner, by Philip K. Farley, for a change in land classification from RR-a, Agricultural and Rural Residence District, to I-1, Light Industrial, on Lots 90 and 91, Section 3, Adena Village, Mt. Carbon, Valley District.

The Zoning Officer informed the County Commission that the Planning Commission did by a vote of 6 - 0 recommend that this be approved with the applicant providing screening along the side property line. After a brief discussion Mr. Lopez moved that they uphold the Planning Commission's recommendation and approve the request. Motion was seconded by Jonn Witt and passed by a vote of 2 - 0.

Z-357-91-1: Request of Elizabeth Chaffin, Owner, by 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.

The Zoning Officer reported that there had been opposition to this request Monday and the Planning Commission did by a vote of 6 - 0 recommend that this be denied because they felt the lot was too small to accommodate the proposed use in the middle of a residential area. After a brief discussion John Lopez moved that they uphold the Planning Commission's decision and deny the request. Motion passed 2 - 0.

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, to B-2, General Business District, on 249.12 acres, Hickory Hill, Old Shirley's Model Property, Route 60, near Hico, New Haven District.

The Zoning Officer informed the County Commission that the Planning Commission did by a 6-0 vote recommend that 46-4 acres with a 50 ft. buffer zone be approved to B-2. Motion was made by John Lopez to uphold the Planning Commission's recommendation. Seconded by John Witt and passed by a vote of 2 - 0.

Z-361-92-1: Request of John Browning, Owner, for a change in land classification from R-R, Agricultural and Rural Residence, to B-2, General Business, on Lots 4, 6, and 7, Pine Springs, located on Ames Heights Road at Corridor "L" New Haven District.

The County Commission was informed that the Planning Commission did recommend that this be approved as P-D, Planned Development, and that a room lodge be approved for the site. After a brief discussion a motion was made that this request be approved as recommended by John Lopez. Motion was seconded by John Witt and passed 2 - 0.

Z-360-92-3: Request of A. L. Browning Lumber Inc., Owner, for change in land classification from B-3, Highway Business District, to I-1, Light Industrial District, on Lots 48 thru 53, 69 thru 74 and 81, Wolf Creek Gardens, located on Hinkle Road at Corridor "L", New Haven District.

Several property owners appeared before the Commission and requested that this be referred back to the Planning Commission so that they could find out more about. The County Commission agreed to send it back for February 24, 1992, meeting.

The Commissioners reviewed information related to National Organization on Disability.

Information was reviewed from Flaherty, Sensabaugh & Bonasso regarding settled case of Pritchard v. Town of Fayetteville, et al. Civil Action No. 5:89-1457 BK.

The Commissioners reviewed request from Mary Lou Schmidt from the WVU Extension Office for copier for their office. Cost showing over \$5,000.00

The Commissioners approved to advertise for quotes.

The Commissioners received, reviewed and approved information related to White Oak Public Service District 1989 Small Cities Block Grant -B-89-DC-54-0001.

The Commissioners received and approved agreement for Grant Award Contract for Intensive Corridor Enforcement Project U. S. Route 19.

The Commissioners approved and signed order appointing Jim Casebolt to replace Iola Jones on the Fayette County Library Board.

The Commissioners approved and signed order reappointing John Parrish as Commissioner to the White Oak Public Service District.

The Commissioners reviewed information from Ann Berry regarding checks paid out of the General County Fund which have been out for over a year and not cashed. The Auditor had advised to cancel and new ones written if necessary.

The Commissioners met with John David who was representing citizens from Mulberry Hollow (list attached) requesting assistance with extending water lines up the right fork of Mulberry Hollow near Robson.

After much discussion the Commissioners informed they would review budget to try to come up with funds to assist with this.

The Commissioners met with Leon Spencer regarding Precinct Boundary changes (copy attached) in accordance with Senate Bill No. 1 known as "The Senate Redistricting Act of 1991" passed by the West Virginia Legislature on December 9, 1991, and in accordance with the guidelines set forth by the Secretary of State. Mr. Spencer informed of obvious mistakes in maps supplied by the State. He felt if he did maps according to guidelines they would be wrong.

The Commissioners contacted the Secretary of State's Office and was advised to advertise in general the changes to meet deadlines and would determine at the Hearing in March if correct.

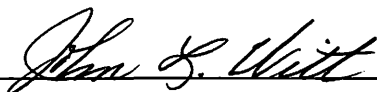
The Commissioners reviewed monthly maintenance report as issued from Jim Gannon at Fayette County park for work on vehicles.

Information was reviewed from Thomas Aiello, Assessor regarding the termination of Terry Lee Foster from position in the Assessor's Office.

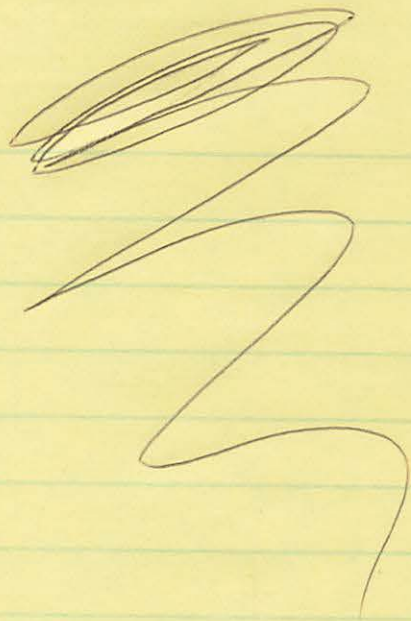
The request for new transmission for vehicle from the Assessor's office was reviewed. President Witt instructed to have Jim Gannon telephone him to discuss this.

The Commissioners met as Board of Equalization and Review of Property Assessment. There were no scheduled appointments.

The meeting was adjourned. The next scheduled meeting is February 1, 1992.



Harold Kidd
Ruston
Charlote Kidd
Gladis Storey
Leroy Storey
Linda Storey Stewart
Virginia Elkins
Virgil Storey
Angela Morton
Dennis Justice
Oda Vickers
Rose Pruitt
Sammy Foster
Faren Settle
Nathan Rallins
Larry Morton
Kim Vickers
Keith Vickers



NOTE: Publish Class II-0 Legal Advertisement
Fayette Tribune - Monday, February 3 and February 10, 1992
Montgomery Herald - Wednesday, February 5 and February 12,
1992

Notice of Precinct Boundary Changes

In accordance with Senate Bill No. 1 known as "The Senate Redistricting Act of 1991" passed by the West Virginia Legislature on December 9, 1991, and in accordance with the guidelines set forth by the Secretary of the State of West Virginia and Chapter 3-1-7 of the Code of West Virginia, as amended, the Fayette County Commission has scheduled an order effecting such change, division, or consolidation of precincts in Fayette County, as listed below, for action during a Regular Session of the Fayette County Commission to be held at 10:15 a.m. on Friday, March, 13, 1992, at the Court House, Fayetteville, West Virginia.

Tenth Senatorial District

Precinct 4: Reduced. Beginning at a point in West Virginia County Numbered Route 17/1, at its intersection with an unimproved road leading to West Virginia County Numbered Route 14/8, said point being on the existing boundary line between Voting District Two and Voting District Three and a new corner to Voting Districts Two and Three, as revised, a new corner to Oak Hill Precinct No. 9, as revised, Minden Precinct No. 3, as revised, and Oak Hill Precinct No. 8, as revised; thence leaving Precincts No. 3 and No. 9, as revised, and with Precinct No. 8, as revised, and with the revised line between Voting Districts Two and Three and with said unimproved road in a north and easterly direction to a point at its intersection with said Route 14/8; thence with Route 14/8 in a northerly direction to a point at its intersection with West Virginia Secondary Route 14; thence with Route 14 in a northeasterly direction 1800 feet, more or less, to a point at which Route 14 crosses Levisee Creek, said point being 300 feet, more or less, northeast of the intersection of West Virginia County Numbered Route 14/22; thence leaving Route 14 and down Levisee Creek in a northerly direction to a point in Toney Hollow; thence down Toney Hollow to a point in the center of Wolf Creek; thence along the current boundary line to the point of beginning.

Polling Place - Gatewood Elementary.

Precinct 5: Reduced. Beginning at a point in the centerline of the Appalachian Highway Corridor "L", said point being on the boundary line between Voting District One and Voting District Two, a common corner to the Glen Jean/Hilltop/Harvey-Thurmond Precinct No. 19, the Mt. Hope Precinct No. 24 and the Pax Precinct No. 17, and also on line of the old Derry Hale lease line; thence leaving said Appalachian Highway Corridor "L" and with Pax Precinct No. 17 and along the old Derry Hale lease line in a westerly direction, 600 feet, more or less, to the point of intersection with the revised Dothan-Kingston Precinct No. 18 and the Scarbro/Carlisle-Whipple Precinct No. 5; thence leaving Pax Precinct No. 17 and with the newly revised division line between Precinct No. 18 and Precinct No. 5 in a northwesterly direction, crossing West Virginia County Numbered Route 21/5 at 3800 feet, more or less, for a total distance of 4000 feet, more or less, to a point thence in a northeasterly direction 1700 feet, mor

or less, to a point; thence in a northerly direction 2500 feet, more or less, to a point in a fork of Sweetwood Hollow; thence easterly and down said hollow 2400 feet, more or less, to the forks of Sweetwood Hollow; thence up said fork in a northwesterly direction 3400 feet, more or less, to a point in another fork of said hollow; thence leaving Sweetwood Hollow in a northerly direction crossing West Virginia County Numbered Route 21/21 at 2900 feet, more or less, for a total distance of 3450 feet, more or less, to a point; thence northeasterly 850 feet, more or less, to a point; thence westerly 500 feet, more or less, to a point; thence northerly crossing White Oak Creek at 850 feet, more or less, for a total distance of 970 feet, more or less, to a point in West Virginia Secondary Route 15, said point being approximately 550 feet east of the junction of the Norfolk and Western Railroad and the Chesapeake and Ohio Railway; thence continuing with said Precinct No. 18 and with Route 15 in a westerly direction to the intersection of Route 15 with West Virginia County Numbered Route 15/2; thence with said Route 15/2 in a northwesterly direction to a point where said road intersects the Silver Gap Norfolk and Southern Railroad leading to Oak Hill Junction; thence northeasterly following the centerline of said railroad and continuing along the current boundary line to the point of beginning.

Polling Place - Scarbro Elementary.

Precinct 7:

Split from Precinct 13. Includes former portion of Precinct 18 at Bishop Junction and following Norfolk and Western Railway as annexed by City of Oak Hill to WV Route 61; and thence east along WV Route 61 to State 16; thence following former boundary of Precinct 13 to Wildwood Place, Woodridge Road point of origin.

Polling Place - Collins Middle School.

Precinct 9:

Enlarged. Boundary beginning at a point on U. S. Route 16 and following Arbuckle Creek to Delta Road 25; thence east on Delta Road 25 to Delta Road 23; thence following Delta Road 23 to County Route 17; thence following County Route 17 east to County Route 17/1; thence along County Route 17/1 to former boundard line of Precinct 3; thence following former boundary line of Precinct 3 south to a point joining current boundary of Precinct 9; thence following current boundary line to point of origin. Includes portion of former Precinct 3 on south side of Minden Road.

Polling Place - Collins Middle School.

Precinct 10:

Enlarged. Western boundary beginning at a point along Norfolk and Western Railroad from ending of Precinct 14 and moving Northeast to a point; thence running east to point annexed by City of Oak Hill and running north along U.S. Route 19 to County Road 38; thence east on County Route 38 to County Route 38/2; thence north along County Road 38/2 to Delta Road 50; thence east on Delta Road 50. At Delta Road 49; thence north on Delta Road 49 to Neubert Street; thence east on Neubert Street to County Route 18/6; thence north to Elizabeth Street; thence leaving Elizabeth Street prior to Cherry Lane and proceeding to East Main Street; thence following East Main Street to County Route 19/2; thence north-

east on County Route 19/2 to a point; thence south to junction of East Wilson Street, County Route 14 and Dickinson; thence west on County Route 14 to U.S. Route 16; thence following current boundary line to point of origin. Includes portions of former Precincts 8 and 16.

Polling Place - Oak Hill Catholic Center.

Precinct 11: Reduced. Includes former portion of Precinct 13 along WV Route 61 as annexed by City of Oak Hill and portions of former Precinct 11 south and west by County Road 38 (Country Club Road) to a point in line with Shuff Street; thence north to western end of West Central Avenue; thence following current boundary to point of origin.

Polling Place - Armory Building.

Precinct 14: Reduced. Western boundary follows Shuff Street north to West Summerlee Avenue; thence along West Summerlee Avenue to Allman Street; thence north and west on Allman Street to Norfolk and Western Rail road; of Precinct 14; thence southeast and following current boundary to point of origin.

Polling Place - Armory Building.

Precinct 15: Reduced. Beginning at a point in West Virginia Secondary Route 14 on the City of Oak Hill Corporation boundary line (as shown on a map entitled "Select Committee on Redistricting"), said point being a corner to Oak Hill Precinct No. 10, as revised, Oak Hill Precinct No. 8, as revised, and the herein described Oak Hill Precinct No. 15, as revised; thence following the City of Oak Hill Corporation boundary line (as shown on a map entitled "Select Committee on Redistricting"), easterly and north of 25th St., southerly and east of Webster Ave. to Johnson Street; thence along the annexed portion extending east past Coleman Circle along West Virginia County Numbered Route 14/18; thence south and west following the said Corporation boundary line (as shown on a map entitled "Select Committee on Redistricting") to a point east of Sidney Avenue; thence south to a point south of Young Street; thence west to Huff Street; thence with Huff Street north to a point midway between Butler Street and Johnson Street; thence continuing with said Corporation boundary line (as shown on a map entitled "Select Committee on Redistricting") west paralleling Butler Street 550 feet, more or less; thence south crossing Butler Street to Young Street; thence west with Young Street 600 feet, more or less; thence continuing south with said Corporation boundary line (as shown on a map entitled "Select Committee on Redistricting") to Blevins Circle; thence south with Blevins Circle, in part, 400 feet, more or less, thence west to Thurmond Street (as shown on a map entitled "Select Committee on Redistricting"); thence continuing with said Corporation boundary line and Thurmond Street (as shown on a map entitled "Select Committee on Redistricting") north to Young Street; thence with said Corporation boundary line (as shown on a map entitled "Select Committee on Redistricting") southwest crossing Martin Avenue to a point 100 feet, more or less, north of Patterson Avenue; thence with said Corporation boundary line (as shown on a map entitled "Select Committee on Redistricting") southwest crossing

Patterson Avenue at the intersection of Willywood Avenue to Arbuckle Creek; thence leaving the Corporation boundary line (as shown on a map entitled "Select Committee on Redistricting") and running west up Arbuckle Creek to West Virginia Numbered Highway 16; thence following the current precinct line to the point of beginning.

Polling Place - East End Elementary.

Precinct 74: Enlarged. Northwest boundary extended to powerline running from New River to County Road 85/2 and following 85/2 east to join County Road 85/7; thence east on 85/7 to County Road 11/1. Northeast boundary reduced to follow portion of State Route 41 along Brackens Creek to Delta Road 118; thence joining County Road 41/4.

Polling Place - Babcock Community Building.

Eleventh Senatorial District

Precinct 1: Enlarged. Southern boundary extended to follow south along former boundary of Precinct 11 to current boundaries of City of Oak Hill thence northwest to include portion of Sutton Place; thence south along County Route 38 (Country Club Road) to a point in line with Shuff Street; thence west on Summerlee Avenue to Allman Street; thence north join current Precinct 1 boundary. Western boundary excludes areas south of State Route 38 and on east and west sides of U.S. Route 19 as currently annexed by City of Oak Hill

Polling Place — Rosedale Elementary.

Precinct 3: Reduced. Beginning at a point in West Virginia County Numbered Route 17/1, on the existing boundary line between Voting District No. 2 and Voting District No. 3, a new corner to Voting District No. 2 and 3 and a new corner to the herein described Minden Precinct 3, as revised, Oak Hill Precinct No. 9, as revised, Oak Hill Precinct No. 8, as revised, Gatewood-Cunard/Garten Precinct No. 4, as revised; thence leaving the said district boundary line, and leaving Precinct No. 4 and Precinct No. 8, as revised, and with Precinct No. 9, as revised, west along West Virginia County Numbered Route 17/1 to West Virginia Secondary Route 17; thence with Route 17 west to Delta Route 23; thence with Route 23 west to Delta Route 25; thence with Route 25 west to Arbuckle Creek; thence up Arbuckle Creek to a point on the City of Oak Hill Corporation boundary line, new corner to Precinct No. 3, Precinct No. 9, and Oak Hill Precinct No. 15, all as revised; thence leaving Precinct No. 9, as revised, and with the Oak Hill Corporation boundary line, a new division line between Precinct No. 15 and Precinct No. 3, both as revised, north to a new corner to Precinct No. 8, as revised; thence leaving Precinct No. 15, as revised, and with Precinct No. 8, as revised, in an easterly direction so as to include all the voters living below the out crop of the Rock Lick and Minden Cliffs, and following the current boundary line to the point of beginning.

Polling Place — Minden Elementary School.

Precinct 8: Enlarged. Beginning at a point in the centerline of Wolf Creek at the mouth of Toney Hollow, on the boundary line between Voting Districts Two and Three, and on a line of Fayetteville Precinct No. 55, and a corner to Gatewood-Cunard/Garten Precinct No. 4, as revised; thence leaving Precinct No. 55, and with Precinct No. 4, as revised, up Toney Hollow to Levissee Creek; thence up Levissee Creek to a point in West Virginia Secondary Route 14; said point being 300 feet, more or less, northeast of the intersection of West Virginia County Numbered Route 14/22; thence with Route 14 in a southwesterly direction 1800 feet, more or less, to the intersection of West Virginia County Numbered Route 14/8; thence with Route 14/8 southwest to its intersection with an unimproved road leading to West Virginia County Numbered route 17/1; thence with said unimproved road in a southwest direction to a point in Route 17/1, said point being on the existing boundary line between Voting District Two and voting District Three, and being a new corner to Minden Precinct No. 3, as revised, Oak Hill Precinct No. 9, as revised, and Precinct No. 4, as revised; thence leaving Precinct No. 4 and Precinct No. 9, and

along the current boundary line of Precinct No. 3 in a northerly direction to a point; thence along the current boundary line of Precinct No. 3 in a southwesterly direction so as to include all the voters living above the out crop of the Rock Lick and Minden Cliffs to a point on the City of Oak Hill Corporation boundary line, a new corner to Precinct No. 3, as revised, and to Oak Hill Precinct No. 15, as revised; thence leaving Precinct No. 3 and with Precinct No. 15, as revised, to a point in West Virginia Secondary Route 14, said point being a new corner to Precinct No. 15, as revised, and the herein described Precinct No. 8, as revised, and on a line of Oak Hill Precinct No. 10, as revised; thence leaving Precinct No. 15, as revised, and with Precinct No. 10, as revised, northeast along Route 14 to the intersection of East Wilson Street; thence in a northerly direction to West Virginia County Numbered Route 19/2, a new corner to Precinct No. 10, as revised, and on a line of Oak Hill-Harlem Heights Precinct No. 16; thence leaving Precinct No. 10, as revised, and with Precinct No. 16, in part, and Precinct No. 55 following the current boundary line to the point of beginning.

Polling Place — East End Elementary School.

Precinct 13: Reduced. Southern boundary to end at current boundaries of City of Oak Hill and to exclude areas previously annexed on north and south sides of State Route 61 and made parts of Precincts 11 and 7 respectively. Excludes former portion of Precinct 13 divided and known as Precinct 7 (see previous description).

Polling Place — Collins Middle School.

Precinct 16: Reduced. Southern boundary excludes area between County Route 38/2 and State Route 16 and following Delta Road 50, Delta Road 49 and Neubert Street.

Polling Place — Rosedale Elementary School.

Precinct 18: Enlarged. Southern boundary extended to include former portion of Precinct 5 following new western boundary of Precinct 5 (see previous description) south to join former Precinct 5 boundary; thence north and west along old Precinct 5 boundary to join current boundary of Precinct 18.

Polling Place — Roma Lively Garage Building.

Precinct 67: Reduced. Beginning at a point in West Virginia County Numbered Route 14/4 where said route crosses Brackens Creek, said point being on a line of Clifftop/Nallen/Corliss Precinct No. 74, as revised, thence with Precinct No. 74, as revised, and along Route 41/4 to Delta Route 118; thence with Delta Route 118 to West Virginia Numbered Highway 41; thence southwesterly along Route 41 to West Virginia County Numbered Route 11/2; thence southwesterly along Route 11/2 to West Virginia County Numbered Route 11/1; thence westerly along Route 11/1 to West Virginia County Numbered Route 85/7; thence westerly along Route 85/7 to an intersection with an unimproved road; thence with said unimproved road in a northwesterly direction crossing Blume Road and the Chesapeake and Ohio Railway to West Virginia County Numbered Route 85/2; thence southwesterly along Route 85/2 to a powerline running from New River; thence southwesterly along said power line to a point in New River south of Keeneys Creek, said point being a new corner to Precinct No. 67, as revised, and to Precinct No. 74, as revised, and on a line of Gatewood-Cunard/Garten Precinct No. 4; thence leaving Precinct No. 74 and following the current boundary line to the point of beginning.

Polling Place — Nuttall Community Building.

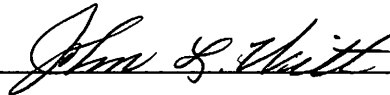
FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
FEBRUARY 1, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: John L. Witt, Gene Carte, Jr.

The Fayette County Commission met in Special Session on this 1st day of February, 1992. as Board of Equalization and Review of Property Assessment.

There were no scheduled appointments.

No one appeared for appointments.

The meeting was adjourned. The next scheduled meeting is February 5th, 1992.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
FEBRUARY 5, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: John L. Witt, John H. Lopez

The Fayette County Commission met in regular session on this 5th day of February, 1992.

The Commissioners met with Assessor Tom Aiello. Mr. Aiello informed of purchasing computerized mapping equipment from Assessor's Evaluation fund. He reported that when he made this request to the Commission they had informed they could possibly assist and would set aside some funds if he was unable to purchase through other funds. Mr. Aiello made request for these funds requesting to purchase printer for this system at cost of approximately \$12,000.00.

The Commissioners requested that Mr. Aiello wait until Administrator Holly returns to work to take care of this.

Mr. Aiello also requested status of vehicle at Fayette County Park waiting for repairs. Mr. Witt informed he has talked with Jim Gannon and he is having vehicle repaired.

Lee Massey appeared at the Commission meeting with budget request for Fiscal Year 1992-1993. The Commissioners informed this would be considered during budget session.

Everlyn O'dell appeared before the Commission with request for funds for Retired Senior Volunteer Program.

The Commissioners informed this would be considered during the budget session.

The Commissioners reviewed letter from Boone County Commission regarding the Rockefeller/Murtha legislation which has been introduced into Congress. The Commissioners adopted and signed Resolution pertaining to this matter.

The Commissioners also signed letters to Charles M. Vickers, Prosecuting Attorney, and John H. Snyder, of the State Tax Department concerning 1990-1991 audit. The Commissioners also signed Conflict of Interest questionnaires.

The Commissioners received and reviewed letter from Secretary of State Ken Hechler approving their request for precinct changes in the Jodie and Belva precincts in Fayette County.

The Commissioners received and signed Minutes of Zoning Hearings held on January 29th, 1992.

The Commissioners approved and signed necessary forms for administration of Grant Project ICAP from the Governor's Office of Community and Industrial Development for Law Enforcement.

The Commissioners reviewed monthly vendor report from the Fayette Humane Society. Monthly contributions were approved in amount of \$2,500.00

Monthly Dog Warden Report was received and reviewed.

Monthly vehicle maintenance report for repair work on county vehicles at garage at Fayette County Park was reviewed.

Attorney Phil Tissue appeared before the County Commission representing Pat Hamilton for request for bond reduction for Orland Nichols. The Commissioners approved and signed.

The Commissioners met with County Surveyor Leon Spencer concerning the redistricting maps. Mr. Spencer explained that the census maps do not match county's precinct maps therefore the maps used for redistricting were incorrect.

The Commissioners unanimously approved to schedule an appointment with the Senate Redistricting Committee to show difference in maps. Mr. Witt asked to notify Commissioner Carte who was in Charleston to set up this appointment and to have Senator Bill Wooten call him. Leon Spencer agreed to attend with the Commissioners.

The Commissioners met with Steve Cruikshanks concerning enhanced 911 for Fayette County. Mr. Cruikshanks presented revised ordinance. Discussions were held if county should expect additional costs. Mr. Cruikshanks explained that the \$1.48 would cover basically everything. He explained that the \$1.48 charge would possibly begin March 1, 1992, and it would probably take a year to come on line. The Commissioners did inform they were going to check to see if Governor could come up with funds to assist with this.

The Commissioners instructed Steve to come up with plans that would need to be made for renovations at the Memorial Building.

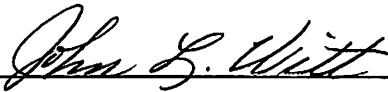
Commissioner John Lopez made motion to sign ordinance and proceed with establishing 911 for Fayette County. President Witt also approved.

Steve Cruikshanks also informed of Full Scale Drill sponsored by FEMA to be held in March. The Commissioners informed him to let them know what they would be expected to do and approved Fayette County to participate with drill.

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

No one appeared and there were no scheduled appointments.

The meeting was adjourned. The next scheduled meeting is scheduled for February 10th, 1992.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
FEBRUARY 10, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: John L. Witt, Gene Carte, Jr.

The Fayette County Commission met in Special Session on this 10th day of February, 1992 as Board of Equalization and Review of Property Assessment.

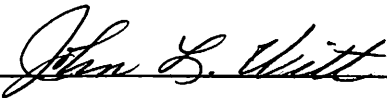
There were no scheduled appointments.

The Commissioners held public meeting regarding proposed boundaries of precincts of Jodie/Belva/Dixie.

Mr. and Mrs. O.T. Sizemore appeared at meeting.

The Commissioners delayed action on changes until after hearing scheduled on February 18th, 1992 regarding these changes.

The meeting was adjourned. The next scheduled meeting is scheduled for February 14th, 1992.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION AND BOARD OF EQUALIZATION
FEBRUARY 14th, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: John L. Witt, John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in session on this 14th day of February, 1992.

The Commissioners held Board of Equalization Hearings for the following: Attorney Ralph Young appeared representing Oak Hill United Methodist Church. Ann Shaffer, Grace M. Moore, Vincent Sundstom, and Billy Aliff appeared as Trustees for Church.

Attorney Young informed due to fire that gutted the church building in 1990, plans to put parking lot on property in question was put on hold. He felt it would be absurd to make any improvements to the lot while the church remained a burned out shell across the street. He explained that now while the church is being rebuilt plans to convert said property to a parking lot are being planned and he was requesting tax exempt status for property.

Assessor Aiello explained that he felt he did what law required in not granting until property was used for religious purposes.

After discussion Commissioner Carte offered motion to approve tax exempt. Commissioner Lopez seconded the motion. All approved.

The Commissioners met with Attorney Fred Jesser representing Christian Colliery Company. Mr. Jesser explained that tax ticket indicates an improvement on property which he felt had either fallen down or been removed.

Assessor Aiello explained he had taken care of this.

No action was taken by the Commission.

Assessor Aiello presented list of exonerations. The Prosecutor's office was called to assist. No one was available but the Assessor was informed that Paul Blake may be able to appear later in meeting. The Assessor read list. No action was taken.

The Assessor presented letter from State Tax Department regarding appraisal on properties producing natural resources. Due to small amounts of royalties received by some recipients for some settled wells, in a limited number of instances, assessors have carried over zero assessments on their property books.

The Department has prepared a batch program to correct this problem and raise zero valuations to a \$10 minimum if the Commission would grant permission. This was approved.

Mr. Aiello explained of a second problem existing for a limited number of real property assessment records. Department personnel have deleted an erroneous

producing natural resource records and its associated royalty and working interest records, and the corresponding real property assessment records were not appropriately changed.

The Assessor informed this could be done. They would just have to enter an order no later than February 21 granting them permission. This was approved.

President Witt informed of letter from West Virginia Cable Television Advisory Board informing of petition from citizens in Meadow Bridge area with complaint/petition against Master Telecable of Rupert, West Virginia.

President Witt requested that both parties be notified to attend County Commission meeting on February 21st to try and settle this dispute.

The Commissioners met with R. E. Hudnall, Todd Dingess, F. D. Brown, Wayne Brown, and Sue Hudnall, citizens of Morris Drive in Valley District of Fayette County and John T. Poffenbarger, Attorney representing Public Service Commission of West Virginia and Chuck Smith, C.P.A., and Ben Carson representing Town of Montgomery.

The Commissioners conducted hearing for creation of the proposed Morris Creek Public Service District.

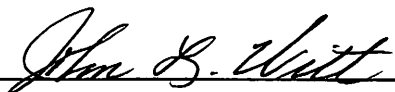
The Commissioners listened to citizens of the area who did not object to creation of Morris Creek PSD but felt they were not given all information concerning the matter.

Chuck Smith and Mr. Poffenbarger explained that creation would be under guidance of Department of Natural Resources and Public Service Commission.

The Commission approved creation of the Morris Creek Public Service District but informed this would be subject to condition that Montgomery officials hold a public meeting to answer questions citizens may have concerning this matter. The district includes parts of both Fayette and Kanawha Counties. Kanawha County has already approved creation of district.

Commissioner John Lopez offered motion for approval. President Witt also approved.

The meeting was adjourned. The next scheduled meeting is scheduled for February 21, 1992.



RE Hudnall

Todd Dingess

Smith ~~the~~ Cochran & Hucks CRA'S

John T. Poffenbarger

Humb, Poffenbarger & Barber Chas -

Dr. Brown - Citizens Committee member - Morris Dr - Montgomery

MARINE Brown - CITIZEN - MORRIS DR. MONTGOMERY WA

Sue Hudnall

Chuck Smith

Ben Carson

FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
FEBRUARY 18th, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: John L. Witt, John H. Lopez

The Fayette County Commission met in special session on this 18th day of February, 1992 as Board of Equalization and review of property assessment.

