

FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
JANUARY 5, 1993
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 5th day of January, 1993 and proceeded to organize for the year 1993.

Commissioner John H. Lopez offered motion to appoint Gene Carte, Jr. as President and John L. Witt as Purchasing Agent for the year 1993. Vote was unanimous.

Kelvin Holliday, newly elected County Clerk presented list of election officials, Democrat and Republican from the chairman of the Democratic and Republican Executive Committees they desire to have appointed for holding the Special Election in County on the 6th day of February, 1993.

President Carte offered motion to approve as presented. Commissioner Lopez seconded. All approved.

Vouchers presented for payment were approved.

Commissioner Carte questioned if Fayette County Board of Education Superintendent had been contacted about pads needed at Memorial Building. Administrator Charlotte Holly reported she is checking on this.

The Commissioners met with Attorney Jamie Blankenship with request to have Sheriff appointed as Committee for Roy Hughes. Sheriff Laird was present and informed this is within his capacity as Sheriff. Attorney Clint Gallaher was approved guardian ad litem and recommended the appointment. Commissioner John Lopez offered motion to approve of appointment. Commissioner John Witt seconded. All approved.

The Commissioners met with Attorney John Shumate with final hearing on minor boundary adjustment of West Virginia State Department of Highways right of way for section of West Virginia Secondary Route 27, U.S. Route 19 and West Virginia Secondary Route 19/55.

There was no one in attendance to oppose this request.

Commissioner John Lopez offered motion to approve.

Commission John Witt seconded. All approved.

Discussions were held about Kilsyth Project. Mr. Shumate informed that he has heard nothing officially.

Commissioner John Witt informed he would like to establish policy that any and or all county property should be sold at public auction and offered a motion to have this done with no exceptions. Commissioner Lopez seconded the motion. All approved.

Steve Cruikshank appeared before the Commission with request to advertise for applications for the position of E911 Coordinator for the County Office of Emergency Services. Mr. Cruikshank also requested the Commission approve appointment of William R. Laird, IV, Sgt. Dale Payne, John McComas, Mayor Gene Larrick and Myron Bryant as a selection screening committee for hiring all employees for the Emergency Communications Center. This was approved.

Invoice for monthly rent for office space leased by Department of Corrections was signed and approved.

Administrator Charlotte Holly reported that Janet Steele had contacted her and questioned temporary office space for Family Law Master for 1 month to 6 weeks. Ms. Holly informed she had showed her space downstairs previously occupied by the Administrator that she had agreed would work out fine temporarily. The Commissioners informed they had no objections to this but informed she would be responsible for long distance phone calls.

The Commissioners approved expenses for themselves and Administrator to attend Training Session coming up this month at Marriott.

The Commissioners received and reviewed copy of the annual jail inspection performed on December 21, 1992 by Kevin B. Burgess, Dr. D. C. Newell, Jr., D.O. and Charles P. Miller, Jr.

The Commissioners reviewed check from Bar Association in the amount of \$865.00 for Judge Abbot's furniture.

Administrator Charlotte Holly informed that Steven Zoeller had called her concerning discussion of possibly eliminating County Surveyor from ballot.

The Commissioners informed they had no opinion on the matter.

Administrator Charlotte Holly reported that she had received notice from P.E.I.A. that effective 2/1/93 health insurance premiums would be reduced. Commissioner John Lopez informed he felt that employees should benefit from this. Discussions were held but no decision was made.

The Commissioners met with George Bragg with the Fayette County Solid Waste Authority. Mr. Bragg informed with the landfill closing in March the Authority would like to request the Commission lease or give property across from State Road Garage in Oak Hill for Recycling Center and or Transfer Station in the future.

Administrator Charlotte Holly reported that a portion of property in question was developed for outdoor recreation from a grant and that this could be the only use for property under conditions of the grant. She informed the Commission had written a letter to Charleston requesting to divide this property but had not received a response.

Commissioner John Lopez informed he would not have a problem with this if the State releases property.

Commissioner John Witt offered motion to sub-divide this property. Commissioner John Lopez seconded. All approved subject to receiving a release from Charleston.

The Commissioners met with Attorney Carl Harris with petition to have Sheriff Laird appointed Committee for Henry Moles. Terry Thomas from Health Center was questioned. Attorney Henry Armstrong was approved guardian ad litem. Commissioners John Lopez offered motion to approve appointment. Commissioner John Witt seconded. All approved.

Discussions were held about blinds for Judge Hatcher's office. This was approved. Commissioner John Witt informed that Sherwin Williams had been requested to give separate prices on the Court Room and landing up to the Judge's office. Commissioner Carte informed he was not in favor of putting blinds up at landing.

Administrator Charlotte Holly informed that Kelvin Holliday had questioned new typewriter and copier for County Clerk's office. Discussions were held to hold off on copier until budget session.

Paul Blake appeared before the Commission. The Commissioners requested Mr. Blake review 911 Ordinance and application for grant for an opinion if part-time person being employed by the Commission can be paid from grant funds. Mr. Blake agreed to review contract.

Commission President Gene Carte questioned if the Prosecutor's Office would assist the Fayette County Solid Waste Authority with matters of the Authority. Mr. Blake agreed to assist.

Mr. Blake also requested to be notified about Board of Equalization Hearings and informed he would be glad to assist the Commission in the future.

Attorney Jim Billings appeared before the Commission to file petitions for Committee Appointment for Robert L. Stuppio by JoAnn Grabosky, and Committee Appointment for Steven Crist by petitioner Jess and Teresa Bane.

Affidavits of County, Municipal, or other public officials establishing facsimile signatures were signed by Commissioner John H. Lopez, County Clerk Kelvin E. Holliday and Commissioner John L. Witt.

The Commissioners received and reviewed letter from Herb Mann, Circuit Clerk, requesting that Barbara J. Coffey be put on the payroll as an Election Worker for his office effective January 4, 1992 through February 11, 1993.

Administrator Charlotte Holly reported that Dog Warden Billy Blake will be off all this week because he has the shingles.

The Commissioners reviewed letter from C & P Telephone submitting a check in the amount of \$27,494.12 for Emergency Telephone System for the Month of November, 1992.

The Commissioners approved a request submitted from Lee Massey for the Fayette County Planning Commission to increase monthly salary of Gary Harding from yearly salary of \$21,588.00 to \$24,624.00. This was approved to be effective July 1, 1993.

The Commissioners received and reviewed letter from Governor Caperton addressed to Robert K. Holliday regarding access road from Armstrong Creek to Mahan on the turnpike.

The Commissioners received and reviewed letter from Attorney James B. Billings recommending that Cynthia Jones be appointed as Commissioner of the New Haven Public Service District. The Commissioners made no decision concerning this matter.

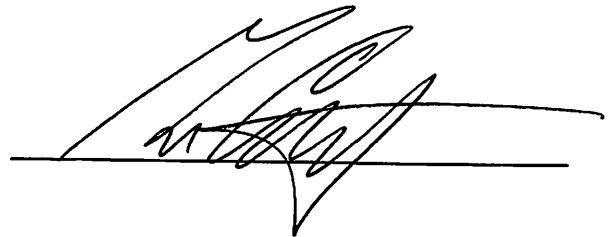
The Commissioners received and reviewed Fayette County Dog Warden Report for December, 1992.

The Commissioners approved and signed letters to Kelvin Holliday, County Clerk, informing that effective January 1, 1993, the salary of Earl Pauley shall be increased to \$23,000.00 from the General Fund and the salary of Charlotte Holly shall be increased to \$35,000.00.

The Commissioners also reviewed letter from Rick P. Powell, Superintendent of Fayette County Schools concerning maintenance of the roof at the Memorial Building.

The Commissioners received and reviewed letter from Chief Deputy Everette Steele regarding reassignment of Sergeant Lawrence Washington to the Valley Detachment of the Fayette County Sheriff's Department.

The meeting was adjourned. The next scheduled meeting is scheduled for January 15, 1993.

A handwritten signature in black ink, appearing to be "W. H. Steele", is written over a horizontal line. The signature is stylized and cursive.

ORDER

WHEREAS, the Fayette County Commission is authorized by law to sell or dispose of any property, either real or personal, belonging to the County; and

WHEREAS, the Fayette County Commission does from time to time deem it necessary to sell or dispose of various county property; and

WHEREAS, the Fayette County Commission does hereby find it necessary to adopt an official policy for disposing of any property;

NOW THEREFORE, Be It and It Is Hereby Resolved and Ordered by the County Commission of Fayette County, West Virginia, as follows:

In all instances where the Fayette County Commission is by law authorized to sell or dispose of any property, either real or personal, belonging to the County or held by it for the use of any district thereof, including the sale of any one item of property of less value than one thousand dollars, the same shall be sold at public auction, at the front door of the Court-house of the County, and such sale shall be conducted by the President of the County in accordance with §7-3-3 of the Code of West Virginia. Provided further, that the sale at public auction shall not apply to selling or disposing of County property for a public use to the United States of America, its instrumentalities, agencies or political subdivisions or to the State of West Virginia or its political subdivisions, including county boards of education, for an adequate consideration without considering alone the present commercial or market value of the property.

This order not having been presented on January 5, 1993, is entered nunc pro tunc.

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA 25840

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

The Fayette County Commission met in regular session on this 15th day of January, 1993.

Commissioner John H. Lopez informed of receiving complaints about a Committee Appointment for Nancy Maudi Curry. Attorney Paul Clay appeared at meeting and was questioned and confirmed that he would look at his file when he returned to his office and give Nancy Fout, the petitioner who was appointed Committee for Ms. Curry, a call and inform her of the complaints.

Assessor Tom Aiello appeared before the Commission with exonerations of real and personal property taxes. Mr. Aiello explained that the exonerations were approved by the Prosecuting Attorney. President Gene Carte informed he had talked with the Prosecuting Attorney and was informed also that they had no objections to the lists of exonerations.

Administrator Charlotte Holly presented vouchers for monthly sales tax for the Fayette County Park, Library Levy Funds and Fire Levy Funds in which she had not been able to prepare for payroll clerk and asked the Commission to approve. All vouchers were approved.

Administrator Charlotte Holly presented Invoice for Legal Services provided by King, Betts & Allen relating to the pending civil actions involving the discharge of Cecil and Michael McCormick. \$13,118.54 was approved for services.

Administrator Charlotte Holly presented list of polling places for levy election coming up on February 6, 1993. Ms. Holly explained that polling places were the same as last election with the exception of Oak Hill Armory. Ms. Holly explained that a Drill would be going on at the time of the election but was informed that the dining hall could be used. Commissioner Gene Carte informed he felt the Sheriff should be informed to instruct deputies to mark off parking spaces the night before at this polling place.

Discussions were held about upcoming levy election and the Commissioners agreed to set a time at 11:00 A.M. on February 1, 1993 to discuss this further.

Administrator Charlotte Holly reported that George Stanton with the Attorney General's office had notified her of possible settlement of Court of Claims invoices. Ms. Holly explained that \$91,875.26 in invoices have been submitted. \$80,000.00 has been offered for settlement. Commissioner John Witt offered motion to accept and waive hearing. Commissioner John Lopez seconded the motion. Vote was unanimous.

The Commissioners signed order reappointing Mr. Kenneth Hayes to the New Haven Public Service District.

The Commissioners signed order adopting an official policy for disposing of any property belonging to the County. (copy attached).

Administrator Charlotte Holly reported that Janet Steele had informed that Family Law Master's will occupy the old FMRS Building. The Prosecutor's office is preparing lease. Ms. Steele has requested desk and secretary chair. Ms. Holly reported she has questioned if this is responsibility of the County Commission. Commissioner John Witt informed he felt the Commission needed to see this in writing before approving.

The Commissioners approved and signed exemption certificate for Appalachian Tire Products, Inc.

An exemption certificate was also approved and signed for Chesapeake & Potomac Telephone for Fayette County Park.

Attorney Erwin Conrad appeared before the Commission with petitions to close two streets in Lochgelly. The Commissioners accepted petition and set hearing for February 24th, 1993, at 9:30 A.M.

The Commissioners received and reviewed letter from Attorney Gary E. Pullin concerning Koch V. Fayette County Commission, et at.

The Commissioners received and reviewed letter from West Virginia Development Office concerning monitoring Visit #2 of the Fiscal Year 1989-91 Small Cities Block Grant White Oak Public Service District Project.

A letter was also reviewed from Fred Cutlip, of the West Virginia Development Office informing of the extension of state/local agreement FY1988 Small Cities Block Grant of the Northern Fayette Water Systems Plan to allow all audits to be completed.

The Commissioners received and reviewed audit for years ending June 30, 1990, 1991, and 1992 of the Armstrong Creek Volunteer Fire Department.

Certificate of authority for signatures was signed by Gene Carte, Jr., President, Kelvin E. Holliday, County Clerk and William R. Laird IV, Sheriff to One Valley Bank of Oak Hill for HUD Account.

The Commissioners discussed leak at Memorial Building. Commissioner John Witt reported of looking at roof with representative of the Company. Mr. Witt informed that there was a serious problem with water and informed that this should be checked the next time there is a hard rain to determine where water is coming from. President Carte informed a letter should be written concerning the negligence of re-roofing and investigate heaving floor.

The Commissioners reviewed letter from Public Employees Insurance Agency concerning premium rate schedule for employees. The letter explained of five percent reduction of premiums. Discussions were held of short term of reductions and increases in the future. The Commissioners decided that the reduction would come from the Fayette County Commission's share only.

The Commissioners signed Renewal Maintenance Agreement with Vision Service Plan. New rates are: \$6.10 for single coverage and \$17.57 per family coverage.

Discussions were held about members appointed to select 911 coordinator and other employees for 911 center. The members unanimously agreed to add Tim Richardson and Eddie Long to the Committee.

The Commissioners signed letter to Charleston Marriott authorizing Paul Blake, Jr., Teresa Daniel, James Stacy, Henry R. C. Armstrong and Carl Harris to charge expenses while attending seminar on 2/18 - 2/21, 1993.

A letter was reviewed concerning meeting scheduled 1/21/93 at 7:30 p.m. to discuss the status of Northern Fayette County Regional Water System.

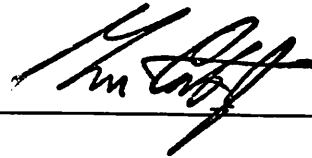
Minutes of meeting of Salem Gatewood Public held 12/10/93 were received and reviewed.

A letter was reviewed from West Virginia Division of Culture and History concerning Historic Preservation Development Grants Available.

A letter was reviewed from Circuit Clerk Herb Mann requesting Bonnie Sarver be put on payroll beginning January 11, 1993 at salary of \$14,875.08.

The Commissioners reviewed letter from Robert Wells of the Inauguration Committee requesting the Commission participate in a statewide bell ringing on Monday 1/18/93 in observance of inaugural day for Governor Caperton and in observance of ~~Dr. Martin Luther King, Jr.~~ The Commissioners informed that they would not ask someone to ring bell on that day.

The meeting was adjourned. The next scheduled meeting is January 27, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION & BOARD OF EQUALIZATION AND REVIEW
JANUARY 27, 1993
COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA

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

The Fayette County Commission met in regular session on this 27th day of January, 1993.

President Gene Carte informed he felt the Commission needed to address situation for handicapped parking. He felt spaces should be designated for handicapped parking and requested for this to be looked at.

The Commissioners met with Attorney Steve Vickers with petition of Geza Barko to be appointed Committee for Helen Barko. Mr. Barko was questioned. Attorney Jamie Blankenship was approved guardian ad litem and felt it would be in the best interest of Ms. Barko to have Mr. Barko appointed. Commissioner John Lopez offered motion to approve. Commissioner John Witt seconded the motion. Vote was unanimous. Bond was set in the amount of \$500.00. Mr. Vickers is to present order.

The Commissioners met with Gary Light with the Valley Ambulance Service. Mr. Light introduced Bob Skaggs, a Senior Safety Specialist with Elkem Metals who has recently been appointed to serve on the Board of Directors for Valley Emergency Services. Mr. Skaggs explained that Elkem Metals has supported the Valley Emergency Services in the past and will continue to support due to the fast response and service of Valley Ambulance for their Company. Mr. Light informed that due to certain factors facing the company they needed to request funding from the Commission. President Gene Carte requested financial information and a break down of funding and informed the Commission could possibly consider after reviewing records.