There were no scheduled appointments.

The Commissioners also held hearing for changes for voting Precincts 31 (Jodie/Belva/Dixie.) Precinct 31 Jodie Polling place will be Gauley River Volunteer Fire Department. Precinct 32 (Belva/Dixie) will vote at Dixie Elementary School.

This was approved as per attached Public Notice.

The meeting was adjourned. The next scheduled meeting is February 21st, 1992.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION - BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 21, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: John L. Witt, John H. Lopez

The Fayette County Commission met in regular session on this 21st day of February, 1992.

The Commissioners met with Kathleen Goodwin, controller with Mountain Mineral with application for review of property assessment of Mountain Minerals, Inc.

Ms. Goodwin explained that they had failed to file appraisal report.

Ms. Don Hebb and Mr. Fred Clark were present from the State Tax Department. Assessor Tom Aiello was also present.

After discussion the Commissioners informed that they would allow Ms. Goodwin to affirm accurate assessments with the Assessor's Office. The Assessor's Office will inform the Commission if there should be changes.

The Commissioners met with L. A. Harrah with application for relief of property assessments for property in New Haven District of Fayette County.

Mr. Harrah explained that he did not agree with assessed value.

Mr. Hebb explained that if Mr. Harrah could show proof that coal is unminable than value could be changed.

The Commissioners informed that they felt amount was in line with assessment and they did not need to change.

The Commissioners met with Paul Malcomb with Pilot Oil and Gas Corporation.

Mr. Hebb informed that this was a Tax Department error in calculations and would be corrected.

The Commissioners met with Mr. J. Michael Jarrell with White Oak Lumber Company.

Mr. Jarrell was advised to talk with Assessor's Office. Mr. Hebb had informed this was also ^{an} error from State Tax Department. The Assessor's Office is to inform the Commission of results.

The Commissioners met with Theresa O'Brien and Jack VanWegen with application of relief from assessment for property of Mr. Jack VanWegen.

The Assessor informed that he had Cabby Bennett go to view the site but not had a chance to check with him on results.

The Commissioners informed they would take all information and would let them know if there would be a change.

The Commissioners met with Gerald Chandler, with Master Telecable and citizens from Meadow Bridge (William C. Rookstool, Lawrence McGuire, Lacy Wickline, Lola M. Rookstool and Glenn W. Dahlman).

The citizens were requesting cable to be installed in this area of Meadow Bridge.

Mr. Chandler explained that he has not done cost estimate but is in process of doing so.

After discussion the Commissioners requested Mr. Chandler to get cost estimate and let the Commission know if this would be feasible within one month.

Sheriff Laird appeared before the Commission with Request for Proposal for Health Care Services for Fayette County Jail.

The Sheriff asked the Commission to review for comments.

Prosecuting Attorney Charles Vickers appeared at meeting informing that he would just like to advise the Commission of projected expenses and length of time for Correctional Officer Grievance Hearing for Cecil and Michael McCormick being as his office cannot represent.

John L. Witt

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
FEBRUARY 25, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: John L. Witt, John H. Lopez

The Fayette County Commission met in regular session on this 25th day of February, 1992.

The Commissioners met with Ann Skaggs and Lee Massey concerning clean up of areas of Fayette County.

Ms. Skaggs explained that she felt it was not fair for some citizens taking every effort to clean up properties and others not trying to comply with letters that were issued to them concerning clean up.

Discussions were held concerning Jack Clark property, Olivia Stone property and Paul property on Route 19.

Ms. Skaggs felt Larry Parson's clean up crew could do clean up and then forward expenses to property owners.

Discussions were held about determining legality of allowing Mr. Parsons and clean up crew clean up these properties.

Mr. Massey suggested to get legal opinion from Attorey General^{nel} or Prosecuting Attorney.

The Commissioners agreed to request this of the Prosecuting Attorney to determine if legal.

The Commissioners met with Gary Harding with the following Zoning Hearings:

A-362-1: Request of Teddy J. Williams, Owner, for a change in land classification from R-R, Agricultural and Rural Residence, to I-1, Light Industrial, on part of 7/6 acres, Paint Creek, located on County Route 23, Paint Creek Road, Valley District. Mr. Harding informed that the Planning Commission voted 10 - 0 to approve. Mr. Williams was present and informed this would be used for Heavy Equipment repair company. There was no opposition to request. Commissioner Lopez offered motion to support Planning Commission's decision. Vote was 2 - 0 to approve.

Z-363-92-1: Request of Teddy G. Gray, Owner, for a change in land classification from R-R, Agricultural and Rural Residence, to I-1, Light Industrial on .6 acres, Mossy Creek, Route 6/12 at Turnpike exit, Valley District.

Mr. Harding informed that the Planning Commission voted 10 - 0 to approve. Mr. Gray was present and informed he planned to use as Wrecker Service and shop to serve the traffic on the turnpike. There was no opposition to request. Commissioner Lopez offered motion to approve as recommended by the Planning Commission.

Z-364-92-2: Request of Colleen Rogers, owner, by Raymond Rogers, for a change in land classification from R-R, Agricultural and Rural Residence, to B-2, General Business on 2.4 acres, Hendricks Creek, Millers Ridge Road, New Haven District.

Mrs. Rogers was not present. The Zoning Officer informed the County Commission that the Planning Commission did by a vote of 10 - 0 recommend that this be denied. He also informed the Commission that the applicant wished to have this sent back to the Planning Commission to allow the Massey-Ferguson representative appear before them. Mrs. Pam Ford spoke, representing the opposition in the area, and requested that the Commission deny the request as recommended by the Planning Commission, stating the failure of the dealership in the Mt. Nebo area and the depressed economy as reasons. After a brief discussion a motion was made by Commissioner Lopez to uphold the Planning Commission recommendation and deny the request. Motion was seconded by John Witt and passed 2 - 0.

The Commissioners met with Kenneth Fox and Harold Kidd concerning request from Page Kincaid Public Service District for assistance with Mulberry Hollow water project.

The Commissioners had informed at a previous meeting that they would take this request under advisement.

Commissioner Lopez confirmed that the Commission would assist with \$16,000 for project if the Governor's Office came through with the rest of funds through a partnership grant. This amount be approximately \$46,000.00. The funds approved by the Commission of \$16,000 would come from Fiscal Year 1992-93 budget.

The Commissioners signed letter to applicants for review of property assessments and signed order informing they have examined each and every item and valuation fixed by the Assessor and have made necessary corrections and then adjourned as Board of Equalization and Review of Property Assessment.

The Commissioners signed order authorizing State Tax Department to prepare a batch program which can raise zero assessment valuations to a \$10 minimum on properties that the Assessor has carried over as a zero assessment due to small amounts of ⁰royalties received as per request of State Tax Department.

Payroll and outstanding bills were approved.

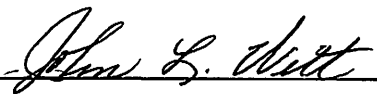
The meeting was adjourned. The next scheduled meeting is scheduled for March 4, 1992.

John L. Witt

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
MARCH 4, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: JOHN L. WITT

The Meeting was adjourned for lack of quorum.

The next scheduled meeting is scheduled for March 13, 1992.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
MARCH 13, 1992

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 13th day of March, 1992.

Commissioner Lopez requested that a letter of appreciation be sent to Mayor Eddie Long and Town Council for assistance they provided to the County Clerk's Office for registering voters.

County Clerk Howard Janney presented Rental Agreement from Business Records Corporation for Ballot Counting System for the 1992 Elections. The Agreement was approved and signed.

President Witt presented bids for paving parking lot behind Courthouse Annex. Quotes were received from West Virginia Paving, Inc. for \$5,673.00, Brown's Asphalt & Paving for \$5,995.00, and Fayette Paving, Inc. for \$4,850.00. The Commissioners approved quote from Fayette Paving, Inc.

The Commissioners conducted Public Hearing in accordance with Senate Bill No. 1 known as "The Senate Redistricting Act of 1991" passed by the West Virginia Legislature on December 9, 1991, which will redraw the boundaries of New Haven, Valley, and Plateau Magisterial Districts. No one appeared at Hearing with objections.

The Commissioners signed Minutes of the Zoning Office requests for change of land classifications held before the Commission on 2/25/92.

President Witt signed liability insurance underwriting renewal questionnaire for Jim Lively Insurance.

The Commissioners met with Julia Bolen, Auditor with the State Tax Department.

Ms. Bolen reported overall no problems in conducting 1990-1991 Audit.

She did report that not all county funds were in the control of the sheriff as ex officio treasurer. Proceeds from bond refinancing were discussed.

She also noted that during audit that the general receiver of the Circuit Court of Fayette County, has failed to file the required statements of accounts with the court.

She also reported that Fayette County Assessor needed to issue certificates of registration and registration tags to all persons paying dog taxes and needed to have prenumbered receipts for mobile home permit fees.

She also reported that any Magistrate Court funds left over needed to be transferred.

The Commissioners signed order reappointing Gary Holcomb to the Danese Public Service District.

The Commissioners held Hearing regarding Precinct Boundary changes. List attached.

The Commissioners informed list would be approved with exception of Precinct 7 and 13. County Clerk Howard Janney reported that reversing numbers on these two precincts would help voter's registration office. He reported that this was checked with Secretary of State's Office and was approved. The Commission would need to enter an order with this change.

The Commissioners reviewed and accepted recommendation of George Bennett as an alternate correctional officer's civil service commissioner for the purpose of hearing the grievance of Michael and Cecil McCormick and letter informing Allen Whitt was chosen as Correctional Officer Association's representative on the Civil Service Commission.

The Commissioners informed they have talked with Thomas Bowen and he has agreed to continue to serve as Commissioner of the Armstrong Public Service District.

President Witt signed exemption certificate for excise tax for Sunoco, Sun Refining and Marketing Company.

The Commissioners met with Lynn Pollard, Erwin Conrad, and T. E. Myles concerning Committee appointment for Evelyn K. Bess.

Different discussion were conducted regarding past hearings.

The Commissioners discussed that they felt this had been settled. At a prior meeting Attorney Jim Keenan and Mr. Conrad had presented order appointing Betty Blume and Margaret Morris as Co-Committee for Ms. Bess. The Commissioners informed they felt they should stay with this decision. Minutes were reviewed and different discussions were held questioning if Mr. Bess was present.

The final decision was to review transcript of hearing held 1/8/92.

The Commissioners felt appraisers needed to be appointed.

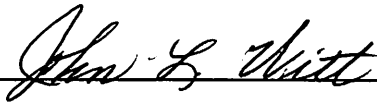
Attorney Conrad and Attorney Pollard agreed to return on 3/18/92 at 10:30 a.m. to discuss matter further.

President Witt signed Renewal Certificate from Fayette County Health Department to operate pool at Fayette County Park.

The Commissioners approved invoice from Fayette Engineering Company for \$3,000.00 for mapping services dealing with redistricting changes and precinct changes.

Monthly vehicle maintenance reports from Jim Gannon at Fayette County Park and monthly Dog Warden's report was received and reviewed.

Minutes of Salem Gatewood Public Service District meeting held 2/10/92 were presented and reviewed.



FAYETTE COUNTY COMMISSION MEETING

SPECIAL SESSION

MARCH 18, 1992

COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA

MEMBERS PRESENT: John Witt, Gene Carte, John Lopez (appeared at 10:45 a.m.)

The Fayette County Commission met in Special Session on this 18th day of March, 1992.

The Commissioners met with Senator Bill Wooten and regarding proposal for Raleigh, Fayette and Nicholas Counties to sell approximately \$20,200,000 of tax exempt current refunding bonds (the "Series 1992-A Bonds") and use those proceeds to call the outstanding Series 1979 Bonds. The Series 1992-A bonds will be payable from the cash flows generated from the securities currently in the Series 1979 Defeasance Account. Raleigh County to receive 67.89%, Fayette County will receive 19.22%, and Nicholas County to receive 12.89% of \$464,811. Fayette County to receive \$89,528.87.

Administrator Charlotte asked about question Auditor had raised at exit interview about bond refinancing money not be under Sheriff of County. Different ways were discussed about placing this under the Sheriff. Mr. Wooten did say that all other counties involved with this same type of proposal was handling funds the same way Fayette County did. Mr. Wooten informed he could check with bank to see if they could possibly send investment statement monthly.

President Witt and Commissioner Carte unanimously approved to sign Resolution to proceed with refinancing of Revenue Bonds.

Mr. Wooten agreed that closing could take place here at Courthouse.

The Commissioners signed letter to Mayor Eddie Long and Town Council members for assistance they provided in registering voters in their town recently.

A letter was also written and signed to Mr. Riley M. Thompson, etux regarding clean-up of property.

The Commissioners also signed order regarding Magisterial and Precinct Changes that were approved at Meeting held March 13, 1992.

The Commissioners met with Lynn Pollard and Erin Conrad concerning Committee Appointment for Evelyn K. Bess.

After much discussion Commissioner Gene Carte made motion to stay with decision the Commission had made on 1/8/92 to appoint Betty Blume and Margaret Morris Co-Committee for Ms. Bess.

Commissioner Lopez seconded the motion. Motion passed 3 -
0. Appraisers will be Sheriff Laird, C.R. Hill and Tim Richardson.

The Commissioners signed order approving petition for minor boundary adjustment for City of Mount Hope. This was approved at Meeting held 11/6/91 but order was never signed.

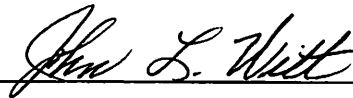
The Commissioners received and reviewed copy of Page-Kincaid Partnership application.

The meeting was adjourned at 11:15 a.m.

The Commissioners convened at 12:15 p.m. and informed they will change order dealing with the Committee Appointment for Evelyn K. Bess. They announced that amount of \$107,684.49 would be changed to read \$50,000.00. This to be transferred to Co-Committee April 1, 1992.

The Commissioners met in budget session for the remainder of the afternoon.

The next scheduled meeting is scheduled for March 23, 1992.



Fayette County Commission Meeting

Regular Session

March 25, 1992

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 25th day of March, 1992.

The Commissioners met with Steve Cruikshanks. Mr. Cruikshank presented revised Contract from C & P dealing with 911 for Fayette County. Steve reported Contract was changed to read reasonable attorney fees instead of attorney fees as per the advice of the Prosecuting Attorney.

President Witt and Commissioner Lopez signed contract and felt C & P should proceed to collect fees. Commissioner Carte would not sign.

Ann Skaggs appeared at meeting with reports concerning clean-up program. Ms. Skaggs reported she felt the County Commission by law had power to enforce clean-up of properties that had been issued letters and were not trying to clean up their property. Ms. Skaggs presented petition signed by citizens requesting the County Commission and Health Officers act as authorized by the West Virginia Code to achieve the removal and clean-up of the Claude Crawford Estate property, Jack Clark property, and Olivia Stone property.

Commissioner Carte agreed to write letter to Judge Hatcher regarding a previous case in Circuit Court regarding the Crawford property.

Ms. Skaggs also requested a zoning request from Colleen Rogers and Raymond Rogers that was denied be sent back to the Planning Commission for reconsideration. She explained that she felt Zoning laws needed to be amended in some cases. He reported she felt there was a time problem because Zoning Officer had reported he would be on vacation April 15, 1992 to May 15, 1992.

The Commissioners reported they felt this could go back before the Planning Commission but cost of legal advertisement would have to be paid by Mr. & Mrs. Rogers.

Mrs. Skaggs also requested thank you letters be sent to Ansted and Nuttal Fire Departments for their efforts with clean up program.

The Commissioners met with Attorney Phil Tissue regarding Committee Appointment for Samuel May. Attorney James Blankenship was approved guardian et litem and reported it would be best interest for Mr. May to have Committee.

Betty Kessler from the Fayette Continuous Care Center was questioned.

Commissioner Carte offered motion to approve Sheriff as Committee for Mr. May. There were no other living relatives who would serve. Commissioner Lopez seconded. Vote was unanimous.

The Commissioners met with Attorney James Blankenship with petition from Herman Trent to be appointed Committee for Mathalda Marie Deitz.

Attorney James Keenan appeared and reported he appeared on behalf of Eva Kincaid, sister of Ms. Deitz. He reported that Ms. Kincaid was concerned for welfare of her sister and had no objections to appointment. She wanted only the best for her.

Attorney Clint Gallaher was approved guardian et litem and felt Committee was needed.

Mr. Trent was questioned.

Commissioner Lopez offered motion to approve appointment. Commissioner Carte seconded. Vote was unanimous.

Bond was set in the amount of \$500.00

The Commissioners reviewed invoice from the Fayette County Solid Waste Authority in the amount of \$168.75 for share of cost for Kroger Recycling Project. This was approved.

The Commissioners received and reviewed letter from WV Cable Television Advisory Board regarding petition Ms. Monalisa Elliott for cable service in Victor area.

The Commissioners signed order transferring property of New River & Pocahontas Land Company to Greenbrier County as per request of Clyde Bowling, Assessor of Greenbrier County.

The Commissioner received and reviewed letter from William R. Laird IV, Sheriff of Fayette County regarding request for examination and appointment of Deputy Sheriff.

The Commissioners reviewed letter from Howard M. Cunningham with the Public Service Commission regarding extension of decision due date for County Plan to July 22, 1992.

The Commissioners received and reviewed information regarding final Program Design for 1992 Small Cities Block Grant funds.

The Commissioners received request from Deputy Sheriff's Association for waiver of rental fee for Memorial Building on April 5, 1992 for concert. This was approved.

Information was reviewed regarding from Pentree, Inc. regarding Page-Kincaid P.S.D. Beards Fork Sewer Project.

Information was reviewed regarding recent petition from citizens of the Meadow Bridge area regarding cable service for their area.

Master Telecable, Inc. submitted calculations of costs to be about \$33,000.00. This information is to be forwarded to Mrs. Lola M. Rookstool.

Administrator Charlotte Holly reported of invoices submitted for Loop Creek Volunteer Fire Department, Smithers Fire Department, Meadow Bridge Fire Department, Nuttall Fire Department and Ansted Certified Fire Department.

Ms. Holly reported she was unable to prepare vouchers but requested approval to prepare vouchers after meeting. This was approved.

The Commissioners reviewed copy of letter sent to Dee Lively, Maintenance Supervisor, from Sheriff Laird thanking him for work and assistance in the installation of the wire security screen over the top of the partition located in the non-contact visitation room at the Fayette County Jail.

A letter was reviewed that was sent to Prosecuting Attorney Charles Vickers requesting his office represent the County Commission in Civil Action No. 92-C-274, Leland D. O'Neal v. Fayette County Commission.

The Commissioners reviewed information regarding Series 1990 A and Series 1990B interest accrual date statement of the Raleigh, Fayette and Nicholas County, West Virginia Municipal Refunding Collateralized Mortgage Obligation.

Administrator Charlotte Holly reported the Commissioners would have to meet in Special Session on April 7th, 1992 to appoint election officials for May, 1992 Primary Election.

The Commissioners signed letter to McDonough Caperton Insurance Group informing it was unanimous decision at current time to remain with health insurance coverage through the WV Public Employees Insurance Agency.

The Commissioners signed order changing Fayette County from Class II Property to Class 1 Property, based on calculations submitted from Assessor's Office.

This would by statute give county officials a raise in salary for next fiscal year.

Commissioner Lopez offered motion to protest salary increase. Commissioner Carte seconded. President Witt also requested to go on record to protest increase & was in favor of sending a letter of protest. No other actions.

Assessor Aiello was present at meeting and informed according to State Tax Department this would have to be implemented.

Administrator Charlotte Holly reported that according to these calculations there was not enough increase to roll back taxes.

Commissioner Carte informed he wanted to look into rolling levy rates back.

The Commissioners discussed request of Probation office for chairs for their office. Decision was to write letter to Supreme Court and to check this out further.

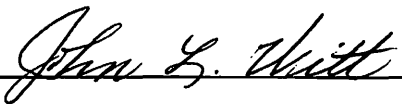
Administrator Charlotte Holly reported of request from Everette Steele to have County issue purchase order for fax machine that the Deputy Sheriff Association had agreed to purchase. The Fayette County Commission agreed to furnish telephone line and monthly telephone costs. The Commission had a problem with this and requested Ms. Holly to talk to Mr. Steele regarding this matter.

Ms. Holly reported of call from citizen who would not leave name with complaint about Calhoun property needing cleaned up. Discussion was to have deputy deliver form letter regarding clean up.

Ms. Holly reported of call from Martha Garrison regarding 22 families in Prudence area requesting assistance for water. Ms. Holly is to call to get more information.

Ms. Holly also reported of not understanding request from Assesor's Office for printer. She reported she would get with the Assessor to discuss this.

The Commissioners informed they would recess until Thursday, March 26, 1992 in which they would convene to sign budget for fiscal year 1992 - 1993.



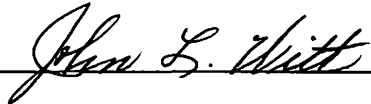
Fayette County Commission Meeting
March 26, 1992
Courthouse
Fayetteville, West Virginia
Members present: John L. Witt, Gene Carte

The Commissioners met in session on this 26th day of March, 1992 to approve and sign budget for fiscal year 1992 - 93.

County Clerk Howard Janney appeared with concerns about monies budgeted for travel and insurance. After discussion this was cleared up.

Budget was approved and signed.

The meeting was adjourned. The next scheduled meeting is scheduled for April 7th, 1992 to appoint election officials for 1992 Primary Election.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
APRIL 7, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: John L. Witt, Gene Carte, Jr.

The Fayette County Commission met in Special Session on this 7th day of April, 1992 to appoint election officials for the May 12th, 1992 Primary Election.

After reviewing prepared list that was received from the Chairman of the Republican and Democratic Executive Committees, Commissioner Carte made motion to approve list. President Witt also approved.

Administrator Charlotte Holly presented a copy of proposed polling places. She informed there were a few that Dee Lively was checking on to see if handicapped assessible.

The Commissioners reviewed and approved invoice submitted from Leon K. Spencer for \$5,270.46 for mapping services.

The Commissioners met with Beverly Hundley and Everette Steele regarding Fax Machine that Deputy Sheriff's Association had purchased and the County Commission is to pay monthly telephone fees on. Linda Johnson was also present.

Discussions were held about charges for use of machine.

Decision was to allow employees to use for business only. County Clerk's office will act as bank for funds collected for use of machine by magistrates, judges, probation office and attorneys.

Cost will be \$5.00 for 1st page, and a \$1.00 for each additional.

Commissioner Carte informed he felt the Commission should be responsible for ink cartridge and paper. President Witt informed he had no problem with this. They informed they would look at maintenance after 1 year.

President Witt requested a letter be addressed to department heads regarding use of machine.

The Commissioners reviewed letter from State Tax Department regarding raises for elected officials. The letter was not clear about who would receive raises. President Witt requested Ms. Holly to get something in writing from the State Tax Department to clarify this.

The meeting was adjourned. The next scheduled meeting is scheduled for April 8th, 1992.

John L. Witt

Fayette County Commission Meeting
Regular Session
April 8, 1992
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 8th day of April, 1992.

The Commissioners met with attorney Phil Tissue with petition of Queen Wallace to be appointed Committee for Bessie McKinney.

Attorney Jamie Blankenship was approved guardian et litem and reported he felt it was in best interest to have a Committee for Ms. McKinney.

Claudia Baker, sister to Ms. McKinney was present and informed she approved petition of Ms. Wallace to be appointed Committee for Ms. McKinney.

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

The Commissioners reviewed and accepted list of polling places for May 12, 1992 Primary Election.

The Commissioners signed Order regarding Fax Machine purchased by Fayette County Deputy Sheriff's Association. The order stated that machine is to be used for official business only and charges will be Outgoing Fax -\$5.00 first page, \$1.00 each additional page; Incoming fax -\$3.00 first page, \$1.00 each additional page.

The Commissioners received and reviewed letter from Gary E. Harding, Zoning Officer with recommendation to appoint George Bragg of Glen Jean to the Fayette County Planning Commission to fill the unexpired term of Wallace R. Bennett of Oak Hill. No decision was made regarding this request.

The Commissioners reviewed letter from Thomas Bowen of the Armstrong Public Service District recommending William Black to fill the vacancy created by the resignation of Rodney Perdue. This is to be discussed further on April 15, 1992.

The Commissioners received and reviewed notice from La Fayette Post 149, The American Legion that they would conduct Know Your County Government Day on May 1, 1992.

The Commissioners received letter from Jack Gannon requesting acceptance of his resignation as superintendent of Fayette County Park effective May 1, 1992.

Commissioner Gene Carte made motion to accept Mr. Gannon's resignation. All approved.

The Commissioners informed they would advertise for someone to fill this vacancy.

The Commissioners signed letter to County Commissioners' Association of West Virginia informing that effective with the 1993 fiscal year they plan to withdraw from the Association. The action was to protest the requirement that membership in the County Commission Association is contingent on membership by a county in the West Virginia Association of Counties.

Administrator Charlotte Holly reported that the Town of Fayetteville had informed Dee Lively about new sewer use regulations. (Section 925.04 (3) Grease, Oil and Sand Separators and Grease Traps). This would pertain to grease traps at the Jail Kitchen.

The Commissioners requested Administrator Holly to get estimates.

The Commissioners discussed Agent of Record. Decision was to discuss this further at next meeting.

The Commissioners met with attorney Tom Canterbury with petition of Barbara Jean Moore to be appointed Committee for Dorothy Redman. Teresa Daniels was approved guardian et litem.

Barbara Moore was questioned.

Karen Arvon, Voca program director and Carol Smith, Voca Director were present.

Commissioner Gene Carte made motion for appointment. Commissioner John Lopez seconded. All approved. Bond was set in the amount of \$500.00.

The Commissioners discussed form letters being sent to residents to have property cleaned up. Decision was from now on to not send letters to occupied dwellings.

Commissioner Carte expressed he felt that Rily M. Thompson should be sent a letter from the Commission informing that recent letter sent to him concerning clean-up should be withdrawn.

The Commissioners met with Attorney Henry Armstrong with petition of Edward Cashwell to be appointed Committee for Loil Cashwell. Attorney Steve Vickers was appointed guardian et litem and recommended the appointment.

Edward Cashwell was questioned.

Commissioner Carte made motion for appointment. Commissioner Lopez seconded. Vote was unanimous. Bond was set in the amount of \$500.00

Assessor Tom Aiello and Prosecuting Attorney appeared before the Commission. Mr. Aiello presented list of exonerations. The Prosecutor informed he had no problems with list or objections. Exonerations were approved and signed by President Witt.

The Commissioners met with Attorney Ralph Young with petition for annexation without election for city of Oak Hill. Property to be annexed is State Avenue and Ridge Wood Avenue.

The Commissioners questioned if all residents were aware of this. Mr. Young could not verify this. The Commissioners informed they would accept petition and file in Clerk's Office but would like to review and get an opinion from an attorney before approving. They would try to have answer by April 29th meeting.

Loren Fox appeared before the County Commission. He explained that hearing concerning PSD Plan will be held 4/9/92. He questioned if the Prosecutor's office would represent the Commission if needed for hearing on 4/23/92. President Witt informed that they would check to see if someone from the Prosecuting Office would represent.

The Commissioners signed letter prepared to Public Service Commission questioning why Page-Kincaid Public Service Districts' responses and comments about the revised plan were omitted from Procedural Order issued March 27, 1992.

The Commissioners met with Mayor Charles Moore of Town of Pax, Kirby Maynor, and Gary W. Ewing concerning assistance with flooding problem in this area of Fayette County.

The Commissioners informed they would check to see who in State Government could assist and would also talk with Emergency Service Coordinator to see what assistance he may provide.

Mr. Moore also questioned if communications fees invoiced for Town of Pax may be reduced. The Commissioners informed they would speak to the Sheriff about this.

The Commissioners met with Vince Calvert and Dave Bill from the Pittston Coal Company regarding a petition the Commission had received concerning road repair on road in Lookout area where coal trucks from Pittston had damaged.

Mr. Calvert informed they did plan to repair road and informed that a meeting has been scheduled with Mr. Burns and they would have more details after this meeting. Mr. Calvert informed he would contact Administrator Holly with results of meeting with Mr. Burns.

The Commissioners approved request from Fayette County Deputy Sheriff's Association to pay for Civil Service Tests for Deputy Sheriffs.

The Commissioners approved forms to divide, and segregate land as submitted from the Assessor's Office.

Commissioner Carte informed he had been questioned by Tom Louisos about road where car crusher is. Commissioner Carte questioned if the Commission could check to see if Department of Highways could possibly repair road.

Commissioner Carte also mentioned he felt White Water Rafting Companies should be given reprieve from Board of Health concerning requirements of cooking and cleaning while on the River.

Administrator Charlotte Holly informed that Dog Tax Fund only had \$13.29 at present time. Monthly allotment is \$750.00 for Humane Contributions. The Commissioners approved to take this from Coal Severance Fund.

Ms. Holly also reported that Correctional Officer Luikart had his glasses broken while working during confrontation at jail. Administrator Charlotte Holly informed she is going to check if possibly Workmen's Compensation

or Liability Insurance may pay for but questioned if the Commission would want to go ahead and reimburse him.

This was approved.

Administrator Charlotte Holly presented request from Valley Emergency Medical Service for funds to replace ambulance.

The Commissioners informed they would commit to \$10,000.

Administrator Charlotte Holly informed she had spoken to Assessor Tom Aiello and Cabby Bennett concerning their request for copier. Ms. Holly reported that after speaking with them she was informed equipment requested was more than what she felt they had talked about and felt they would have to advertise for PC and copier.

Discussions were held about time period involved for supplying water to prison by Gauley River Public Service District. A decision was rendered stating that water could not be supplied until 9 months prior to completion of Jail. There was questions concerning funds for this project. Ms. Holly reported that Mr. Dearing was going to appeal to Public Service Commission to appeal and have reviewed.