The Commissioners met with Steve Cruikshank with concerns of renovations at the Memorial Building for the 9-1-1 Center. Commissioner Gene Carte requested that the Commissioners go to review the work being done at the site and felt they should start trimming down on expense.

The Commissioners opened bids for heating and cooling for the 9-1-1- center. Bids received were from Camco -\$12,500.00, Appalachian Heating -\$16,647.00 and Comfort Air - \$17,890.00.

Commissioner John Lopez offered motion to accept lowest bid from Camco if they meet specifications. Commissioner John Witt seconded the motion. President Carte opposed. Motion passed 2 - 1.

The Commissioners met with Gary Harding with Zoning Request of Z-372-93-1: Request of Lost Paddle, Inc., Owner, by Kevin M. Whelan, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on 16.43 acres, Pine Springs, Ames Heights Road and Corridor "L" New Haven District. Mr. Harding informed that Planning Commission voted 10 - 0 to approve Planned Development. Mr. Whelan who was present informed he would appeal this decision. He informed he felt this would be an unfair advantage being as Howard Campbell had his property approved to B-2.

Commissioner John Lopez offered motion to uphold decision of the Planning Commission. Commissioner John Witt seconded the motion. Vote was unanimous.

The Commissioners heard Request Z-373-93-1: Request of Patrick Settle, Owner, by Rex Settle, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on .58 acre, Loup Creek, located at Johnson's Branch, Kincaid, Valley District. Mr. Harding informed that Planning Commission voted 10 - 0 to deny. Commissioner Lopez offered motion to uphold Planning Commission's decision. Commissioner Witt seconded the motion. Vote was unanimous.

Z-360-92-3: Request of A. L. Browning Lumber Inc., Owner for a 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 was withdrawn.

Administrator Charlotte Holly informed that Judge Hatcher had requested that the Commission supply Family Law Master signs for the Family Law Master. The Commissioners had purchased the signs for the Annex Building when it was thought that this would be the space provided for the Family Law Master. The Commissioners approved. The Family Law Master's office is currently the old FMRS building.

The Commissioners signed requested letter to School House Services supporting the implementation of the West Virginia Healthy Schools Program in Fayette County.

The Commissioners approved and signed letter to Governor Caperton advising that the West Virginia Commission on Aging is considering the discontinuance of its \$500 monthly payment of rent for use of the Fayette County Senior Center in Oak Hill. The Commission requested that his office investigate the matter and assure that the \$500 monthly rent will continue being as the Center is a vital source of service to the senior citizens of Fayette County. President Carte requested that Delegates, Senators and Ms. Gladys Gray receive a copy of the letter.

The Commissioners signed letter to Firestone Building Products Company requesting that they investigate complaints of leaks and warping to the wooden basketball flooring of the auditorium at the Fayette County Memorial Building.

Commissioner John Witt informed he felt that the Commission should draft letter to the Board of Education concerning the replacement of bleachers. He felt that work on the bleachers was not done satisfactorily. He felt the letter should state that the Commission wanted the bleachers replaced completely. This was approved.

Lee Massey presented a Resolution from the Planning Commission in which they honored the service of Hobart Booth as a long and faithful member of the Planning Commission.

Mr. Massey also presented a letter requesting the adjustment on Gary Harding's salary to \$25,000.00 as of July 1, 1993.

The Commissioners met with Attorney Ralph Young and several concerned citizens regarding final hearing for annexation without election for City of Oak Hill, 5 street areas known as Halstead, Boley, Crawford, Jordan and one unnamed street. Mr. Young presented order to the Commission certifying that the City has approval from majority of voters to annex areas in question.

Riley Thompson, a citizen from Crawford street presented a petition from citizens of the area who do not want to be annexed.

Commissioner John Witt requested a list of persons who want to be annexed. Attorney Ralph Young informed that the City has submitted what they feel is needed and nothing else would be supplied. He informed that they have done what is required and requested the Commission to sign order. The Commissioners informed they would consult with the Prosecuting Attorney before making a decision.

The Commissioners set a time of 11:00 a.m. on February 3rd, 1993 to render a decision on the matter.

Attorney Ralph Young presented information for minor boundary adjustment for City of Oak Hill and explained the matter had been presented at prior meeting and questioned if the Commission would like him to republish legal ads pertaining to the matter. The Commissioners instructed they would suggest this be done.

The Commissioners met with Kenneth Fox with the Page Kincaid Public Service District. Mr. Fox gave report on project and informed completion should be before the end of the year. Mr. Witt also presented a plaque for the district for completion of Mulberry project.

The Commissioners met with Riley Thompson and Virginia Beckett. Mr. Thompson informed the group from areas in question for annexation by the city of Oak Hill would like to explore reactivating the Wolf Creek Public Service District to determine if this would be a way for them to obtain a sewer service. The Commission had only 1 member as currently being on the Wolf Creek PSD. Ms. Beckett agreed to serve on this district. The Commissioners signed order appointing Ms. Beckett to replace Mr. Gerald Greene, who is deceased. Term to expire November 1, 1997.

The Commissioners met in session as Board of Equalization and Review of Property Assessments.

Mr. Robert C. Woods appeared before the Commission with application for review for property in Gauley Bridge area.

The Commissioners reviewed all information with Mr. Woods and Cabby Bennett, from the Assessor's Office. Mr. Woods was informed the Commission would consider all information and would make a decision by the 24th of February, 1993.

Prosecuting Attorney Paul Blake, who was present for Board of Equalization Hearings informed that his office has looked at Computer System which would tie into State Agencies and West Law. He informed that they are looking at a total of 5 units at a cost of \$13,000.00 to \$15,000.00.

The Commissioners reviewed letter from Sheriff Laird regarding salary adjustment for Timothy Luikart, Joseph Coy, and Druscilla Harris.

The Commissioners reviewed information from George P. Stanton, III concerning claim No. CC-92-399 Fayette County Commission v. Division of Corrections.

The Commissioners received and reviewed audit report of fiscal year ending June 30, 1992 for Nuttall Volunteer Fire Department.

The Commissioners signed order appointing Jacqueline Martin Campbell as Committee for Hannah Josephine Martin.

The Commissioners reviewed and approved Certified Local Government Program application for certification Part II for the Historical Landmark Commission.

The Commissioners reviewed information concerning workers' compensation claim of Percy Gilliam. The Commissioners requested information be forwarded to Prosecuting Attorney.

The Commissioners reviewed letter from Attorney Paul Clay concerning Committee Appointment for Nancy Curry.

The Commissioners reviewed quotes for blinds for 2nd floor landing, \$285.00, Court Anti Room, Jury Room, Reception Room, Door and Judges chamber, \$1,675.00. This was approved. A quote was received for Circuit Court room for \$905.00. No decision was made. Quotes were from Sherwin Williams of Beckley.

Ms. Holly presented quote from NuEx, Inc. for cleaning 15,000 gallon above ground water tank at Fayette County 4-H Park. Quote being \$3,587.00. This was approved.

The Commissioners also reviewed information for Windsor upright carpet cleaner. Cost being \$1,990.00. This was approved.

The Commissioners also reviewed bid for Pool concrete work from Richard Myles. Quote being \$1,400.00. This was approved. A quote was also received for new access and ramp. This quote being \$3,800.00. This was approved.

Ms. Holly presented information concerning damage to ambulance of General Ambulance. Ms. Goff had submitted estimate for the damage to the ambulance but CNA insurance informed that policy carries a \$1,000.00 deductible for collision. Mr. Witt

informed he had spoken to Ms. Goff and given her this information.

The Commissioners signed paper work for draw down for White Oak Public Service District.

The Commissioners approved and signed letter to Opal Leggett, of Fayette County Child Development, Inc., informing that property in which she has requested for Head Start Program is restricted for outdoor recreation use only. The Commission informed that unless an alternate use for the site is approved by the federal project agency, they could not permit property to be utilized for another purpose.

President Gene Carte informed he felt Earl Pauley should go⁹⁰ to look at site at Harlem Heights and determine what may need to be done to improve recreation area. Discussions were held about possibly putting in outdoor lights for basketball area. No decision was made.

Administrator Charlotte Holly presented a letter from Charles Wendell in which he requested a hearing to review increased assessment of C & W Associates. Ms. Holly informed she would forward this information to the Assessor for advice.

The Commissioners signed order approving list of alternate workers for upcoming Special Election.

The Commissioners signed letter to Mr. Thomas Koontz acknowledging receipt of letter for consideration to be appointed as a member of the Fayette County Planning Commission. The Commissioners informed that this information would be reviewed at such time when an appointment is to be considered.

The Commissioners also reviewed notice of hearing of Elizabeth A. Blackburn on January 28, 1993 with the West Virginia Department of Employment Security.

Administrator Charlotte Holly requested permission to open up saving account with the State Board of Investments for 9-1-1 funds. This was approved.

The Commissioners reviewed information and quotes for repairs to Steve Cruikshank's vehicle. Three quotes were received. The Commissioners approved quote from Rodes in the amount of \$372.00.

Information was also reviewed for repairs to Doug Dancy's vehicle. The Commissioners informed they felt when repairs are needed such as the ones submitted for Steve Cruikshank and Doug Dancy that 3 quotes should be required.

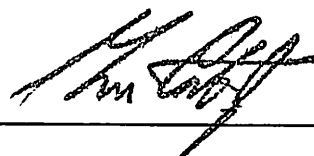
The Commissioners reviewed letter from Prosecuting Attorney Paul Blake concerning Governor's Community Partnership Grant-9-1-1 Emergency Services.

A letter was signed to Mr. Rick Powell, Superintendent of Fayette County Schools concerning repairs of bleachers at the Fayette County Memorial Building.

The Commissioners approved and signed letter to William F. Spence, with the West Virginia Development Office submitting Budget Revision number one for approval for the Fayette County 9-1-1 Emergency Services project.

The Commissioners reviewed and approved payroll and outstanding bills.

The meeting was adjourned. The next scheduled meeting is February 1, 1993.



Annexation 1/27/93
City of Oak Hill

Name	Position	
	For	Against
Janne Lowery		X
Delouis Frizzell		X
McDove		X
Bob Kidd		X
Frances Sweeney.		X
Malcolm Sweeney.		X
Charles E. Pittman		X
Peggy Ellis		X
Judy Thompson Sabra	X	
Riley M. Thompson		X
Charles K. Thompson		X
Jack Crawford		X
Virginia L Beckett		X
Or Thomas		
Arvid Schmidt	X	

FAYETTE COUNTY COMMISSION MEETING
BOARD OF EQUALIZATION AND REVIEW OF PROPERTY ASSESSMENT
FEBRUARY 1, 1993
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: Gene Carte, Jr., John L. Witt, John H. Lopez

The Fayette County Commission met in Special Session as Board of Equalization of Property Assessment. There were no scheduled appointments.

The Commissioners received and reviewed copy of letter addressed to Congressman Nick J. Rahall, II, regarding funding for the New Haven Public Service District.

The Commissioners received and reviewed copy of a letter to Andrew N. Richardson, Commissioners with the Workers' Compensation Fund from Attorney Belinda S. Morton protesting January 26, 1993 ruling, closing the claim of Earnest Keith Lester.

The Commissioners also reviewed information from Gary E. Pullin, Attorney, regarding Koch vs Fayette County Commission, et al.

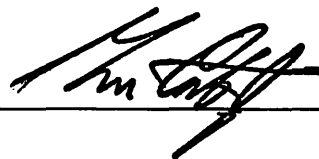
The Commissioners reviewed copy of letter addressed to Kelvin Holliday, County Clerk from Assessor Thomas E. Aiello, requesting to add William Kincaid to payroll. Mr. Kincaid is to begin work on February 1, 1993 at a salary of \$800.00 per month. He will be paid from the County Valuation Fund.

The Commissioners reviewed notice of Citizen's Advisory Board meeting to be held on February 9, 1993 at 4:00 P.M. in front of the Southern Regional Juvenile Detention Center.

The Commissioners also received and reviewed letter from Thomas A. Hanson, 9-1-1 Director in Chesterfield County, Virginia recommending David Neal as 9-1-1 Coordinator for Fayette County.

The Commissioners met with Delbert Cordle, C. L. Robinson, Steve Cruikshank, Paige Skaggs, Judy Gunsaulis and Sheriff Laird to discuss levy election to be held February 6, 1993. All agreed to work together to assure passage of Law Enforcement Levy, Fire Levy and Library Levy.

The meeting was adjourned. The next scheduled meeting is scheduled for February 3, 1993.



-2-1-193

Lewy Support

Duffel & Coyle

C L Robinson

Steve Cruikshank

Randy Muzzey Jr

Judy Dunlop

Sheriff Land

- Yny Ct Firefighters Assoc

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION & BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 3rd, 1993
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: Gene Carte, Jr. John L. Witt, John H. Lopez (10:30a.m.)

The Fayette County Commission met in regular session on this 3rd day of February, 1993.

President Gene Carte and Commissioner John Witt discussed No Smoking Policy. Commissioner John Witt had drafted up a policy for the Commissioners to review. Discussions were held about allowing area in basement of old Courthouse and stairwells at the Annex for employees to smoke. The Commissioners informed they would discuss further when Commissioner Lopez was present.

Administrator Charlotte Holly presented a letter from Attorney Ralph C. Young requesting the Commission to reschedule Annexation without an election by the City of Oak Hill for five street areas known and designated as Halstead, Bowling, Crawford, Jordan and one unnamed street situated off Summerlee Road adjoining the city of Oak Hill. The Commissioners approved rescheduling the decision for 2/24/93 at 11:30 A.M.

Administrator Charlotte Holly presented letter from William F. Spence with the West Virginia Development Office informing that he will be at the Page-Kincaid Public Service District on 2/17/93 at 10:00 a.m. for monitoring visit #3 for the FY1985 Small Cities Block Grant Beards Fork Component-Page Kincaid Sewer Project.

Administrator Charlotte Holly informed the County had received \$27,503.37 for 9-1-1 fees collected for the month of December, 1992.

The Commissioners received and reviewed information concerning Plaintiff's responses to Kock v. Fayette County Commission, et al law suit.

The Commissioners received and reviewed audit report for Pax Volunteer Fire Department for fiscal year ending June 30, 1992.

Fayette County Dog Warden Report for the month of January was received and reviewed.

The Commissioners received and reviewed letters from Sheriff Laird informing of payroll adjustment for Deanna J. Saxton. Ms. Saxton has been appointed to vacant position as a Deputy Sheriff as of 2/1/93 at a salary of \$1,348.42 per month. Another letter was reviewed informing of the employment of Gary L. Wilkerson as Correctional Officer at a salary of \$1,050.00.

Administrator Charlotte Holly reported of receiving a complaint from Sue Scarbro regarding building permit for Kenneth or Shane Pittman. Ms. Holly reported she asked Gary Harding, Zoning Officer to investigate this complaint. Mr. Harding had given Ms. Holly a letter from Mr. Pittman in which he informed of what he is doing with property in which complaint was issued.

Invoice for monthly rent for office space for Department of Corrections was approved and signed.

The Commissioners reviewed information concerning 1993 annual legislative conference on March 14 - 17, 1993. President Gene Carte informed the Commission authorized and approved expenses for the Commissioners and Administrator to attend this conference.

Administrator Charlotte Holly reported of receiving a call from Tom Bell of the Fayette County Historical Landmark Commission inviting the Commission to attend a meeting of the Commission on Sunday, February 7, 1993 at 2:00 P.M.

Commissioner Gene Carte informed that the Commission has accepted donation of a gas lantern from Appalachian Power Company. The Commissioners informed they were not sure where they would install lantern.

Administrator Charlotte Holly presented copy of order entered 8/5/92 in which the Commission granted \$10,000.00 to the Upper Kanawha Valley Economic Development Authority. The Commission reviewed records that showed \$5,000.00 was issued on that date and approved to issue the other \$5,000.00 today.

The Commissioners reviewed and approved Purchase Agreement with Camco Heating and Air Conditioning for heating and air system for the new 9-1-1 Center.

Administrator Charlotte Holly reported of receiving copy of proposed Lease Agreement for Family Law Master. Ms. Holly informed she has spoken to Carl Harris, Assistant Prosecuting Attorney about some concerns she had regarding wording in the Lease Agreement. Mr. Harris is to review and make necessary changes before the Commission approves and signs.

Administrator Charlotte Holly informed she has checked Code concerning bonding for Prosecuting Attorney and Assistants. Ms. Holly is to check further with Jim Lively Insurance concerning this matter.

The Commissioners reviewed letter from R. P. Powell, Superintendent with Fayette County Board of Education regarding bleachers at the Fayette County Memorial Building. Commissioner Witt informed he would wait to see how repairs to existing bleachers work before issuing a response to their decision of repairing bleachers instead of replacing them.

The Commissioners discussed possibly putting drapes on 2nd floor landing instead of blinds. No final decision was made.

The Commissioners met with Attorney Jim Billings with petition of Teresa Banes to be appointed Committee for Steven Crisp. Ms. Banes was questioned. Teresa Daniels was approved guardian ad litem and recommended the appointment of Ms. Banes. Commissioner John Lopez offered motion to approve appointment. Commissioner Witt seconded. Vote was unanimous. Minimal bond of \$500.00 was approved.

The Commissioners met with Jo Ann Grabosky with petition to be appointed Committee for Robert Stuppio. Ms. Grabosky was questioned. Teresa Daniel was approved guardian ad litem and recommended the appointment. Commissioner John Lopez offered motion to approve appointment. Commissioner Witt seconded. Vote was unanimous. Bond was set in the amount of \$500.00.

Assessor Tom Aiello appeared before the Commission informing of errors submitted from State Tax Department on values of Class 3 property in Fayette County. Mr. Aiello explained he had talked to State Tax Department and was informed that the Commission needed to draft order directing the Assessor to take what steps necessary to correct these errors. Commissioner John H. Lopez offered motion to authorize Administrator to prepare Order concerning this matter. All approved.

The Commissioners met with Evelyn O'Dell and Edith Price with the Retired Senior Volunteer Program, Ms. O'Dell explained she was present to request funding for program for Fayette County. She explained of assistance received from other Counties and requested \$1,000.00 for fiscal year 93' 94. She informed that Fayette County had not contributed to program since 1989 and felt this is a program to benefit Fayette County Seniors. The Commissioners informed they had approved \$500.00 for this year for the Program but had not received a written request. Ms. O'Dell prepared a request for this amount which was approved. The Commissioners informed they would consider request for next fiscal year during budget session. Ms. O'Dell invited the Commissioners to attend recognition of volunteers on 6/10/93 at Camp Washington Carver.

The Commissioners met with Attorney William Stover with petition of Mark Dove to abandon street (Wolf Creek Garden). The Commissioners accepted petition and set hearing for 3/3/93 at 11:30 a.m.

The Commissioners received and reviewed information from Robert K. Holliday regarding water for Mahan, Collinsdale, Sandy City, Burnwell, Greencastle and Whittaker areas of Paint Creek.

The Commissioners reviewed letter addressed to County Clerk Kelvin Holliday regarding state level Industrial Development Bond Cap allocation for 1993.

The Commissioners received and reviewed letter from Fayette Clinic, Inc. addressed to Workers' Compensation Fund regarding patient Earnest Keith Lester.

Minutes of Zoning Hearings held on 1/27/93 were approved and signed.

All vouchers submitted for payment were reviewed and approved.

Administrator Charlotte Holly presented invoices from Electro-Tech Service, Inc. for electrical work at 9-1-1 site. The Commissioners approved to pay from 9-1-1 grant.

The Commissioners received and reviewed thank you from Sarah Booth and family for flowers from the Commission due to death of Hobart Booth.

The Commissioners received and reviewed information from the West Virginia Department of Human Services concerning Employment Reporting Program. This was forwarded to payroll clerk Judy Hess.

The Commissioners received and reviewed Auditor's Report for Ansted Certified Fire Department from Annette M. Keenan, CPA for years ending June 30, 1991 and June 30, 1992.

Commissioner John Witt read draft of proposed No Smoking Ordinance. President Gene Carte and Commissioner John Lopez informed they would approve ordinance with amendment to allow office holders to designate areas for each office. President Witt felt the Policy should be uniform allowing 1 area for each building and informed he would withdraw proposed ordinance if not approved as presented. He felt this would not solve problem. He felt one area downstairs in old courthouse and stair wells in annex would be sufficient. President Gene Carte and Commissioner Lopez approved No Smoking Ordinance to allow office holders to be responsible for individual office. Currently the second and third floor of Courthouse, Administrator's Office, County Commission Chambers and Hallways are to be smoke free. Commissioner Witt withdrew his proposal and would not vote for ordinance.

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 scheduled for February 10, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION & BOARD OF EQUALIZATION & REVIEW
FEBRUARY 10, 1993
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: Gene Carte, Jr., John H. Lopez, John L. Witt

The Fayette County Commission met in regular session on this 10th day of February, 1993.

Administrator Charlotte Holly reported she had received approval for budget revision for funds for 9-1-1- grant.

Administrator Charlotte Holly also presented application for Nancy Louise Singleton. Ms. Singleton was approved to work at Fayette County Park at a rate of \$4.50 per hour. This would not include benefits.

The Commissioners reviewed letter from Lynn B. Pollard informing that her term on the Correctional Officer's Civil Service Commission has expired on 2/9/93 and she did not wish to continue to serve for another term.

The Commissioners received and reviewed letter from Ms. Tennis J. Parrish, Owner of Action printing in which she requested to be included in county bid requests for office supplies.

Administrator Charlotte Holly presented letter from West Virginia Commission on Aging informing that they intend to continue commitment of \$500.00 per month in payment of rent for the Fayette County Senior Center.

The Commissioners reviewed letter to Ms. Georgia Fuller from C & P Telephone confirming her refusal to pay the enhanced emergency telephone system (E-911) fee.

Administrator Charlotte Holly reported of talking to Steve Cruikshank concerning Pax Sewer System. Ms. Holly reported that the State has supplied grant to aide with this project. The Commission had agreed to assist with \$1,000.00. At this time bids received for assistance was lower than projected, so the funds may not be needed. The Commission agreed to follow project if funds are needed.

Administrator Charlotte Holly informed that Carl Harris had finished preparing Lease Agreement for Family Law Master Space. Ms. Holly informed there was still a question concerning janitorial services for building. Commissioner John Witt informed he felt that County Commission employees should not be on private property.

The Commissioners requested Ms. Holly check with Ms. Steele to see if landlord would do janitorial services.

The Commissioners received and reviewed audit report for years ending June 30, 1989, 90 and 91 for the Fayette County Solid Waste Authority.

The Commissioners reviewed invoice submitted from Larry Parsons for clean up of property (Lot 66 Scarbro Home County 10 District 02 Map 2y- Parcel 23, Stanley F. Matthews). President Carte requested that a copy of this be sent to Stanley F. Matthews and Merchants & Miners Bank.

The Commissioners met with Pat Wendell, a member of the Fayette Historical Landmark Commission. Ms. Wendell explained she was present to request permission to pursue idea of the Commission to place a statue of Marquis de Lafayette on Court House property.

The Commissioners unanimously approved for the Commission to pursue this and felt they should decide where the statue would be placed.

Ms. Wendell informed that statue would take approximately 1 year to complete and mentioned that with 1995 being 100 year anniversary of the Court House this would be an ideal time to have ceremony to celebrate anniversary and reveal statue.

Discussions were held concerning landing where Medal of Honor pictures and plaques are hanging. Commission President Gene Carte mentioned that the Commission has discussed placing drapes instead of blinds in this area. The decision was to wait until flags are placed in this area before making a decision concerning this matter.

Commissioner Gene Carte informed he had received an anonymous call from valley area concerning beepers for Montgomery, Smithers, Armstrong Creek, Boomer and Gauley Bridge Fire Departments. He was informed that the beepers were not in working order. This is to be checked on.

Commissioner John Lopez requested a letter be written to Senator Byrd requesting assistance in obtaining an American flag for Chapter 3232 of the Knights of Columbus. A letter was written pertaining to this request.

The Commissioners met with Paul Blake, Prosecuting Attorney and Carl Harris, Assistant Prosecuting Attorney, Mr. Harris submitted costs for computer system for Prosecuting Attorney's office.

Prosecuting Attorney Paul Blake informed that it would take approximately 2 to 3 months to tie into State Bar Association Tech Net. Cost would be \$17,271.00 under state contract.

Commissioner John Lopez offered motion to approve. Commissioner John Witt also approved. Vote was unanimous.

Mr. Blake also informed that he has scheduled a training session at the Courthouse and welcomed other employees.

The Commissioners also signed orders appointing Theresa Bane as Committee for Steven Crisp and JoAnn Grabosky be appointed Committee for Robert Lee Stuppio.

The Commissioners reviewed and signed dismissal order in regard to petition of Pattie Morford to be appointed Committee for Margaret Montgomery.

Discussions were held about putting phone in arraignment room of the Magistrate Court building. This was tabled for time being.

The Commissioners discussed roof leaking at the Memorial Building. Commissioner John Witt informed he felt a strong letter should be written to company demanding this be repaired. Administrator Charlotte Holly informed that the last letter written was returned and re-mailed at a corrected address and felt the Commission should wait until the first letter is responded to.

Commissioner John Witt also informed of trash and handicap equipment being stored in the office of the sound room in the Memorial Building. A letter was approved and signed requesting this be emptied of all material to the Department of Human Services.

Commissioners John Witt also informed that no one is allowed on the roof of the Memorial Building unless authorized.

Commissioner John Lopez and President suggested a letter be written to the Board of Education thanking them for assistance in painting and work at the Memorial Building. The decision was to hold off until Spring when all work is complete.

The Commissioners reviewed letter from Sheriff William R. Laird IV informing of payroll additions of Wallace Gordon Cutright, Jr. and Duane Edward Rakes as Correctional Officers at a salary of \$1,050.00 per month effective 2/8/93.

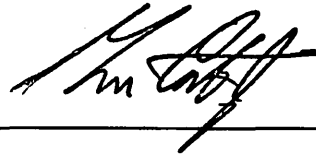
The Commissioners received and reviewed letter from Victor Stallard, Jr, Emergency Response Coordinator supporting David Neal as a candidate for the position of 911 Director.

The Commissioners reviewed information from West Virginia Development Office regarding Proposed statement of Community Development Objectives and the Method of Distribution of Small Cities Block Grant Fund Program Year 1993.

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

Payroll and outstanding bills were approved.

The meeting was adjourned. The next scheduled meeting is scheduled for February 16th, 1993.



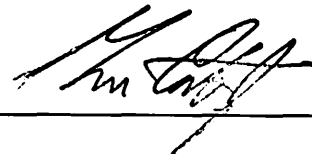
FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
FEBRUARY 16, 1993
CANVASS OF SPECIAL LEVY ELECTION AND
BOARD OF EQUALIZATION AND REVIEW OF PROPERTY
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA
MEMBERS PRESENT: Gene Carte, Jr., John L. Witt, John H. Lopez

The Fayette County Commission met in special session on this 16th day of February, 1993.

The Commissioners conducted Canvass for Special Levy Election held on February 6th, 1993. Results are to be certified on Friday, February 19th, 1993.

The Commisisoners met as Board of Equalization and Review of Property Assessment. Mr. Ralph Thomas was scheduled but did not appear. He is to reschedule.

The meeting was adjourned. The next scheduled meeting is February 19th, 1993.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
BOARD OF EQUALIZATION AND REVIEW OF PROPERTY
FEBRUARY 19th, 1993
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: Gene Carte, Jr., John L. Witt, John H. Lopez

The Fayette County Commission met in Special Session on this 19th day of February, 1993.

The Commissioners signed orders certifying results of special election held on 2/6/93 as follows:

Purpose Number 1- Law Enforcement Salaries and Benefits For the Law Enforcement Levies - (2,427). Against the Law Enforcement Levies - (607).

Purpose Number 2 - Libraries - For the Libraries Levies - (2,491). Against the Libraries Levies - (540)

Purpose Number 3 - Fire Protection Services and Equipment- For the Fire Protection Levies - (2,541). Against the Fire Protection Levies-(507).

Letters were approved and signed to James H. Paige, III, Secretary, State of West Virginia Department of Tax and Revenue, Ken Hechler, Secretary of State, and Glen G. Gainer, State Auditor enclosing notice of election, a sample ballot, and the Board of Canvassers' certificates of the results of special election held 2/6/93.

The Commissions met with Leroy Eslinger with application for Review of Property Assessment for Fayette Hills Apartments. Mr. Eslinger informed he felt assessed values should be taken from income approach.

Assessor Tom Aiello was present and informed he felt Mr. Eslinger was treated as others in the County and presented copy of list of values. President Carte informed this would be submitted as evidence and all would be considered.

The Commissioners met with Charles Wendell representing C & W Associates.

Michael V. Marlow, Fred Autrey Ritch, Jr., Jerry Knight & John Figiel were present from the State Tax Department.

Mr. Wendell informed he felt value should be as transaction when selling.

All property in question was discussed.

Evidence was taken by tape recorder from Mr. Wendell and Mr. Ritch.

President Carte informed all information would be taken into consideration.

The Commissioners met with Attorney Jamie Blankenship representing Ike Brown. There was question about property returns not being filed correctly on coal properties. Mr. Brown informed that as of 7/1/92 property was all mined out.

The Commissioners took all information and informed they would let him know of decision.

After questioning of Mr. Jerry Knight with the State Tax Department the Commissioners informed they felt Mr. Brown should be given relief based on value.

The Commissioners met with John Bruens representing C.M.E., Inc., Nell Jean Ind. and Lightning Ind.

Discussions were held about assessments of properties.

Mr. Bruens submitted calculation for Lightning Ind. He explained he did not receive information until 2/3/93 from the State Tax Department regarding these properties.

State Tax Department Officials were questioned and felt true market value was placed on each property and felt assessment was correct. He explained that assessment was based on production report turned into Department of Energy.

Mr. Bruens submitted documents from Walker Machinery showing values of machinery when discussing assessments for C.M.E, Inc. The State Tax Department objected to this because they could not cross examine them.

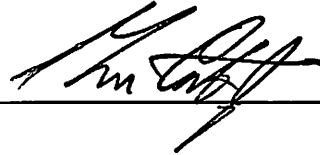
Discussions were held about using Green Guide to obtain values of equipment.

Different evidence was taken from Mr. Bruens and the State Tax Department regarding applications for review.

President Carte informed the matter would be submitted.

Administrator Charlotte Holly informed the Commission about Steve Cruikshank informing of water problem in Thurmond in which water line would need to be replaced. Mr. Cruikshank had questioned if the Commission would approve funds in amount of \$800.00 to \$1,000.00 to assist with water problem. This was approved.

The meeting was adjourned. The next scheduled meeting is
February 22nd, 1993.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
BOARD OF EQUALIZATION AND REVIEW OF PROPERTY
FEBRUARY 22, 1993
COURTHOUSE

FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: Gene Carte, Jr., John H. Lopez, John L. Witt

The Fayette County Commission met in Special Session on this 22nd day of February, 1993.

The Commissioners met with Bill Keeney representing Imperial Colliery Company, Midvale Colliery and Eagle Land. A. R. Christian was also present.

Don Hebb, Fred Clark, Michael Marlow and Autry Ritch were also present from the State Tax Department.

Assessor Tom Aiello was present from Fayette County Assessor's Office.

All parties met together before scheduled hearing and discussed assessment roles where companies in question were double assessed.

Mr. Keeney informed he has worked with the State Tax Department and was informed values would be corrected. With this information he informed he would withdraw applications as long as corrected land books show correct information.

Assessor Tom Aiello informed he could correct this problem.

The Commissioners met with Rick Persinger with application for Nuttall Trust.

Don Hebb with the State Tax Department explained of this property having same problem with being double assessed and agreed this could be corrected.

Mr. Persinger informed as long as books show correction he would withdraw application.

President Gene Carte informed the Commission would authorize the State Tax Department to correct.

The Commissioners met with Glenn Lowe, Secretary/Treasurer for White Oak Lumber. Mr. Lowe explained of acquiring property with uncutted timber being treated as inventory.

Mr. Ritch with the State Tax Department explained this had been corrected.

With this information Mr. Lowe informed he would withdraw his application for review.

Mr. Lowe also presented application for Highland Machinery. He explained he had objection to assessment of machinery and equipment.

Discussions were held about how State Tax Department determined assessment.

President Carte informed all information would be submitted.

The Commissioners met with William A. Gorby representing Pocahontas Land. Mr. Gorby explained of letter to the Commission requesting matter be sent to Circuit Court. He explained this had been done in other counties.