Administrator Charlotte Holly reported that Xerox Machine in Circuit Clerk's office had maintenance contract canceled. She reported that this was still good machine but Xerox did not have someone to do maintenance.

The Commissioners instructed Ms. Holly to check if she could find someone else who would do maintenance and if not to check into a new machine.

Commissioner Carte also requested to contact Attorney Toad Conrad about having Ms. Margaret Morris who was appointed Co-Committee for Evelyn Bess come to post \$500.00 bond.

The Commissioners reviewed letter from Rick P. Powell, Superintendent, Fayette County Board of Education regarding a request from Commissioner Lopez for placement of old bleachers at Cannelton baseball field. At present time they do not have a surplus of leachers but informed if a section or two does become available, they could be used at the Cannelton baseball field.

The Commissioners reviewed and approved answered filed on behalf of the Commission from the Prosecutor's office regarding Civil Action No. 92-F-0274, Leland D. O'Neal vs. Fayette County Commission.

The Fayette County Dog Warden's Report and Monthly Vehicle Maintenance Report were reviewed.

The Commissioners reviewed complaint from Marietta M. Hartman regarding property in Kimberly that needs cleaned up. No decision was made.

The Commissioners received and reviewed audit report for year ending 6/30/91 from Deepwater PSD.

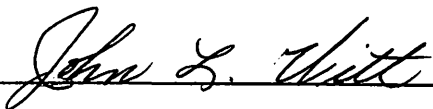
The Commissioners reviewed letter from Page-Kincaid PSD to Community Development Division regarding request for extension to Small Cities Block Grant #B085-DC-54-001.

The Commissioners reviewed letter from Governor's Committee on Crime, Delinquency and Correction regarding Mantatory In-Service Training for deputies.

The Commissioners reviewed letter from Elizabeth Blackburn to Charles Vickers resigning her position as employee of the Prosecuing Attorney's office.

Information was also reviewed from J. D. Brackenrich regarding legislation with reference to the Jobs Investment Trust Act.

The meeting was adjourned. The next scheduled meeting is April 15th, 1992.



Kay M. Kirby Maynor
Gay M. ^{of} Gidding
Chas & Mass Mayer

FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
APRIL 22, 1992
COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA

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

The Fayette County Commission convened after recessing at meeting held on April 21, 1992.

Commissioner Gene Carte offered motion to approve Jim Lively as Agent of Record for Fayette County Commission for upcoming fiscal year. Commissioner John Lopez seconded the motion. President Witt also approved.

Administrator Charlotte Holly informed that Zoning Officer Gary Harding had telephone her and informed he would be working hours of 8:00 to 11:30 a.m. until after Election. She did not know when he started this.

The Commissioners reviewed applications received for Park Superintendent.

Commissioner John Lopez offered motion to approve appointment of Tom Harris to this position.

Discussions were held that Earl Pauley and Mr. Harris seemed to be best qualified after reviewing all applications.

Commissioner Gene Carte offered motion to appoint Earl Pauley to this position.

No decision was made.

The Commissioners agreed to interview Mr. Harris at 1:00 P.M. today and Earl Pauley at 1:15 P.M.

Administrator Charlotte Holly presented exonerations as presented from Assessor's Office.

Commissioner Gene Carte offered motion to approve exonerations.

Commissioner Lopez agreed he felt Prosecutor needed to be present.

Prosecuting Attorney Charles Vickers appeared at meeting and reviewed list of exonerations and informed they were alright. Mr. Vickers would not sign but verbally approved.

Exonerations were approved and President Witt signed.

Discussions were held concerning funds approved in budget for Upper Kanawha Valley Economic Development Authority.

Commissioner Carte offered motion to hold off on \$10,000.00 approved in budget to UKVEDA. Commissioner Lopez seconded the motion and informed he felt the Commission should wait until they receive something in writing. President Witt agreed. Vote was unanimous.

The Commissioners met in Executive Session at 1:00 p.m. to interview Mr. Harris and Mr. Pauley for Park Superintendent job.

President Witt announced they would recess until sometime Thursday to confirm appointment for Park Superintendent.

John L. Witt

FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
APRIL 21, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: John L. Witt, Gene Carte, Jr.

The Fayette County Commission met in Special Session on this 21st day of April, 1992.

Commissioner Gene Carte offered motion to lay levy for 1992-93 fiscal year. President Witt informed he was in favor for this. Necessary forms and order was signed.


Administrator Charlotte Holly presented information regarding salary increases for elected officials which she had received from the State Tax Department.

Ms. Holly presented exonerations which the Assessor's office had sent over.

President Witt informed he would not sign without the Prosecutor being in attendance.

Vouchers presented for Fayetteville and Oak Hill Fire Departments were presented and approved.

President Witt informed the Commission would recess until 10:00 A.M. on Wednesday, April 22, 1992.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
APRIL 15, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 15th day of April, 1992.

The Commissioners met with Attorney Lynn Pollard and Attorney Erwin Conrad appeared before the Commission regarding recent Committee Appointment for Evelyn K. Bess.

Prosecuting Attorney Charles M. Vickers was present and informed he felt the only responsibility the Commission had was to receive the appraisal from the Appraisers the Commissioners had appointed.

Final decision was to give Appraisers until May 1 to forward appraisal. The Commissioners agreed to send letter to the Appraisers informing them of their appointment as Appraisers and if additional information was needed to contact the County Commission.

Attorney Conrad and Attorney Pollard agreed to not talk to appraisers until their report was final. Ms. Pollard reported she had files of copied checks prepared for the appraisers if needed.

Commissioner Gene Carte made motion to approve payroll and outstanding bills. Commissioner Lopez seconded. All approved.

The Commissioners signed order appointing Judson Wallace to the Armstrong Public Service District to replace Rodney Perdue.

The Commissioners signed order appointing William Fox to the Danese Public Service District to replace Allen Whitt.

Administrator Charlotte Holly reported that Sheriff Laird and County Commissioners have been sued by inmate Tex Kotch.

Administrator Holly reported and presented follow up letter from Town of Pax regarding creek problems.

The Commissioners approved maintenance for Bull Equipment in Communication Center.

Thelma Kincaid appeared requesting new copier for Circuit Clerk's office. She presented copy of what machine is producing now.

The Commissioners reviewed information Administrator Holly had received concerning copiers.

Administrator Holly reported she had contacted Xerox about maintenance for Machine. They agreed to have someone come in at \$137.00 for first half hour and \$27.00 for each additional 15 minutes on a one time only basis.

Ms. Holly informed she had told President Witt this and he felt the Commission should just purchase a new machine.

The information Ms. Holly had on copiers was from Lanier who were under State Copier Contract.

The Commissioners approved purchase of new copier from Lanier. They informed Ms. Holly to review and determine if lease purchase or straight out purchase would be best method.

Administrator Charlotte Holly presented a request from who had rented Shelter #4 at Park this Summer. He questioned if persons who paid for swimming could have pass to leave and then return. The Commissioners informed they would review policy.

The Commissioners approved maintenance agreement with Software Systems.

Commissioner Witt and Commissioner Lopez signed clean-up letters to Mr. Evert Gibson and Mr. William Collins.

Cabby Bennett appeared before the Commission with list of exonerations of real and personal property taxes.

Prosecuting Attorney who was present earlier at meeting had informed he had no problem with these.


Commissioner Carte offered motion to approve. Commissioner Lopez also approved. Both Commissioners signed.

The Commissioners received and reviewed information regarding cancelled public hearing pertaining to Public Service District Plan which was scheduled for 4/23/92.

A letter was signed to William R. Laird, Mr. C. R. Hill, Jr. and Mr. Timothy Richardson informing of appointment of appraisers and requirements concerning estate of Evelyn K. Bess.

Minutes of meeting held by Salem Gatewood PSD on 3/10/92 were received and reviewed.

The meeting was adjourned. The next meeting is scheduled for April 21st, 1992.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
APRIL 23, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA

MEMBERS PRESENT: John L. Witt, Gene Carte, Jr.

The County Commission convened after recessing at meeting held April 22, 1992 at 9:55 A.M. this 23rd day of April, 1992.

Commissioner Carte informed they approved application for R. C. Godsey to attend In-Service Training.

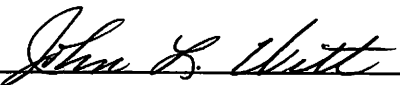
President Witt informed that Earl Pauley has been appointed Park Superintendent to replace Jack Gannon.

Salary would be as discussed at interview. A letter will be forwarded to County Clerk.

Commissioner Carte asked approval to attend Probate Seminar in June. This was approved.

The meeting was adjourned at 9:57 A.M.

The next scheduled meeting is April 29th, 1992.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
APRIL 29, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: John H. Lopez, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 29th day of April, 1992.

Deputy Pat Tygrett appeared before the Commission with request for \$2,000.00 to assist with Drug Abuse Resistance Education (D.A.R.E.) program.

The Commissioners informed Mr. Tygrett they would take this under advisement and would get back with him. Later in the meeting the Commissioners agreed to approve \$1,500.00 for program.

Attorney Jim Billings was present and informed he would check if funds from S.A.I.N.T. program could be used for program.

Attorney Jim Billings presented petition of Doris Simms to be appointed Committee for Harold Simms.

Ms. Simms was questioned.

Commissioner Carte questioned about report from the guardian et litem. Mr. Billings explained there had not been one appointed.

Commissioner Lopez offered motion to appoint Doris Simms to this Appointment contingent upon report from guardian et litem. Commissioner Carte seconded the motion. Bond was set in the amount of \$500.00.

Administrator Charlotte Holly questioned the Commission about letter received from the Sheriff regarding extension for appraisal report regarding Committee Appointment for Evelyn K. Bess. The Commissioners agreed to allow until May 15, 1992 for the report.

Attorney Jamie Blankenship appeared before the Commission concerning Will that is to be submitted for probate May 6, 1992.

Mr. Blankenship explained he is filing a Notice of Contest for admitting Will to probate. He explained of there being 3 Wills in question for Jessie Rupert.

Linda Johnson and Stephanie Harrah appeared before the Commission. It was agreed the Wills will be taken off list to be presented on May 6, 1992.

The Commissioners received notice from County Clerk's office that inspection of tabulating equipment will be held on Tuesday, May 5, 1992 at 1:00 p.m.

Administrator Charlotte Holly reminded Commissioners that Know Your County Government Day will be held on Friday, May 1, 1992.

Commissioner Lopez informed that he already had committed himself for that day and he would not be able to attend. Commissioner Carte did not know if he would be available.

Administrator Charlotte Holly reported of receiving list of needed repairs for Fayetteville Library.

Commissioner Carte informed he felt the Board of Education was responsible for these repairs. He informed he would check into this.

The Commissioners discussed appointment for Correctional Officer Civil Service Commission. There could not be three appointments made from same political party. Allen Whitt had been recommended for appointment but there were already two democratic appointments. Administrator Charlotte Holly informed she would inform the Civil Service Commission of this.

The Commissioners reviewed letter recommending appointment of George Bragg to the Planning Commission. The Commissioners tried to contact Gary Harding with some question they had regarding appointment but were unable to locate him. No decision was made.

The Commissioners met with Attorney Henry Armstong with petition for annexation in town of Smithers.

Discussions were held of what area was to be annexed.

After discussion the Commissioners informed they accepted petition and set public hearing for May 27th, 1992 at 10:00 a.m.

The Commissioners also signed order that Mr. Armstrong presented regarding Committee Appointment of Loil Cashwell which was held April 8th, 1992.

Attorney Ralph Young appeared before the Commission regarding hearing held on April 8, 1992 in which Mr. Young had presented request for annexation without election for City of Oak Hill.

The Commissioners had questioned if all properties involved had been informed of annexation.

Mr. Young explained that percentage that was required had been notified and a majority had approved. If others objected, they would have to take to Circuit Court.

Commissioner Lopez offered motion to sign order for annexation without an election by the City of Oak Hill of certain portions of State Avenue and Ridgewood Avenue. Commissioner Carte also approved.

Payroll and outstanding bills were approved.

The Commissioners reviewed quote for paving. Commissioner Carte suggested if there is any gravel left to do patchwork on other lots here at Courthouse.

Administrator Charlotte Holly reported that Steve Cruikshank had checked into trying to find assistance for Town of Packs for flooding problem.

Ms. Holly explained that he had found monies were available after a flood and he was still checking into.

Commissioner Carte and Commissioner Lopez approved exoneration submitted from the Assessor's Office.

Letters were signed 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 regarding request for Annual Report which is due on the first day of June of each year.

The Commissioners signed order assigning the number of vote recording devices in each precinct to be prepared for each party, except for "independent" voters.

The Commissioners received and reviewed letter from Melissa B. Whittington, Drug Control Specialist with the Governor's Office of Community and Industrial Development regarding application for request for \$3,256 in Drug Control and System Improvement Formula Grant funds.

A letter was reviewed from Governor's Office of Community and Industrial Development regarding extension of State/Local Agreement FY1985 Small Cities Block Grant Page-Kincaid/Beards Fork Sewer Project.

A letter was reviewed from Region 4 Planning and Development regarding White Oak PSD Wastewater Improvements/WDA Application.

The Commissioners met with Attorney Carl Harris with petition of Robert Dale Flanagan to be appointed Committee for Mary L. Flanagan.

Mr. Flanagan was questioned.

Teresa Daniels was approved guardian et litem and reported she felt Ms. Flanagan was unable to take care of her personal and financial affairs.

Commissioner John Lopez questioned receipt from relative being notified of appointment. Attorney Carl Harris informed he would check into but informed the relative has agreed to having Mr. Flanagan appointed Committee for Ms. Flanagan.

The Commissioners signed order approving alternates to to replace those electio officials appointed by the Commisison on April 7, 1992, who decline to serve.

Commissioner Lopez offered motion to approve \$1,500.00 to Upper Kanawha Valley Little League Program. Commissioner Carte also approved. (See Addendum page 6.)

The Commissioners signed letter to Valley Emergency Medical Service informing of approval of \$10,000.00 for the purchase of a replacement ambulance. The Commissioners also requested serial number of the ambulance being replaced, reason for replacement and the proposed disposition of the vehicle.

The Commissioners signed letter to Mountain Transit Authority informing of the appropriation of \$1,000 to MTA for fiscal year 1992-93.

The Commissioners signed letter to Howard E. Janney informing that effective May 1, 1992, the Fayette County Commission will hire Billy J. Wysong as a temporary, part-time janitor at a rate of \$4.50 per hour.

A letter was also signed to Mr. Janney informing that effective May 4th, 1992 Earl S. Pauley, Jr. is to be employed on a full-time basis as Park Superintendent of the Fayette County Park at a Salary of \$1,600.00 plus fringe benefits.

Administrators Charlotte Holly presented check from Blake's Distributing for rent for canteen at Fayette County Park. Total profits being \$ 973.64. County Commission received 15% of profit which is \$146.05.

Another letter was reviewed from Region 4 regarding FY1989 Small Cities Block Grant for White Oak PSD Sewer System.

A letter was reviewed from Governor's Office of Community and Industrial Development concerning extension of State/Local Agreement FY1989-91 Small Cities Block Grant for White Oak PSD Sewer Improvements.

A letter was reviewed from Partnership for Progress regarding Partnership for Progress Area 5 Wood Products Tour.

A letter was reviewed from National Trust for Historic Preservation regarding National Tourism Week of May 12 - 17.

The Commissioners met with Senator Bill Wooten regarding Bond Authorizing Resolution and order.

Mr. Wooten informed that amount he had informed that Fayette County would be reduced due to changes in economy. Previously Mr. Wooten informed that Fayette County would see approximately \$89,000.00 from refinancing. Fayette County will see approximately \$79,000.00 now.

Commissioner Lopez offered motion to sign Resolution and Order of \$23,000,000 Maximum Aggregate Principal Amount of Raleigh, Fayette and Nicholas County, West Virginia, special obligation refunding bonds, series 1992, the proceeds of which will be used to refund and redeem the County Commissions' currently outstanding single family residence mortgage revenue bonds (Multiple originators and servicers), 1979 series A; authorizing the execution and delivery of a trust indenture, a non-arbitrage certificate, an official statement, a DTC letter of representations, and a purchase contract for the bonds; authorizing, directing and providing bonds; providing for the principal amounts, maturities, interest rates provisions and other terms of paying agent; requesting the trustee to authenticgate such bonds; authorizing execution and delivery of other documents and the taking of all other actions relating to such financing. Commissioner Carte seconded the motion and also signed resolution.

Mr. Wooten informed that closing would take place on May 20th, or 21st. Mr. Wooten informed that the President and Clerk could either go to Washington, Charleston or here at Courthouse for closing. The Commissioners informed it would be best to have closing here at the Courthouse.

The Commissioners met with Steven Zoeller with the County Commissioners's Association.

Mr. Zoeller questioned if the Commissioners had any questions regarding recent legislation passed at Legislature.

Differenet discussion were held concerning Disabilities Act and Cable Franchise Agreements.

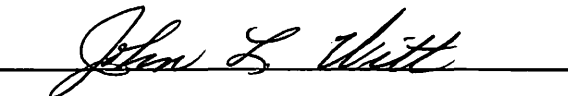
Discussions were held regarding the Commission withdrawing from the Association effective with the 1993 fiscal year. The Commission protested the requirement that membership in the County Association is contingent on membership by a county in the West Virginia Association of Counties.

After discussions Commissioner Carte informed they would review closer to see if they might reconsider this decision.

Commissioner Lopez requested that Maintenance Crew put up a more professional sign at Park. Commissioner Carte also approved.

(Addendum) Commissioner John Lopez informed they would give contribution of \$1,200.00 to Upper Kanawha Valley Little League Program. This contribution to share with the Department of Highways to install caution lights in area of field for safety for community.

The meeting was adjourned. The next scheduled meeting is scheduled for May 5, 1992.



FAYETTE COUNTY COMMISSION MEETING
MAY 5th, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: John H. Lopez
Gene Carte, Jr.

The Fayette County Commission met in regular session on this 5th day of May, 1992.

The Commissioners met with W. D. Smith from Region 4 Planning & Development Council.

Mr. Smith presented resolution and documents for the Commissioners to approve regarding bid overrun of the White Oak Public Service District .

Commissioner Lopez offered motion to approve resolution and letter to Mr. Fred Cutlip explaining the situation.

Discussions were held regarding not being able to apply for additional funds due to other projects not being complete.

A letter was reviewed from Governor's Office explaining this.

Payroll and outstanding bills were approved.

Attorney Jamie Blankenship appeared before the Commission contesting the submission of will for Jessie Rupert for probate. There were 3 wills that were in question.

This was approved.

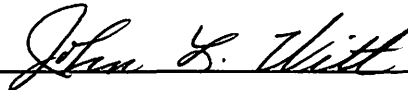
The Commissioners inspected vote recording devices and test of the tabulation equipment for the May 12th, 1992 Primary Election.

The Commissioners approved waiver of rental fee for the Fayette County Memorial Building on May 9th, 1992 for Wrestling Match sponsored by the Fayetteville Little League and Fayetteville Tennis Team.

The Monthly Maintenance Report for repair of vehicles at Fayette County Park was presented and reviewed.

Monthly Dog Warden Report for the month of April was presented and reviewed.

The meeting was adjourned. The next scheduled meeting is May 15, 1992.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION, MAY 15, 1992
COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA

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

The Commissioners met in regular session on this 15th day of May, 1992.

Payroll and outstanding bills were approved.

The Commissioners conducted Canvass of Primary Election held May 12, 1992.

Certification of Election will be held May 20, 1992 at 10:00 A.M.

The Commissioners signed letters to First Empire Federal Bank, National Bank of Ansted, Gauley National Bank, Merchants National Bank, Montgomery National Bank, One Valley Bank, Mount Hope Banking Center, Merchants & Miners National Bank and Fayette County National Bank concerning depositories of public monies for fiscal year 1992-93.

The Commissioners reviewed bids on behalf of the Assessor for plain paper copier and stand, and Computer, monitor and printer.

Bids received were from: Computerland -Cumulus Computer System -\$1,887.12, monitor - \$3,417.96, Video Card -\$1,041.97, Super PC-Kwik Ver4.1 -\$48.56, IBM PPS II 2390 Printer -\$364.10, 10' Parallel Printer Cable - \$25.00.

Engineering Design Systems, Inc. - Computer - \$1,850.00, Monitor - \$2,550.00, Printer - \$295.00, On-Site Service Agreement - \$400.00.

Quorum - Computer - \$1,564.00, Mouse -\$76.00, Hitachi Monitor -\$3,205.00, Vidio 7 VGA Video Adapter -\$1,933.00, Printer - \$599.00, Printer Cable -\$19.00. Xerox 2515 Engineering Copier - \$5,995.00, Xerox 2515 Engineering Copier Stand -\$525.00.

Westlake Computers - Sirex -\$1,388.00, Mitsubishi Diamond -\$3,499, Panasonic Matrix Printer - \$453.00, Cardinal VGA Card - \$70.00, Cardinal SVGA Card-\$198.00

M & R Computer Sales and Service, Inc. - computer - \$4,181.00, Mouse - \$95.00, MSDOS 5.0 - \$95.00, Printer - \$599.00, Panasonic comparable to Okidata 390 - \$399.00, Printer Cable - \$20.00, PC Kwik Disk, 5.25- 79.95.

Jones Business Machines, Inc. - 1 Mita DC-3648 - \$9,375.00, 1 stand - \$790.00.

Assessor Tom Aiello and Cabby Bennett are to review and get back with Administrator Charlotte Holly before approval.

The Commissioners approved a letter be written to County Clerk regarding salary of Earl Pauley who was hired as Superintendent at Fayette County Park.

Commissioner John Lopez requested that 4 mannequins be purchased. 1 Adult, 1 choking Adult, 1 child and 1 Infant.

This request would be for Sherry Richardson who is affiliated with American Heart Association and would be available for everyone. Ms. Richardson planned to have classes through out the county.

President Witt informed he did not have a problem with request.

The Commissioners discussed and reviewed quotes for cabinets for house at Fayette County Park.

The Commissioners approved quote from Means Lumber company.

The Commissioners discussed swimming, camping and hours which are to be observed at Fayette County Park.

The Commissioners informed the Park would be open Memorial Day weekend through Labor Day weekend.

Hours - 11:00 A.M. - 7:00 P.M. Monday through Friday.

1:00 P.M. - 6:00 P.M. Saturday and Sunday.

Swimming- Weekdays - \$1.50 children, \$2.50 adults (M - F)

Weekends - \$2.00 children, \$3.00 adults

Season passes - \$50.00 for first member and \$5.00 each additional family member.

15 and under would be considered children.

16 and over would be considered adult.

Camping fees are to be the same as last year.

Recreation Hall will be rented at cost of \$75.00.

Commissioner Lopez asked that all persons wishing to use recreation hall have understanding of parking conditions.

Fire places are not to be used until Administrator Charlotte Holly checks with insurance.

Administrator Charlotte Holly informed that Earl Pauley is to bring up list of persons who have applied for work at Fayette County Park.

The Commissioners approved uniforms for Mr. Pauley and workers. They also approved request for 2 heavy duty weed eaters.

The Commissioners reviewed letter Sheriff Laird had written to Attorney James S. Arnold regarding matters currently pending before the Fayette County Correctional Officer's Civil Service Commission.

The Commissioners reviewed information from Board of Review of West Virginia Bureau of Employment Programs regarding claims for Cecil L. McCormick. The Commissioners were informed the claimant is eligible without disqualification in that he was discharged but not for misconduct.

The Commissioners reviewed letter and request from Ann Berry to issue a check for \$719.69 from the Library Levy for Deposit in the Fire Levy. This was approved.

The Commissioners approved statement for publication costs regarding suit against 1984 Ford Thunderbird. Costs being \$80.82.

The Commissioners reviewed letter from K. R. Carson with the Fayette County Board of Education informing that the Fayette County Memorial Building is tentatively scheduled for major painting between June 15 and August 15, 1992.

The Commissioners reviewed letter from Superintendent Rick P. Powell advising they will proceed with projects discussed for the Memorial Building exclusive of total replacement of bleachers due to the cost involved. Mr. Powell requested meeting to discuss the preparation of the lease so the matter may be put aside.

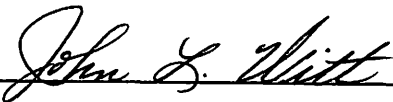
The Commissioners reviewed letter from Attorney Clinton Gallaher, IV in which he tendered his resignation as a member of the Fayette County Correctional Officers Civil Service Commission.

The Commissioners reviewed letter from Attorney Erwin L. Conrad enclosing affidavit of Darlene Merritt, Executrix of the Estate of James R. Merritt, which disputes and denies the claim of Cardinal State Bank.

The Commissioners reviewed request from Deepwater Public Service District asking for a checks in the amount of \$7,600.00 and \$7,631.98. No decision was made.

The Commissioners reviewed list of maintenance requested for Fayetteville Library. The Maintenance staff will proceed.

The meeting was adjourned. The next scheduled meeting is May 20, 1992.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL MEETING
MAY 20, 1992
COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA 25840

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

The Fayette County Commission met in Special Session on this 20th day of May, 1992.

The Commissioners unanimously approved to change meeting scheduled for June 3, 1992 to June 2, 1992.

The Commissioners certified primary election results and signed certificates of votes for each candidate who ran in the election.

Application for Surplus Property was reviewed and signed.

Administrator Charlotte Holly requested permission to attend Rehabilitation Seminar on June 2, 1992. This was approved.

The Commissioners signed order approving request made by Sheriff Laird to obtain Law Office of King, Betts and Allen to represent interests of the Sheriff in matter currently pending before the Fayette County Correctional Officer's Civil Service Commission relating to the dismissal of Cecil L. McCormick and Michael Scott McCormick from their employment as correctional officers at the Fayette County Jail.

The Commissioners approved order regarding closure of an abandoned street near Oak Hill, Plateau District, Fayette County according to petition of Randy and Jean Iralene Prince and Linda A. Woodson and Randall Woodson.

Commissioner Carte and Lopez signed and approved order appointing Allen Whitt of Danese to fill the unexpired term of Ann Covington as a Correctional Officer Association member.

The Commissioners reviewed letter from Mountain Transit Authority thanking them for commitment received from the Commission in the amount of \$1,000.00 from the fiscal year 1993 budget.

Information was received and reviewed from Cleek, Pullin and Bibb regarding notice of hearing, motion to dismiss the memorandum of law in support of motion to dismiss with regard to Koch v. Laird, et al. (Civil Action No. 92-C-0364)

The Commissioners reviewed minutes of meeting held April 10, 1992 of the Salem Gatewood Public Service Commission.

The Commissioners reviewed letter from Sherry Richardson requesting the County to purchase 4 manikins.

Commissioner Lopez offered motion to approve. Commissioners Carte seconded the motion. All approved.

Administrator Charlotte Holly questioned the Commission about what to do with Xerox Machine that was replaced in Circuit Clerk's office. Ms. Holly informed that salesman with Company that they had purchased the machine for the Circuit Clerk's office had told her they would dispose of machine and the one down stairs.

Ms. Holly informed that the Xerox Machine downstairs did not have maintenance agreement and informed that Xerox could not do maintenance on any longer. The Commissioners gave Ms. Holly permission to purchase small machine for County Commission use.

The Commissioners requested Ms. Holly check to see if Vo-Tech Center in Oak Hill would want old machines.

The meeting was adjourned. The next scheduled meeting is May 27th, 1992.

John L. Witt

FAYETTE COUNTY COMMISSION MEETING

MAY 27, 1992

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 27th day of May, 1992.

The Commissioners met with Earl Pauley, Park Superintendent at Fayette County Park. They discussed Park Rules. Discussions were held to allow amplified music on the stage by canteen. This would have to be under supervision. Discussions were held to sell ice for persons picnicing at the Park. Administrator Charlotte Holly also reported that she checked with Health Department and they would not need a permit to operate canteen. Mr. Pauley informed that vending machines and video machines are to arrive today.

The Commissioners met with Attorney Henry Armstong, Mayor Eddie Long and Greg Wagner. Public Hearing was held for Minor Boundary Adjustment Annexing Certain Territory Lying Adjacent and Contiguous to the City of Smithers, Fayette County, West Virginia.

There was no one in attendance to protest. Commissioner John Lopez offered motion to approve. President John Witt also approved.

The Commissioners reviewed and approved invoice from Business Records Corporation for election equipment rental. Invoice Amount \$4,000.00.

The Commissioners met with Zoning Officer Gary Harding with the following Zoning Request:

Z-367-92-1 -Request of Georgia-Pacific Corporation, Owner, for a change in land classification from R-R, Agricultural and Rural Residence, to I-2, Heavy Industrial on 155.96 acres, Sugar Creek, located on WV Route 27 at Route 19 near Mount Hope, Plateau District.

The Zoning Officer informed the County Commission that a wood treatment facility to employ approximately 200 people was being proposed for the site and that the Planning Commission did on Tuesday unanimously recommend that this be approved.

Mr. Ted Johnson, Larry Chambers, and Chuck Smith were present to present the request. Mr. Johnson stated that it would not be a wood treatment facility but a plant that made wood products similar to plywood and that the employment proposed was 125 instead of 200. After a general discussion a motion was made by John Witt that this be approved as recommended. Motion was seconded by John Lopez and passed by a vote of 3 - 0.

Z-365-92-1: Request of John M. Ayersman, Owner, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-1, Neighborhood Business, on Lots 4 and 5, Midway Subdivision, Old Lochgelly Road, Plateau District.

The Zoning Officer informed the County Commission a 30' x 52' garage was being proposed for the site to be operated by one mechanic and that all the adjoining property owners had signed that they had no objections. The Planning Commission did unanimously recommend that this be approved. After a brief discussion a motion was made by John Lopez that this be approved as recommended. Motion was seconded by Gene Carte and passed by a vote of 3 - 0.

Administrator Charlotte Holly reported W. D. Smith had telephoned and reported that Deepwater Public Service District could not submit application for Small Cities Block Grant.