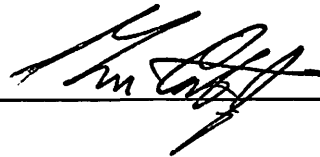
Discussions were held about errors existing in books and the fact that these errors could be corrected for up to 1 year.

Mr. Clark from the State Tax Department explained how property was assessed and explained that the Code provides that clerical errors can be changed.

President Carte informed all information would be considered.

The Commissioners met with representatives of Elkem Metals and representatives of the State Tax Department and accepted proposal submitted from Elkem for consideration for review.

The meeting was adjourned. The next scheduled meeting is scheduled for February 24th, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION & BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 24th, 1993
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: Gene Carte, Jr., John L. Witt, John H. Lopez (10:00a.m.)

The Fayette County Commission met in regular session on this 24th day of February, 1993.

The Commissioners met with Attorney Erwin Conrad with application of Curtis H. Thomas and Rosalee H. Thomas, his wife, and Edgar S. Hall and Betty J. Jall, his wife, and Clyde Toney and Ann Toney, his wife, to close and vacate certain streets within the Johnson subdivision. Dr. Thomas was present and was questioned of area to be closed. There was no one appearing to object to this. Commissioner John Witt made motion to approve. President Carte seconded. Vote was unanimous.

The Commissioners reviewed a letter from Doug Elliott, Adult Services Supervisor, with the Department of Health and Human Resources concerning the removal of medical equipment that is presently stored in the Memorial Building in Fayetteville. The letter informed the items will be removed as soon as permission is obtained from the appropriate agency personnel.

The Commissioners signed invoice to Public Affairs, Division of Highways for janitorial services from Robert L. Ford for opening and closing Courthouse for Public Meeting on 2/23/93.

The Commissioners received and reviewed information regarding in-service training programs for assessors, circuit clerks, county clerks, county commissioners, sheriffs and their employees.

The Commissioners received and reviewed information regarding claimant's protest dated, January 29, 1993 to the Workers' Compensation Fund Commissioner's Order of 1/26/93 of Earnest K. Lester.

Administrator Charlotte Holly presented information concerning call about property of Beury Laurel Limited Partnership, Account #06061325. The Annual Appraisal Return for this tract was not received in time for the 1993 tax year. The State Tax Department would need approval from the Fayette County Commission to re-key values. The Commissioners unanimously approved.

The Commissioners approved and signed letters to Senator Robert C. Byrd, Congressman Nick J. Rahall, II and Senator John D. Rockefeller concerning support for the construction of a water distribution system for Northern Fayette County.

Discussions were held about writing a letter to Senator Robert C. Byrd regarding statue presently at Headquarters of U.S. Army in Germany being placed at the Fayette County Memorial Building. Fayette County native who presently lives in Oak Hill area modeled for the statue (Dough boy). President Carte requested copies be sent to Congressman Rahall and Senator Rockefeller.

Administrator Charlotte Holly presented invoice for Jail Inspection by W. Joseph McCoy in the amount of \$292.53. This was approved.

Administrator Charlotte Holly presented invoice from Camco Services Inc. in the amount of \$8,000.00 for work at 911 center. Work is 60% complete. President Carte and Commissioner Witt approved payment pending Steve Cruikshank's review.

The Commissioners reviewed letter from Cheryle M. Hall, Clerk with the State of West Virginia Court of Claims informing that an award has been made by the Court of Claims in Claim No. CC-92-399 in the amount of \$80,000.00.

The Commissioners reviewed letter from West Virginia Development Office regarding letter from the Commission requesting sponsorship of the West Virginia Weatherization Assistance Program in Fayette County. The letter informed that they could not accommodate request at this time.

The Commissioners received and reviewed a letter from the Governor regarding reimbursement to counties for housing state prisoners.

The Commissioners reviewed letter from Dr. Joe Seacrist regarding camping at the Fayette County Park July 5 - 9th, 1993 for a Christian youth camp of Virginia Street Baptist Church. The Commissioners informed that Earl Pauley is to notify that camping will be \$250.00.

The Commissioners received and reviewed financial statements of Valley Emergency Medical Services, Inc.

The Commissioners met with Attorney Ralph Young, Prosecuting Attorney Paul Blake and several concerned citizens from Halstead, Bowling, Crawford, Jordan and one unnamed street situated off Summerlee Road adjoining the city of Oak Hill, West Virginia.

Public Hearing was held to annex street in question.

Attorney Belinda Morton informed she was present to represent concerned citizens for Wolf Creek Public Service District.

City Manager Tom Oxley and Attorney Ralph Young presented list in which voter's records were checked to determine qualified voters and free holders.

Discussions were held about list. Attorney Morton informed that citizens felt they were not represented correctly and requested the Commission not to approve.

President Gene Carte informed the Commission unanimously denied request for annexation of 5 streets in question because they felt the City did not follow laws. They felt 2 separate petitions of freeholders and qualified voters should have been presented.

Attorney Ralph Young presented petition for annexation by minor boundary adjustment of 6.646 acre tract adjoining the city of Oak Hill situate in the J. L. Treadway Subdivision. Hearing was set for 3/31/93 at 10:30 a.m.

Final Hearing was also set for annexation by minor boundary adjustment of 2.69 acre and 12.532 acre tracts adjoining the city of Oak Hill owned by Highway Properties, Limited Partnership, and situate along U.S. Route 19 to the said city of Oak Hill for 3/31/93 at 11:00 a.m.

The Commissioners held Zoning Hearing Z-374-93-1: Request of H.R.H. Enterprises, Owners, by James C. Haun, Jr. for a change in land classification from R-R, Agricultural and Rural Residence District, to B-3, Highway Business District, on 2.464 acres, Dogwood Ridge, located on Route 60, Hico, west of Stringtown Road, New Haven District.

The Zoning Officer informed the County Commission that Mr. Haun had called from Princeton and would not be able to attend the meeting because of the weather. The County Commission was informed this was a request to locate a new car dealership on property and that the Planning Commission did by a vote of 9-0 recommend that this be approved. Commissioner John Lopez offered motion to approve. Motion was seconded by John Witt. Vote was unanimous.

The Commissioners reviewed information from State Tax Department regarding financial and compliance audits of local government entities.

The Commissioners received and reviewed Contract and Agreement from Fayette County Health Department requesting sum of \$5,000.00 for fiscal year 1993.-1994.

The Commissioners signed order reappointing Judson Wallace to the Fayette County Correctional Officers Civil Service Commission. Term to expire January 9, 1999.

The Commissioners received and reviewed draw down request number seventeen for FY 1989 Small Cities Block Grant Project of White Oak PSD Sewer System. Check in the amount of \$70,892.13 was received.

The Commissioners discussed Board of Equalization Hearings held.

The Commissioners discussed application filed by Ike Brown. The decision was assessment would be same as last tax ticket which would be 92 ticket based on 91 assessment plus the 10 percent increase if this could be done.

The Commissioners informed that applications for C.M.E. Inc, Nell Jean Ind. and Lightning Ind. would be denied.

The Commissioners also informed that Highland Machinery would be denied. The Assessor agreed to work with the State Tax Department to correct errors.

The Commissioners informed they had agreed to proposal from State Tax Department for Elkem Metals.

The Commissioners informed that Fayette Hills Apartments would be denied. They felt information needed was not provided in a timely fashion.

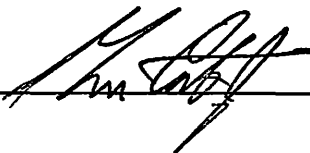
When discussing application filed by Robert Woods, the Commission felt Assessor was fair with value on property in question.

The Commissioners informed application filed by Charles Wendell for C & W Associates would be approved to show a reduction of \$60,000.00.

All other applications were withdrawn.

The Commissioners signed order certifying that they have examined each and every item and valuation fixed by the Assessor and have made necessary corrections.

The meeting was adjourned. The next scheduled meeting is scheduled for March 3rd, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
MARCH 3, 1993
COURTHOUSE
FAYETTEVILLE, WV

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

The Fayette County Commission met in regular session on this 3rd day of March, 1993.

The members met with Attorney Paul Clay. The Commissioners questioned Attorney Paul Clay regarding a Committee Appointment for Nancy Maude Curry. Nancy Fout and Lewis Curry were appointed by the Commission. Commissioner John Lopez informed he has received complaints concerning Ms. Curry not being looked after properly. Discussions were held to check of revoking appointment or checking to see what Department of Human Service may do to make sure Ms. Curry is being looked after properly.

The Commissioners reviewed letter from Dr. Barry A. Stowers regarding clerical error causing an inaccurate assessment on his property at 111 Lewis Street, Oak Hill. The Commissioners informed they would schedule hearing for March 31, 1993 and follow same procedure as they did when reviewing Elkem Metals last year.

The Commissioners discussed complaints issued about pages in Valley area. Administrator Holly reported she has spoken to Steve Cruikshank regarding the problem and he is to get back in touch with her to let her know about solving the problem.

Administrator Holly reported of talking with Don Hebb about incorrect valuations being keyed for Cyprus-Kanahwa. The State Tax Department informed they would need approval from Fayette County Commission to correct. Administrator Holly reported she authorized to correct.

The Commission received/reviewed and approved contract between Fayette County Commission, the Fayette County Board of Health and Dr. Donald C. Newell, Jr. for Dr. Donald C. Newell, Jr. D.O. to act as Health Officer of Fayette County for a period of 4 years.

The Fayette County Commission approved monthly contributions for Humane Society.

The Commission reviewed list of refusals to pay 911 fee.

Assessor Tom Aiello presented Certification of Valuations. Administrator Holly reported that Fayette County Commission should see (unofficially) increase of \$197,000. Ms. Holly also reported for levy roll back that Fayette County Commission would not have to hold hearing.

The Commissioners received and reviewed Fayette County Dog Warden Report for month of February.

The Commission reviewed letter from Region 4 regarding Drawdown #17 in the amount of \$70,892.13 for White Oak Public Service District. White Oak Public Service District will withhold monies from Utility Contracting until a release of loans from vendors has been received by Stafford Consultants, Inc.

The Commission reviewed letter from Sheriff Laird informing that as of March 15th, 1993, Geraldine Copley will be terminated as employee for Fayette County Tax Department.

The Commission received and reviewed letter issuing check in the amount of \$27,466.86 for Emergency Telephone System for month of January, 1993.

The Commission reviewed Notification of Account Assignment for Fayette County Commission Enhanced 911 Fund with State Board of Investments.

Administrator Charlotte Holly reported that State Grant funds were enough to correct water line replacement at Thurmond. There was an invoice presented for hauling water in the amount of \$40.00 to Riner's Dairy. The Commission approved to pay this.

Administrator Holly reported that Pax has also received a grant to cover cost for project and Fayette County Commission will not have to assist.

Administrator Holly reported the Doctor has released James Perdue and he will be able to work light duty. Administrator Holly see this is worked out.

The Commission discussed roof leaks at Memorial Building and leak over Circuit Clerk's Office.

Administrator Holly reported faxing a letter and taking one to Jim Lively Insurance regarding the problems.

The Fayette County Commission reviewed letter from Senator Byrd informing he has secured United States flag for Chapter 3232 of Knights of Columbus.

The Commission approved check in amount of \$6,000.00 from Fire Levy Fund to Rainelle Volunteer Fire Department.

Administrator Holly reported John Parrish had informed of Home Confinement monitor being damaged by Robert Clendenin. Mr. Parrish requested the Fayette County Commission repair and he would make effort to ensure repayment from Mr. Clendenin.

The Commission reviewed letter from Division of Environmental Protection informing they have approved application for New Haven Coal DMM-4, SMA-3038-90.

The Commission met with Attorney William Stover and Mark Dove to close street in Wolf Creek Garden. There was no one appearing to object. There was question of how closure would be recorded and indexed for deed record. Mr. Stover is to revise order.

The Commission signed letters convening as the Board of Equalization and Review for 1993 for the following:

C & W Associates valuation of the property will be changed--
Revised Assessed Value: \$270,459 (reduced from \$331,760)

Pocahontas Land Corporation--Petition denied, will not change,

Fayette Hills Limited Partnership--will not change,

Nellie Jean Industries--will not change,

Robert C. Woods--will not change,

Highland Machinery Corp.--will not change,

CME, Inc.--will not change,

Lightning, Inc.--will not change,

J. Ike Brown (Walter Brown etal)

The Commission reviewed letter from Attorney Peggy L. Collins concerning having Sheriff appointed Administrator of Estate of Russell Jeffrey Truman. The Sheriff was present and agreed to be appointed. Mr. Truman died March 11, 1991 and all heirs are ineligible or have refused to serve.

The Commission met with Keith Spangler and Mary W. Abbot. Ms. Abbot presented Weekly Reports for January and February from the Animal Shelter for the Fayette Humane Society. Ms. Abbot also presented Budget Request in amount of \$39,000.00 for fiscal year 1993-94. Discussion were held about landfill cost increase next year at approximately \$4,400.00. Fayette County Commission approved request with exception to landfill cost.

The Commission discussed gas light being installed at right side at base of steps at Court House. Mr. Pauley is ready to install.

Mr. Pauley had also reported that fan has been installed downstairs for room to be used as smoking area. The sofa from jury room is to be moved there. The Commission also approved to find table for this room.

The Commission met with Kelvin Holliday and Leon Spencer. Mr. Holliday presented proposal for proposed technical realignment by Legislature of State Senate Districts 10 and 11. Mr. Holliday explained proposal and informed he felt proposal would simplify election process.

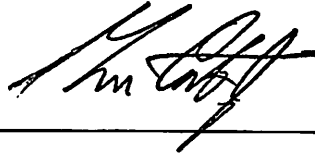
The Commission informed they would review proposal.

Thomas Aiello appeared before Fayette County Commission with exonerations of real and personal property taxes. These were approved and signed by Prosecutor. Fayette County Commission also approved.

The Fayette County Commission set Special Meeting on March 8, 1993 at 10:00 A.M. to discuss Budget for Fiscal year 1993-94.

Invoice in the amount of \$2,000.00 to Leon Spencer was approved for services of revising precincts maps and descriptions.

The meeting was adjourned. The next scheduled meeting is scheduled for March 17, 1993.



A handwritten signature in black ink, appearing to read "M. L. [unclear]", is written above a solid horizontal line.

FAYETTE COUNTY COMMISSION MEETING

SPECIAL SESSION

MARCH 17, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in Special Session on this 17th day of March, 1993.

Commission President Gene Carte informed that due to bad emergency weather the Commission approved payroll by telephone on Monday, March 15, 1993.

Administrator Charlotte Holly reported that she has spoken with Mike Par with Firestone and was told they would be here on March 18, 1993 to replace deck at Memorial Building if weather permits.

Administrator Holly reported of call from Houston Cole about bids being taken to clean-up trash. The Fayette County Commission informed they are not taking bids.

Commissioner Gene Carte requested the Solid Waste Authority be notified to attend next meeting.

Administrator Charlotte Holly informed the Commission she was told there could possibly be federal monies for Fayette County for Snow clean-up due to snowstorm of weekend March 14th and 15th, 1993.

Administrator Holly reported she finally felt the letter to Ike Brown regarding his application for Review of Property Assessment was ready to be mailed. The property in question will be changed as follows: Land - \$149,710, Mineral - \$132,854, and Improvements - \$18,887. The Commissioners approved to mail.

The Commissioners discussed Elkem Metals and figures presented. Administrator Charlotte Holly advised she has sent letter to State Tax Department regarding this matter.

Administrator Charlotte Holly presented application for 40 positions for Governor's Summer Youth Program. The Commissioners approved application but requested to ask for additional workers. (80 enrollees and 8 supervisors)

The Commissioners met with Mary Lou Schmidt from the West Virginia University Extension Office. The Commissioners informed budget would be approved without salary increase.

The members were informed that present employee Susan Skaggs plans to leave position. The Commission informed they had a recommendation for this position. She would work with Susan before she left to learn procedures of the office.

The Commissioners met with Sheriff Laird to discuss his budget for new year.

The Commissioners informed they have approved 5 additional employees and 4 additional vehicles. The Commission also approved increase in salary for Ann Berry.

Discussions were held about 911 center and Commissioners and Sheriff were in agreement that current Communication workers should have 1st preference for positions at 911 center.

The Commisisoners approved additional \$7,500.00 for uniforms for Law Enforcement.

The Sheriff also informed he would like to renew marking of vehicles.

Discussions were held about scheduled hearing date for Committee Appointments for 5 incompetent individual who are currently patients at Hidden Valley Health Care Center in Oak Hill. The Sheriff is to let Charlotte know about when to schedule.

The Commissioners received and reviewed information concerning re-opening for additional permanent partial disability (PPD) benefit for Fred Sizemore.

The Commissioners reviewed letter from Region 4 Planning and Development Council concerning budget revision on Small Cities Community Development Building Grant (SCCDBG) for White Oak Public Service District.

The Commissioners received and reviewed recommendation from Fayetteville Fire Department recommending David Neal for the position of E 9-1-1 Coordinator.

The Commissioners reviewed copy of statement from County Clerk's office to United States District Court, Southern District of West Virginia for 2 diskettes containing the names of registered voters in Fayette County.

The Commissioners reviewed letter from William F. Spence of the West Virginia Development Office concerning Fiscal Year 1989 Small Cities Block Grant (SCBG) White Oak Public Service District Sewer Project.

The Salem-Gatewood Public Service District minutes of meeting held January 1, 1993 were presented and reviewed.

The Commissioners approved and signed letter to Mr. Fred Cutlip, Community Development Division submitting comments for inclusion in the Final Design Statement for Proposed Small Cities Block Grant Program.

The Commissioners reviewed list of scheduled 1993 In-Service training seminars for Assessors, Circuit Clerks, County Clerks, County Commissioners, and Sheriffs and their employees.

The Commissioners reviewed letter from Prosecuting Attorney Paul Blake regarding West Virginia Code §7-1-3ff removal of unsightly property.

The Commissioners reviewed letter from Senator Robert C. Byrd regarding relocating of statue "Doughboy" to Fayette County from U. S. Army Headquarters

in Berlin, Germany.

The Commissioners reviewed letter from West Virginia Development Office regarding Monitoring Visit #3 of Beards Fork Component/Page-Kincaid Sewer Systems.

The Commissioners reviewed thank you letter from Retired Senior Volunteer Program (RSVP) for contribution for Fiscal Year 1992-1993.

The Commissioners reviewed letters from Assessor Tom Aiello informing effective March 31, 1993, Wallace R. Bennett, Jr. will no longer be employed by Fayette County Assessor full-time basis. He will be working on part-time basis at hourly rate of \$10.58 per hour from PVC funds.

Mr. Aiello also requested a check be issued from PVC funds for 76 overtime hours worked by Wallace R. Bennett, Jr. while converting the county tax maps into computer files.

The Commissioners approved and signed final order regarding application of Mark Dove to close an unused portion of Fourth Street in Wolf Creek Garden.

The Commissioners reviewed letters from West Virginia Department of Transportation, Division of Highways, and Attorney Ervin Conrad concerning Stonehange Road-Intersection with U.S. 19.

The Commissioners reviewed automatic time frame order of West Virginia Workers' Compensation claim for Earnest Lester. The Sheriff had informed Teresa Daniels is to represent Fayette County Commission.

The Commission reviewed letter from Larry Long, Manager Project Development with West Virginia Development Office representing payment for drawdown number one for 1993 Governor's Community Partnership Grant Project 911 Emergency Services.

The Commissioners reviewed list of small and minority businesses that will be given to contractors to enhance local employment from Alice King with Region 4 Planning and Development Council.

The Commissioners reviewed letter from One Valley Bank concerning County Commission of Raleigh, Fayette, and Nicholas County, West Virginia Municipal Refunding Collateralized Mortgage obligations (MR CMO) Series 1990A and Series 1990B.

The Commissioensrs reviewed letter from Ben Todaro, Area Manager of Cable-vision.

The Commissioners reviewed letters from Senator Robert Byrd, and David C. Callahan with Division of Environmental Protection regarding concerns about water situation in the Victor, Hopewell, Mountain Cove, Hico, Lookout, Winona, Edmond, Lansing and Ames Height areas of Fayette County.

A letter was reviewed from U. S. Department of the Interior concerning program on the potential effect of designation on segments of the Bluestone and Meadow Rivers which were not included as components of the National Wild and Scenic Rivers System.

The Commissioners met in Budget Session with County Clerk, Kelvin Holliday.

The Commissioners first asked to speak with Mr. Holliday concerning expenses for mapping related to realignment of precincts. The Commission requested that in the future they would request pre-authorization for such expenses.

The Commissioners informed Mr. Holliday his budget would be approved at level with current employees without salary increase. Part-time work \$1,050.00 was approved. Travel was approved at same level as Circuit Clerk \$1,500.00.

Administrator Holly informed she received information that 10% increase in PEIA may not go into effect this fiscal year and questioned if the Fayette County Commission would want to keep this amount budgeted in office holders budgets. The Commission requested to hold this in Fayette County Commission budget.

Mr. Holliday informed he had projected cost for insurance for Treatha Sexton.

Mr. Holliday also informed he would like to have new copier that you do not have to close.

Mr. Holliday presented quotes from Cott for indexing in County Clerk's Office.

The Commission adjourned to go into executive session with Mr. Holliday.

The Commissioners met with Circuit Clerk, Herbert Mann to discuss his budget.

The Commissioners informed his budget was approved with current employees at same levy of pay.

Mr. Mann requested new typewriter for his office. The Commission informed this would be approved.

The Commissioners met with Jackie Hickman and Debbie Berry.

The Commissioners instructed that Jackie Hickman would assume duty of taking minutes at County Commission Meeting at a salary increase of \$50.00 a month.

President Carte informed that the Commission would make up salaries for Debbie Berry and Jackie Hickman if they would be terminated from positions of working for Fayette County Solid Waste Authority.

Mr. Carte also informed that Ms. Berry and Ms. Hickman be given 4 additional vacation days prior to July 1, 1993.

Commissioners also approved for Gene Carte to attend National Associations of Counties meeting July 17 through July 20, 1993.

The Commissioners received and approved grant application for the Fayette Transition Team for Community Capacity Building.

The Commissioners instructed to post Notice for Special Meeting on March 22, 1993 at 10:00 a.m. They also informed they would approve payroll at Special Budget Meeting on March 25, 1993.

The meeting was adjourned. The next scheduled meeting is March 22, 1993 at 10:00 a.m.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION
MARCH 22, 1993
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in Special Session on this 22nd day of March, 1993.

Thomas Aiello and Paul Symes appeared before the Commission requesting they sign an order to refund Vandalia Mining Corporation the sum of \$24,898.48 in accordance with Section 2.F of the Agreement dated March 9, 1993.

Commissioner John Witt made motion to pay refund to Vandalia Mining Corporation. Commissioner John Lopez seconded. All approved.

Administrator Charlotte Holly presented invoice from King, Betts, and Allen regarding payment of legal services amount of \$3,601.92 for Correctional Officers Civil Service hearings.

Administrator Charlotte Holly reported she received drawdown \$5,890.24 on White Oak Public Service District grant.

Administrator Holly presented two (2) letters to the Commission for Kelvin Holliday, County Clerk informing them that effective March 18, 1993, Jacqueline Hickman is to be paid monthly salary of \$1,085.00, and effective March 22, 1993, Heather Hambrick is to be employed as a part-time secretary in Agricultural Extension Office at a daily rate of pay of \$40.00. Effective March 29, 1993, Heather is to be employed as full-time secretary in Agricultural Extension Office at an annual rate of \$13,010.00 plus benefits. Both employees will be paid from the General County Fund.

Administrator Holly presented monthly Park Report.

The Commissioners received and reviewed letter from Congressman Nick Rahall regarding relocating of statue "Doughboy" to Fayette County from U. S. Army Headquarters in Berlin, Germany.

Administrator Holly presented letter from Gary Light-Valley Emergency Medical Service requesting emergency funding.

Commissioner Lopez made motion to contribute \$6,000.00 to Valley Emergency Medical Service for fiscal year 92-93 instead of fiscal year 93-94 as previously discussed. Commissioner Carte seconded. All approved.

Administrator Holly presented letter from Mary Lou Schmidt regarding Susan Skaggs leave. The Commissioners decided Susan did not need to reimburse county for leave.

The Commissioners received message from Delegate John Pino regarding House Bill 2532.

The Commissioners instructed Ms. Holly to send letter to other delegates regarding House Bill 2532.

Administrator Holly presented requisition from WVU Extension Office for purchase of Caramite Slide Projector \$867.00 and Portable Overhead projector \$644.45.

The Commissioners approved but asked Ms. Holly to check with State contract first.

The Commissioners approved for Bob to build shelves for Ann Berry and Gloria Bozo offices.

Administrator Holly informed the Commission that the 9-1-1 Enhanced Committee are down to 2 applicants for 9-1-1 Emergency Coordinator--David Neal and Fred Dickinson. Due to a death in his family, applicant Roger Keaton has not been interviewed.

The Commissioners informed Ms. Holly to advertise for 9-1-1 leasing and purchasing of equipment.

Administrator Holly informed the Commission that the quote from Cott Indexing she received from Kelvin Holliday was over \$5,000.00 and they would have to advertise for bids.

The Commission informed Ms. Holly to make Kelvin aware of this.

The Commissioners received and reviewed thank you letter from Ken Hechler regarding WV Flag.

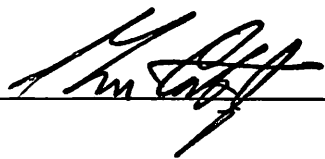
Commissioner Carte made motion to buy WV Flag for Courthouse. Commissioner Witt seconded. All approved.

The Commission approved letter of preference to be sent to State Tax Department to have Smith, Cochran and Hicks perform the examination of records of the Fayette County Commission for fiscal year 1992.

The Commission discussed schools participating in drawings or suggestions for design of a Fayette County flag. Winner would receive recognition only.

The Commissioners will hold Special Meeting, March 25, 1993 at 10:00 A.M. regarding Increase Property Tax Levy.

The meeting was adjourned. Next regular scheduled meeting is March 31, 1993 at 9:30 A.M.



FAYETTE COUNTY COMMISSION MEETING

SPECIAL SESSION

MARCH 25, 1993

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in Special Session on this 25th day of March, 1993 to approve and sign budget for fiscal year 1993-94.

Administrator Charlotte Holly presented the budget to the Commission stating projected revenue to county will exceed 103%. The General County revenue was \$58,650 less than 1993, and Coal Severance was \$41,946 less than 1993.

Administrator Holly informed the Commission of corrections made on budget.

Commissioner Gene Carte made motion to approve the current tax increase for fiscal year 1993-94. Commissioner John Lopez seconded. All approved.

Commissioner John Lopez made motion to adopt budget for fiscal year 1993-94. Commissioner Carte seconded. All approved.

Commisisoner Lopez felt that an attorney should be on the Correctional Officers Civil Service Commission.

Commissioner Carte agreed but suggested that they have Judge Hatcher attend meeting before making any decisions.

Tom Aiello presented exoneration of Vandalia Mining Corporation for Commissioners to sign.

Administrator Holly presented order appointing James Lively, Jr. to the Wolf Creek Public Service District.

Administrator Holly informed the Commission the Dog Tax Fund had no money and presented vouchers for payment. The Commission agreed to pay bills from general County Funds.

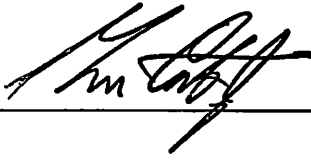
Administrator Holly presented letter from Fred Cutlip, director of Community Development Division thanking the Commission for their comment on the proposed objectives and the method of distribution of Small Cities Community Development Block Grant.

Commissioners approved payroll for the second half of March.

The Commissioners asked Judge Hatcher if he would help them appoint on volunteer bases an Attorney to the Correctional Officers Civil Service Commission.

Judge Hatcher said that he would check into the matter and get back with the Commission.

The meeting was adjourned. The next scheduled meeting is March 31, 1993.



FAYETTE COUNTY COMMISSION MEETING

EMERGENCY SPECIAL MEETING

MARCH 26, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in an emergency special session on this 26th day of March, 1993 to reconsider action of yesterday's meeting.

State Tax Commission advised necessary to roll back figures of the budget.

Commissioner John Witt moved to roll back as to confirm with levy order. Commissioner Gene Carte seconded. All approved

Budget was approved and signed.

The meeting was adjourned. The next scheduled meeting is March 31, 1993.



FAYETTE COUNTY COMMISSION MEETING

REGULAR SESSION

MARCH 31, 1993

COURTHOUSE

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

The Fayette County Commission met in regular session on this 31st day of March, 1993.

The Commissioner met with Dr. Barry and Brenda Stowers regarding clerical error causing inaccurate assessment on their property, also present were Eddie Young from the Assessor's Office and Carl Harris from the Prosecuting Attorney's Office. No decision was made by Commission. Commission informed Dr. Stowers they would have to schedule another hearing.

Administrator Holly presented bids for roof repair to the Memorial Building to install roof drains. Amount \$4,000.00

President Carte made motion to repair roof at Memorial Building. John Witt seconded. All approved.

Commisisoner John Witt suggested that a letter be written to Par Roofing requesting an extension on warranty.

Administrator Holly presented letter from Fayette County Solid Waste Authority regarding funding for Law Enforcement Officer.

President Carte suggested letter be preferred to Prosecuting Attorney's Office for their review and opinion. All approved.

Virginia Beckett of Wolf Creek Public Service District appeared before Commission with letter from Public Service District.

The Commission received and reviewed Dog Tax Report.

Ann Skaggs appeared before Commission giving and update on clean up of property. Ms. Skaggs presented pictures of properties and a list of names of the people who should be notified. She suggested a letter be sent to Cecil "Butch" Giles to appear before Commission and that the Prosecuting Attorney's Office should send Olivia Stone letter.

Commissioner Witt moved that Ann Skaggs would be the liaison to ask the Prosecuting Attorney's Office to write letter to Olivia Stone. Commissioner Carte seconded. All approved.

Attorney Ralph Young and City Manager Tom Oxley presented final order for annexation by minor boundary adjustment of 6.646 acre tract adjoining the City of Oak Hill situate in the J. L. Treadway Subdivision. There being no opposition annexation approved.

Administrator Holly presented letter from Summers County Service Council regarding Weatherization Program.

The Commissioners received and reviewed letter of "refusals to pay" associated with the Emergency Telephone System for the month of February, 1993.

Sheriff Laird and Mayor G. Larrick of the 9-1-1 Enhanced Committee appeared before the Commission to give their recommendation for 9-1-1 Coordinator. Upon recommendation of the committee David Neal was their number 1 choice.

Commissioner John Witt made motion to accept the recommendation of the Enhanced Committee's decision and ask that the committee assist in hiring dispatchers for 9-1-1 center. Commissioner Lopez seconded. All approved.

Administrator Holly presented information from Richard Cornett regarding 1986-Ford Ambulance not being certifiable as an ambulance.

The Commission approve to salvage ambulance and turn title over to Jan-Care Ambulance Services, Inc. and to remove from County's insurance.

The Commissioners approved for Administrator Charlotte Holly to attend Small Cities Block Grant Application Workshop-April 13 and 14.

The Commissioners signed letter to Mayor Charles H. Keenan expressing their appreciation for assistance to the county in obtaining a Governor's Community Partnership Grant in the amount of \$50,000 for establishing the Fayette County 9-1-1 Center and work to Valley and Fayette County.

The Commissioners met with Attorney Jamie Blankenship with petition to have Carol Sue Harrah appointed as Committee for Sherry Craigo. Ms. Harrah and Mr. Harrah was questioned. Attorney Phil Tissue was approved guardian et litem and recommended appointment. Commissioner John Lopez offered motion to approve appointment. Commissioner John Witt seconded. Motion passed 3-0. Bond was set in the amount of \$500.00.

Administrator Holly informed Commission about file cabinets for Probation Office. Ms. Holly will check with state surplus property for used cabinets.

All vouchers submitted for payment were reviewed and approved.

The Commissioners met with Attorney Erwin Conrad with petition to have William Lechok appointed as Committee for Margaret Huk. Also present was Attorney Phil Tissue to contest appointment. Ms. Amy Thompson of the West Virginia Department of Human Services was questioned. William Lechok and George Lechok was questioned. T. E. Myles was approved et litem for Margaret Huk. No decision was made. Matter to be continued.

The Commissioners approved Election Travel for Kelvin Holliday.

The Commissioners signed maintenance agreement for Lanier Copier for Herb Mann's office.