Commission President John Witt questioned if EPA Commitment could be in jeopardy. Ms. Holly reported that W. D. informed he did not feel that it would be.

Mr. Witt suggested the Commission have meeting with White Oak PSD and Page Kincaid PSD to find out status of projects.

The Commissioners reviewed letter from Sheriff Laird regarding nomination for noncompetitive Examination Provisional Appointment of Lee Edward Jones.

Annual Report for the period beginning June 1, 1991 - May 30, 1992 was received and reviewed from Circuit Clerk's Office.

The Commissioners reviewed letter from Governor Caperton approving application as a subgrantee in 1992 Summer Youth Program. Fayette County received authorization for 30 enrollee positions and 3 supervisor positions.

Discussions were held to use 10 at Page, 10 at Beards Fork and 10 at Fayette County Park. Page had already asked for same supervisor they had used last year. Beards Fork would probably use the same supervisor also.

Commissioner John Lopez informed he had gentlemen by the name of Jeffries who he would like to recommend for supervisor at Fayette County Park.

Administrator Charlotte Holly reported that Sheriff had reduced fee for Dispatching Service for Town of Pax to \$100.00 per month.

The Commissioners approved invoices submitted from Pat Tygrett to be paid from funds the Commissioners had approved for the D.A.R.E. Program.

The Commissioners informed that the Assessor, Cabby Bennett and Administrator Charlotte Holly would review bids for computer equipment for the Assessor's Office and would make decision.

The Commissioners met with Steve Cruikshank. They discussed complaints received concerning the 911 charge. Mr. Cruikshanks felt complaints should be responded to. Discussions were held that if someone refused to pay that C & P would not cut off service.

Mr. Cruikshank also reported that he was working with the Health Department about problems with sewage plant at Pax. He suggested that the Commission possibly consider assisting with approximately \$1,000.00. No decision was made.

The Commissioners approved and signed Agreement with Governor's Office of Community and Industrial Development for funding in the amount of \$3,256 for Drug Control and System Improvement.

The Commissioners received and reviewed letter from Judge John W. Hatcher, Jr. forwarding information covering the Americans with Disabilities Act.

The Commissioners reviewed letter from Attorney Thomas G. Casto regarding Committee Appointments for Richard Lilly, Jeffrey Matthews, Denver Heater, Lola Smith, Dorothy Liggett, and Mary Mullins. Ms. Holly reported Mr. Casto had informed that persons appointed as Committee for the individuals had not posted proper bonds. He questioned to have Sheriff appointed. Ms. Holly is to call Mr. Casto to confirm appointment before the Commission regarding this matter.

Fire Levy Agreements were received from Gauley River Fire Department and Boomer Volunteer Fire Department. Ms. Holly reported she had not gone over with Steve Cruikshank yet but felt they were ok. The Commissioners approved subject to Steve's final approval.

The Commissioners met with Attorney Jamie Blankenship regarding contested will of Jessie Rupert. Mr. Blankenship filed order contesting the probate of will and scheduled hearing before the County Commission on June 15, 1992 to determine valid will. Mr. Blankenship informed that Assistant Prosecuting Attorney Paul Blake was aware of matter and would be asked to attend.

The Commissioners reviewed letter from Sheriff Laird regarding Appraisalment of Estate of Evelyn K. Bess. The letter informed that appraisalment had been completed by C. R. Hill, Jr., William R. Laird, IV, and Timothy Richardson.

The Commissioners suggested a letter be sent to appraisers thanking them for assistance.

Nino Veremessa appeared before the Commission with proposal to repair sidewalks at Courthouse. The Commissioners reviewed proposals but informed Mr. Veremessa that they would have to advertise for bids. They asked if he would assist in helping administrator prepare the specifications.

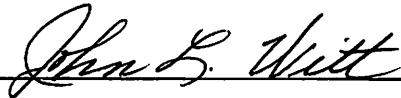
Administrator Charlotte Holly informed that maintenance crew had cleaned and painted lot between Hatcher Building and old liquor store. Discussions were held to issue stickers to county employees to park there to regulate parking. Ms. Holly is to check further if legal.

The Commissioners met with Ann Skaggs.

Commissioner John Lopez gave report on properties that Ann Skaggs had given him to check on.

The Commissioners adjourned to take tour with Ms. Skaggs of properties that had been cleaned up and properties that had not.

The meeting was adjourned. The next scheduled meeting is June 3rd, 1992.



FAYETTE COUNTY COMMISSION MEETING

REGULAR SESSION

JUNE 2, 1992

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 2nd day of June, 1992.

The Commissioners reviewed application from Thomas E. Rule for position of Supervisor for Governor's Summer Youth Program.

Commissioner Lopez and Commissioner Witt discussed that Mr. Rule did outstanding job last year and approved for him to continue with same job this year. A letter will be written confirming appointment.

The Commissioners met with George Bragg, Dale Payne, Jo An Thomas Davis, and Harold Stinnett. George Bragg was spokesman for group from Historical Society and asked if County Commission would sponsor Society for \$25,000 grant through Governor's Office or appoint a Museum Commission.

Commissioner Carte informed he felt the Commission could not appoint a Museum Commission but could sponsor grant application.

Discussions were held concerning inquiring to the Board of Education about property behind Vo-Tech Center in Oak Hill.

Commissioner Carte offered motion for Commission to act as sponsor for grant for Partnership Grant.

Commission Lopez seconded the motion. All approved.

George Bragg also asked if Gene would investigate into possibility of Commission appointing a Museum Commission and their powers.

Discussions were held about requesting bids for sidewalk repair. Discussions were held that they felt bid from Nino Veremessa was high. Commissioners will review further when bids are received.

Discussions were held about opening on Board of Zoning Appeals Board. The Commissioners discussed that they would look for someone to appoint to Board.

The Commissioners met with Noah Rakes, Calvin Treaday and David Stewart concerning a closed street (Young Street) in Oak Hill area outside city limits.

The men requested assistance in getting street opened. Treadway Cemetery is adjacent to street and family members had trouble getting to cemetery when needed. The men presented a petition requesting street be opened and maintained.

Mr. Rakes also mentioned that street needed cleaned.

The Commissioners agreed to write letter to Department of Highways requesting them to open and maintain road from Young Street to connect to Huff Street to make cemetery assessible. They also informed they would check to see if Larry Parsons and clean up crew could clean street.

The Commissioners met with Steve Cruikshank and Billy Horrocks to discuss renovations to be made at Memorial Building for Emergency 911 center.

Discussions were held about guidelines to follow for grant.

Commissioner John Witt did inform he did not want any ceiling dropped.

The Commissioners informed they would pay Billy Horrocks \$10.00 per hour and approved for him to hire one worker at approximately \$8.00 per hour.

Steve Cruikshank presented informed in which the Commission needed to appoint a radio officer for Fayette County Emergency Services. He also presented information for estimated cost of a terminal D.A.R.E.N. Packet radio station to located at Fayette County E.O.C. Cost being \$1,009.00. Steve informed F.E.M.A. will offer matching grant for equipment.

Commissioner Lopez and President Witt approved Dewey Collins to act as Radio Officer and authorized Steve to pursue grant.

Commissioner Carte did not vote.

Steve Cruikshank informed the Commission he is still working on sewer problem in Packs area and informed he felt they did have a serious problem.

The Commissioners informed they would approve \$1,000.00 to assist with problem subject to participation from State.

The Commissioners met with Judson Wallace and Thomas Bowen from the Armstrong Public Service District.

Mr. Bowen explained the need for new pipes before July 1, 1992.

Commissioner Gene Carte offered motion to approve \$5,000.00 for pipe and fittings to assist with repairs needed.

Commissioner Lopez seconded the motion. Vote was unanimous.

The Commissioners signed letters to Mr. Bob Paul and Mr. Jack Clark requesting them to appear at Commission meeting on June 24, 1992 to explain plans for clean-up of property.

The Commissioners signed letters to Mr. William R. Laird, IV, Mr. C.R. Hill, Jr. and Mr. Timothy Richardson thanking them for work and efforts in fulfilling their responsibilities as appraisers in the Estate of Evelyn K. Bess.

The Commissioners reviewed letter from A. T. Johnson of Georgia-Pacific Corporation thanking the Commission for favorable decision in request for zoning change or property in Mt. Hope.

The Commissioners signed renewal application for registration certificate for Fayette County Park.

The Commissioners approved \$2,500.00 for Humane Society Contributions to be taken from Coal Severance Fund being as Dog Tax fund did not have sufficient funds.

Annual Reports were received and reviewed from Assessor's office, Prosecutor's Office and from Sheriff's office.

The Commissioners approved registration for Administrator Charlotte Holly to attend Governmental Liability Seminar on June 18, 1992.

The Commissioners approved and signed Fire Levy Agreement for Nuttall Volunteer Fire Department.

The Commissioners reviewed and approved list of workers for working at Fayette County Pool for the Summer.

The Fayette County Dog Warden Report for the month of May, 1992 was received and reviewed.

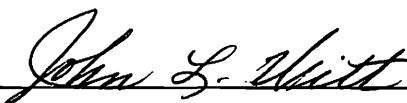
The Commissioners met with Cabby Bennett to approve bid for computer and copier for Assessor's Office.

The Commissioners approved bid from Engineering Design Systems, Inc. for Computer. Cost being \$5,095.00.

The Commissioners approved bid from OCE for copier. Cost being \$6,626.00.

The Commissioners received and reviewed letter from Paul O. Clay, Jr. thanking the Commission for assistance they gave Public Defender Corporation in providing office space over last 2 1/2 years and informing they would vacate present space as of 6/30/92.

The meeting was adjourned. The next scheduled meeting is scheduled for June 15, 1992.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JUNE 15, 1992
COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA

MEMBERS PRESENT: John L. Witt, John H. Lopez, Gene Carte, Jr. (9:30 - 9:55)

The Fayette County Commission met in regular session on this 15th day of June, 1992.

The Commissioners reviewed and approved Contract for 1992 Governor's Summer Youth Program.

The Commissioners approved and signed list of Public Service Districts and current board members for the Public Service Commission.

The Commissioners received, reviewed and approved fire levy protection agreements for Smithers Volunteer Fire Department, Fayetteville, Volunteer Fire Department, Oak Hill Volunteer Fire Department, Mount Hope Volunteer Fire Department, Montgomery Volunteer Fire Department and Gauley Bridge Volunteer Fire Department.

The Commissioners signed orders reappointing Mark Aliff to the Mossy Public Service District and Robert Vandall to the Meadow Bridge Public Service District.

Discussions were held about making sure persons are willing to take reappointments to offices.

The Commissioners signed order transferring \$50,000.00 for the fiscal year 1991-92 from the Magistrate Court Fund to the Fayette County General Fund.

The Commissioners signed order effective July 1, 1992, the rate of reimbursement set by the Commissioner of Finance and Administration for mileage allowance for state employees will be increased to 26¢ per mile and that effective January 1, 1993, said rate will increase to 27.5¢ per mile.

The Commissioners signed order removing Sandra Irick Rhodes and substituting Anita Rhodes D'Angelo as Administratrix of the estate of Richard Lee Rhodes.

The Commissioners reviewed and approved Resolution endorsing the funding of United States Department of the Interior's Land and Water Conservation Fund, and the Department programs are vital to the park, recreation, conservation, historical, and cultural development at the local and state levels.

Letters were signed to Congressman Alan Mollohan, Congressman Rick J. Rahall, II, Congressman Harley O. Staggers, Jr, and Senator John D. Rockefeller, IV, requesting their support.

Administrator Charlotte Holly informed that Earl Pauley did not want to use stove that was at the Park. She questioned if the Commission would want to bring it to the Courthouse to use. This was approved.

Discussions were held about giving girl scouts discount for swimming while camping at Fayette County Park.

The Commissioners felt they should provide same discount for all campers and informed this would be the policy from now on to give a 50¢ discount to all campers who want to swim.

The Commissioners signed letter approving and authorizing the entering into by Ansted Certified Fire Department, Inc. to a Lease-Purchase Agreement in an aggregate principal amount not to exceed \$37,000 to finance a Ford F-450 walk-in rescue truck.

The Commissioners met with Attorney Jamie Blankenship and Attorney Tony Shephard regarding the contested will of Jesse Rupert.

Nancy Kerby, Mary E. Shrewsbury and Edwin Hiner were questioned.

After questioning and discussion the Commissioners decided that they would take under advisement and would try to have answer at the June 24th, 1992 meeting.

Monthly sales reports were signed and approved for Fayette County Park.

The Commissioners approved and signed application for payment to Local Fayette County Health Department for Local Health Services for FY 91 - 92 in the amount of \$5,000.00.

The Commissioners received and reviewed Audit report for ^{(Gaulley River} Fire Dept. fiscal years ending June 30, 1990 and June 30, 1991.

The Commissioners received and reviewed comments and complain letters regarding E911 Service from Margaret Rhodes, Leland Gunnoe, William H. Bowyer, Jr. Beatrice Fletcher, Luther Greene, Cora Smith, William R. Sulesky and Mrs. Carol Canaday.

The Commissioners reviewed copy of letter to Danese Public Service District from Region 4 Planning and Development Council regarding assistant with needs for improvements to water system.

Administrator Charlotte Holly informed that Earl Pauley requested to purchase chlorinator at cost of \$1,425.00 and Solution metering pump at cost of \$2,205.00. These were approved.

Administrator Charlotte Holly also presented quote from General Exterminating for \$485.00 to help in getting rid of bats at the Park. This was approved.

Mr. Pauley also requested a blade and disk for ground work at the park. No decision was made on this. The Commissioners informed they would discuss further at next meeting.

Administrator Charlotte Holly questioned if the Commissioners wanted to discuss invoice Ann Skaggs had submitted for travel reimbursement. The Commissioners informed they would look at further and try to decide by the next meeting.

Documents were signed for First Empire Federal relating to having them as a County Depository of public funds.

Ms. Holly also informed that Daniel J. Miller had been by wanting to check if employees would like to look at Cancer Insurance Policy with Cancer America. Ms. Holly explained the policy of how the Commission requests that 50% be willing to take insurance before payroll deduction and only allowing him to contact them on their personal time, not during work hours. He had asked that this be waived. The Commissioners informed that this would continue to be the policy.

The Commissioners discussed being contacted by a Ms. Adkins inquiring to rent the space recently occupied by the Public Defender. No decision was made. The Commissioners informed they would discuss further at the next meeting.

Ms. Holly informed that Assessor Aiello had submitted invoice for his share of collection of Dog Taxes. Ms. Holly explained that at this time there were not enough funds in the Dog Tax Fund for this. The Commissioners informed that this could be paid from General Fund.

The Commissioners discussed request to increase Zoning Office Budget and informed that it would remain as budgeted.

Administrator Charlotte Holly informed that Cabby Bennett had informed that Assessor's office was going to be busy and Francis would not be able to relieve Switch Board for next four months. The Commissioners informed they would talk to the Assessor about this.

The Commissioners approved cost for obtaining pistol license for Earl Pauley but informed he would have to purchase his own pistol.

The Commissioners reviewed and approved HVAC Service Agreement with Casto Technical Services.

The Commissioners received and reviewed information from Region 4 concerning Executive Committee Meeting on June 17, 1992 at 7:30 p.m.

Sheriff Laird appeared at meeting and presented 1991 delinquent real and personal property tax list.

The Commissioners signed order of receipt of books but informed they would acknowledge delivery but would not certify until June 30, 1992.

The Commissioners discussed sending out memo to all officials and attorneys informing that unless they have scheduled appointment on Commission Meeting Days they will not hear or discuss matters that are not on the agenda. President Witt and Commissioner Lopez requested that this letter be sent.

The Commissioners signed letter to Governor's Office of Community and Industrial Development requesting an extension of Project Saint Grant #88-102.

The Commissioners reviewed letter from Governor Caperton approving request for an additional \$107,750 for the White Oak Public Service District Sewer Improvement Project.

The Commissioners reviewed notice from Town of Fayetteville informing of Public Hearings relating to the proposed adoption of an Ordinance creating the Fayetteville Historic District.

The Commissioners also reviewed letter from Public Service Commission appointing Charlie Keenan to the Fayette County Solid Waste Authority effective July 1, 1992.

President Witt requested information of how appointments are made.

The Commissioners approved travel expenses for Administrator Charlotte Holly and Commission Carte to attend upcoming seminars

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President Witt requested that Prosecutor Define what new Disabilities Law means to the Fayette County Commission and what is to be expected.

The meeting was adjourned. The next scheduled meeting is scheduled for June 24, 1992.

John S. Witt

FAYETTE COUNTY COMMISSION MEETING
JUNE 24, 1992
REGULAR SESSION
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: John L. Witt, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 24th day of June, 1992.

The Commissioners met with Attorney Jamie Blankenship with petition from Bessie Deane Dunn to be appointed Committee for Violet Rakes.

D. Clinton Gallaher, IV was approved guardian ad litem.

Ms. Dunn was questioned and after consideration the Commissioners unanimously approved the appointment of Ms. Dunn as Committee for Violet Rakes. Bond was set in the amount of \$10,000.00. Phillip J. Tissue was designated as Fiduciary Commissioner, and Annette Treadway, Rose Kurzyna and K. Lynnette Legg were appointed as appraisers.

The Commissioners met with Attorney Jim Billings with request of Dorris Simms to be appointed as Committee for Harold W. Simms.

Teresa D. Daniel was approved guardian ad litem.

It was ordered that Dorris Simms be appointed Committee for Harold W. Simms and bond be set in the amount of \$500.00.

Janice Flint, Sherman McComb and Douglas Gunnoe were appointed as appraisers.

The Commissioners met with petition of Michael Pace to be appointed Committee for Steven Cole.

D. Clinton Gallaher, IV. was approved guardian et litem and recommended the appointment of Mr. Pace.

After questioning the Commissioners unanimously approved the appointment. Bond was set in the amount of \$500.00.

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

Z-368092-1: Request of Charles R. and Debra Treadway, Owners, for a change in land classificaiton from RR-1, Agricultural and Rural Residence, to B-2, General Business District, on Lot 2, Clyde Treadway Subdivision, located at 564 Terry Avenue, near Oak Hill.

The Commissioners were informed by the Zoning Officer that this was a request to build a 24' x 28' garage to paint automobiles and that the Planning Commission did by a vote of 6 - 3 recommend that this request be denied. They were informed also that petitions had been submitted both for and against the request. Mr. Gerald Johnson, Anna Mae Adkins and Patsy Johnson were present in opposition to the request, Debbie Treadway, Charles R. Treadway and Verna Rood were present in support of request. After much discussion it was decided that since the County Commissioners were split in their decision to either approve or disapprove the request that it would be tabled until August 5th, 1992, at 10:30 A.M.

Mr. Jack Clark was scheduled for hearing regarding clean up of property in Kenneys Creek area. Mr. Clark did not appear. A letter was written and signed to Mr. Clark informing that due to his failure to comply with request to clean up this property, the Commission will extend the deadline to 8/1/92 and if he does not comply, the Commission will clean up property at Mr. Clark's expense.

Exonerations of real and personal property taxes as submitted from the Assessor's office were reviewed and approved. Exonerations were verbally approved by Prosecuting Attorney.

The Commissioners signed order naming banking institutions situated in the County that were designated as depositories of public monies. Fayette County National Bank, First Empire Savings and Loan Association, Montgomery National Bank, Bank of Mount Hope, Inc., and One Valley Bank were approved and letters issued to trustee banks requesting confirmation of pledged securities.

An order was signed reappointing Glendon H. Riner to the Fayette County Board of Health.

Budget statement was approved and submitted for FY 1993 from Fayette County Commission.

An order was signed approving \$5,000.00 in grant funds to the Armstrong Public Service District.

An order was signed approving \$16,000.00 in grant funds for the Page-Kincaid Public Service District.

A letter was approved and signed to Mr. Steve Campbell regarding clean-up of property.

Documents were reviewed from Region 4 Planning and Development Council regarding Governor's Community Partnerships Danese PSD and Bellwood Community Facilities Improvement Corporation.

Commissioner Carte moved and President Witt seconded resolution for President to submit grant applications for said projects.

Information was reviewed from Cablevision regarding CableVision campaign that ended 5/22/92.

A letter was reviewed from Tele-Media Company regarding interruption of service during the week of June 22, 1992.

Fire Levy Protection Agreement was approved and signed for Armstrong Creek Vol. Fire Department.

A letter was reviewed from Region 4 Planning and Development Council regarding top five projects for Public Works funding.

A letter was reviewed from Workers' Compensation Office of Judges regarding Claim No. 850056204 of Percy Lee Gilliam.

Public Hearing Notice regarding Public Hearings scheduled relating to the proposed adoption of an ordinance creating the Fayetteville Historic District was reviewed.

A letter was reviewed from WV Solid Waste Management Board regarding Liability and Property Insurance. Effective July 1, 1992 local solid waste authorities will not be covered by the blanket coverage of county Commissions concerning liability and property insurance.

Information was reviewed regarding Worthless Check Fund expenditures from the State Tax Department.

Decision in the matter of the will of Jessie Rupert was continued.

Circuit Clerk Herb Mann requested Fayette County Commission to relocate Family Law Master hearing room. A temporary hearing room was arranged in the law library located in the Courthouse annex.

Mr. William Fox appeared before the Commission requesting \$5,000.00 to aid in the construction of a ballfield and playground to be located on property leased from Pennzoil in the Danese area. Commissioner Carte moved and President Witt seconded approval of \$2,500.00 Danese VFD For said park.

Payroll and bills were approved.

County Clerk Howard Janney and Chief Deputy Linda Johnson appeared before the Commission requesting that Attorneys be instructed to file documents in County Clerk's Office at least 10 days prior to a hearing before County Commission. Also, all orders regarding committees, estates, etc. must have amount of bond and the names of the 3 appraisers set forth.

Also, the County Commission is to notify Linda Johnson of all such hearings when scheduled.

Attorney Jim Billings appeared with Anita D'Angelo in re: estate of Richard Rhodes. The Fayette County Commission rescinded its order dated June 15, 1992 in this matter and required a partial settlement of estate form current administratrix. Linda Johnson will send certified letters to current administratrix and to Phil Tissue, Fiduciary Commission.

Bob Paul appeared before the County Commission and explained that he plans to salvage the remains on his property and to rebuild. He will restart his cleanup effort in approximately 2 weeks and expects the cleanup to take about 1 month to complete.

Administrator Charlotte Holly was instructed to request Gary Harding to investigate complaint for cleanup of Stanley Matthew's property at Scarbro.

Commissioner Carte stated that he had talked to Earl Pauley, Park Superintendent and that a tractor blade and disks were not needed at this time at the Fayette County Park.

President John Witt advised the Commission that he had talked to Bob Arthur, 4-H Extension Agent, and that the 4-H Association desires the refundable \$50 kitchen deposit from 1991 to remain as a standing deposit with the County from year to year. The Commission approved this request.

Administrator Charlotte Holly notified the Commission that Earl Pauley will do the necessary backhoe work for the installation of the grease trap at the jail. Mr. Pauley and Dee Lively will coordinate the work with the town of Fayetteville.

Attorney J. Michael Anderson appeared before Fayette County Commission with petitioners Doris Alice Neff, wife and Clyde Hoffer, son of George Neff, incompetent, to be appointed co-Committees for Geoge Neff. Report of Guardian ad Litem Clinton Gallaher recommended appointment. Subject to filing of affidavit from Dr. Duncan, the Commission approved appointment and set property bond at \$3,000.00.

Documents were reviewed regarding Governor's Community Partnership Program for WV Coal Mining and Historical Research Center.

The Commissioners received and reviewed information regarding County Commissioners' Association Summer Tax Training Seminar scheduled for 8/9- 12, 1992 at Snowshoe Mountain Resort.

Administrator Charlotte Holly and Commissioner Gene Carte and Commission President John Witt plan to attend.

Letters were signed to Bob Arthur, 4-H Extension Agent, Hico United Methodist Church and Camp Kismet regarding regulations for camping at the Fayette County Park.

An order was signed giving the Assessor of Clay County approval to assess property of Clarence Johnson (.47 acres) in Clay County. This was approved by Assessor Thomas Aiello.

A resolution was approved and signed nunc pro tunc approving change of the Wilderness Public Service District to include certain areas around Meadow River and Nallen in Fayette and Nicholas Counties.

The Commissioners reviewed and approved waiver of rental fee for the Fayette County Memorial Building on July 4, 5, & 6, 1992 for Arts and Crafts Fair by New River Gorge Heritage Festival.

The Commissioners approved request of Rebecca Adkins, Parole Officer to rent vacant office which was previously used by the Public Defender's Office at cost of \$250.00 per month which will not include janitorial services. Rent to be ~~\$300.00~~ per month 7/1/93.

The Commissioners signed order approving request of Raymond R. and Beatrice Bowles for a refund in the amount of of \$178.73 from payment of erroneous assessment for 1990 personal taxes.

The Commissioners signed Agreement with Appalachian Power Company for annual electric service.

The Commissioners reviewed estimate for walk maintenance from Gary D. Bailey.

The Commissioners signed order to One Valley Bank approving request to pay lost coupon #1250 registered in the name of Bearer. (Coupon #31 Cusip #312533AK8 @ #350.00)

The Commissioners signed and approved letter to One Valley Bank attaching a requisition for the disbursement in the sum of \$17,926.20 from the Fayette County Project Account Subaccount established for Raleigh, Fayette, and Nicholas Counties, West Virginia Municipal Collateralized Mortgage Obligation Bonds, Series 19990B. Said drawdown is requested on behalf of Page-Kinciad PSD (\$12,926.20) and Armstrong PSD (\$5,000.00)

The Commissioners reviewed letter from Page-Kinciad Public Service District regarding number of families in Beards Fork who have voluntarily signed up for the new Sewer System.

The Commissioners reviewed letter form C & P Telephone informing that Edna M. Cuthbertson refused to pay for E-911 fee.

The Commissioners reviewed letter from Southern Soil Conservation District informing that Aubrey Riner was reappointed as the district's representative on the Fayette County Solid Waste Authority.

The Commissioners received and reviewed information from Public Service Commission regarding application for a certificate of convenience and necessity to construct water line extensions to the areas of Dixie, Bintree, Bells Creek and Mt. Olive, Fayette, Nicholas and Clay Counties, and for approval of financing and rates and charges incidental thereto.

The Commissioners reviewed accounts approved for budget revisions.

The Commissioners approved invoice from Fayette Paving, Inc. in the amount of \$4,850.00 to be paid from Magistrate Court FUnd for paving of Annex parking lot and curbs for Magistrate Court Parking.

Revised certifications of Valuations of various classes of real estate, personal peroperty and public utility property for the assessment year 1992 were reviewed.

The Commissioners reviewed letter from Attorney Erwin L. Conrad regarding exceptions to Commissioner's report of Phala James Estate. A hearing was scheduled for 7/15/92 at 9:30 a.m.

A memorandum from Stafford Consultants Incorporated was reviewed regarding Wilderness Public Service District Pre-Construction Conference.

Information was reviewed concerning FY-1992 Victims of Crime Act Assistance Funding (VOCA)\$566,000.

The meeting was adjourned. The next scheduled meeting is scheduled for July 8, 1992.

John L. Witt

Fayette County Commission Meeting
Regular Session
July 8, 1992
Courthouse
Fayetteville, West Virginia
Members Present: John L. Witt, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 8th day of July, 1992.

The Commissioners met with Attorney Phil Tissue with petition of Nancy Lucas to be appointed Committee for Alberta W. Bell. Attorney James Blankenship was approved guardian ad litem and recommended the appointment.

Ms. Lucas was questioned. After questioning Commissioner Gene Carte made motion to approve appointment subject to filing of doctor's report. Vote was unanimous. Bond was set in the amount of \$500.00.

The Commissioners met with Attorney Will Carter. Mr. Carter explained petition to have Sheriff appointed Committee for Forrest Alfred Wilson. Mr. Wilson is incarcerated at Penitentiary. Sheriff Laird Laird was called to meeting and questioning about serving. Sheriff Laird agreed to serve.

Commissioner Carte made motion to approve. Vote was unanimous.

The Commissioners met with Attorney Carl Harris regarding a request to have Administrator of the estate of Johnnie Griggs estate reimburse his clients for funds used when paying Commission. This was approved. Attorney Carl Harris is to prepare order.

The Commissioners met with Dog Warden Billy Blake concerning complaint issued to the Commission of Mr. Blake not picking up dead dogs and disposing of appropriately.

Discussions were held concerning Mr. Blake not being called when this was to be done and conditions of the Humane Society putting too many dogs in one bag.

The Commissioners asked Mr. Blake to work with the Humane Society and try to handle this correctly.

Discussions were held about possibly purchasing a new truck for Dog Warden next year.

The Commissioners received \$27,405.16 check from C & P Telephone for funds collected from the enhanced emergency telephone system fee. The Commissioners signed order creating fund for fees or proceeds from investments of said funds.

Ms. Holly presented list of names that have refused to pay for 911 fee and informed that Steve has talked to Prosecutor. The Commissioners signed letter requesting an opinion from the Prosecutor regarding this.

Monthly Maintenance Report for repair work on vehicles at Fayette County Park was submitted and reviewed for month of June, 1992.

Fayette County Dog Warden Report for month of June was submitted and reviewed.

Administrator Charlotte Holly informed of questions she has concerning naming Bank of Mt. Hope as depository of public monies. Ms. Holly informed that Agreement has wording concerning authorization by the Commission for substituting bonds that she feels needs checked. Ms. Holly informed that Code requires written order to allow this and that she will discuss with the Prosecutor.

West Virginia Consumers' Sales and Service Tax Return was reviewed and signed for Fayette County 4-H Camp.

The Commissioners discussed letter received from Attorney E. Joseph Buffa, Jr. regarding his client Jack Clark. The Commissioners instructed that copies of all letters that have been sent to Mr. Clark be forwarded to Mr. Buffa.

The Commissioners reviewed copy of Liability and Property Insurance renewal Premium. Total renewal premium is \$162,286.00.

The Commissioners reviewed letter from Sheriff William R. Laird IV regarding provisional appointment of Lee Edward Jones to position of deputy sheriff.