Administrator Holly presented letter from Fred Cutlip regarding the Final Program Design for use of fiscal year 1993 Small Cities Block Grant funds.

Administrator Holly presented letters from Robert Byrd regarding relocating of "Doughboy" statue.

Administrator Holly presented answer in Civil Action case regarding Michael S. McCormick et al v. William R. Laird, IV.

The Commissioners signed letters to Senator Robert K. Holliday and Kent Hall endorsing the location of the proposed western regional airport.

The Commissioners signed letters to Delegates John Pino, Tom Louisos, Dr. Bruce Petersen and Senator Robert K. Holliday expressing their support of House Bill 2532.

Attorney Ralph Young and City Manager Tom Oxley presented final order for annexation by minor boundary adjustment of 2.69 acre and 12.532 acre tracts adjoining the City of Oak Hill owned by highway properties, limited partnership, and situate along U. S. Route 19 to the said City of Oak Hill. There being no opposition annexation was approved.

Administrator Holly presented letter from William Spence regarding revised budget for Fayette County Commission's Small Cities CDBG (White Oak Public Service District).

Administrator Holly presented letter from Region 4 regarding Drawdown #19 in the amount of \$12,277.76 for White Oak Public Service District.

The Commissioners received and reviewed letter from the West Virginia Recreation and Park Association requesting the Fayette County Commission to pass a resolution and send letters to President Clinton, Senators Byrd and Rockefeller, Congressmen Rahall, Mollohan, and Wise, Secretary of Housing and Urban Development, Henry Cisneros; Secretary of the Interior Bruce Babbitt; Secretary of Agriculture, Michael Espy; and Acting Administrator John Wilson, Office of Juvenile Justice and Delinquency Prevention, Department of Justice, urging them to support the inclusion of parks, recreation, and conservation funding.

The Commissioners signed resolution and letters for support of substantial funding of a variety of initiative that will fund parks, recreation and conservation programs.

The Commissioners received and reviewed a letter from J. W. Hughes, Inc. requesting resolution in support of a access area under the Meadow River Bridge be built on Route 19.

President Carte informed that a resolution be written.

The Commissioners received and reviewed letter from West Virginia Development Office regarding Financial Management System Audit, Fiscal year 1989 SCBG, White Oak Public Service District-Sewer System Improvements.

The Commission received and reviewed letter issuing check in the amount of \$27,467.58 for the Emergency Telephone System for the month of February, 1993.

Administrator Holly presented letter from Region 4 regarding State Report of White Oak Public Service District Small Cities CDBG Sewer Improvement Project.

The Commissioners approved for President Gene Carte to attend West Virginia Workers' Compensation seminar--April 8, 1993.

Administrator Holly presented letter from CNA Insurance Company regarding One Valley Bank v. Janney and County Commission.

Administrator Holly received audit report from Twenty-One WV Municipality Single Family Mortgage Revenue Bonds, 1984 Series A from Ernst & Young.

The meeting was adjourned. Next scheduled meeting is April 7, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
APRIL 7, 1993
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Gene Carte, Jr., and John L. Witt

The Fayette County Commission met in regular session on this 7th day of April, 1993.

The Commission met in Executive Session with Paul Blake, Prosecuting Attorney, and William Laird, Sheriff.

Paul Blake reported to the Commission the letter from the Fayette County Solid Waste Authority had been referred to the Attorney General Office for written opinion.

Sheriff Laird presented letter requesting that an Order be written to dissolve committee responsibility for James Hager.

After discussing matter with the Commission and Linda Johnson, Chief Deputy from County Clerk's Office the Sheriff decided to defer matter.

Administrator Holly presented bid from Cott Computer System regarding indexing in County Clerk's Office.

Being the only bid received Commissioner John Witt made motion to except bid. Amount \$6,434.49. Commissioner Carte seconded. All approved.

Administrator Holly presented bids from Motorola and C & P Telephone regarding leasing/purchasing of 911 Enhanced System.

The Commission excepted bids but informed C & P and Motorola they would discuss with Steve Cruikshank and David before any decision is made.

The Commissioners met with Attorney Phil Tissue with petition to have Darlene Lewis appointed as committee for Glinner Foster. Attorney Jamie Blankenship was approved guardian ad litem. Ms. Lewis was questioned. Attorney Blankenship informed that notice should be published being Ms. Foster had several nieces and nephews.

Commissioner Witt made motion to approve appointment but that petition should be amended to reflect Ms. Foster's correct age. Commissioner Carte seconded. Bond was set in the amount of \$500.00

Administrator Holly presented order transferring full title and ownership of ambulance to Jan-Care Amulance Service, Inc.

Administrator Holly presented letter to the Commission for Kelvin Holliday informing him that effective April 16, 1993, David Neal is to be employed on a full time basis as the Fayette County Emergency 9-1-1 Coordinator at an annual rate of \$20,000.00 plus benefits. Salary to be paid from E9-1-1 Fund.

Administrator Holly presented letter to the Commission for signatures for William F. Spence, Grant Management Specialist regarding 2nd drawdown for the

911 Emergency Service Project. Project 94% complete. Amount requested \$46,786.03.

Administrator Holly informed Commission that she received call from Division of Environmental Protection requesting they resubmit letter endorsing the request for an extension of the closure deadline for the Fayette County Solid Waste Authority. Second letter was submitted.

The Commission signed letters to Virginia Street Baptist Church, Bob Arthur, Hico United Methodist Church, Gospel Hill Ministry, Camp Kismet, Black Diamond Girl Scout Camp regarding regulations of the Fayette County Commission for camping at the Fayette County Park.

The Commission approved to pay Fayette County Humane Society contributions from Coal Severance Fund.

Administrator Holly presented letter from Chevron, U.S.A, Inc. regarding Federal Blanket Excise Tax Exemption Certificate.

Assessor Tom Aiello appeared before the Commission with exoneration of real property taxes. It was approved and signed by Prosecutor. Fayette County Commission also approved.

Administrator Holly presented letter from CNA Insurance regarding Tex Kock v. Fayette County Commission et al. Letter has been forwarded to Cleek, Pullin, and Bibb.

The Commission received letter from Region 4 regarding Spring Quarterly Dinner Meeting Friday, April 16th at Shamrock Restaurant.

The Commission received letter from laFayette Post 149 regarding "Know Your County Government Day."

Administrator Holly presented letter from Green Thumb, Inc. requesting contribution of \$26.00 to offset some of the costs for Worker's Compensation. The Commission approved.

The Commission received and reviewed letter from Senator Robert Byrd regarding New Haven Water Supply.

Administrator Holly presented 3rd Quarter Report (Fiscal Year 92-93) from Boomer Volunteer Fire Department, Inc.

The Commission reviewed notice of Citizen's Advisory Board meeting to be held on April 13, 1993 at 4:00 P.M. in front of the Southern Regional Juvenile Detention Center.

The Commission received and reviewed letter from LeRoy and Sadie Handyside regarding deputy/litter control. Commissioner Carte suggested that a thank you letter be written.

The Commission received and reviewed letter from Sheriff Laird regarding payroll adjustment for 4 Correctional Officers (Donald Pugh, Druscilla Harris, Timothy Luikart, Joseph Coy).

Administrator Holly presented information regarding Winona Water System, R. C. Horrocks, Administrator is requesting emergency fundins. Estimated cost from APCO \$1,322. Commissioner Witt suggested they send letter certifying what they are asking for and what is needed.

Tom Aiello appeared before Commission regarding Dr. Stowers informed Commission that he would get together with Assistant Prosecuting Attorney Carl Harris and discuss.

Administrator Holly presented letter from Vision Service Plan regarding Enhancement of Vision Care Benefit plan effective April 1, 1993. No additional monthly premium.

Administrator Holly presented invoice from Everette Steele regarding selling gun holster to Lawrence Boley for own personal use. The Commission agreed to sell waiving policy of the Fayette County Commission dated January 5, 1993. Boley to reimburse county \$66.45.

Administrator Holly informed Commission that she will be attending West Virginia Workers' Seminar April 8, 1993.

Administrator Holly informed Commission that she phoned Legislature and voiced objection of House Bill 2279. The Commisison also opposed.

The Commission received and reviewed letter from Solid Waste Management Board informing that Logan County Solid Waste Authority requesting that Logan County be removed from Waste Shed G to Waste Shed H.

Administrator Holly presented letter from Janet E. Syner informing that neighbor's dog chased her cow, cow lost calf. Ms. Syner was informed by Mr. Horrocks that County would reimburse.

The Commission informed that no Dog Tax Funds available.

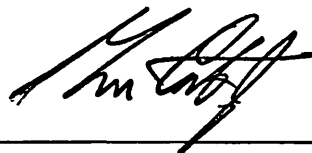
The Commission received letter from West Virginia Development Office regarding Fiscal Year 1989 Small Cities Block Grant-White Oak Public Service District Project Budget Revision #1.

The Commission received and reviewed letter from West Virginia Development Office regarding Local Governments Alternate Fuels Grant Program.

The Commission received and reviewed letter from Page-Kincaid Public Service District/Beards Fork Sewer Project informing Section III-A Analysis of Amount of Funds used to Benefit Low-Moderate Income Persons.

The Commission approved Budget Revision of \$8,000.00 for Fiscal Year 1992-93 for investigation for Prosecuting Attorney.

The meeting was adjourned. Next scheduled meeting is April 15, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
APRIL 15, 1993
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 15th day of April, 1993.

Administrator Holly presented letter from David Thomas with Department of Health and Human Resources regarding Winona Water Association having to sample for lead and copper and what equipment is needed to do this.

Mr. Robert Horrocks, a member of Winona Water Association appeared before the Commission with cost of \$2,403.58 for Chlorinator equipment. Commissioner John Witt moved that Commission purchase equipment. Commissioner John Lopez seconded. Commissioner Gene Carte abstained. Motion passed 2 - 1.

Administrator Holly presented proposal from Par Roofing Company for roof drains on Memorial Building. Amount to be paid upon completion is \$3,400.00.

President Carte signed letter of thanks to Mr. & Mrs. LeRoy Handyside for their concern to enforce litter law.

The Commissioners signed proclamation proclaiming April Fair Housing Month.

The Commissioners signed resolution supporting access area under the Meadow River Bridge.

The Commissioners signed order reappointing Thomas Bowen to Armstrong Public Service District.

Administrator Holly presented a final order from Public Service Commission which modifies the boundaries of Armstrong Public Service District to include Morris Creek Public Service District. Discussion was held. Administrator Holly will check with Public Service Commission regarding order.

The Commissioners signed letters to Mayor James Murdock and Council members of Town of Fayetteville, and Sheriff William Laird regarding loitering, skateboarding, bicycling on County-owned property.

Administrator Holly informed the Commission that Bond No. R8 in the amount of \$450,000 issued 1976 was not signed. Ms. Holly had talked with Ms. Bennett was informed that the elected officials currently serving as President and County Clerk could sign. Ms. Bennett is to send letter confirming.

The Commissioners signed letter to Mountain Transit Authority (MTA) advising they have appropriated \$2,00.00 for fiscal year 1993-94.

Kelvin Holliday appeared before the Commission requesting that payroll clerk, Judy Hess be compensated for extra duties.

Commissioner Witt made motion to take under advisement. Commissioner Carte seconded. All approved.

Kelvin Holliday presented a list of books needed for County Clerk's office. The Commission suggested that he submit in writing.

Administrator Holly presented letter regarding Redistricting Workshop which will be held at Raleigh County Courthouse on April 29, 1993 at 9:30 A.M. Charlotte Holly, Gene Carte, Jr., Kelvin Holliday, Linda K. Johnson, and Treatha Sexton will be attending.

Administrator Holly informed the Commission that Region 4 had cancelled Spring Quarterly Dinner Meeting for Friday, April 16, 1993.

Administrator Holly presented several follow-up letters from Senator Byrd, Senator Holliday, Congressman Rahall, Secretary of Interior Babbitt regarding parks, recreation and conservation program, Senate Bill #289/Landfill Closure Deadline, construction of waterline extension to Lookout and Hico area.

Administrator Holly presented letter of congratulations from West Virginia Development Office regarding approval of Capacity Building Program application.

The Commission received and reviewed letter from Xerox informing they can no longer offer service on Copier 2600 in County Clerk's office beyond May 31, 1993.

The Commission received and reviewed letter from West Virginia Development Office regarding our response to monitoring letter dated March 10, 1993 regarding Small Cities Block Grant for Page/Kincaid Public Service District/Beards Fork sewer addition.

The Commission received and reviewed letter from West Virginia Development Office regarding our response to monitoring letter dated January 6, 1993 regarding Small Cities Block Grant for White Oak Public Service District sewer system.

Administrator Holly presented letter from Steptoe and Johnson regarding Michael Scott McCormick v. William R. Laird, IV Civil Action #5:93-0008-Request for Production of Documents and Interrogatories.

Administrator Holly presented letter from Meyer and Perfater regarding Thomas L. Blair date of injury 11/30/91. Ms. Holly informed that copy of letter was forwarded to Jim Lively Insurance to process under the terms of the insurance policy.

The Commisisoners received and reviewed letter from Governor Gaston Caperton regarding approval of Highway Safety grant. Amount \$25,537.

The Commissioners received and reviewed letter from Sheriff Laird requesting purchase of Literacy Education Materials. Amount \$330.00. This was approved by the Commission.

Steve Cruikshanks appeared before the Commisison regarding bids for 911 System from Motorola and C & P Telephone Company. Discussion was held. Commisisoner Witt made motion to except Motorola lease/purchase bid of \$65,840.93. Commisisoner Lopez

seconded. President Carte opposed. Motion passed 2 - 1.

The Commissioners received notice of public meeting April 29, 1993 regarding signing along the Midland Trail Scenic Highway, US 60 from Charleston to the Virginia line.

The Commissioners signed letters to Tim Armstrong, Appalachian Mining, IPI regarding clean-up of properties.

Minutes of meeting of Salem/Gatewood Public Service District held March 10, 1993. were received and reviewed.

Administrator Holly presented letter from Sheriff Laird regarding Order and Report relating to the delivery of medical service at the jail.

President Carte signed monthly office space lease invoice to the Department of Correction for Month of April.

The Commissioners reviewed and approved payroll and outstanding bills.

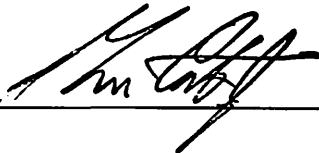
The Commissioners reviewed letter from West Virginia Development Office inviting the Commission to attend quarterly meeting on May 12, 1993 at Charleston House Holliday Inn in Charleston.

Commisisoner Witt suggested that all purchases for maintenance supplies and park supplies be made by Earl Pauley only.

The Commissioners received notice from Kelvin Holliday informing that effective April 15, 1993 the offices of the County Clerk have been declared "smoke free."

The Commission will hold Special Meeting April 20, 1993 at 11:00 A.M. to Lay the Levy.

The meeting was adjourned. Next regular scheduled meeting is April 28, 1993 at 9:30 A.M.



FAYETTE COUNTY COMMISSION MEETING
SPECIAL SESSION

APRIL 20, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in special session on this 20th day of April, 1993.

The Commissioners signed letter to Ronald Macon Dorsey informing that a written complaint to the Commission regarding upgrading of water service to area be sent and they would forward letter to Public Service Commission.

Administrator Holly presented letter from State Tax Department regarding approval of Levy Estimate (Budget) for the fiscal year beginning July 1, 1993.

Commissioner Lopez made motion to lay the levy for 1993-94 fiscal year. Commissioner Witt seconded. All approved. Vote passed 3 - 0. Necessary forms and order was signed.

The Commission signed letter to attend a "dutch treat" luncheon at Kelly's Corner in Pax at 12:00 on Friday, May 14, 1993. Commissioner Witt informed that Judge Abbot would like to be included in luncheon.

The Commissioners signed final order by the Public Service Commission which modifies the boundaries of Armstrong Public Service District to include boundaries of Morris Creek Public Service District. Order to be recorded in County Clerk's Office.

The Commissioners received and reviewed letter from Mountain Transit Authority (MTA) thanking the Commission for the local commitment of \$2,000.00.

The Commissioners received and reviewed letter from Tom Aiello informing that effective this pay period (April 16-30) payroll changes in his office. Harvey E. Young, Chief Deputy \$1,720.00 a month, Gloria Bozo, Chief Office Deputy \$1,720.00 a month, Dianne Dyek, Personal Property Supervisor \$1,330.00 a month, Bob Blackburn, Chief Mapper \$1,240.00 a month.