The Commissioners reviewed letter from Walton S. Shepherd, III regarding estate of Jessie C. Rupert. The Commissioners informed they would not make a decision on this matter until Commissioner Lopez returns.

The Commissioners met with Mike Florino who represented Commissioner Witt at recent workshop regarding recycling.

Mr. Florino presented information he received.

The Commissioners thanked him for attending and questioned if he would be willing to assist the Solid Waste Authority with information and knowledge he has pertaining to recycling.

Mr. Florino expressed he would be willing to assist.

The Commissioners discussed holding a picnic at Fayette County Park for employees. The decision was to have meeting with representative from each office to make final arrangements.

Bruce Todorivich appeared at meeting issuing a complaint about JR's Recycling Center. Commissioner Witt informed that he would look at.

The Commissioners met with Gary Harding concerning vacancy on Board of Zoning Appeals. The Commissioners discussed that there were two vacancies. One from Plateau District and one from New Haven. Commissioner Witt agreed to check if Elwood Maples would be willing to accept reappointment and Commissioner Carte agreed to look for someone from the Plateau District.

The Commissioners discussed vacancy on Health Care Planning Commission. Discussing were held to contact Mike Hastings and check if he is willing to be on Commission. Commissioner Carte is to check to find someone for appointment.

Administrator Charlotte Holly informed that Rebecca Adkins plans to rent office space previously occupied by Public Defender at cost of \$250.00 per month. This will not include janitorial services. Ms. Holly reported space will not be available until August 1, 1992.

Administrator Charlotte Holly presented unpaid invoice presented for WVU Extension Office from WVU. Ms. Holly explained she had not been able to check if this invoice has been paid but requested permission to pay if not. This was approved.

The Commissioners approved invoice to Dutch Miller Chevrolet for 4 new cruisers.

Administrator Charlotte Holly informed of request from Lois Crites to purchase storage boxes for Court Reporter files. This was approved.

The Commissioners reviewed letter from Governor's Office of Community and Industrial Development acknowledging receipt of the Partnership grant application for a feasibility study regarding the construction of multi-million dollar museum and reseach complex on Route 19.

The Commissioners signed letter to Stanely S. Matthews regarding clean up of property in Scarbro.

The Commissioners reviewed letter from John Vernon, Secretary-Treasurer of the Fayette County Firefighters Association approving the same across-the-board raises for Lynn Holstine and Steve Cruikshank that other county employees are afforded.

Letters were reviewed from Congressman Nick J. Rahall and Senator Robert C. Byrd regarding support for park and recreation activities that are supported by the Land and Water Conservation fund.

A letter was reviewed from the United States Department of the Interior regarding concept plan for communities along and the area of U.S. Route 60. This area may be eligible for inclusion in the Wild and Scenic Rivers System.

A letter was reviewed of the Governor's Office of Community and Industrial Development concerning energy audits.

A letter was reviewed from Marshall University regarding the Marshall University Procurement Technical Assistance Center and the Robert C. Byrd Institute for Advanced Flexible Manufacturing Systems.

Information was reviewed regarding annual dinner meeting at Carnifex Ferry Battlefield State Park for Region 4 Planning and Development Council. Charlotte Holly and Commissioner John Witt are to attend.

The Commissioners reviewed letter from J. Edward Hamrick III regarding appointment of George Bragg to the Fayette County Solid Waste Authority. The Commissioners questioned this appointment. The Commissioners instructed to check how appointments are made.

The Commissioners approved monthly allotment for Fayette Humane Society to come from Coal Severance fund being as the Dog Tax Fund did not have sufficient funds for portion to montly contribution. Amount for new fiscal year to be \$3,025.00.

The Commissioners reviewed Danese PSD - Feasibility Study, Bellwood Community Waser System Improvements Governor's Community Partnership application.

The Commissioners approved request for funds to pay work study students working for WVU Extension office.

The Commissioners approved statement to Region 4 Planning and Development Council for fiscal year 1992-93 assessments. Amount being \$6,000.00 based on 1990 census.

The Commissioners reviewed transcription of hearing held 4/30/92 of Cecil L. McCormick before Charles T. Cunningham, Administrative Law Judge for Department of Employment Security.

Information was presented and reviewed concerning Civil Action Suit No. 92-C-0364, Koch v. Laird, et al.

The meeting was adjourned. The next scheduled meeting is July 15, 1992.

John L. Witt

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JULY 15th, 1992
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: John L. Witt, Gene Carte, Jr.

The Fayette County Commission met in regular session on this 15th day of July, 1992.

The Commissioners met with Attorney Erwin Conrad. Mr. Conrad gave summarization and filed exceptions to Fiduciary's Report regarding Phala James Estate. Mr. Conrad informed he felt Fiduciary's decision should be reversed.

Commissioner Gene Carte informed the Commission would take under advisement and would try to have answer by next meeting.

Payroll and outstanding bills were approved.

Administrator Charlotte Holly informed of receiving invoice from County Commissioners' Association. Commissioner Witt and Commissioner Carte expressed that they did not want to join.

The Commissioners signed necessary documents for Budget Revision to Coal Severance Fund.

Administrator Charlotte Holly informed that she had spoken to Mike Hastings and he was willing to continue on Regional Health Board.

The Commissioners also approved appointment of Tom Louisos to the Regional Health Board to replace Ann Bowling.

The Commissioners received and reviewed letter from WVU Extension Office thanking them for new copier and continued support.

Overtime for Dee Lively and James Perdue for months of March through July, 1992 was approved.

Fire Levy allocations were approved for Pax, Gauley Bridge, Armstrong and Mount Hope.

The Commissioners received and reviewed letters from C & P with complaints against 911 charge.

The Commissioners approved and signed grant application to Community Development Office for 911 funds.

The Commissioners signed Resolution of Participation and Cooperation with West Virginia Certified Development Community (CDC) Program.

The Commissioners also signed Resolution authorizing application with the State of West Virginia for Governor's Community Partnership Funds.

The Commissioners approved and signed letter to Governor's Office of Community and Industrial Development regarding Financial Managment System Audit FY 1989 SCBG White Oak PSD Sewer System Grant #B-89-DC-54-0001.

The Commissioners received and reviewed opinion of the Court regarding Leland D. O'Neal vs. Fayette County Commission Civil Action No. 92-C-0274. (\$1.48 per month fee for enhanced emergency telephone system.)

Fire Levy Protection Agreements were received and approved for Pax Volunteer Fire Department and Ansted Certified Vol. Fire Department.

The Commissioners reviewed and approved recommendation from Robert Arthur for shrubs for the new Courthouse Parking lot.

Commission President John Witt requested a letter be drafted to Fayetteville Police Department asking assistance to stop skate boarding on Memorial Building steps. He requested a copy be sent to the Fayette County Board of Education.

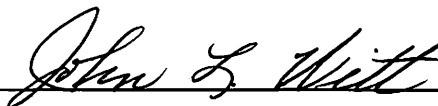
President Witt also requested to note of complaint of a Ms. Cottrell about weeds on courthouse parking lot.

The Commissioners received and reviewed letter from Governor's Office of Community and Industrial Development regarding approved contract amendment for the Page Kincaid PSD Project.

The Commissioners received and reviewed letter from Governor's Office of Community and Industrial Development regarding on-Site Visit--Grant Numer 91-DC-091.

The Commissioners also reviewed letter addressed to Mr. George Bragg with the Fayette County Historical Society acknowledging receipt of the Governor's Community Partnership Grant program application.

The meeting was adjourned. The next scheduled meeting is scheduled for July 29, 1992.



FAYETTE COUNTY COMMISSION MEETING

JULY 29, 1992

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 29th day of July, 1992.

The Commissioners signed order reappointing Don Phillips to the Fayette County Solid Waste Authority. Term to expire June 30, 1996.

The Commissioners approved and signed letter to Police Chief James J. Smith concerning an ongoing problem in which county owned property in the Town of Fayetteville is being used for purposes of skateboarding, bicycling, etc. The Commissioners requested him to monitor county owned property and prohibit offenders from using the property for such purposes.

The Commissioners approved and signed letter to West Virginia State Agency for Surplus Property certifying that the Mount Hope Fire Department is a duly incorporated, non-profit corporation and is currently an integral part of the county safety program.

The Commissioners also approved and signed letter to West Virginia Agency for Surplus Property certifying that the Boomer Volunteer Fire Department is a duly incorporated, non-profit corporation and is currently an integral part of the county safety program.

Commissioner John Witt suggested the Commission draft letter to Sheriff Laird requesting assistance in monitoring handicapped parking on county lots.

Administrator Charlotte Holly informed the Commission of Wanda Tygrett getting hand caught in elevator at Courthouse Annex. Ms. Holly explained that Otis Elevator was called to check elevator but no problems were found. Ms. Tygrett was leaning on elevator when her hand was caught.

Administrator Charlotte Holly reported of speaking to Mike Cobb with the Department of Highways concerning the assistance with opening Huff Street in Oak Hill for purposes of accessibility to a grave yard. Mr. Cobb had reported that street was grown up with trees and he could not assist.

Ms. Holly also requested assistance with a request the Commission had received for a sign (Slow, Children Playing) on Nickleville Road in Fayetteville. Mr. Cobb informed they could not assist.

Annual Report of all monies collected by Circuit Clerk Mann was presented and reviewed.

The Commissioners received and reviewed letter from residents of Page area with concerns for the up-keep of vacant lots in that area. The matter was put on hold for time being.

County Administrator Charlotte Holly reported that Parole Officer Rebecca Adkins would be moving in to office space previously occupied by the Public Defender on 9/1/92.

The Commissioners received and reviewed notice from the Public Service Commission that the Administrative Law Judge has cancelled decision relating to County Plan of Public Service Districts in Fayette until a decision is forthcoming on a permanent injunction from the Kanawha County Circuit Court. (Civil Action No. 92-C-550, Arbuckle Public Service District v. Public Service Commission).

The Commissioners received and reviewed letters from Region 4 acknowledging receipt of proposals for public financial assistance for Danese Public Service District Feasibility Study and Bellwood Community Waste System Improvements Partnership Application.

Administrator Charlotte Holly reported that the County had not received money in support of the West Virginia University Extension Service from the Board of Education and questioned if she should pay July Salary for employee before this is received. This was approved.

The Commissioners reviewed letter from Governor's Office of Community and Industrial Development regarding response related to Financial Management System Audit FY1989 Small Cities Block Grant for White Oak Public Service District Sewer System.

The Commissioners received and reviewed request from Pat Tygrett for funds for D.A.R.E. Program. This was approved.

The Commissioners also reviewed information concerning On-Site visit - Grant Number 90-DC-090 of guidelines governing participation in the U.S. Department of Justice's Drug Control and System Improvement formula grant program.

The Commissioners received and reviewed information from West Virginia Department of Commerce, Labor & Environmental Resources Air Pollution Control Commission regarding certificate to operate incinerator. Discussions were held that the incinerator was not used that much. Commissioner Gene Carte is to review and get back with the Commission.

Administrator Charlottee Holly reported that Park Superintendent Earl Pauley had informed that Hico Church group that camped at park should be refunded their \$50.00 deposit because they cleaned up go good before they left. This was approved.

Administrator Charlotte Holly presented notice the Commission had received regarding woodlot fee charged to 4 parcels owned by the County. Ms. Holly reported that the State Tax Department informed that there were no exemptions to government agencies. A letter was signed to Assessor Tom Aiello informing that since the county has paid the assessment on 3 of the parcels, they requested the 4th be canceled. The Commission was under the understanding that no taxpayer shall pay fee on more than 3 parcels.

Administrator Charlotte Holly reported that clean-up letters sent to Mr. Jack Clark, Mr. Everette Gibson and Mr. and Mrs. Stanley Matthews were returned. Ms. Holly reported that these were only addresses found. She also reported that copies of all letters sent to Mr. Clark were forwarded to his attorney. The Commissioners instructed that these be kept in file.

Administrator Charlotte Holly reported of being telephoned by Gary Light of Valley Ambulance Service. The Commissioners signed application to West Virginia Department of Health office of Emergency Mecial Services Community EMS Assistance Program for new ambulance for the authority but had questions concerning funds they need to finance at local bank. The Commissioners informed they would have to check this out further.

The Commissioners discussed request from Town of Fayetteville for cruiser no longer used by Sheriff's Department.

Sheriff Laird appeared at meeting and informed he would get list of vehicles he planned to expose of.

Administrator Charlotte Holly reported there did seem to be enough employees interested in having a picnic. She reported that there is to be another meeting 7/30/92 to discuss further.

The Commissioners met with George Bragg of the Fayette County Solid Waste Authority.

Mr. Bragg explained that grant funds the authority were using to pay salary of Larry Parson were just about depleted. Mr. Bragg requested the Commission to pay 1/2 of the salary.

Commissioner John Lopez made motion to pay \$1,000.00 per month on temporary basis until December 31, 1992. Commissioner Carte seconded. Vote was unanimous.

Mr. Bragg also requested office space for files and space for Mr. Parsons to do paper work. Sheriff Laird was at meeting and gave permission to use office space on second floor of Road Office.

The Commissioners met with Zoning Officer Gary Harding with the following cases:

Z-369-92-1: Request of Terry Holbrook, owner, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on 1.32 acres, Summerlee, located on Allman Street, Plateau District.

The County Commission was informed by the Zoning Officer that Mr. Holbrook did plan to build a repair garage on this site and that the Planning Commission did on Monday recommend unanimously that this request be approved. After a brief discussion as to the location of this proposal a motion was made by John Lopez that this be approved as recommended. Motion was seconded by Gene Carte and passed 3 - 0.

Z-370-92-1: Request of Big Creek Land Co., Owner, by Shaun James, Leasee, for a change in land classification on 2 acre tract, part of 1276.804 acres, Big Creek, Brownsville, Valley District from R-R, Agricultural and Rural Residence to I-2, Heavy Industrial District.

The County Commission was informed by the Zoning Officer that this was proposed to be a test site facility to produce charcoal for Elkem Metals. Since this was to be a temporary site the Planning Commission recommended that it be approved to Planned Development to accommodate industrial uses because Mr. James would be back later for ten to twelve acre site to use for the operation if the test facility was successful. Motion was made by John Lopez that this be approved as recommended by the Planning Commission. Motion was seconded by Gene Carte and passed by a vote of 3 - 0.

The Commissioners met with Attorney Paul Clay with petition of Bernice Board to be appointed Committee for Audrey Board. Bernice Board was questioned. T. E. Myles was approved guardian ad litem and recommended the appointment of Ms. Board.

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

T. E. Myles appeared before the Commission requesting the Commission to set aside an order entered July, 1986, and the estate of James E. Biers be reopened. Mr. Myles explained that nothing has been done since order was entered.

Commissioner Carte offered motion to approve. Commission Lopez seconded. Vote was unanimous.

The Commissioners met with attorney Paul Clay with petition of Steve and Iris A. Dudas to be appointed Committee for Kristen Ann Dudas. Steve Dudas was questioned. Commissioner Gene Carte made motion to approve appointment. Commissioner Lopez seconded. Vote was unanimous. T.E. Myles was approved guardian ad litem and recommended the appointment.

Commission President John Witt informed it was the decision of he and Commissioner Lopez to set envelope will aside in the matter of Jesse Rupert and approve will which was submitted for probate. Ms. Holly was to inform Attorney James Blankenship and W. Shepherd of the decision.

Commission President John Witt informed that the Commission would waive camping fee for Camp Kismet this year only due to contribution expected for camp not coming through. They would still need to pay the \$50.00 deposit.

Administrator Charlotte Holly reported of receiving estimate for work on Recreation Hall at Park and felt the Commission should advertise this being as this estimate was over \$5,000.00. This was approved.

The Commissioners met with Attorney James Billings concerning Richard Rhodes estate. Anita Rhodes was also present. Discussions were held about previous appointment of Administrator. Mr. Billings requested substituting Anita Rhodes as the administrator. Discussions were held about filing partial settlement and releasing previous administrator. Attorney Billings is to prepare order and present at next meeting on August 5, 1992, at 11:00 P.M.

Assessor Tom Aiello and Cabby Bennett appeared before the Commission with exoneration from the Assessor's Office.

President Witt explained someone from the Prosecutor's Office had to sign or be present before he would approve. Mr. Aiello was to check with Prosecutor's Office and forward back to the Commission.

The Commissioners discussed No Smoking Ordinance. This is to be discussed further at next meeting.

Administrator Charlotte Holly requested permission for herself and Debbie Berry to attend a computer support meeting in Lexington, Kentucky on September 13 - 16, 1992. This was approved.

The Commissioners received and reviewed list of "refusals to pay" associated with the Emergency Telephone System for the month of June, 1992.

The Commissioners signed budget revision number one to General County Fund Budget.

The Commissioners reviewed letter from Governor Caperton acknowledging receipt of the Governor's Community Partnership Grant program application submitted by the Commission requesting \$19,000 for improvements to the Bellwood Community Facilities Improvements Corporation's Water system and to expend service to six customers.

A letter was also reviewed from the Governor acknowledging receipt of the Governor's Community Partnership Grant program application submitted by the Fayette County Commission requesting \$15,000.00 to be used for a feasibility study to explore the public service district's potential to expand water service to surrounding areas.

A letter was approved and signed to One Valley Bank for the disbursement in the amount of \$2,346.37 from the Fayette County Project Account Subaccount established for the Raleigh, Fayette, and Nicholas Counties, West Virginia Municipal Collateralized Mortgage Obligation bonds, Series 1990B.

A letter was signed to Wachovia Bank of North Carolina concerning pledged securities to the account of the Fayette County Commission.

The Commissioners reviewed letter concerning inmates obtaining beer while working with litter clean up program.

Letters of Dr. Mark D. White and SEMS, Inc. were reviewed regarding concerns Dr. White had with care received from General Ambulance Service.

Payroll and outstanding bills were approved.

The meeting was adjourned. The next scheduled meeting is August 5, 1992.

John G. Witt

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
AUGUST 5, 1992
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 5th day of August, 1992.

Howard E. Janney, County Clerk appeared before the Commission with quotes for 1992 General Election box kits and poll slips.

Quotes received were: Dayton Legal Blank -\$2,377.00 and Casto & Harris - \$2,214.00. The Commissioners unanimously approved quote from Casto & Harris.

The Commissioners reviewed and approved Lease Agreement with the State of West Virginia, Division of Corrections for Parole Officer to rent office space previously used by Public Defender.

The Commissioners received and approved drawdown request from Region 4 for White Oak Public Service District.

Monthly contributions for Humane Society were approved.

The Commissioners approved drawdown request for Page Kincaid Public Service District in the amount of \$2,346.37.

The Commissioners received and reviewed montly Dog Warden Reports.

Administrator Charlotte Holly reported she had received letter back from Bank of Mt. Hope and they had taken out paragraph she was concerned about. They agreed to hold certain securities in escrow for the Commission and would not release without written authority from the Commission.

Administrator Charlotee Holly reported that Larry Parsons had been by and informed he had taken care of problem at Mount Hope Football field for Mr. Souk.

The Commissioners discussed purchasing new truck for Dog Warden Billy Blake.

Administrator Charlotte Holly reported of receiving Distribution of Coal Severance Tax for January, February & March, 1992 in the amount of \$107,050.71.

Administrator Charlotte Holly reported that the Commission received payment in lieu of taxes from National Park Service in the amount of \$14,930.00.

The Commissioners received and reviewed notice from Helicon informing they were going to refinance loan of \$100,000.

The Commissioners informed they would not make a decision on the Phala James Estate until they discuss further with attorney Erwin Conrad.

The Commissioners received and reviewed breakdown of Assessor's Evaluation Fund.

The Commissioners discussed request of Valley Ambulance. The Commissioners questioned the need for Valley ambulance to take out loan for some of the funds needed for ambulance. No decision was made.

The Commissioners discussed the No Smoking Ordinance. No decision was made.

The Commissioners discussed previous Zoning Request of 6/24/92 of Charles R. and Debra Treadway, owners, for a change in land classification from RR-1, Agricultural and Rural Residence, to B-2, General Business District, on Lot 3, Clyde Treadway Subdivision, located at 564 Terry Avenue, near Oak Hill.

Gary Harding reported that the Planning Commission voted 6 -3 to deny.

Charles Treadway, Debra Treadway, Verna Rood, Patsy Johnson, Anna Mae Adkins, Nora A. Dooley and Gerald E. Johnson were in attendance.

The Commissioners had tabled a decision on this after a vote of 1 - 1 was reached at prior meeting when Commissioner Lopez was absent. The decision was to go look at site before making a decision.

Minutes of meeting of Salem Gatewood Public Service District held 6/29/92 were reviewed.

The Commissioners received and reviewed information from National Park Service of draft environmental assessment prepared for designs for parking and comfort station facilities at the Fayette Station area of New River Gorge National River.

The Commissioners reviewed letter from Sheriff Laird regarding expenditure for medical needs of inmate Ellery Bragg.

Commissioner John Lopez offered motion to approve \$5,000.00 in grant funds for Upper Kanawha Valley Economic Development Corporation. All approved.

The Commissioners discussed the Incinerator Permit. County Clerk Howard E. Janney was present and informed there is a need to destroy ballots. The decision was fill out application for permit.

The Commissioners signed letter to Sheriff Laird requesting his department control the traffic and/or parking violations on county-owned parking lots.

A letter was written and signed to Fayette County Volunteers informing the Commission has waived the \$500.00 camping fee for their 1992 camp.

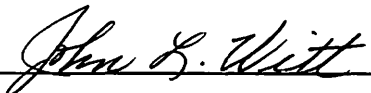
The Commissioners met with Attorney Jim Billings with order appointing Anita Rhodes D'Angelo to replace Sandra Rhodes as administratrix of the estate of Richard Lee Rhodes.

Kelvin Holliday was present and thanked the Commission for waiver of camping fees for Camp Kismet.

The Commissioners informed they would make a decision of Zoning Case Z-368-92-1 on August 14, 1992.

Outstanding bills were reviewed and approved.

The meeting was adjourned. The next scheduled meeting is August 14, 1992.



8/5/92

Zoning 2-368-92-1

Charles Treadwell

Verma Rood

Dina Treadwell

Patsy Johnson

Anna MacAlkins

Nora A. Dooley

Gerald E. Johnson

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
AUGUST 14, 1992
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 14th day of August, 1992.

The Commissioners discussed the Zoning Request of Charles R. and Debra Treadway (Z-368-92-1). Commissioner Lopez felt the decision should be to change to B-1. Commissioner Carte also approved. Vote was 2 -1 for this change.

Commissioner Lopez informed he felt Earl Pauley, new Park Superintendent should be commended for his exemplary behavior in the performance of his duties at the Fayette County Park. A letter was written and signed with compliments on a job well done. All approved.

Commission President John Witt requested a letter be written to Senator Bryd and Senator Rockefeller thanking them for efforts pertaining to repair of Fayette Station Bridge.

The Commissioners met with Assessor Tom Aiello. Mr. Aiello informed of letter from Raymond J. Miller, Jr. of Ames Department Stores, Inc. Mr. Aiello explained they questioned the tax ticket but informed that an inspection indicated certain fixtures and inventory were present in the July 1st taxing date and felt tax ticket was valid.

Mr. Aiello also informed he planned to send out letters to surrounding counting to get property back.

Mr. Aiello also informed that when mapping for the reappraisal his office found a discrepancy in Thurmond, Pax and Ansted areas. He informed he just wanted to make the Commission aware that it was up to the Assessor to decide what is in limits and what is not. He informed he would meet with town officials to discuss what would need to be done in correcting problem.

Payroll and outstanding bills were approved.

The Commissioners discussed appointment of David Turner, Jr. to replace Elwood Maples on the Fayette County Board of Zoning Appeals. This was approved to be retroaction to August 5, 1992.

The Commissioners met with Sheriff Bill Laird and Sergeant Dale Payne with the West Virginia State Police Department.

Commissioner Lopez questioned both parties for assistance with problems in Armstrong Creek area. Both agreed to help when scheduling was not a problem with Deputies and State Police Officers.

The Commissioners discussed having problems with Switch Board. The Commissioners felt there should be a faster response when answering and felt they should answer more politely.

The Commissioners also informed that Nancy Massey should be notified that she is not to use Magistrate Court Space Parking.

The Commissioners informed that Administrator Charlotte Holly is to talk to Nancy and Josie about Switch Board problem and if they had questions to schedule them for next meeting.

Assessor Tom Aiello was present at meeting and informed that Francis Webb could assist with work at the Switch Board.

The Commissioners questioned Ms. Holly if she had any problems with talking with Nancy and Josie about problems at the Switch Board. Ms. Holly informed she had no problems with talking with them as long as the Commission would support their decision.

The Commissioners signed order informing it is the Order and Judgment of the Commission of Fayette County to refuse to admit the purported Last Will and Testament of Jessie C. Rupert dated November 1, 1992, to probate. It is ordered that the Commission admit the Last Will and Testament of Jessie C. Rupert, dated August 28, 1991 to probate.

The Commissioners discussed request from Deepwater Public Service for final invoice appraisals and Easement acquisition.

The Commissioners did not approve informing they would continue to hold funds until they receive a concrete commitment from EPA.

The Commissioners discussed handicapped parking. The Commissioners decision was to provide 2 spaces at top of parking lot and to remove meters.

Vehicle Maintenance report for vehicle repair at Fayette County Park was received and reviewed.

Commissioner Lopez informed of receiving questions about billing of 911 fees and about salary of Steve Cruikshank from Ken Roop of Jodie. Mr. Lopez requested Administrator Charlotte Holly address letter to Mr. Roop with explanation of salary and charges.

The Commissioners received and reviewed thank you letters from Bob James with Camp Kismet and Coach Souk of Mount Hope.

Administrator Charlotte Holly informed that Governor's Community Partnership Program application in the amount of \$50,000.00 to secure funds for establishing, equipping and furnishing the Fayette County 9-1-1 Central Answering Point for an enhanced emergency telephone system was forwarded to Governor's Office of Community and Industrial Development.

Ms. Holly also reported of receiving check in the amount of \$27,308.38 for the Emergency Telephone System for the month of June, 1992.

The Commissioners received and reviewed copy of letter to Kate Boone Personal Care Home concerning the accounting of Social Security Supplemental income of Patricia S. Pope.

Administrator Charlotte Holly informed of questions about appointment to the Civil Service Correctional Officer Commission. There was a question about temporary appointments of George Bennett and Belinda Morton. The Commissioners decided that they did not need to sign orders for other group appointments. They only needed to sign orders for County Commission appointments. Administrator Charlotte Holly if to check into appointment of Carolyn Paul.

The Commissioners met with Assistant Prosecuting Attorney Teresa Daniels and Assessor Tom Aiello. Exonerations of real and personal property taxes were reviewed and signed by Ms. Daniels. Commission President John Witt also approved and signed.

The Commissioners discussed request of Valley Ambulance. The Commissioners informed they would give direct grant of \$10,000.00 to Valley Ambulance. Valley Ambulance will title ambulance and provide their own insurance.

The Commissioners discussed letter from Lynn Pollard regarding the Evelyn K. Bess case. The Commissioners informed they have heard from all parties concerning this matter and do not feel it should be put back before them. They felt the matter should be in Circuit Court.

Administrator Charlotte Holly informed that she had received Ambulance Allocation from SEMS, Inc. This is to be forwarded to Steve Cruikshank.

The Commissioners signed letter to U.S. Department of Housing and Urban Development supporting the Housing Authority's application for certificates and Vouchers.

The Commissioners reviewed information from Public Service Commission regarding County Plans of Public Service Districts. The letter informed that any County Plan case currently set for hearing before an Administrative Law Judge will not be held. The order provides that the Commission will retain all of the County Plan cases pending a review of certain procedures recently established by the Commission in Case No. 91-268-PSWD-PC.

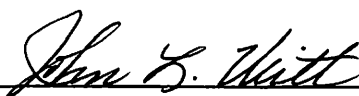
Administrator Charlotte Holly reported that the Employee Picnic is still scheduled for 8/29/92 at 4:00. A sheet will be passed around for each to decide what to bring.

Sheriff Laird was at meeting and agreed to furnish ice from the Jail.

Sheriff Laird also informed he would give the Commission a list of vehicles he planned to dispose of.

Administrator Charlotte Holly informed that Earl Pauley planned to take workers from the Park to the Fair one day next week and he would make sure there would be someone at the Park to oversee things.

The meeting was adjourned. The next scheduled meeting is August 26th, 1992.



FAYETTE COUNTY COMMISSION MEETING

AUGUST 26, 1992

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 26th day of August, 1992.

The Commissioners met with Attorney Paul Clay and Attorney Andy Keenan.

Discussions were held concerning matters of the estates of Evalena McCutcheon and Vada McCutcheon. Attorney Paul Clay explained that he felt appointment of the current administrator Brownie Miliam should be revoked and someone else should take over due to time and circumstances of the case.

Attorney Andy Keenan informed that if he could be given a short period of time to allow preparation of final statements he felt matter could be taken care of.

Attorney Paul Clay did not approve informing of time and difficulty of case in the past.

Commissioner Gene Carte offered motion to allow matter to go before Fiduciary Commissioner and set hearing of 9/30/92 at 9:30 A.M. before the Fayette County Commission. T. E. Myles was approved Fiduciary Commission for all estates.

Attorney James Blankenship appeared before the Commission concerning the matter of Phala James Estate. Mr. Blankenship informed he supported decision of Phil Tissue, Fiduciary Commission and then left meeting.

Attorney Phil Tissue appeared before the Commission and briefly discussed circumstances of case.

President John Witt questioned if Attorney Erwin should be present. Commissioner Gene Carte explained that letter Mr. Conrad had written explained his position.

After discussion Commissioner Gene Carte offered motion to affirm decision of Fiduciary Commissioner. Commissioner John Lopez seconded the motion. Vote was 3 - 0.

Attorney Belinda Morton appeared before the Commission with request for the Commission to abandon right of way of property by Prosecuting Attorney's office.

Commission President John Witt questioned this request being as property is in city limits. He felt this should be under Town of Fayetteville authority.

Prosecuting Attorney Charles Vickers and Fred Jesser appeared before the Commission. The decision was this should be a decision for the Town of Fayetteville. The Commissioners instructed a letter be written to the City protesting the closing of the right of way.

The Commissioners signed Grant Application Resolution supporting recycling efforts for the Fayette County Solid Waste Authority.

The Commissioners reviewed resignation of Don Phillips from the Fayette County Solid Waste Authority. The Commissioners discussed appointment and unanimously approved Bob Arthur to fill this vacancy.

The Commissioners reviewed letter from Judy Gunsaulis of the Fayette County Library Board requesting appointment of Debbie Ferri to the Board due to death of James Casebolt. The Commissioners unanimously approved appointment and signed order.

The Commissioners signed letter to all elected officials, department heads, and employees of Fayette County informing that due to low number of persons who signed up to attend picnic on 8/29/92, the Commission had been advised by the planning committee that picnic has been canceled.

The Commissioners unanimously approved reappointment of John H. Harper to the Arbuckle Public Service District after receiving recommendation from the Board of the District.

The Commissioners also signed orders reappointing Hobart Booth, Guy Dooley, Lee Massey and A. W. Orndorff to the Fayette County Planning Commission after receiving recommendation from Gary E. Harding, Zoning Officer.

The Commissioners signed order appointing David Turner to the Fayette County Board of Zoning Appeals due to expired term of Elwood Maples.

Commissioner John H. Lopez signed letter of support for House Bill 5096 to Robert E. Wise, Harley O. Staggers, Nick J. Rahall and Alan B. Mollhan.

The Fayette County Commission... signed order reappointing Carolyn Paul to the Fayette County Correctional Officers Civil Service Commission.

The Commissioners approved and signed Fayette County Fire Levy Protection Agreement for Loup Creek Fire Department and Meadow Bridge Volunteer Fire Department.

A letter was signed to One Valley Bank approving to pay lost bond #R-141 Cusip #751080AW2 in the name of Hossein Yassini-Fard M.D.

The Commissioners received and reviewed information and copy of check from Royal Palace Circus for rent of Memorial Building.

The Commissioners received and reviewed information from Sandy Harper, Fayette Families Resource Network regarding services provided by the Fayette Families Resource Network through Family Resource Centers.

The Commissioners met with Sheriff Laird and Burt Horrocks regarding the need to appoint Humane Officer. Commissioner Gene Carte questioned if officer needed to be a deputy. Sheriff Laird agreed to check into this but informed he felt there would not be a problem with naming Burt Horrocks to this position. The Commissioners unanimously approved of appointment if Sheriff found no problems with.

Sheriff Laird informed he had examined vehicles and found he would have (2) that he could sell to municipalities. He is to give the Commissioners descriptions of vehicles and mileage.

The Sheriff informed the Commission that he plans to use monies budgeted to mark new vehicles. He informed he is to receive 1 radar unit from the State. He also informed that he planned to purchase rechargeable flash lights.

Discussions were held about Criminal Justice Highway Safety Grant. Sheriff Laird explained Deputy Moses would be paid from this grant which would enable him to hire another deputy. The Commissioners informed he should let person know condition of grant funds.

The Commissioners met with Attorney T. E. Myles with petition of Betty Campbell to be appointed Committee for Roseann Pashion.

Paul Clay was approved guardian ad litem and filed report.

Ms. Campbell was questioned. After questioning Commissioner Carte offered motion to approved appointment. Commissioner John H. Lopez seconded. Vote was unanimous. Bond was set in the amount of \$30,000. Mr. Myles explained he let appraisers blank for now but he would fill this in.

The Commissioners met with Ann Skaggs. Ms. Skaggs informed of receiving thank you letter from Frances Pinion. Ms. Skaggs informed she felt something had to be done about Jack Clark property. She explained she felt 2 years was plenty of time.

Discussions were held about allowing Larry Parsons using clean-up crew to work at some different places throughout the County. Ms. Skaggs also left list of names she felt should be sent additional letters regarding clean up. She requested that Lissle Carte be requested to attend meeting concerning clean up of property. She requested that Gladys Broadnax be sent a final letter regarding clean up of property.

The Commissioners signed letter to C & P Telephone Company expressing dissatisfactin with the format of the "white page" listings in 1992-93 telephone directories.

The Commissioners reviewed list of refusals to pay associated with the Emergeny Telephone system for the month of July, 1992.

The Commissioners signed letter to Mrs. Quinta Angus of Kilsyth forwarding a response received by the Commission regarding flooding of property from an abandoned mine.

The Commissioners reviewed letter from Public Improvement Council for Kincaid and Upper Page thanking the Commission for allowing the community organization the opportunity to participate in the Governor's Summer Youth Program.

The Commissioners also reviewed letter from Kenneth B. Fox addressed to William F. Spence concerning contract between West Virginia Development Office and the Page Kincaid Public Service District being approved for a grant of \$46,000.00 for extension of water service up the right fork of Mulberry Hollow.

The Commissioners signed letter to Deepwater Public Service District informing that in accordance with the terms of approval of grant funds for Deepwater Public Service District, the members of the Fayette County Commission notify them that any drawdown of the remaining grant balance of \$12,301.37 will not be approved until all funding for the completion of project is secured.

The Commissioners reviewed and approved annual financial statement for fiscal year ending June 30, 1992.

The Commissioners reviewed letter from Senator Robert C. Byrd announcing that he had received official notification that the Kanawha Falls PSD had been awarded funding from the Appalachian Regional Commission.

The Commissioners also reviewed letter from William F. Spence concerning White Oak PSD 1989 Small Cities Block Grant B-89-DC-54-0001.

The meeting was adjourned. The next scheduled meeting is September 9th, 1992.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
SEPTEMBER 9, 1992
COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA

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

The Fayette County Commission met in regular session on this 9th day of September, 1992.

The Commissioners met with Earl Pauley, Superintendent at Fayette County Park. Mr. Pauley informed that Fayette County Pool will be open on weekends-Saturday (11:00 - 7:00 P.M.) and Sunday 1:00 - 6:00 P.M.) until September 27th, 1992.

Mr. Pauley also gave report of repairs needed at Fayette County Park. Discussions were held about set of steps needing repaired. They discussed possibly putting in ramp off parking area to ticket window. Repairs needed at diving board, changing fabric of fence, removing of pine trees in picnic area & complaints about vending machines and possibility of building shelving at pool area to sell candy and ice cream were discussed. Mr. Pauley also informed he planned to drain pool on the 27th of September, 1992. Discussions were held about painting lanes in the pool, correcting lighting at pool, installing stalls in changing areas, patching concrete in pool bottom, sandblasting tank, purchasing signs indicating handicapped parking and for picnicing, finishing floor at Recreation Hall and building two new shelters. After much discussion the Commissioners thanked Mr. Pauley for all the improvements he had made at the Park and asked him to return on September 30th with costs of what repairs would be.

The Commissioners signed letter to Lyle Sattes, Director of Governor's Cabinet on Children and Families supporting the Governor's Cabinet on Children and Families to the Pew Charitable Trust.

The Commissioners signed order confirming findings of Fiduciary Commission regarding matter of estate of Phala James.

The Commissioners signed order approving final settlements be filed in Estate of Evalena McCutcheon and Estate of Vada McCutcheon within thirty days from this date, and that both matters be referred to T. E. Myles, Fiduciary Commissioner.

The Commissioners signed order reappointing Marvin Dangerfield to the Salem-Gatewood Public Service District.

The Commissioners signed letter to Mayor James Murdock informing that the Commission protests the closure of alley way running between Maple Avenue and Fayette Avenue and adjacent to the Fayette County Prosecuting Attorney's office building and adjoining a parking lot owned by Ms. Belinda Morton.

Commission President John Witt informed he recommended Doctor John Carrier to replace Bob Gillespie on the 4-C Economic Development Authority. Commissioner John Lopez also supported recommendation.

President John Witt also informed he plans to have names of possibly 15 persons to form County Planning Commission for Fayette County. He informed he has not heard back from everyone yet but plans to have names ready by the September 30th meeting. He informed that Don Briggs is to set up meeting at his convenience.

President Witt also informed that he has been informed that a class from WVU will provide service at no charge for updating County Plan.

The Commissioners received and opened bids on pick-up truck for Dog Warden. Bids received were from: Blackburn Ford -\$11,368.00, \$299.00 for bed topper, \$14,245.20 for 4-Wheel Drive, Deligne Sales of Ansted -\$10,430.20, \$319.00 for bed topper, \$13,256.20 for 4-Wheel Drive, Brown Chevrolet-\$12,200, \$279.00 bed topper, \$13,800.00 for 4-Wheel Drive. The Commissioners reviewed bids but requested Administrator Charlotte Holly to check into seeing what cost may be if purchased through state bid. The Commissioners approved bid from Deligne Sales of Ansted if she does not find the state bid vehicle to be lower in cost. All Commissioners agreed that they would go with standard vehicle. They felt that a 4-Wheel Drive vehicle was not needed.

The Commissioners approved payroll and outstanding bills.

The Commissioners reviewed bids for roof repair at Fayette County Park. Bids received were from - Richard Myles - \$7,898.00, Angelino Robertson - \$9,478.00, Hubert Blevins -\$6,950.00 and Lonnie Dearing _\$6,532.00 + \$557.00 +\$850.00. The Commissioners discussed bids but informed that bid from Mr. Blevins did not meet specifications. Commissioner Gene Carte offered motion to approve bid from Richard Myles. Commissioners Lopez seconded motion. All approved.

Administrator Charlotte Holly informed that she received amended law suit filed on behalf of One Valley Bank by Kevin Burgess regarding law suit filed by One Valley Bank v. James C. Blankenship, III, et al. There was question if answer had been filed for Fayette County Commission. Ms. Holly presented information she had received from Shuman, Annand & Poe of motion in opposition to Plaintiff's Motion for judgment by Default, "Motion for Leave to file an Answer" and "Answer of Defendants, the County Commission of Fayette County, West Virginia, John Witt, John Lopez and Gene Carte" in case of One Valley Bank of Oak Hill, Inc. v. Howard E. Janney eta al - Civil Action No.: 90-C-714. There was question if the Commissioners needed to attend hearing set before Judge Abbot which was scheduled for 9/16/92 at 10:00 a.m. Commissioner Gene Carte informed that the attorneys would handle this matter.

The Commissioners received and reviewed Request #3 Page-Kincaid PSD Mulberry Hollow Water Project. Administrator Charlotte Holly is to get project update.

Administrator Charlotte Holly informed of request from WOAY TV to have agenda of County Commission meetings faxed to them on meeting dates. Commission President Witt informed he felt the Commission should not have to pay cost for this. Request was not approved.

Administrator Charlotte Holly informed that Billy Wysong, part-time janitor had submitted his resignation.

The Commissioners approved purchase of 100 ft. of pipe for Fayette County Park from Concrete Supply.

Administrator Charlotte Holly informed of decision of Charles T. Cunningham, Administrative Law Judge Board of Review, West Virginia Bureau of Employment Programs informing that the decision of the deputy is set aside in case of Michael S. McCormick and claimant is eligible without disqualification in that he was discharged but not for misconduct.

The Commissioners met with Nino Veremessa concerning walk repair. Commissioner John Lopez and Commissioner Gene Carte informed they felt that the Commission should hold off on this for time being.

Sharon Hambrick informed the Commission she felt the Commission should install a couple recycling cans at the Courthouse being as the Boy Scouts are not doing this anymore.

The Commissioners signed letter authorizing the release of security as pledged by Montgomery National Bank to cover deposits of the Sheriff of Fayette County for fiscal year ending 6/30/93 for Chemical Bank.

An order was also signed releasing certain securities pledged on behalf of Montgomery National Bank provided that Fayette County funds deposited with banking institution will not be unsecured.

The Commissioners approved request of One Valley Bank to pay Cusip #751080AV 4 certificate #4908, 5341 (\$5,000 each) coupon #26 dated 8/92 thru 8/2010 SCA registered in the name of Bearer.

The Commissioners reviewed letter from Region 4 Planning and Development Council regarding Overall Economic Development Plan.

The Commissioners discussed request of Sheriff Laird to name Burt Horrocks as Humane Officer. The Commissioners reviewed Code and felt that officer needed to be deputy. No decision was made. The Commissioners informed they would review at meeting on September 30, 1992.

The Commissioners reviewed information received from C & P Telephone forwarding check in the amount of \$27,287.06 for Emergency Telephone System for the month of July, 1992.

The Commissioners also reviewed list of persons refusing to pay for the Enhanced Emergency Telephone System (E-911).

Fayette County Humane Society Contributions for month of August were approved.

The Commissioners received and reviewed letter from Stanley F. Matthews regarding clean up of property.

The Commissioners reviewed letter from Division of Environmental Protection regarding WV State Revolving Fund Low Interest Loan Program.

Administrator Charlotte Holly informed the Commission that after reviewing letter from Roxie Painter with complaint about change in voting precinct she found that it was a result of redistricting not by change of County Commission.

Administrator Charlotte Holly informed the Sheriff had submitted list of vehicles that were no longer in use by Sheriff's Department. The Commission informed they would review list and would decide on costs.

The meeting was adjourned. The next scheduled meeting is September 30, 1992.

John L. Witt

FAYETTE COUNTY COMMISSION MEETING

SEPTEMBER 30, 1992

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 30th day of September, 1992.

The Commissioners scheduled special meeting on 10/6/92 at 10:00 A.M. to appoint election officials for General Election to be held in November.

Administrator Charlotte Holly reported of being contacted by Attorney Jim Keenan concerning rent for space of Family Law Master. Mr. Keenan felt the Commission should be paying for this. Ms. Holly reported she has contacted Supreme Court and was told they would reimburse Fayette County but the Commission would need to pay first and then be reimbursed. Ms. Holly informed that Mr. Keenan is preparing Lease Agreement. President John Witt and Commissioner John Lopez felt this should be between state and landlord of building. The Commissioners requested Ms. Holly pass this information to Mr. Keenan.

The Commissioners met with Attorney Paul Clay and Attorney Andy Keenan concerning estate of Evalena McCutcheon and Vada McCutcheon.

The Commissioners had previously requested Mr. Keenan file final settlements of these estates within 30 days of meeting held August 26, 1992.

Attorney Andy Keenan informed he did have a rough draft of final settlements but was waiting for information from a bank. He informed there was a question of how an account was set up and informed the report would not be complete until this was received. He requested to be allowed at least another week to get this information.

Attorney Paul Clay informed he had no objections to this if Mr. Keenan would give him copies of the rough drafts he had prepared. Mr. Keenan agreed to give Mr. Clay copies.

The Commission scheduled meeting for October 15, 1992 at 10:00 A.M. for Mr. Keenan to present the needed information.

The Commissioners signed letter to Mr. Carl L. Bradford of the West Virginia Office of Emergency Services informing that Stephen M. Cruikshank is legally authorized to enter into agreements with the West Virginia Office of Emergency Services for the Emergency Management Assistance (EMA) Program.

The Commissioners reviewed letter addressed to Mr. William F. Spence concerning White Oak PSD 1989 Small Cities Block Grant B-89-DC-54-0001.

The Commissioners reviewed letter from Page Kincaid Public Service District requesting drawdown of funds in the amount of \$853.90. The Commissioners approved to pay balance of \$727.43. A letter was signed to One Valley Bank requesting the issuance of check in this amount from the Fayette County Project Account for Raleigh, Fayette, and Nicholas Counties, West Virginia Municipal Collateralized Mortgage Obligation Bonds, Series 1990B.

The Commissioners reviewed letter from Riley M. Thompson requesting that the Commission send written statement as apology for letter sent to him concerning clean up of his property. Commissioner Lopez and President Witt felt they should not sign letter. They were only complying by complaint and then acting pursuant to West Virginia Code. Mr. Witt requested that Larry Parsons look at.

Administrator Charlotte Holly reported of complaint issued from Noah Rakes concerning opening of road off Huff and Young Street in Oak Hill area outside city limits. Mr. Rakes informed that Larry Parson's crew did not clean up completely and felt the Department of Highways should assist in opening road. Ms. Holly informed that Department of Highways had informed they could not assist. Mr. Rakes also requested that the Commission request the Governor assist with this. Mr. Witt requested that Larry Parsons be requested to write a brief paragraph describing the situation.

The Commissioners signed letter to One Valley Bank approving lost bond #R-11752 Cusip #084112CS8 @ \$15,000, due 9/1, 2004 registered in the name of Luke Gianato.

The Commissioners received and reviewed information concerning public hearing before the Public Service Commission for approval of creation of Morris Creek Public Service District in Kanawha and Fayette Counties.

Administrator Charlotte Holly reported that one of the Cruisers had been sold to Town of Fayetteville for \$800.00. She informed the Town had also agreed to do Back-Hoe work for the county.

Ms. Holly also reported that Dog Warden truck had been ordered and should arrive 10/23/92.

The Commissioners reviewed information from Cleek, Pullin & Bibb regarding dismissal of case of Tex Koch, Jr. v. William R. Laird IV, et al. (Civil Action No. 92-C-0364.)

Attorney Ralph Young appeared before the Commission with petition to set hearing for minor boundary adjustment for City of Oak Hill. Hearing was set for approval on 10/28/92 at 9:30 a.m.

Deputy Everette Steele appeared before the Commission. The Commissioners questioned Mr. Steele about request of Jim Sizemore for use of Fayette County Shooting Range. Mr. Steele explained that the range is specifically for Law Enforcement use and should not be open to the public. Commissioner Carte commented that Insurance Carrier would not permit public use.

Administrator Charlotte Holly informed of being approached by Ira Blake concerning vending machines for Courthouse Annex. Mr. Blake informed Ms. Holly that he had been approached by employees at Annex with complaints about current machines. Commissioner Lopez suggested checking around first and to question the magistrates of their thoughts on the matter and then for Charlotte to get back with the Commission.

Senator Bill Wooten appeared at meeting and presented the Commission and Administrator a framed memento of resent Bond Resolution.

The Commissioners set special time at October 15th meeting to discuss upcoming Levy Election with parties involved.

The Commissioners reviewed information sent to all Law Enforcement/Criminal Justice Agency Administrators regarding Terminal Agency Selection. Information was forwarded to Sheriff Laird.

The Commissioners reviewed invitation to West Virginia Division of Rehabilitation Services Open House on 10/7/92 at 1:00 P.M.

The Commissioners reviewed and approved application and agreement for underground service by Appalachian Power for Fayette County Park. Cost to be \$400.00.

Administrator Charlotte Holly informed that she had been contacted by Gary Light of Valley Ambulance. He informed ambulance should be in by October 12, 1992. The Commissioners approved issuance of check in the amount of \$10,000.00 for new ambulance if needed by next meeting.

Commissioner Gene Carte informed that Linda Johnson of the County Clerk's office requested that the Commission only sign one copy of orders. If others needed she could certify copies from the Clerk's office. The Commissioners approved.

Sheriff Laird approached the Commission and informed that Fayette County is to receive grant funds in the amount of \$50,000.00 from Criminal Justice, Highway & Safety for Operation Buckle Down to promote seatbelt safety. This grant to be 100% federal monies with no match required.

Discussion were held about Deputy Chuck Moses being deputy in charge of this. Discussion were held if Deputy Moses would use county vehicle. Mr. Laird informed he would check into this.

The Sheriff reported to the Commission that Deputy Allen Workman plans to retire by October 15, 1992. He informed that he plans to appoint Everette Steele to Chief Deputy October 1, 1992.

Discussions were held about the Sheriff's appointment as Humane Officer. The Sheriff agreed to research further before naming Humane Officer.

The Commissioners met with Park Superintendent Earl Pauley concerning costs for repairs and improvements at Fayette County Park.

Mr. Pauley gave costs of \$81.00 each for new tables, \$2,100.00 each for 2 new shelters, Flag Pole entrance - 6 yards concrete, 100 blocks, underground lighting, landscape \$2,726.00, steps 70' long 5' wide ramp, 10 yards of concrete \$2,010.00, complete front on pool area, outside pad, replace 25 yards at cost of \$3,700.00, shower room - \$386.00. Mr. Pauley informed he planned to have completed by May, 1993.

Discussions were held about cost and bidding process. The Commissioners unanimously approved for Mr. Pauley to start improvements after Administrator Charlotte Holly reviews.

The Commissioners reviewed information from Cindy Elliott, West Virginia University 1152 Agricultural Sciences concerning Midland Trails Project Design Guidelines draft.

The Commissioners reviewed copies of letters from Mr. and Mrs. Roger L. Handley and Governor Caperton regarding State of West Virginia providing assistance to unmarried parents who are living together.

The Commissioners reviewed information regarding hearing set on 10/6/92 regarding Civil Action No. 90-C-714, One Valley Bank of Oak Hill, Inc. v. Howard E. Janney et al. Administrator Charlotte Holly is to call attorney assigned to case to see if it is necessary for the Commissioners to attend.

The Commissioners signed letter to Senator Robert C. Byrd regarding citation and framed picture of the medal of Honor on behalf of the late Major General Charles C. Rogers. The Commissioners informed they only needed to obtain a citation on behalf of the late Major General Rogers.

The Commissioners signed letter to Montgomery National Bank advising that the Fayette County Commission has appropriated a sum of \$10,000.00 to Valley Ambulance towards purchase of new ambulance.

The Commissioners signed letter to William F. Spence advising that the Fayette County Commission plans to utilize local funds if needed in addition to the \$50,000, Governor's

Community Partnership grant, for establishing, equipping, and furnishing the Fayette County 9-1-1 Central Answering Point for an enhanced emergency telephone system.

The Commissioners unanimously approved permission for Commissioner Gene Carte to attend Disabilities Seminar on October 16 & 17, 1992 in Morgantown.

The Commissioners reviewed list of persons refusing to pay for Emergency Telephone System.

The Commissioners also reviewed check in the amount of \$27,298.22 for Emergency Telephone System for the month of August, 1992.

Minutes of Salem Gatewood PSD meeting held 8/10/92 were received and reviewed.

President Witt presented names of Guy Dooley, Cindy Whitlock Phyllis Gray, Dave Pollard, C. R. Hill, Thomas Bell, Mark Lokant, Paul Brant, Opal Leggett, Karen Vuranch, Benji Simpson, Tom Oxley, Steven Wheatley, Mike Hunter and William Fox as appointments to new Planning Commission for Fayette County.

The Commissioners reviewed information concerning workers' compensation claim of Percy Lee Gilliam.

The Commissioners reviewed notice from Citizen's Advisory Board of Southern Regional Juvenile Detention Center that there will not be a Board meeting in September.

The Commissioners reviewed letter from John Shumate of the C & P Telephone Company regarding the Commissioner's preference for the layout of the telephone directory.

Application for employment of Jeffrey Todd Dunlap for custodian was reviewed.

The Commissioners reviewed and signed Custodian & Security Agreement for Third Party Deposits for First Empire Federal.

A letter was reviewed from William Fox requesting \$2,500.00 for developing a playground and ball field for children in Danese area.

A letter was reviewed from citizens of Bellwood area concerning improvements and extension of water lines in Bellwood Community.

Kathy Dunlap and Pam Cohernour appeared at the Commission meeting and presented proposal for Haunted House at Fayette County Park. The Commission had questions about charging persons for attending and felt there would be liability problem.

Ms. Dunlap questioned if they could just take donations. The Commission still felt there would be a problem.

After further discussion concerning the matter President Witt informed they would discuss the request further today and would get back with a decision by the next morning 10/1/92.

Administrator Charlotte Holly informed that she had been approached by Paul Blake concerning furniture for the Prosecutor's Office. Ms. Holly informed that current Prosecuting Attorney Charles Vickers plans to take his furniture when he moves to Judge's office in January.

Attorney T. E. Myles and Sheriff Laird appeared before the Commission. Attorney Myles requested that previous order appointing Sheriff Laird over the estate of Larry D. Pezzanita be set aside and the Sheriff be discharged of duties. Andy Keenan was previous administrator had never turned over information concerning the matter. Mr. Myles explained that he has tried everyway possible to obtain information but was not having progress.

Commissioner John Lopez made motion to approve setting aside order. Commissioner Carte also seconded the motion. Motion passed 3 - 0.

Attorney Miles requested the Commission pay for Court Report fees. Cost to be \$35.00. Court Reporter is to submit invoice. This was approved.

Audit reports for years ending June 30, 1991 and June 30, 1992 for Smithers Volunteer Fire Department were presented and reviewed.

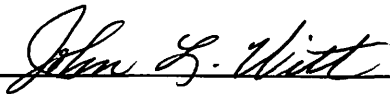
The Commissioners reviewed letter addressed to James C. Blankenship from Attorney Erwin Conrad regarding decision of the Commission regarding estate of Phala James. President Witt requested Mr. Conrad be written a letter regarding the matter and be sent a copy of the minutes when decision was made.

The Commissioners reviewed copies of letters addressed to County Clerk Howard E. Janney from Prosecuting Attorney Charles M. Vichers advising that as of October 1, 1992, he has employed Carl L. Harris as an Assistant Prosecuting Attorney at annual salary of \$40,000.00, as of July 1, 1992, he employed Kathy Bird at annual salary of \$12,000.00 and as of September 1, 1992, he increased the annual salary of Teresa D. Daniel to \$35,000.00 and Paul M. Blake, Jr. to \$40,000.00.

The Commissioners reviewed copies of letters from Assessor Thomas E. Aiello, Assessor advising Payroll clerk Judy Hess that as of 9/16/92, he plans to employ Nora Bostic as a data collector in his office and plans to pay her \$800.00 per month from the PVC account, he plans to employ David Hogan as a full-time appraiser beginning 9/16/92 at a salary of \$1,410.00 per month, and he plans to supplement his salary from the PVC account in the amount of \$200.00 per month.

The Commissioners reviewed copy of letter from Sheriff Laird to Howard E. Janney informing he employed Robert E. Watkins as a Correctional Officer at the Fayette County Jail effective 9/11/92 at a salary of \$1,050.00 per month.

The meeting was adjourned. The next scheduled meeting is October 6, 1992.



FAYETTE COUNTY COMMISSION MEETING
OCTOBER 6, 1992
SPECIAL SESSION
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: John L. Witt, Gene Carte, Jr.

The Fayette County Commission met in special session on this 6th day of October, 1992.

The Commissioners received, reviewed and approved election workers, democrat and republican to work for upcoming general election.

President John Witt also signed letter authorizing Prosecutor Charles Vickers and Assistant Prosecutor Teresa Daniel to charge rooms, meals and expenses at Lakeview Resort while they are attending seminar.

The meeting was adjourned. The next scheduled meeting is October 7, 1992.



FAYETTE COUNTY COMMISSION

OCTOBER 7, 1992

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 7th day of October, 1992.

The Commissioners met with Attorney Phil Tissue and Attorney Paul Clay with petition of Cathryn Burruss to be appointed Committee for William H. Wender. Attorney Paul Clay was approved as guardian et litem and recommended the appointment. Commissioner Gene Carte offered motion to approve appointment. Commissioner John Lopez seconded the motion. Vote was unanimous. Bond was set in the amount of \$50,000.00.

The Commissioners met with Steve Cruikshank. Discussions were held about problem with design of space for 9-1-1 center. Discussions were held about hiring Billy Horrocks to work part time for renovations of Memorial Building. Discussions were held about heating and air conditioning of Memorial Building. The Commissioners advised Steve to get plans together on renovations and to get back with the Commission. The Commissioners also advised that if Administrator had not received check for grant for 9-1-1 by Friday to call Fred Cutlip to check on.

The Commissioners discussed request of Gauley Bridge to purchase old cruiser. The Commissioners informed they would need to pay 1/3 of cost up front and then pay balance within 90 days. Commissioner Lopez authorized Administrator Holly and President Witt to handle this. Commissioner Carte was not present.

The Commissioners signed Order approving grant funds in the amount of \$10,000.00 to Valley Emergency Medical Services.

The Commissioners signed letter to Chemical Bank advising that John L. Witt, President of Fayette County Commission is the official duly and legally authorized to release securities pledged by banks to cover deposits of the Sheriff of Fayette County upon order of approval by Commisison.

The Commissioners approved invoice to be submitted to Department of Corrections for Parole Officer space rented by the Fayette County Commission.

Administrator Charlotte Holly presented list of Polling places for General Election to be held 11/3/92. The Commissioners approved list. Discussions were held about Minden School and Collins Middle School. Administrator Charlotte Holly reported that the Board of Education was to get back with her concerning these places.

Administrator Charlotte Holly reported that Kathy Ramsey had requested use of Van to move boxes. This was approved.

Administrator Charlotte Holly presented information concerning decision of West Virginia Bureau of Employment of James E. Billings being ineligible for benefits.

Administrator Charlotte Holly reported that Bob Arthur had informed that 4-H organization had agreed to sponsor Haunted House at Fayette County Park. With this information the Commissioners approved this to be held.

Administrator Charlotte Holly reported that Assistant Prosecutor Paul Blake had inquired about additional extension lines for Prosecutor's office. The Commissioners gave Ms. Holly permission to check with AT&T about this matter.

President Witt requested a letter be drafted to Town of Fayetteville authorizing them to police area of Memorial Building to stop skate boarding.

Twila Hicks and Jennings Berry, Jr. appeared before the Commission requesting funds for needed parts of an ambulance. (Alternator problems) Ms. Hicks reported they had checked with a place at St. Albans to have repairs done at a cost of approximately \$1,200.00. Commissioner John Lopez offered motion to approve. Commissioner Gene Carte seconded. Vote was unanimous. They are to submit invoice.

Kenneth Legg appeared before the Commission concerning request of Commission to give credit on past tax ticket concerning property of his mother. Property in question was tax exempt under his father but when father died his mother failed to sign up for. Tax Year in question was for 1990 - 1991. Homestead Exemption has been applied for 1992.

Assessor Tom Aiello was present and informed this was a unique situation but felt he was just abiding by Code when denying this request.

Commissioner John Lopez expressed he felt the Commission did not have authority in this matter after reviewing information received from State Tax Department.