Administrator Holly presented voucher for payment from Sheriff Laird for Vicki Greene for 1 day as witness in Correctional Officers Civil Service Hearing.

The Commissioners received and reviewed letter from Assistant Prosecuting Attorney Carl Harris informing letter had been sent to Estate of Olivia Stone regarding clean-up of property.

The Commissioners received and reviewed letters from CNA Insurance regarding Tex Koch, Jr. v. Fayette County Commission et al. Letters will be forwarded to Prosecuting Attorney's Office.

Administrator Holly presented quotes for carpet for 911 Center. Superior Furniture \$3,224.48 and \$4,049.41 -- Lee's Furniture 3,407.00 and \$3,999.00.

Administrator Holly informed that for the lower bids they were waiting for Fire Marshal's approval.

Commissioner Witt made motion to approve lowest bid carpet if approved by Fire Marshal. Commissioner Lopez seconded.

Administrator Holly presented "No Smoking Policy" to Commission for approval.

Commissioner Lopez made motion to approve "No Smoking Policy". Commissioner Carte seconded. Commissioner Witt opposed. Motion passed 2 - 1. No Smoking Policy goes into effect May 1, 1993.

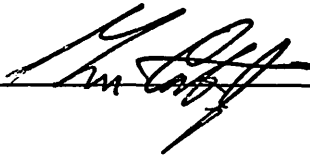
Commissioner Witt made motion that smoking in designated area for courthouse employees ONLY be used. Commissioner Carte seconded. All approved.

The Commissioners approved travel voucher for Charlotte Holly.

The Commissioners received and reviewed letter from Region 4 regarding a Resolution of Support of the Region 4 Planning and Development Council Economic Development District.

Commissioner Witt made motion to approve Resolution. Commissioner Lopez seconded. All approved.

The meeting was adjourned. Next regular scheduled meeting is April 28, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on the 28th day of April, 1993.

Tom Aiello appeared before the Commission informing he had talked with Assistant Prosecuting Attorney Carl Harris regarding the clerical error made on Dr. Barry Stowers property. Mr. Aiello informed that Attorney Harris said Commission could go back as far as five years. Discussions were held.

Commissioner John Witt made motion based on recommendation of Assistant Prosecuting Attorney Harris and Assessor Tom Aiello that an order be written to go back five years to correct clerical error. Difference being \$3,153.86.

Commission John Lopez seconded. All approved. Motion passed 3 - 0.

The Commission signed letters to Mathew Cales, Roy Miller, Randolph Miller regarding clean up of properties.

It was approved that Commissioner Witt attend meeting on June 4-5, 1993 at Canaan Valley.

Administrator Holly presented letter regarding Know Your County Government Day on May 7, 1993.

Commissioners received and reviewed letter from C and P Telephone regarding Charles Toombs refusal to pay E-911 fee.

Administrator Holly presented letter from Region 4 regarding Drawdown #20 in the amount of \$3,250.74 for White Oak Public Service District-1989 Small Cities Block Grant.

Administrator Holly presented letter from Region 4 regarding rescheduling of its Spring Quarterly Dinner Meeting for Friday, April 30, 1993 at the Shamrock Restaurant in White Sulphur Springs.

The Commissioners signed order approving grant for Winona Water Association, Inc. in the amount of \$2,403.58.

President Carte signed letter to Congressman Rahall informing that community of Lookout is part of the New Haven Public Service District service area and is included in the proposed Northern Fayette County Regional Water System.

The Commissioners signed order and letters to Fayette County National Bank, Beckley National Bank, Bank of Mount Hope, Inc., United National Bank (in Ansted and Montgomery), One Valley Bank, Merchants National Bank (in Gauley Bridge and Montgomery), First Empire Federal Bank concerning depositors of public monies for fiscal year 93-94.

The Commissioners received and reviewed 2nd notice AT&T maintenance agreement. All approved to sign agreement for \$517.01 a month.

Administrator Holly presented to the Commission a copy of a Draft Development Concept Plan/Interpretive Prospectus/Environmental Assessment for the Middle Gorge planning unit of the New River Gorge National River for their review.

Administrator Holly informed that additional cost for equipment for E-911 was needed.

Commissioner Lopez made motion to include additional cost for 911 Center. Commissioner Witt seconded. All approved.

Administrator Holly also presented contract agreement from Motorola for Commission to review and sign. Commissioner Witt suggested they have Prosecuting Attorney review before signing.

Administrator Holly informed that Park Superintendent Earl Pauley reported that shed for park would cost approximately \$600.00

Administrator Holly informed that Earl reported that Health Department recommended they install chlorinator for water system at Park so water can be treated. Total cost would be \$3,713.95.

Commission Lopez made motion to purchase chlorinator for park. Commissioner Witt seconded. All approved.

Administrator Holly informed that Earl request purchase of vacuum cleaner for Annex. Cost would be \$440.00.

Commissioner Witt made motion to purchase vacuum cleaner for Annex. Commissioner Lopez seconded. All approved.

Administrator Holly presented Landscape/Service Agreement from Oak Hill Greenhouse for landscaping at Fayette County Park. Cost \$404.28.

The Commissioners received and reviewed rules for lifeguards and rules for park. All approved. Park will open Memorial Day weekend May 29 through the end of September.

The Commissioners approved all recommendations from Earl regarding park increase for shelters next year. Pool admission price will stay the same.

The Commissioners received and reviewed letter of resignation from James E. Lively, Jr. from Wolf Creek Public Service District.

Commissioner Lopez discussed purchasing of Elkem property. Commissioner Carte felt the Commission should consider purchasing, but all agreed that Commission would not be responsible for maintenance on the property. Commissioner Lopez said he would check further into the situation. No decision was made.

Virginia Beckett appeared before the Commission requesting for help with the Wolf Creek Public Service District and suggested that the Prosecuting Attorney Office assist in legal matters should they need an attorney.

Administrator Holly informed Ms. Beckett that the Wolf Creek Public Service District would have to obtain legal service other than Prosecuting Attorney Office.

Ms. Beckett suggested that Charles K. Toombs be appointed to Wolf Creek Public Service District due to the resignation of James E. Lively, Jr.

Commisisoner Witt made motion to appoint Charles K. Toombs to Wolf Creek Public Service District due to the resignation of Mr. Lively. Commissioner Lopez seconded. All approved.

Sheriff Laird appeared before the Commision and presented Grant Project 93HS-12 U S Route 19 Program contract agreement.

The Commission received and reviewed request for reimbursement from West Virginia Criminal Justice and Highway Safety.

Administrator Holly presented copy of application to be used for applying for telecommunicator position. Ms. Holly also recommended that they advertise for position. All approved.

The Commissioners agreed to purchase 4 typewriters 2 for Herbert Mann and 2 for Tom Aiello offices.

Discussion was held regarding gas lights outside courthouse.

Administrator Holly reported that Earl Pauley informed her that effective June 1 or July1 Class D license was needed to operate heavy equipment. Cost would be \$25.50.

The Commissioners informed that if license is needed to purchase for employees at park and in maintenance.

Commissioner Witt suggested that wood baseboard be used at 911 Center.

The Commissioners reviewed and approved payroll and outstanding bills.


Kelvin Holliday appeared before Commission and reminded them of redistricting seminar meeting tomorrow April 29. Kelvin also asked about status on books needed for his office.

Ms. Holly informed that they would have to get prices from other vendors.

Assessor Tom Aiello appeared before the Commission with exonerations of real and personal property taxes.

Assessor Tom Aiello informed Commission that they had approved payment to Vandalia Mining Company, but check had not be released. Tom informed that Ann Berry, Chief Deputy in Tax Office would not release without an order. The Commission approved for Tom to talk with the Sheriff regarding matter.

The meeting was adjourned. Next scheduled meeting is May 5, 1993.



Holy Creek PSD attend meeting

04-28-93

Riley M. Thompson
CHARLES K. TOOMBS

Betty A. Hiser

Katherine Hoffmann

David Miller

Nobby J. Fugy

Charles W. Adkins

Jack Crawford

Bob Kidd

Charles E. Pittman

Laura Adkins

FAYETTE COUNTY COMMISSION MEETING

REGULAR SESSION

MAY 5, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular meeting on this 5th day of May, 1993.

Administrator Holly informed that State Tax Department had rewarded audit for July 1, 1991 to June 30, 1992 to Smart Group, A.C.

The Commission reviewed and signed contract from Smart Group, A.C.

Commissioner Carte signed letter to Canaan Valley Resort authorizing to have sleeping, rooms, meals, room guarantees and parking fees charged to County Commission while attending Commissioners Education Series II on June 4th - 6th, 1993.

Letters were written to Senator Rockefeller and Congressman Rahall regarding the status of the statue "Doughboy."

The Commissioners signed letter to Goldie Diamond welcoming her and the members of the Ritchie Family to Oak Hill for Family Reunion.

Administrator Holly presented order for the Commission to sign appointing Charles Toombs to serve on Wolf Creek Public Service District. Ms Holly informed that Mr. Toombs had taken oath.

The Commissioners received letter from New Haven Public Service District requesting assistance in obtaining liability insurance through the West Virginia Board of Risks. Cost \$500.

The Commissioners signed order for approval of Grant funds for New Haven Public Service District for liability insurance.

The Commissioners signed clean-up letter to Mae Blevins, Celestine Ratlif, and Derek Arbogast.

The Commissioners received and reviewed letter from Assistant Prosecuting Attorney Carl Harris regarding Barry Stowers. Discussions were held. Commission will get with Assessor Tom Aiello to discuss further.

Commission approved for Charlotte Holly and Gene Carte to attend Workers' Compensation Seminar on June 23rd in Charleston.

The Commissioners received and reviewed letter from Workers' Compensation Division regarding Fred Sizemore.

The Commissioners received and reviewed letter from Workers' Compensation Office of Judges regarding Dovie Christian.

The Commissioners received and reviewed letter issuing check in the amount of \$27,594.91 for the Emergency Telephone System for the month of March, 1993.

The Commisison received and reviewed letter of a list of "refusals to pay" associated with the Emergency Telephone System for the month of March, 1993.

The Commissioners discussed gas and electric at 911 Center. The Commission was informed by Steve Cruikshank the Electric Company informed that a separate meter could not be installed. After further discussion the Commission informed that instead of being responsible for entire bill they would consider pro-rating utility. No decision was made.

The Commission received and reviewed letter from Department of Public Safety regarding renewal of lease for Probation Office. (Rebecca Adkins)

Commissioner Witt made motion to renew lease for 1 year and increase rental to \$300 if in lease agreement. Commissioner Lopez seconded. All approved.

Administrator Holly reminded Commission about Courthouse picnic. It was suggested that they try September 12, 1993.

Administrator Holly presented vouchers for Fire Levy Funds, Coal Severance Fund in which she had prepared but was unable to get checks typed because Payroll Clerk on vacation and asked the Commission to approve. All vouchers were approved.

Administrator Holly informed Commission that one training session for 911 Center will be June 20-24 and Commission will be responsible for room reservataions and meals. Ms. Holly informed that she checked at Comfort Inn. Cost for 1 night is \$44.00.

Commissioner Witt moved that county will pay for room reservations and meals for 911 Center trainer. Commissioner Lopez seconded. All approved.

Administrator Holly informed that the Commission need to advertise for Call Check Recorder for 911 Center.

Charlene Hoback and Ron Lindsey with C & P Telephone Central Office in Fayetteville appeared before Commission requesting authorization to exit off county owned property.

Commisisoners approved use of exit if no objection from City.

Administrator Holly reminded the Commission that Friday, May 7, 1993 is Know Your County Government Day.

The Commissioners received and reviewed reports of Special Monitor W. Joseph McCoy regarding Willard Orlando Brown, etal v. William Laird, Sheriff et al.

Administrator Holly informed the Commission that she and Sheriff Bill Laird will be attending the Statewide Personnel/Payroll Seminar (Workers' Compensation Sick Leave Policy) being held on Friday, May 21, 1993 at 10:00 A.M. to 3:00 P.M.

Discussion was held regarding Sheriff expenses for expert witness and how they are to be paid. President Carte suggested that mileage and witness fee only be paid. Suggestion was made to check with Prosecuting Attorney.

Attorney Ralph Young and City Manager Tom Oxley appeared before Commission and presented order for annexation without an election pursuant to West Virginia

Code §8-6-4, as amended by the City of Oak Hill of five streets areas known and designated as Halstead, Bowling, Crawford, Jordan and one unnamed street situated off Summerlee Road. Discussion was held regarding post poning hearing. There being no opposition. Commissioner Witt made motion that Annexation be approved. Commissioner Lopez seconded. All approved.

Commissioner Witt informed that he wasn't satisfied with the roof repairs done at Memorial Building, and that the Commission should talk with the Prosecuting Attorney Office regarding law suit.

Attorney Jamie Blankenship appeared before the Commisison requesting a continuance on Committee Appointment for Ethel Johnson.

The Commisisoners met with T. E. Myles with order of J. C. Blume to be appointed Committee for Willard Sexton. Paul Clay was approved guardian ad litem and recommended appointment of Mr. Blume. Commissioner Witt offered motion to approve. Commissioner Lopez seconded. Vote was unanimous. Bond set at \$160,000.

Ann Skaggs appeared before Commission regarding Olivia Stone etal property requesting that the Commission should take action and remove old stone building and clean up property. Ms. Skaggs felt that Commisison had given Olivia Stone ample time to clean up. Ms. Skaggs suggested George Hobbs tear down old building.

Commissioner Witt offered motion to take action on Olivia Stone property at Lookout. Commissioner Lopez seconded. All approved.

Commissioner Carte said he would talk with Assistant Prosecuting Attorney Carl Harris regarding the legalities and Ms. Holly will send letter to George Hobbs regarding liability insurance.

Ann Skaggs informed Commission that a notice to appear letter should be hand delivered to Jack Clark.

President Carte informed that notice will be hand delivered by a Sheriff Deputy and suggested Jack Clark be put on agenda for May 26.

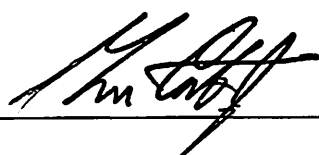
The Commissioners received and reviewed Dog Tax Report for the month of April.

President Carte signed monthly statement to Division of Corrections for rental.

The Commissioners received and reviewed letter from First Empire Federal regarding Custodial and Security Agreement for Third Party Deposits.

The Commissioners received and reviewed invitation from Senator Jay Rockefeller regarding Celebration Brunch, Monday, May 10, 1993 at Hawks Nest State Park. Attending are John Witt, Gene Carte, Kelvin Holliday and Herbert Mann.

The meeting was adjourned. Next scheduled meeting is May 14, 1993



FAYETTE COUNTY COMMISSION MEETING

REGULAR SESSION

MAY 14, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 14th day of May, 1993.

Administrator Charlotte Holly presented Rental and Lease Agreement for Family Law Master Office. Ms. Holly reported that Penny Crandall with the Supreme Court approved and Matt Edwards approved and signed. The Commissioners approved and signed.

Administrator Holly reported follow-up on Olivia Stone property and talked with Assistant Prosecuting Attorney Carl Harris. Attorney Harris informed Commission that they would have to start all over again and send notices to all the heirs regarding cleaning up of property. Attorney Harris informed once all the heirs receive property notification and still don't comply with notice then legal action could be taken.

Administrator Holly informed Order for Barry Stowers regarding clerical error on property taxes had been prepared. Ms. Holly informed that Assistant Prosecuting Attorney Carl Harris had approved, but Assessor Tom Aiello asked to hold Order since Eddie Young was doing further research.

Administrator Holly presented letter from Sheriff Laird informing that K-9 Unit (Kiwi) had died. Ms. Holly reported she would send copy of letter to Jim Lively Insurance.

Administrator Holly presented Sales Tax Report for the Month of April.

Ms. Holly presented vouchers for Magistrate Court and Jail Improvement Fund for Commissioners approval. Vouchers were approved.

The Commissioners signed letter to Gerald McCathy with Virginia Environmental Endowment informing of their support of the Mountain RC&D to assist the Fayette Transition Team.

President Carte received and signed Federal Gasoline Exemption Certificate.

President Carte reviewed and signed Maintenance Agreement for Lanier Copier in Extension Office.