Commissioner Gene Carte questioned exemption of others who have homestead exemption.

The Commissioners informed they would have to look at further to determine if they have authority concerning this matter.

Administrator Charlotte Holly reported of request of Human Rights Commission to use County Commission room. This was approved but President Witt informed he may have to be in and out of room.

The Commissioners met with Attorney Billie Jean Hutsenpiller and Attorney Andy Keenan with petition of Karol Dunsford to be appointed Committee for Letha Clinton. Ms. Dunsford was questioned. After questioning Commissioner Gene Carte offered motion to approve appointment. Commissioner Lopez seconded. Bond was set in the amount of \$2,000.00. Attorney Phil Tissue was approved Fiduciary Commissioner.

The Commissioners received and reviewed audit of the Salem Gatewood Public Service District for fiscal year ending June, 1992.

Belinda Morton briefly appeared before the Commission informing she was off of Civil Service Commission. She would forward letter to the Fayette County Commission.

Administrator Charlotte Holly informed of questions concerning reimbursement of D.A.R.E. Project. She is to check this with Pat Tygrett.

The Commissioners met with Juanita Akers concerning details for hanging portraits of Congressional Medal of Honors recipients. Commissioner Lopez and President Witt approved applying blue paint to area in question subject to approval of Historic Landmark Commission. Commissioner Carte voted against this.

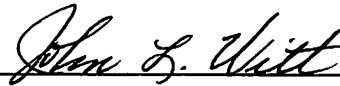
The Commissioners approved statement received from 4-C Economic Development Authority for 2nd quarter contribution in the amount of \$12,587.40.

The Commissioners approved statement received from Fayette County Solid Waste Authority for \$2,000.00 for share of Larry Parson's salary.

The Commissioners reviewed letters from William R. Laird, IV concerning payroll adjustments and advancements in rank of P. R. Statler, C.D. Moses, L.E. Washington, L.R. Boley and payroll adjustment of newly appointed Chief Deputy, Everette Steele.

The Commissioners reviewed copy of letter addressed to Governor Caperton from White Oak Public Service District thanking the Governor for Small Cities Block Grant for improvements to wastewater treatment plant.

The meeting was adjourned. The next scheduled meeting is scheduled for October 15th, 1992.



FAYETTE COUNTY COMMISSION MEETING

OCTOBER 15, 1992

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 15th day of October, 1992.

The Commissioners approved outstanding bills and payroll.

Administrator Charlotte Holly informed she had received information from Prosecutor's Office concerning law suit filed by Attorney Toad Conrad regarding decision of the Commission of the estate of Phala James. Commissioner Gene Carte informed that the Commission did not need to do anything regarding this matter.

President Witt informed that Rupert Chuyka was willing to serve on the Fayette County Board of Zoning Appeals. This was approved.

The Commissioners signed letter to Mr. Kenneth Hayes, Chairman of the New Haven Public Service District requesting status report of Northern Fayette County Regional Water System.

The Commissioners requested to hold letter concerning compensation claim of Keith Lester until matter is discussed further with Sheriff.

The Commissioners also instructed to hold off sending letter to Attorney Belinda Morton until she responds to appointment of Correctional Officer Civil Service Commission.

The Commissioners signed letter to West Virginia State Agency for Surplus Property certifying that Ansted Certified Fire Department is a duly incorporated, non-profit corporation in Fayette County.

President Witt announced that a joint meeting will be held November 5, 1992 at 7:00 p.m. with the Fayette County Planning Commission and the newly appointed Advisory Planning Commission with Dr. Yuill and Don Briggs.

The Commissioners reviewed and signed order assigning number of vote recording devices in each precinct for upcoming general election.

The Commissioners reviewed letter from County Clerk Howard E. Janney informing that a test of the tabulating equipment for upcoming election on 10/23/92 at 10:00 a.m.

The Commissioners reviewed Governor's Community Partnership Grant Program Contract between the West Virginia Development Office and the Fayette County Commission to establish, equip, and furnish a 911 central answering center. Commissioner John H. Lopez offered motion to authorize contract with the State of West Virginia for Governor's Community Partnership Grant Program for funds for program. Commissioner Gene Carte seconded the motion. Vote was unanimous. A Resolution was signed authorizing President John Witt to act in connection with the contract for its proper execution and implementation. Discussions were held about advertising for work needed for renovations.

The Commissioners met with Assessor Tom Aiello and Assistant Prosecutor Teresa Daniel with exonerations of real and personal property taxes. Ms. Daniel reported she has reviewed list and has found no problem with approving. Exonerations were approved.

West Virginia Consumers' Sales and Service Tax Return was signed for Fayette County Park.

The Commissioners discussed discription for motor pool mechanic for Fayette County Park. They decided they would not fill this position at this time.

Administrator Holly informed Canvass for General Election will be November 9, 1992.

The Commissioners reviewed letter from Senator Robert Holliday to Mary Kees concerning water for Burnwell area.

Administrator Charlotte Holly reported that Public Hearing concerning Morris Creek Public Service District will be held 10/26/92. Ms. Holly informed someone from the Commission should try to attend. Commissioner Carte informed he may be able to attend. If not, Administrator Holly informed she could attend.

A letter was reviewed from William F. Spence regarding monitoring visit #2 on 11/6/92 of the FY1989 Small Cities Block Grant White Oak Public Service District Sewer.

The Commissioner reviewed Thank You card from Delbert Parker and family for assistance with clean up of cemetery at Sun.

A letter was reviewed from attorney William S. Druckman concerning Committee Appointment for Tuwyone Moore.

The Commissioners reviewed letter from Attorney Lynn B. Pollard concerning upcoming hearing scheduled regarding Co-Committee appointment for Evelyn K. Bess. Commissioner Lopez questioned why this matter should come before the Commission. Commissioner Carte informed he would discuss this with Attorney Toad Conrad. A letter was also reviewed from Attorney Conrad concerning the matter.

A letter was reviewed from Fred Cutlip, Community Development Division regarding alternate fuels for vehicle fleets.

Minutes of meeting of Salem Gatewood Public Service District held 9/11/92 were reviewed.

The Commissioners reviewed letter from D. Clinton Gallaher, IV informing that the Bar Association has appointed James Allen Spade as member of Fayette County Correctional Officers Civil Service Commission.

The Commissioners signed order approving alternates to replace election workers who were appointed 10/6/92 who declined to work for upcoming general election.

Ms. Holly reported of telephone complaint about Fred Carter property not being cleaned up.

President Witt read letter from Larry Parsons in which he described property where Rogers street and Young Street intersect. President requested notifying Mr. Rakes of findings.

Mount Hope Volunteer Fire Department audit for years ended June 30, 1991 and 1992 were reviewed.

The Commissioners discussed request of Kenneth Legg for homestead exemption relief on prior year taxes. Commissioner Carte informed he approved request. President Witt and Commissioner Lopez informed they felt Mr. Legg should be written a letter informing he has benefited from past relief and felt he should pay for years in question.

The Commissioners informed Ms. Holly to get with Assessor Aiello to decide what to say in letter.

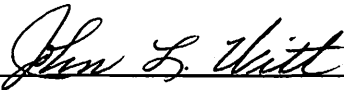
The Commissioners discussed American Disability Act. The Commissioners formally appointed Administrator Charlotte Holly as Coordinator.

The Commisisoners met with Steve Cruikshank, Judy Gunsaulis, John Vernon, Delbert Cordle, C. L. Roberson, and Everette Steele concerning Levy Election.

All persons in attendance informed they felt Fire Levy, Law Enforcement Levy and Library Levy should be separate issues. It was unanimous decision to use paper ballots. A date was set for February 6, 1993 to hold Levy Elections. The Commissioners authorized Administrator Charlotte Holly to begin working on Levy Order.

Payroll and outstanding bills were approved. The next scheduled meeting is October 23, 1992.

The meeting was adjourned.



Levy Election Discussion

10/15/92

2/6/93
Paper ballot

Judy Hunsault
Steve Cruikshank

Fayette County Public Libraries
Fayette Co. Emergency Services

John Vernon

Fayette Co. Firefighters Assoc.

Dylan F. Cordle

Walker Fire Dept

Robinson

Fayette Co. Firefighters Assoc

Evette Steele

L.E.

FAYETTE COUNTY COMMISSION MEETING

SPECIAL MEETING

OCTOBER 27, 1992

COURTHOUSE

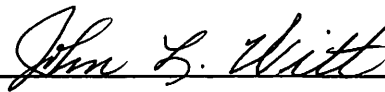
FAYETTEVILLE, WEST VIRGINIA

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

The Fayette County Commission met in special session on this 27th day of October.

The Commissioners ran test on tabulating equipment for upcoming general election.

The meeting was adjourned. The next scheduled meeting is October 28th, 1992.



FAYETTE COUNTY COMMISSION MEETING

REGULAR SESSION

OCTOBER 28, 1992

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 28th day of October, 1992.

The Commissioners met with Attorney Ralph Young with petition of City of Oak Hill for annexation by minor boundary adjustments of 3.98 acre portion of W.Va. Route 38, 2.69 acre portion of W.Va. Route 38, 9.59 acre portion of right of way of W.Va. Route 61, .48 acre portion of W.Va. Route 25 and 25.2 acre portion of U.S. Route 19 adjoining the city of Oak Hill, West Virginia. The Commisisoners approved order and set hearing for November 25, 1992, at 9:30 A.M.

Attorney Ralph Young also requested to table request for minor boundary adjustment for 12.53 acre track owned by Highway Properties (proposed K-Mart) until all safety concerns are met. Request was tabled.

The Commissioners reviewed ~~petition from residents of Summerlee area who do not wish to be annexed into city.~~

Administrator Charlotte Holly informed that she had received proposed Lease Agreement for Family Law Master space from Jim Keenan. Ms. Holly reported that she had telephoned the Supreme Court trying to get some questions answered but was not able to have someone return her call. The Commissioners instructed Ms. Holly to not issue check until her questions are answered.

Unocal Federal Tax Exemption form was approved and signed by President Witt.

The Commissioners reviewed letter from U.S. Department the Interior regarding Fayette County Steering Committee.

The Commissioners approved and signed order appointing alternate workers for General Election.

The Commissioners received and reviewed list of refusals to pay associated with the Emergency Telephone System.

The Commissioners also signed order regarding request of Kenneth Legg for Homestead Exemption for Grace Legg for tax years of 1991 and 1992. The Commissioners determined that an application for Homestead Exemption was not filed in a timely manner for tax years 1991 and 1992 by or on behalf of Mrs. Grace Legg. With this information the Commissioners denied request of Kenneth Legg for Homestead Exemption and ordered the Sheriff and the Assessor of Fayette County to take whatever action necessary to fulfill the terms of order.

Administrator Charlotte Holly reported of request of Rebecca Harris of Danese area to use upstairs of Danese Fire Department for Community Halloween Party on Saturday October 31, 1992 if weather does not permit them to use bay area downstairs. This was approved.

Administrator Charlotte Holly presented a letter from the Department of the Army regarding annual inspection of the Paint Creek Flood Protection Project at Pax. Ms. Holly reported she had requested Steve Cruikshank to provide an update status report regarding this problem.

The Commissioners reviewed copy of letter from Sheriff Laird concerning employment of Eric S. Lilly as deputy sheriff at a salary of \$1,348.42.

Ms. Holly also informed she had talked to Sheriff about questions she had concerning a recent purchase of swivel chairs for the communication office.

The Commissioners received and reviewed information from Bank of New York confirming that the Bank of New York acts as Trustee, Registrar and Paying Agent on th Fayette County, 6 1/4% Environmental Improvement Revenue Bonds (United Carbide Corporation Project - Series 1976).

Payroll and outstanding bills were approved.

Administrator Charlotte Holly presented request from Adata, Inc. for list of current polling locations. The Commissioners instructed Ms. Holly to mail them copy of list used by the County Commission.

The Commissioners received and reviewed Audit Reports for Boomer Volunteer Fire Department, Inc. for fiscal year ending 6/30/92.

Audit Report for years ending 6/30/87, 88, 89, 91, 91 and 92 were presented and reviewed for City of Montgomery Fire Levy Fund.

Audit Reports were also reviewed for Meadow Bridge Fire Department for fiscal years ending June 30, 1987 - 1992.

The Commissioners reviewed information from Attorney Belinda S. Morton regarding medical report of Percy Gilliam.

The Commissioners reviewed and approved sending letter to Worker's Compensation Fund protesting the Commissioner's findings dated September 28, 1992, ruling the claim of Earnest Keith Lester.

The Commissioners signed and approved order naming Rupert Chuyka to the Board of Zoning Appeals.

The Commissioners met with Gary Harding regarding Zoning Hearing Z-370-92-2 - request of Howard O. Campbell, Sr. et als, Owner, for a change in land classification from P-D, Planned Development District, to B-2, General Business District, on 4.10 acres, Pine Springs, located on Ames Heights Road at Corridor "L", New Haven District.

The Commission was informed by the Zoning Officer that the Planning Commission met on this matter on Monday, October 26th, 1992, and did by a 7 - 0 vote recommend that this request be denied and the property stay in a P-D classification. Mr. Campbell was present and informed the Commission that he wanted a commercial classification so that he could put in a convenience store, service station, restaurant, motel and craft shops. Mrs. Janice Keblesh was present and stated that she had no objections to commercial uses on the property but felt that P-D was the way to control the uses.

After a lengthy discussion a motion was made by Gene Carte that this request be approved to B-2. Motion was seconded by John Lopez and passed by a vote of 3 - 0.

The Commissioners met with Leon Newman of the Deepwater Public Service District and Tim Oxley and W. D. Smith from Region IV Planning & Development Office regarding status of project at Deepwater PSD.

Leon Newman reported that they have been assured of receiving grant from Governor's Office for \$250,000 in September, 1993 and he also reported that the EPA Funding approval was still in effect.

W. D. Smith gave report on other projects. He reported that White Oak PSD project is 40% complete and anticipates project being complete by spring of 1993. He reported he had no knowledge of Page Kincaid project.

The Commissioners discussed the committment from the Commission being contingent on other agencies contributing to the project.

Mr. Newman requested approval of the remaining funds of \$7,331.37 from the \$80,000.00 the Commission had approved.

Commissioner Lopez offered motion to approve. Gene Carte seconded the motion. Motion passed 3 - 0.

Ms. Holly requested invoices for the amount approved.

The Commissioners also approved and signed pay request number 14 for the White Oak PSD Sewer System Improvement project.

The Commissioners met with Attorney William S. Druckman with petition of Stephanie Wallace to be appointed Committee for Tuwyone Moore.

Ms. Wallace was questioned.

Attorney Ted Kanner was approved guardian et litem and felt it was in the best interest to have Ms. Wallace appointed to this position.

Commissioner Gene Carte questioned if incompetent had been served 30 days prior to hearing. This was not confirmed. It was also questioned if receipts had been returned from all parties involved. This was confirmed. The Commissioners approved as submitted today but rescheduled hearing for 11/13/92 at 10:00 A.M. for Mr. Druckman to return with information of notifying incompetent 30 days prior to hearing and receipts of all parties involved.

Administrator Charlotte Holly reported that Mrs. Glen Hartman had issued a complaint concerning Fred Carter not cleaning up his property. Mr. Carter was issued a letter 4/15/92. Commissioner Lopez informed he would try to talk with Mr. Carter.

The Commissioners met with Steve Cruikshank. Mr. Cruikshank presented Ambulance Allocation Plan for approval. This was approved and signed.

Mr. Cruikshank also requested permission to purchase TDD (Telecommunications Device for the Deaf) from E-911 funds. Cost to be approximately \$650.00 plus \$10.00 shipping.

This was approved providing that C & P does not sell this equipment.

Administrator Charlotte Holly also informed of receiving check from Shrine Circus Fund for \$500.00 for rent of Memorial Building.

Tim Richardson appeared at Commission meeting to object to the Commission approving Zoning request of Howard Campbell held earlier this morning. No changes were made.

Ms. Whitlock appeared at the Commission meeting regarding a request to have order approved for expending funds of Orland Nichols for Attorney Pat Hamilton.

President Witt informed this was scheduled for earlier this morning and it would have to be rescheduled for future meeting.

Administrator Charlotte Holly presented each Commissioner with Election Night Procedures to review from the Secretary of State Office.

Ms. Holly informed she had been contacted from Harvey Young of the Assessor's Office regarding vehicle being scratched by dog. Ms. Holly informed she felt it was county owned vehicle and requested him to get 3 estimates. Later she found out that this was personal car of John Kania. Mr. Kania had submitted 3 estimates. The Commissioners informed they felt they were not responsible. This should be turned into owner's insurance or to taxpayer.

The Commissioners voted to go into executive session to discuss personnel matters in regard to McCormick dismissal.

The Commissioners returned and signed Resolution concerning Operation Buckledown Program.

Mr. Witt left the meeting.

Commissioner John Lopez and Commissioner Gene Carte authorized Administrator Charlotte Holly to lock and or unlock election supply room for purpose of giving out supplies on October 29 & 30, in absence of County Commissioner.

Commissioner Lopez stated he understood this could be done only by a County Commissioner. Commissioner Carte and County Clerk Howard Janney affirmed that Administrator Charlotte Holly could be designated to do this.

The meeting was adjourned. The next scheduled meeting is scheduled for November 13th, 1992.

John L. Witt

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
NOVEMBER 13th, 1992
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 13th day of November, 1992.

The Commissioners met with Steve Cruikshank with Local Mutual Aid Agreement for the Commissioners to review for Fayette County and 911 Center of Raleigh Emergency Services Authority. The Commissioners authorized approval.

Payroll and outstanding bills were approved.

The Commissioners unanimously certified general election results of November 3, 1992 election. All certifications were approved and signed.

Dee Lively appeared at Commission meeting and President John Witt questioned if Dee could work an 18 year old male at the courthouse doing maintenance work as part of a 50 hour service sentence Judge Hatcher had authorized. Mr. Lively informed he would be willing to supervise.

Claude and Beulah Walkup appeared before the Commission and presented petitions and protest letter to the Department of Environmental Protection protesting New Haven Coal Mining, Inc. moving into the residential area of Nallen. Discussions were held concerning the Company only employing 2 persons from the area. Commissioner Gene Carte made motion to formally protest the permit process and to write letter concerning this decision. He also informed he felt there should be an investigation into applicant. Commissioner John Lopez seconded the motion. Vote was unanimous.

The Commissioners met with Attorney Bill Druckman and Attorney Travers Harrington concerning Committee Appointment of Tuwyone Moore. The Commissioners had heard testimony of Petitioner Stephanie Wallace on October 28, 1992. At this meeting there was a question of parties being served with notice of hearing. Travers Harrington informed he has visited Mr. Moore and would recommend appointment of Ms. Wallace. He recommended \$100,000 bond.

Commissioner John Lopez offered motion to approve appointment. Commissioner Gene Carte seconded. Vote was unanimous. Bond to be set in the amount of \$100,000.00.

Attorney Pat Hamilton appeared before the Commission requesting the expenditure of funds of the Orland Nichols Estate. Mr. Hamilton explained he is Committee for Mr. Nichols and had necessary paper work for this request.

Commissioner Gene Carte offered motion to approve expenditure of \$30,000. Commissioner John Lopez seconded. Vote was unanimous.

Commissioner John Lopez informed he felt the Commission should consider offering used cruiser from Law Enforcement to City of Montgomery. Mr. Lopez informed of request from Ben Carson, Mayor of Montgomery. This was approved. Cost to be \$500.00.

A letter was written to Mayor E. G. Larrick, Mayor James F. Murdock, Mayor Eddie Long, Mayor Inez Kirkwood, Mayor George Smith, Mayor Charles Keenan, Mayor Gayle Humphreys, Mayor Benjamin Carson, Mayor Charles Moore and Mayor Ted McClanahan informing that the County Commission has 1 1982 Chevrolet Impala at a cost of \$400.00 and 1 1982 Chevrolet Impala at a cost of \$500.00 for sell.

President John Witt informed he felt a letter should be written to the Fayette County Board of Education requesting them to finish what they were supposed to at the Memorial Building before renovations start for the 911 center. Discussions were held about mainly requesting that they repair or replace the bleachers.

Discussions were held about upcoming levy elections. Administrator Charlotte Holly explained that it was up to County on how they want to address reappraisal with levy rate situation. Commission President John Witt informed he would like to roll back taxes based on last certification of values. All agreed. The Commissioners signed order based on this decision. (copy of order attached)

A letter was approved and signed to Ken Hechler informing that Special Levy Election will be held on 2/6/92 using paper ballots.

An order was also signed as per this decision. (copy attached)

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

The Commissioners received and reviewed Danese Volunteer Fire Department Fire Levy Agreement.

The Commissioners approved necessary documents for drawdown for Deepwater Public Service District. Administrator Charlotte Holly informed she was still unable to find copies of invoices that Deepwater has record of being paid. The Commissioners informed if they feel they are paid then no other response should be needed from the Commission.

The Commissioners signed order reappointing Louise Grimmatt to the Gauley River Public Service District.

Administrator Charlotte Holly presented copy of Memorandum from Governor Gaston Caperton in which he has allowed all state workers to have Friday, November 27, 1992, as an additional day off in observance of the Thanksgiving holiday.

The Commissioners informed County employees would observe this also. The Commissioners signed letter to all elected officials and employees informing them of this decision.

The Commissioners approved and signed letter to One Valley Bank with requisition for the disbursement in the sum of \$7,331.37 from the Fayette County Project Account Subaccount established for the Raleigh, Fayette, and Nicholas Counties, West Virginia Municipal Collateralized Mortgage Obligation Bonds, Series 1990B.

The Commissioners informed they would cancel their regularly scheduled meeting for December 30, 1992.

Administrator Charlotte Holly presented Notice of Hearing from West Virginia Department of Employment Security of Elizabeth A. Blackburn. She informed a copy was forwarded to Prosecuting Attorney's Office.

Administrator Charlotte Holly presented Answer filed on behalf of the defendants in the Koch v. Fayette County Commission, et al, Civil Action No. 92-C-0974.

The Commissioners reviewed audit report of the Municipality of Fayetteville for the fiscal year ending June 30, 1990.

The Commissioners informed that the City of Oak Hill should be notified that audit reports are required.

Administrator Charlotte Holly reported that Family Law Master Agreement has been reviewed and Ted Philyaw would not approve. Ms. Holly informed that Jim Keenan has been informed. No payment will be made until approved.

The Commissioners reviewed Notice of Exemption - Abandonment in Fayette and Nicholas Counties. The Commissioners had not response to notice.

Administrator Charlotte Holly informed that damage to Clarence Martin's vehicle had been turned over to Jim Lively Insurance and the damage is less than the \$1,000.00 deductible per loss on policy. The Commissioners reviewed estimates and approved estimate from Bud Fox's Body Shop for \$684.13.

The Commissioners reviewed and approved supplemental salary of \$6,000.00 to Assessor Thomas E. Aiello after determining he has substantially complied with the assessor's additional duties.

The Commissioners reviewed Judge's decision of awarding temporary disability benefits to Earnest Keith Lester. The Commissioners instructed to check with the Sheriff if this should be protested.

Administrator Charlotte Holly informed that Earl Pauley had turned over unused inspection stickers that were left at the Park. Ms. Holly informed she would call to see how to dispose or turn back in.

Ms. Holly informed that Ann Covington had telephoned requesting an increase in Poll Worker's pay. The Commissioners informed there would not be an increase.

The Commissioners reviewed invitation to retirement luncheon of W. Robert Abbot on December 14, 1992.

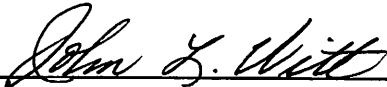
The Commissioners reviewed letter to Viola Smith from C & P Telephone confirming that she refused to pay the Enhanced Emergency Telephone System E-911 fee for Fayette County.

A check was reviewed from C & P in the amount of \$27,449.70 for Emergency Telephone System for the month of September, 1992.

The Commissioners reviewed letter from Ben F. Todaro informing of positive changes and current activities going on at CableVision.

The Commissioners reviewed and approved invoice submitted for Danese VFD & Rescue Squad and Generator & Starter Repair, Inc. in the amount of \$1,041.31. This was approved at meeting held October 7, 1992.

The meeting was adjourned. The next scheduled meeting is scheduled for November 25, 1992.



NOTICE OF SPECIAL ELECTION

FOR

RENEWAL OF EXISTING ADDITIONAL COUNTY LEVY

TO THE VOTERS OF FAYETTE COUNTY:

TAKE NOTICE

That at a Regular Meeting of the County Commission, of the County of Fayette, State of West Virginia, held on the 13th day of November, 1992, the following order was made and entered of record, to-wit:

The County Commission of the County of Fayette, being of the opinion that the maximum levies for current expenses authorized by Article 8, Chapter 11 of the Code of West Virginia, as last amended, will not provide sufficient funds for the payment of the current expenses of the County, including expenditures for the purposes hereinafter set forth, and that an election should be held to increase such levies under the provisions of Section 16, Article 8, Chapter 11 of the Code, as amended, it is hereby ordered:

1. That the purposes for which additional funds are needed are as follows:
a. Law Enforcement Salaries and Benefits; b. Libraries; c. Fire Protection Services and Equipment.

2. That the approximate amount for each purpose is as follows: a. Law Enforcement Salaries and Benefits-\$320,637; b. Libraries-\$134,706; c. Fire Protection Services and Equipment-\$684,910.

3. That the total approximate amount for said purposes is \$1,140,253.

4. That upon approval of the proposed increased levy the County Commission will not issue bonds as provided in Chapter 11, Article 8, Section 16, of the Code of West Virginia, as amended.

5. That if for any reason all of the funds hereinabove allocated are not used for the purposes outlined, the unused portion of such funds may be allocated by the County Commission at their discretion to items of expenditures from the general fund.

6. That the separate and aggregate assessed valuation of each class of taxable property within the County of Fayette, is as follows: Class I, \$28,164,608; Class II, \$119,050,007; Class III, \$297,827,077; Class IV, \$109,921,760; Aggregate, \$554,963,452.

7. That the proposed additional rate of the levy in cents per \$100 of assessed valuation on each class of property for each purpose is as follows:

a. Law Enforcement Salaries and Benefits—Class I, one and sixty-nine hundredths cents (1.69 cents); Class II, three and thirty-eight hundredths cents (3.38 cents); Class III, six and seventy-six hundredths cents (6.76 cents); Class IV, six and seventy-six hundredths cents (6.76 cents); b. Libraries—Class I, seventy-one hundredths cent (.71 cent); Class II, one and forty-two hundredths cents (1.42 cents); Class III, two and eighty-four hundredths cents (2.84 cents); Class IV, two and eighty-four hundredths cents (2.84 cents); c. Fire Protection Services and Equipment—Class I, three and sixty-one hundredths cents (3.61 cents); Class II, seven and twenty-two hundredths cents (7.22 cents); Class III, fourteen and forty-four hundredths cents (14.44 cents); Class IV, fourteen and forty-four hundredths cents (14.44 cents).

8. That in the event the separate and aggregate assessed valuation of each class of taxable property within the County of Fayette increases during the term of the special levy, the levy rate shall be adjusted so that the projected tax collection will not exceed \$1,140,253 in any fiscal year.

9. That the proposed years to which the additional levies shall apply are the fiscal years beginning July 1, 1993, July 1, 1994, and July 1, 1995.

10. That the question of such additional levies shall be submitted to a vote at a Special Election, to be held on the 6th day of February, 1993.

11. That the notice calling such election shall be given by publication of this order at least once each week for two successive weeks before said election in two newspapers of opposite politics and of general circulation in the territory in which the election is held. If there is only one newspaper published in the county, said publication shall be made therein. Printed copies of this order shall also be posted at each place of voting at least ten days before said election. All provisions of the laws concerning general elections shall apply as far as they are practicable, except that a separate ballot shall be used at such election when held in connection with any other election.

12. That the ballot to be used at such election shall be in the form as follows:

Instructions: Those favoring the additional levies, place (X) in the square before "For the Levies" for each purpose favored; those against such levies, place (X) in the square before "Against the Levies" for each purpose opposed.

1. "Special election to authorize the continuation of additional levies in the approximate amount of \$320,637 for the fiscal years beginning July 1, 1993, 1994, and 1995 and for the purpose of Law Enforcement Salaries and Benefits, according to the order of the County Commission entered on the 13th day of November, 1992."

"In the event the separate and aggregate assessed valuation of each taxable property within the County of Fayette increases during the term of the special levy, the levy rate shall be adjusted so that the projected tax collection will not exceed \$320,637 in any fiscal year."

"The additional levy per \$100 of assessed valuation shall be on Class I property one and sixty-nine hundredths cents (1.69 cents); on Class II property three and thirty-eight hundredths cents (3.38 cents); on Class III property six and seventy-six hundredths cents (6.76 cents); on Class IV property six and seventy-six hundredths cents (6.76 cents)."

() For the Law Enforcement Levies

() Against the Law Enforcement Levies

2. "Special election to authorize the continuation of additional levies in the approximate amount of \$134,706 for the fiscal years beginning July 1, 1993, 1994, and 1995 and for the purpose of Libraries, according to the order of the County Commission entered on the 13th day of November, 1992."

"In the event the separate and aggregate assessed valuation of each taxable property within the County of Fayette increases during the term of the special levy, the levy rate shall be adjusted so that the projected tax collection will not exceed \$134,706 in any fiscal year."

"The additional levy per \$100 of assessed valuation shall be on Class I property seventy-one hundredths cent (.71 cent); on Class II property one and forty-two hundredths cents (1.42 cents); on Class III property two and eight-four hundredths cents (2.84 cents); on Class IV property two and eighty-four hundredths cents (2.84 cents)."

() For the Libraries Levies

() Against the Libraries Levies

3. "Special election to authorize the continuation of additional levies in the approximate amount of \$684,910 for the fiscal years beginning July 1, 1993, 1994, and 1995 and for the purpose of Fire Protection Services and Equipment, according to the order of the County Commission entered on the 13th day of November, 1992."

"In the event the separate, and aggregate assessed valuation of each taxable property within the County of Fayette increases during the term of

the special levy, the levy rate shall be adjusted so that the projected tax collection will not exceed \$684,910 in any fiscal year."

"The additional levy per \$100 of assessed valuation shall be on Class I property three and sixty-one hundredths cents (3.61 cents); on Class II property seven and twenty-two hundredths cents (7.22 cents); on Class III property fourteen and forty-four hundredths cents (14.44 cents); on Class IV property fourteen and forty-four hundredths cents (14.44 cents)."

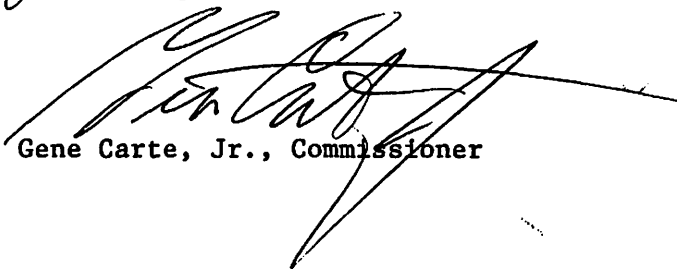
() For the Fire Protection Levies

() Against the Fire Protection Levies

County Commission of Fayette County


John L. Witt, President


John H. Lopez, Commissioner


Gene Carte, Jr., Commissioner

ATTEST:


Howard E. Janney
Clerk of County Commission of Fayette County

IN: COUNTY COMMISSION OF FAYETTE COUNTY

WITH REGARD TO: USE OF PAPER BALLOTS IN LIEU OF ELECTRONIC VOTING EQUIPMENT FOR SPECIAL ELECTION TO BE HELD ON FEBRUARY 6, 1993.

WHEREAS, the County Commission of Fayette County did previously adopt an electronic voting system in accordance with Chapter 3, Article 4A of the Code of West Virginia, as amended; and

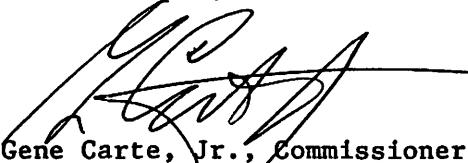
WHEREAS, the County Commission of Fayette County did enter an order calling for a Special Election to be held on the 6th day of February, 1993, for the renewal of the existing additional County levy; and

WHEREAS, the County Commission of Fayette County has considered costs and factors involved in conducting said Special Election and has determined the paper ballot to be the most economical and efficient method to conduct the Special Election;

NOW THEREFORE and in accordance with Chapter 3, Article 4A, Section 32 of the Code of West Virginia, as amended, and following the recommendations issued on August 25, 1989, by Ken Hechler, Secretary of Sate, State of West Virginia (attached hereto as "ATTACHMENT A"), the County Commission of Fayette County does hereby determine that electronic voting will be impracticable in the Special County Election to be held on the 6th day of February, 1993, and does hereby order the use of paper ballots in lieu of electronic voting equipment for said Special Election. Furthermore, the Clerk of the County Commission of Fayette County and the Clerk of the Circuit Court of the Twelfth Judicial District are hereby directed to take the necessary actions to perfect this order in accordance with the election laws of the State of West Virginia and the United States of America.



John L. Witt, President


John H. Lopez, Commissioner


Gene Carte, Jr., Commissioner

Given under our hand this 13th day of November, 1992.

ATTEST:


Howard E. Janney, Clerk
County Commission of Fayette County

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
NOVEMBER 25, 1992
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 25th day of November, 1992.

The Commissioners met with Attorney Gordon Bilheimer with notice of Public Hearing on enlarging its boundaries of Kanawha Falls Public Service District. The Commissioners accepted petition and set public hearing for December 15, 1992 at 10:00 a.m.

The Commissioners met with Attorney Kevin Burgess representing Attorney Ralph Young with hearing of annexation by minor boundary adjustments of 3.98 acre portion of W.Va. Route 38, 2.69 acre portion of W.Va. Route 38, 9.59 acre portion of right way of W.Va. Route 61, .48 acre portion of right of way of W.Va. Route 14 and 25.2 acre portion of U.S. Route 19 adjoining the city of Oak Hill, West Virginia.

All parcels were discussed. Commissioner Gene Carte questioned parcel number five of annexation request. City Manager Tom Oxley was present and explained that all property was owned by Department of Highways. Commissioner Carte also questioned the posting of notices. Mr. Oxley explained this was done.

Commissioner John Lopez informed he had no problem with this annexation request and offered motion to approve. Commissioner John Witt seconded. Commissioner Gene Carte opposed. Request was approved 2 - 1.

Attorney Kevin Burgess presented request for annexation by minor boundary adjustment of 11.53 acre tract adjoining the city of Oak Hill situate in the J.L. Treadway Subdivision.

Michael Nuckels was present and presented a letter from Allen G. Nuckels and Michelle L. Nuckels opposing the annexation.

Mr. Burgess explained that any opposition would defeat annexation.

Commissioner Gene Carte offered motion to deny. Commissioner John Lopez seconded. Vote was unanimous.

Several concerned citizens (list attached) approached the Commission with concerns about annexation request of Boley and Bowling Addition in the City of Oak Hill. They felt this request was to be presented today. The group presented a letter and petitions informing they did not want annexation into city limits.

The Commissioner accepted information and informed this would be considered if brought before the Commission.

Attorney Jack Thompson appeared before the Commission with request to purchase desk that is currently in Judge Abbot's Office. Commissioner Gene Carte informed of problems the Commission had when this same situation came about with Judge Summerfield's furniture. Commissioner Carte explained that the Commission would get an estimate of desk and questioned how the Bar Association would feel if appraised over \$1,000.00. He informed if this occurred the Commission would have to hold public auction. Attorney Thompson explained that if this happens they would re-group and decide what steps they will take.

The Commissioners met with Sheriff Bill Laird. Sheriff Laird presented Governor's Highway Safety Program grant application and requested renewal. Commissioner Gene Carte offered motion to approve. Commissioner John Lopez seconded. Vote was unanimous to approve U.S. Route 19 Speed Enforcement Project.

Invoices presented from Chuck Moses were questioned from Highway Safety Grant of Project Operation "Buckledown." The Sheriff informed that grant has been approved and approved to pay invoices. The Commissioners also approved.

The Sheriff informed of problems with Workers Compensation claims of employees and informed policy needed to be adopted in dealing with situation. The Commission authorized the Sheriff to work with County Administrator Charlotte in adopting a policy.

County Clerk Howard Janney appeared before the Commission with request for Kelvin Holliday and Treatha Sexton to attend Municipal Election Seminar in Charleston on December 10, 1992. This was approved.

The Commissioners met with Anna Underwood and several concerned citizens (list attached) regarding sewage treatment problems in city of Mount Hope.

Marc Gabor, employee of West Virginia Soil Conservation Committee spoke representing the group and informed that original plans were to add outlying areas to the sewage system of Mount Hope but the city was unable to obtain the required number of customers.

Ms. Underwood explained that Attorney for the City of Mount Hope, John Shumate had suggested the group form a Public Service District.

After discussion, President Witt informed he would be willing to meet with town officials and Attorney Shumate to work out technicalities. President Witt agreed to set up meeting on November 30, 1992 at 10:00 a.m. to discuss this matter.

The Commissioners met with Attorney Paul Clay with petition of Nancy Fout to be appointed Committee for Nancy Maudi Curry. Ms. Fout was questioned. T. E. Myles was approved guardian ad litem and recommended the appointment. Commissioner Gene Carte offered motion to approve. Commissioner John Lopez seconded. All approved. Bond was set in the amount of \$500.00.

The Commissioners met with Attorney Jamie Blankenship with petition of Stanley Treadway to be appointed Committee for Edgar Fitzpatrick. Mr. Treadway was questioned and Clint Gallaher was approved guardian ad litem. Commissioner Gene Carte offered motion for appointment. Commissioner Lopez seconded. Vote was unanimous. Bond was set in the amount of \$500.00.

Attorney Carl Harris appeared before the Commission and informed he would have to cancel his hearing that was scheduled.

The Commissioners met with Attorney William Carter with petition to have Sheriff appointed Committee for Alfred Weaver. Sheriff Laird was aware of petition. Mr. Weaver is currently incarcerated. This was approved.

The Commissioners met with Attorney T. E. Myles with petition of Stephanie Anne Kready to be appointed Committee for Cladys Gertrude Wriston. Ms. Kready was questioned. Commissioner Lopez offered motion to approve. Gene Carte seconded. Vote was unanimous. Bond was set at \$500.00.

The Commissioners met with Gary Harding with Zoning request of Z-371-92-1: Request of Rex A. Runyon, owner, for a change in land classification from R-R, Agricultural and Rural Residence District, to I-1, Light Industrial District, on .50 acre, Mossy Creek, located on Route 15, Mossy, Valley District.

Mr. Harding informed that the Planning Commission voted 7 - 0 to approve.

Commissioner Gene Carte offered motion to approve. Commissioner John Lopez seconded. Vote was unanimous.

Lee Massey appeared at the Commission and presented a letter to the Commission regarding a recent decision of the Commission to approve a Zoning request of Howard O. Campbell, Sr. after the Planning Commission had denied.

Commissioner John Lopez informed he had been uncomfortable and disturbed about this matter being as the Commission had never overturned a decision of the Planning Commission.

Mr. Massey explained he has talked with the Prosecuting Attorney and felt the Commission could reconsider the decision.

Jack Woods, a member of the Planning Commission was also in attendance and informed he felt the Commission should reconsider.

President Witt informed the Commission would take into consideration and set a Special Meeting for 12/2/92 at 10:00 A.M. to meet with the Planning Commission and Howard Campbell concerning the matter.

The Commissioner signed order transferring full title and ownership of Xerox 5600 copier to the Fayette County Board of Education.

The Commissioners approved and signed list of Holidays that employees will observe for 1993.

The Commissioners met with Tim Keeney, owner of the Level Land Mining Corporation, Attorney Paul Clay, and Ray Hansen, Engineer.

Mr. Keeney explained he was present to defend himself against petitions of residents who were opposing facility in Nallen area.

After listening to Mr. Keeney, President Witt informed the Commission would reconsider their decision to oppose the facility until they review further.

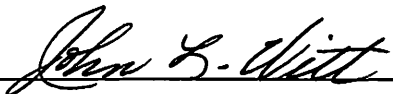
The Commission met with Earl Pauley concerning invoices submitted for work at the Park. President Witt requested Mr. Pauley to have invoices itemized of what work is being done. Mr. Pauley agreed. Mr. Pauley also gave update of renovations.

The Commissioners reviewed letter from Sheriff Laird regarding payroll adjustment for Sandra Alton. Ms. Alton will be employed effective 11/16/92 as full-time cook at a salary of \$750.00 a month.

Minutes of meeting held October 8, 1992 of the Salem Gatewood Public Service District were received and reviewed.

The Commissioners also reviewed and approved and signed drawdown request number 15 for the White Oak Public Service District Sewer System Improvements.

The meeting was adjourned. The next scheduled meeting is scheduled for December 2, 1992.



11/25/92

Sewage problem

Anna Lee Underwood

877-2829

Jacqueline S. Cook, Ph.D.

April Underwood

Julia Underwood

Carol White

Marc Haber

Paul Brant

Meet with John Shumate.

Mount Hope
Town Meeting
(Dec 1st)

Mr. With to call Mayor George Smith
& atty. John Shumate to set up
meeting on Nov. 30, 1992 at 10:00 to
discuss. (gave Mr. With numbers)

opposition

11/25/92
Summerville Rd.

Deloris E. Frezzell
Kurt Hall

Virginia S. Beckett - P.O. Box 3, Summerville, SC ^{area} 29931

Joanne Lowery
Charles E. Allen

Melvin Dowd
Bob Kidd

Peggy Ellis

George Smith

Helen M. Smith

Michael C. Tucker

Ruby M. Thompson

FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
DECEMBER 2, 1992
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 2nd day of December, 1992.

Administrator Charlotte Holly presented request from Magistrates John C. Lopez and Larry Dotson for telephone reimbursement. Administrator Charlotte Holly informed that in the past the Certificates of Entitlement had been certified by the Supreme Court. She had telephoned the Supreme Court to question this but had not received a reply. The Commissioners informed they had no problem with this but asked Ms. Holly to continue trying to find out if this is all that is needed.

The Commissioners reviewed letter from County Commissioners Association regarding training seminar in January, 1993.

The Commissioners also reviewed letter from City of Oak Hill regarding surplus vehicles. They had determined that the City of Oak Hill had no need for either of the listed vehicles.

The Commissioners reviewed letter from Assessor Thomas Aiello informing that effective December 15, 1992, Charles Hall, Mary K. Westherford and Cynthia Hysell will receive a \$50.00 per month increase on their salary.

The Commissioners reviewed letter from Helicon Cable Vision regarding 5% increase of broadcast basic service effective 1/1/93.

The Commissioners reviewed letter from Cablevision regarding cable television legislation by Congress.

The Commissioners reviewed check from C & P Telephone in the amount of \$27,507.31 for Emergency Telephone System for the month of October, 1992.

The Commissioners also reviewed list of persons refusing to pay for E-911 fee.

The Commissioners also reviewed letter from White Oak Public Service District regarding assistance in resolving prompt release of the SCBG funds on Wastewater Treatment Facilities Project.

The Commissioners reviewed Order submitted from Attorney Michael Anderson. Administrator Charlotte Holly informed that all information needed was not on order and Mr. Anderson had agreed to send another order.

President Witt informed he felt the Nallen Coal Treatment plant issue needed to be addressed. He felt there was a question of past owner still be involved with company. President Witt informed he was ready to sign a letter of protest based on this information. Commissioner Lopez and Commissioner Carte informed they were not ready to sign a letter until they review petitions that Mr. Keeney had agreed to present by 12/9/92.

The Commissioners met with Lee Massey, Chairman of the Planning Commission, Jesse Bibb, Jack Wood, Tim Richardson, Guy Dooley, Gary Harding, Howard Campbell and James O'dell regarding a decision the Commission had made on 10/28/92 of request of Howard O. Campbell, Sr. et als, Owner, for a change in land classification from P-D, Planned Development District to B-2, General Business District, on 4.10 acres, Pine Springs, located on Ames Heights Road at Corridor "L", New Haven District. The Commission approved the change at a 3 - 0 vote after being informed the Planning Commission voted 7 - 0 to deny.

President Witt informed the persons attending that this special meeting was to respond to a letter Mr. Massey had written regarding this matter.

Discussions were held about the same zoning request being before the Planning Commission in March of 1990.

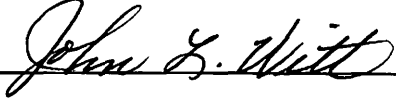
Mr. Witt explained that the decision the Commission made on October 28, 1992 was fair and honest but also informed that maybe they should have spoken to the Planning Commission first before they had made the decision. He also addressed and discussed the fact that the Commission had never over-turned a decision made by the Planning Commission.

President Witt read letters submitted by Howard Campbell with information of plans he has for property in which the zoning request was made.

Much discussion was made concerning the Planning Commission working closer with the County Commission to keep this type of situation from happening again.

The Fayette County Commissioners apologized for situation and agreed that the Commission would discuss and work with the Planning Commission closer in the future.

The meeting was adjourned. The next scheduled meeting is December 9, 1992.



12/2/92

James O'Dell
D Lee Massey, Chairman - Planning & Zoning Com.
Gene Bitt member
Jack Wood member
Jim Rich "
Guy Dooley

Gary Harding
Howard Campbell

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
DECEMBER 9, 1992
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 9th day of December, 1992.

The Commissioners met with Attorney John Shumate and Attorney Andy Keenan concerning petition of Peggy Jones to be appointed Committee for Jenny Crotty. Ms. Jones was questioned and Andy Keenan was approved guardian ad litem. Commissioner John Lopez offered motion to approve appointment. Commissioner Gene Carte seconded. Vote passed 3 - 0. Bond was set in the amount of \$500.00.

The Commissioners met with Attorney Henry Armstrong with petition of Gertrude and Edward Cashwell to be appointed Committee for Cora Lee Leonard. Ms. Cashwell and Mr. Cashwell were questioned. Attorney Steve Vickers was approved guardian ad litem and recommended the appointment. Commissioner Gene Carte offered motion to approve appointment. Commissioner John Lopez seconded. Motion passed 3 - 0. Bond was set in the amount of \$500.00

Dog Warden report for the month of November, 1992 was received and reviewed.

Administrator Charlotte Holly presented bids received for election kits. Bids received were from Casto & Harris for \$2,024.00 and Dayton Legal for \$1,932.00. Lowest bid received from Dayton Legal was approved.

The Commissioners signed order appointing Sam Jasper to the Fayette County Planning Commission.

Commission President John Witt and Commissioner John Lopez signed letter to Stanley F. Matthews, C/O Kathleen Pytko, concerning clean up of property.

President Witt and Commissioner Lopez also signed letter to Christy Leigh Burnside requesting clean-up of her property.

Minutes of Zoning Hearing held on 11/25/92 were also approved and signed.

Administrator Charlotte Holly informed she had received information that the Governor was letting employees have 1/2 a day off on December 24, 1992 in observance of Christmas.

Commissioner John Lopez suggested giving the whole day. This was approved. A notice was sent to all elected officials and employees concerning this.

The Commissioners signed invoice to the Division of Corrections for monthly rent for office space leased by Department of Corrections.

Administrator Charlotte Holly reported that the Commission would need to meet on January 5, 1992 to appoint election officials. January 6th should be the 1st regular meeting for January. The Commissioners canceled the January 6th meeting and requested to change anything scheduled for the 5th instead of January 6th for the first meeting.

Administrator Charlotte Holly reported that she had received information from the Supreme Court that the Certificate of Entitlement for Magistrates did not need to be certified every year. With this information the Commissioners approved to pay telephone reimbursement for Magistrate Lopez and Magistrate Dotson. Administrator Charlotte Holly questioned if the Commission wanted to ask magistrates to submit copies of phone bills. The Commissioners informed they did not feel this would be needed.

The Commissioners signed corrected order regarding Committee Appointment for George Neff.

Hours submitted by Billy Horrocks for working at Memorial Building for renovations for E911 Center were approved. Hours submitted totaled 29 hours at \$10.00 per hour.

The Commissioners received and approved invoice to the Division of Corrections for cost for the confinement of inmates in the Fayette County Jail.

Administrator Charlotte Holly reported she had received Feasibility Study for the City of Spencer Driving Under the Influence (DUI) Offenders. A copy was forwarded to the Sheriff.

Ms. Holly also reported that she would continue to work with the Sheriff in developing a policy for Worker's Compensation of employees.

Ms. Holly reported that she had received information where Attorney Belinda Morton was representing Keith Lester in Worker's Compensation case and Ms. Morton had submitted check to county from claim of Mr. Lester. Ms. Morton was depositing 80% of check and keeping 20% for her costs. President John Witt informed he felt the Commission should consider writing a letter to Ms. Morton informing that they are expecting the full 100%.

The Commissioners reviewed copy of letter addressed to County Clerk of payroll adjustment for Chief Deputy Everett Steele to be increased to \$2,083.33.

A copy of a letter was also reviewed from the Sheriff informing of payroll addition of James Sizemore. Mr. Sizemore is to begin employment on December 1, 1992 at starting level salary of \$1,348.42.

The Commissioners met with Attorney Andy Keenan with petition of Jacqueline Campbell and Betty Sue Gwinn to be appointed Committee for Hannah Martin.

Commissioner Carte questioned affidavit from the doctor being notarized. He informed this would be required.

Ms. Campbell and Ms. Gwinn were questioned.

After discussion Mr. Keenan informed that Ms. Campbell would request that she be appointed as Committee being as Ms. Gwinn lived in Florida.

The Commissioners discussed the bond which would be required. Discussion were held about not knowing for sure what amount of money is involved.

The Commissioners informed they had no problem with appointment subject to having doctor's papers notarized. Commissioner Carte informed 3 appraiser should be appointed to determine bond. Bond to be set in amount of roughly \$121,000.00.

The Commissioners discussed request of Attorney Jack Thompson to purchase desk, credenza, a table lamp and 3 -5 chairs of office furnishings presently being used by Judge Robert Abbot for the Fayette County Bar Association.

Appraisals, old vouchers and invoices were reviewed.

Discussions were held about hours that County Employees had put in while refinishing the furniture.

Commissioner John Lopez offered motion to sell desk and credenza at cost of \$865.00. Commissioner Gene Carte seconded the motion. Commission President John Witt informed that based on amount of money the county has invested in and due to the fact that the Commission turned down Judge Summerfield's requests for his furniture he would have to vote against. Vote passed 2 - 1. Martin's Furniture had submitted a appraisal of comparable wholesale price of \$1,725.00 for Oak Desk, and \$865.00 for Oak Credenza, and figures for comparable wholesale price of \$750.00 for desk and \$450.00 for Oak Credenza. Betty Dummitt had submitted appraisal of \$325.00 for the Oak Credenza and \$475.00 for Oak Desk.

The Commissioners met with Attorney John Shumate with petition for annexation by minor boundary adjustment of West Virginia State Department of Highways right of way for sections of West Virginia secondary route 27, U.S. Route 19 and West Virginia secondary route 19/55 for City of Mount Hope.

Commissioners Gene Carte informed the Commission accepted petition and approved to set hearing for January 5, 1993, at 9:45 A.M. All approved.

Audit Report for the Fayette County Health Department for fiscal year ending June 30, 1991 was received and reviewed.

The Commissioners approved and signed letter to Mr. Ralph Goulsby with the Governor's Office of Community and Industrial Development in which they agreed to be sponsor for Weatherization Program in Fayette County. President Witt informed he felt the Commission should not be required administrative duties and should receive yearly audits.

Administrator Charlotte Holly informed she had received information concerning options for acquiring election equipment from Business Records. Ms. Holly is to review.

Administrator Charlotte Holly reported she may attend Municipal Election Seminar in Charleston on Thursday if the Commission approved. All approved.

Kelvin Holliday appeared before the Commission to request waiver of rental fee for Memorial Building on 2/20/93 at 7:00 P.M. for Gospel Concert. This was approved.

Mr. Holliday also requested the Commission to consider waiving 1993 camping fee.

The Commission informed they would discuss this further at next meeting.

The Commissioners met with Tim Keeney, Bill Keeney, Ray Hans, Jr., C. R. Walkup and Beulah Walkup concerning New Haven Coal Company, Nallen Tipple.

President John Witt questioned who owners were. Mr. Keeney informed that owners were Fonzi Fitzwater and Robert W. Holland. He also informed that he and Mr. Holland would be running operation. Sole Owners would be NF&G Enterprise.

Mr. Bill Keeney presented a petition of support from CSX Railroad employees and retired employees.

After much discussion the Commission decided to plan a day to go look at site and take all into consideration.

The Commissioners signed letter to all current and newly elected officials reminding them that it is contrary to law to dismiss an employee from public employment because of his or her political affiliation or political association.

The Commissioners also reviewed and approved Assessor's certificate of compliance in completing the Farm Census of 1992. A check was issued for \$2,420.00.

The Commissioners reviewed letter from David L. Johnson with Mountain Transit Authority requesting local funding from the Commission in the amount of \$6,561.18. No decision was made.

The Commissioners reviewed letter from Fayette County Board of Education responding to letter from the Commission on 11/17/92. Decision was to review this in 90 days.

A letter was approved and signed to Peggy E. Freeman approving the waiver of rental fee for Memorial Building on 2/20/93 for a Gospel Concert sponsored by Fayette County Volunteers.

A letter was also approved and signed to Attorney Jack Thompson informing of the determined fair market value of desk and credenza the Fayette County Bar Association had requested to purchase for Judge Abbot.

The Commissioners met with Howard E. Janney. Mr. Janney questioned if the Commission would approve him taking signature stamps. The Commissioners informed they had no problem with this and informed they felt he could take name plates and door hanger also.

The meeting was adjourned. The next scheduled meeting is scheduled for December 15th, 1992.

John L. Witt

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
DECEMBER 15, 1992
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 December, 1992.

The Commissioners met with Attorney T. E. Myles and Attorney Paul Clay with petition of Peggy Smarr to be appointed Committee for Nellie O. Anderson.

Ms. Small was questioned and Attorney Clay was approved guardian ad litem and recommended the appointment.

Commissioner Gene Carte offered motion to approve appointment. Motion was seconded by President Witt and passed unanimously.

The Commissioners reviewed letter from Sheriff Laird concerning explanation for overtime.

The Commissioners signed letter to elected and newly elected officials regarding a swearing in ceremony on 12/30/92.

The Commissioners reviewed letter from Kanawha Falls Public Service District requesting reappointment of Lyle Blackwell as Commissioner of the Public Service District.

The Commissioners signed order reappointing Mr. Blackwell as Commissioner of Public Service District. Term to expire 9/1/98.

Administrator Charlotte Holly presented request from Gospel Hill Ministry for summer camping at Fayette County Park on 6/28/92 - 7/2/92. Ms. Holly reported Mr. Pauley had set aside this date. The Commissioners unanimously approved but informed they would be charged the normal rate for camping and all other rules would apply.

The Commissioners set dates for Board of Equalization Hearings. Date set are as follows: 1/27/92 at 1:15 P.M., 2/1/93 at 10:00 A.M., 2/3/93 at 1:15 P.M., 2/6/93 at 4:00 P.M., 2/10/93 at 1:15 P.M., ^{2/16/93} 2/19/93 at 10:00 A.M., and 2/24/92 at 1:15 P.M.

The Commissioners received and reviewed bids for building materials for renovations at Memorial Building for 911 center.

Quotes received were from Fayco Lumber for \$10,589.47, Means Lumber for \$11,046.61, Crookshanks Builders Supply for \$10,967.65. and Oscar F. Henry Company for doors and frames only at \$6,714.01. Commissioner John Lopez offered motion to approve low bid of Fayco for \$10,589.47. Commissioner Carte seconded. Vote was unanimous subject to meeting all fire rules and regulations needed.

The Commissioners met with Attorney Gorden Billheimer with hearing for enlarging the boundaries of the Kanawha Falls Public Service District. There was no one attending to protest this. Commissioner Lopez offered motion to approve. Commissioner Carte seconded. Vote was unanimous.

Commissioner John Lopez requested Kelvin Holliday to use Fayette County Commission chambers instead of Lounge downstairs when holding interviews. President Witt approved but requested Mr. Holliday to check with administrator's office to make sure there was nothing scheduled.

Steve Cruikshanks presented quote from Electro-Tech Service, Inc. for electrical wiring for Power Panels for 911 Center. Amount being \$1,550.00.

Administrator Charlotte Holly informed of being contacted by Nancy Booth requesting the support of the Commission for Multi-Cap Program in Fayette County. The Commissioners informed they had no problem with this.

Commissioner Gene Carte informed of letter from Senator Holliday regarding water in Mahan area. Commissioner Carte requested a letter be written to Governor requesting assistance.

The Commissioners reviewed letter from Attorney Jack Thompson accepting the Commission's offer to sell Judge Abbot's furniture at cost of \$865.00.

The Commissioners signed and approved invoice to the Department of Corrections for costs for housing inmates at Fayette County Jail.

Information concerning law suit filed in Circuit Court by Michael Scott McCormick et all against William R. Laird IV and County Commission was reviewed and mailed to Jim Lively Insurance. Ms. Holly reported that the Commission had not been served with these papers to her knowledge.

The Commissioners approved invoice in the amount of \$25.00 to Mountain Laurel Antiques for furniture appraisal.

The Commissioners approved telephone reimbursement for Magistrate Tom Monk.

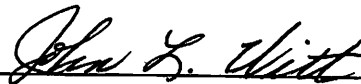
Payroll and outstanding bills were approved.

The Commissioners signed and approved letter to all department heads, elected officials, and employees informing that the Courthouse would be closed commencing at 12:00 noon on Thursday, 12/31/92, in observance of New Year's Holiday,

The Commissioners adjourned to go view site of New Haven Coal Company at Nallen.

After returning the Commission held executive session with Paul Blake to discuss matter in Prosecuting Attorney Office.

The meeting was adjourned. The next scheduled meeting is January 5th, 1992.



FAYETTE COUNTY COMMISSION MEETING
REGULAR MEETING
DECEMBER 30, 1992
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 30th day of December, 1992.

A swearing in ceremony was held for all newly elected and re-elected officials.

The Commissioners reviewed letter from Sheriff Laird addressed to Belinda S. Morton concerning Workers' Compensation Reimbursement for Earnest K. Lester.

The Commissioners reviewed list of refusal to pay for Enhanced Emergency Telephone System (E-911).

The Commissioners reviewed letter from Kelvin E. Holliday, Fayette County Clerk-Elect concerning employees in his office.

The Commissioners reviewed minutes of meeting of Salem Gatewood Public Service District held on November 10th, 1992.

The Commissioners reviewed letter from Howard M. Cunningham of the Public Service Commission thanking them for letter of December 18th, 1992, containing a copy of an order entered December 15, 1992 by the Fayette County Commission enlarging the boundaries of the Kanawha Falls Public Service District.

The Commissioners signed order appointing William Thomas Louisos II to the Fayette County Planning Commission. Term to expire 8/3/93.

The Commissioners reviewed letter from The Court of Claims concerning Claim No. CC-92-399.

The Commissioners reviewed letter from West Virginia Development Office acknowledging receipt of request for \$38,579 in Highway Safety funds.

The Commissioners reviewed letter from Larry Long, Manager of Project Development informing that the Governor's Community Partnership Grant Program funds are exhausted and they did not anticipate additional funding until after July 1, 1993.

The Commissioners reviewed letter from Tele-Media Company informing implementation of rate adjustment effective 2/1/93.

A letter was also reviewed from Master Telecable, Inc. informing of Cable Television Rate Changes effective 2/1/93.

The Commissioners also received, reviewed and approved drawdown request number 16 for the White Oak PSD Sewer System Improvements Project in the amount of \$219,915.53.

The meeting was adjourned. The next scheduled meeting is scheduled for 1/5/93.