The Commissioners approved for Administrator Holly to attend Americans with Disabilities Acts (ADA) conference, Thursday, June 17, 1993.

Administrator Holly presented agreement from Appalachian Power Company (APCO) for Court House Annex. President Carte reviewed and signed.

Administrator Holly presented letter from Public Service Commission informing that during Legislature Session it was decided that the Public Service

Commission refrain from consolidation or merger of any Public Service District except in emergency circumstances for period of 1 year pursuant to Resolution No. 17.

The Commissioners signed letter to all Elected Officials and Department Heads scheduling an informal meeting at 2:00 on Tuesday, May 25 to form a picnic planning committee and to discuss plans for a "covered dish" picnic for County employees.

The Commission reviewed and signed letter to Dils Ford informing the intent of Fayette County Commission to purchase 4 Cruisers through the 1993 State Bid contract during Fiscal Year 93-94.

The Commissioners received and reviewed letter from West Virginia Development Office regarding extension of White Oak Public Service District project.

President Carte received follow-up thank you letter from Senator Rockefeller regarding "Doughboy" statue.

The Commissioners received and reviewed thank you letter from United States Department of Agriculture regarding support for funding of a variety of initiatives.

The Commissioners received and reviewed copy of letter from Attorney Belinda S. Morton to Workers' Compensation Fund regarding Status Report of Percy Gilliam. Copy sent to Prosecuting Attorneys for review.

The Commissioners received and reviewed copy of letter from Page-Kincaid Public Service District to William Spence regarding extension of Page Kincaid Public Service District Small Cities Block Grant #B-85-DC54-001.

The Commisisoners received and reviewed letter from Shuman, Annand and Poe regarding settlement to One Valley Bank v. Firemen's Fund et al.

Administrator Holly presented information to the Commissioners regarding ALFLAC cafeteria plan for employees.

Administrator Holly informed Commisisoners that Weatherization Program will be holding meeting on May 24, 1993 at 1:30 p.m. at Oak Hill office.

The Commissioners received and reviewed letter from C and P Telephone Company regarding James and Flossie Ennis refusal to pay E-911 fee.

Administrator Holly informed the Commission that May 3rd, Robert Reynolds will be working in Assessor's Office as part time employee.

The Commissioners received and reviewed letter from West Virginia Development Office acknowledging receipt of application requesting \$18,761 in Drug Control and Systems Improvement Formula Grant funds.

The Commissioners signed letter to West Virginia E-911 Council requesting that the membership status of David Neal, Fayette County E-911 Coordinator be changed from an associate member to a voting member.

The Commissioners signed letters to Secretary of State Ken Hechler and West Virginia Public Service Commission regarding updated list of public service districts and the current board members.

Virginia Beckett, Charles Toombs and Charles Pittman appeared before the Commission regarding annexation of 5 streets in Oak Hill. Mr. Toombs asked Commission if they had made any decision on letter dated 05-06-93 on rescinding their approval of annexation. The Commission informed no decision had been made. Ms. Beckett request for money for Wolf Creek Public Service District was denied. Ms. Beckett received copies of unsigned minutes. President Carte informed Ms. Beckett that copies of minutes were unofficial. Search of Wolf Creek Public Service District files for copy of agreement with Pentree was made. No decision was made regarding annexation will be continued at 1:00 Wednesday, May 26, 1993.

The Commissioners decided to hold letter written to Lee Massey regarding county vehicle. President Carte informed they would talk with him.

The Commissioners received and reviewed renewal application for business license for Fayette County Park.

Commissioner Witt gave an update on Memorial Building roof. Met with Par Roofing they suggested that new roof be installed. Discussion was held. No decision was made.

The Commissioners received and reviewed annual audit report from Smith, Cochran and Hicks regarding Multi-County Family Mortgage revenue 1983 Series A Bond Issue.

The Commissioners received and reviewed letter from Cablevision informing that the Commission is expected to release its guidelines on the implementation of rate regulations.

Administratoor Holly reported that she had several calls regarding sell of Fayette County Park. The Commission informed that Fayette County Park is not for sell.

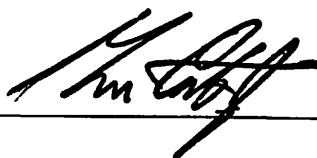
President Carte received and reviewed letter from WV Association of Counties regarding State Bar Inquiry.

Administator Holly ask if the Commission should start thinking about how they wanted dispatchers to work at 9-1-1 Center. It was suggested that they discuss at next meeting, Wednesday, May 26.

Payroll and outstanding bills were approved.

Administartor Holly presented applicants for PBX Operator. It was suggested that this be discussed at next meeting, Wednesday, May 26.

The meeting was adjourned. Next scheduled meeting May 26, 1993.



Attended Meeting Wolf Creek PSD

05-14-93

Peggy Ellis

Charles Bostic

Melinda Jones

(K. Fourn)

L. Trachway

Charles Bostic

Charles E. Pittman

FAYETTE COUNTY COMMISSION MEETING

REGULAR SESSION

MAY 26, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 26th day of May, 1993.

The Commission met with Paul Brant requesting support of forming local Steering Committee to set up 5 workshop training sessions. Committee to consist of 3 chambers, 4-C Representative and Paul Brnat. Mr. Witt agreed to oversee project and offered motion to support. John Lopez seconded. Vote was unanimous.

The Commissioners met with Earl Pauley. Mr. Pauley presented applications for lifeguards and employees at Fayette County Park for summer. Mr. Pauley requested to employ 10 persons. This was approved. Mr. Pauley informed that pool will open June 5, 1993.

President Gene Carte informed he has received complaints that Courthouse Annex is not being cleaned. Mr. Pauley agreed to check this out. Mr. Pauley requested permission to get quotes on 100 hats to sale at Fayette County Park. This was approved.

The Commissioners received and reviewed bids for the purchase and installation of Call Check Recorder Equipment for Fayette County Enhanced 9-1-1 Telephone System. Bids received were from Stephen Campbell and Associates, AAT Communications and Lanier. The Commissioners informed they would have Steve Cruikshank and David Neal look over for recommendation.

The Commissioners received and reviewed request from New River Gorge Heritage Festival requesting waiver of rental and janitor fees for Arts and Crafts Fair on July 1-July 4 and Hank Williams Memorial Concert on June 25, 1993. This was approved.

The Commissioners received, reviewed and approved contract and agreement with Fayette County Board of Health agreeing to fund Department sum of \$5,000.00 annually on or before June 30, 1994.

The Commissioners reviewed invoice from C & J Development for \$2,448.36 for Family Law Master rent. A letter was signed to Ms. Penelope Crandall, Director, Supreme Court of Appeals requesting reimbursement for rent for period January 18, 1993 thru May 31, 1993 in accordance with letter agreement dated May 14 and 21 between Fayette County Commission and Supreme Court of Appeals.

The Commissioners signed letter to Mr. Richard J. Lindroth, with West Virginia Department of Health and Human Resources approving \$5,000.00 for the fiscal

year July 1, 1993 - June 30, 1994 for local mental health services through Fayette, Monroe, Raleigh Summers Mental Health Council, Inc. (FMRS).

The Commissioners signed order approving transfer of \$50,000.00 from Magistrate Court Fund to Fayette County General Fund pursuant to statute and Revised Rule 19 of the Administrative Rule for West Virginia Magistrate Courts.

The Commissioners met with Jack Clark, Ann Skaggs, Assistant Prosecuting Attorney Carl Harris and Gary Harding.

The Commissioners had summoned Jack L. Clark to appear before them to testify about matter of controversy regarding property (Surf. 1.125 acres Kennys Creek Lots 16-17 JRF Farms—Linda Clark).

Mr. Clark described how he plan to renovate properties and signed paper showing what he plans to do before September 1, 1993. He also agreed to send letter stating plans.

Ann Skaggs questioned about Stone property. Attorney Carl Harris advised that a new letter would have to be addressed to each heir or legal publication notifying of procedures. Commissioner John Witt made motion to proceed with legal publication. Commissioner John Lopez seconded. Vote was unanimous.

The Commissioners met with Zoning Officer Gary Harding with Zoning Request: Z-375-93-1: Request of Charles A. Toney, owner, for a change in land classification from LC-1, Land Conservation District, to B-3, Highway Business District, on Lots 26 and 27, Collinsdale Subdivision, County Route 15 off Mahan exit on Route 77, Valley District.

The County Commission was informed by the Zoning Officer that the Planning Commission did by a vote of 7-0 recommend that this request be approved for the location of a convenience store and gas station. After a brief discussion with Mr. Toney on the brand of store a motion was made by Mr. Witt that this be approved as recommended by the Planning Commission. Motion was seconded by John Lopez and passed 3-0.

Z-376-93-1: Request of Walter King, owner by Barbara J. King, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on Lots 320 thru 324, Johnson Subdivision, Lochgelly located on Midway Street, Plateau District.

The County Commission was informed by the Zoning Officer that Mrs. King was not present but knew of the meeting and that the Planning Commission did by a vote of 6-1 recommend that this request to locate a carry-out store, barber shop for Afro-Americans, and a car detailing shop be denied. Mr. Leroy Handyside was present representing several residents and spoke against the request. After a general discussion a motion was made by John Witt that this request be denied as recommended. Motion was seconded by John Lopez that request be denied as

recommended. Motion was passed by a vote 3-0.

Lee Massey, who was in attendance from Zoning Hearing informed that 5 members did inspect property of Kenneth Pittman and found trucking name on door. He informed he felt he was operating a business. A letter is being sent today informing of legal actions.

Exonerations presented from Assessor and approved by Prosecuting Attorney was reviewed, approved and signed.

The Commissioners signed budget approval letter to Kelvin Holliday, County Clerk, Thomas Aiello, Assessor, William Laird, IV, Sheriff, Herbert Mann, Circuit Clerk, G. Lee Massey, Chairman Planning Commission, Mary Lou Schmidt, WVU Extension Office, and Paul Blake, Jr, Prosecuting Attorney. A letter was also signed to each advising that prior to June 30, 1993 a budget statement for ensuing fiscal year be filed.

Budget Revision Order #2 to General County Fund and Budget Revision #3 to Coal Severance Fund were approved.

Administrator Holly reported of Grant Award for Speed Enforcement in amount of \$25,537.00.

Administrator Holly also made note for minutes that approval was made for radio equipment for 911 Center.

Administrator Holly reported of notice from Board of Risk and Insurance Management informing County Policy does not extend to insure any sort of live-stock, or dogs. Ms. Holly reported that when renewal information was submitted in February, 1993 that this was never responded to negatively. Jim Lively is to continue checking on matter.

A letter was received from GAB Business Services, Inc., regarding damage claim at Fayette County Courthouse and Memorial Building.

The Commissioners received and reviewed letter from West Virginia Development Office regarding extension of State Local Agreement Fiscal year 1985 Small Cities Block Grant Fayette County Commission--Page-Kincaid/Beards Fork Sewer Project.

The Commissioners received and reviewed copy of check issued to Fayette County Commission for snow removal from Office of Emergency Services.

The Commissioners received and reviewed Drawdown #2 for 911 Emergency Service, Fiscal Year 1993 Governor's Community Partnership Grant.

The Commissioners received and reviewed letters from Nick J. Rahall and Senator Jay Rockefeller concerning "Doughboy" statue.

The Commissioners received and reviewed Notice of Citizen's Advisory Board meeting July 8, 1993 at 4:00 P.M.

Administrator Holly also reported that Pat Payne is doing part time electrical work at Park.

The Commissioners also approved renewal agreement for Software for Computer System.

The Commissioners met with Attorney Phil Tissue with Petition of Joan W. Goode to be appointed Committee for Evelyn Holly.

Travers Harrington was approved guardian ad litem and filed report. Ms. Goode was questioned. Commissioner John Witt offered motion to approve appointment. Commissioner Lopez seconded. Vote unanimous. Bond was set in the amount of \$100,000.00.

The Commissioners met with Attorney Paul Clay with continuance of Committee Appointment for Margaret Huk. T. E. Myles was present as guardian ad litem. Attorney Jim Keenan was present representing John Huk who opposed having Committee Appointment for Ms. Huk.

Amy Thomas, Case worker from West Virginia Department Human Service was questioned about her visits with Ms. Huk. Ms. Thomas reported of different times she found Ms. Huk alone and not being cared for properly.

William Lechalk, brother to Ms. Huk was questioned and requested to be appointed as Committee for Ms. Huk.

After discussions Commissioner Lopez offered motion to appoint William LeChalk. Commissioner John Witt seconded. Bond was set in the amount of \$90,000.00.

The Commissioners discussed installation of gas light on Courthouse lawn. Commissioner John Witt made motion to approve this installation and the purchase of one additional gas light to match this one. John Lopez seconded. All approved.

Commissioner Lopez offered motion to allow Juanita Akers to design a County Flag for Fayette County. John Witt seconded. All approved. Discussions were held about having contest in schools for design. Ms. Akers is to be Chairperson.

John Witt informed of complaints about lighting at Annex. Discussions were held about possibly installing flag pole with light.

Sheriff Laird appeared at meeting and informed of being contacted concerning 4 new cruisers for Law Enforcement. The Company that was to supply these vehicles were unable to get. Mr. Laird informed of funding 4 Chevrolet Caprice from Joe Holland Chevrolet for \$280.52 per vehicle more. The Commission approved this.

Commissioner John Witt presented proposal from Dewey for equipment needed to complete the packet and 2 mtr. communications for Amateur Radio at the 911 Center. Cost being \$622.85. Commissioner John Witt recommended purchase of equipment. Commissioner Lopez seconded. President Carte voted no. Vote passed 2-1.

Administrator Holly reported of Usage Report of Power for Memorial Building. The Commissioners informed they felt this should be averaged over a year and this should be amount to be paid.

Administrator Holly informed she would just like to make the Commission aware of possible delay in receiving tax information from Charleston in which would cause Sheriff's office delay in getting tax statement out. This could cause cash flow problem in August.

Discussions were held about renovation request for Danese Detachment. The Commissioners informed they would discuss further at next meeting.

The Commissioners reviewed applications for PBX Operator. Commissioner John Lopez offered motion to approve Frances Webb to this position. Commissioner Witt seconded. President Carte informed he would remove himself from voting. Discussion were held about moving Switchboard upstairs. The Commissioners informed they would discuss hours, duties and possibility of relocation of Switchboard at next meeting.

The Commissioners met with Tom Oxley, City Manager from Oak Hill and several citizens of area in Oak Hill regarding a decision to annex 5 street areas in Oak Hill (list attached).

President Gene Carte began by informing persons attending of letter Fayette County Commission had written Prosecuting Attorney Paul Blake about complaint issued from citizens in Oak Hill about the decision the Fayette County Commission had made regarding annexation.

Mr. Carte then read answer from Prosecuting Attorney. The letter answered all questions and informed that he found the County Commission has no authority to take any action in this matter. With this President Carte informed that Fayette County Commission would take no further action concerning matter.

The Commissioners met with Steve Cruikshank and David Neal.

Bids for 911 Call Recorder were reviewed. David Neal informed after reviewing they found the Magnasync Model DRP-500 would meet the needs for Fayette County 911 Center. Cost would be \$2,200 each. Three stations would be needed. This includes installation and first year, on-site, parts and labor warranty.

Commissioner Lopez offered motion to accept recommendation of Magnasync Model DRP-500 with AAT Communications Corporation. John Lopez seconded. President Gene Carte did not approve. Vote passed 2-1.

Discussions were held about starting date for 9-1-1. Mr. Neal and Mr. Cruikshank informed they hope to be on line by August 1, 1993.

They also informed that the selection Commission is to interview applicants on Thursday night and hope to have recommendation by Friday morning. Discussions

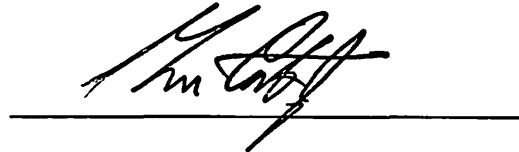
were held about possibly holding Special Meeting but no decision was made. Mr. Neal and Mr. Cruikshank informed they hoped to employ 8 full time positions and 5 part-time.

The Commissioners reviewed information for workstations received from Plateau Printing. After much discussion Commissioner Witt made motion to accept quote from Plateau Printing. Commisisoner Lopez seconded. Commissioner Carte opposed. Vote passed 2-1.

Discussions were held about chair for Dispatch Room. Final decision was to let David and Steve review and give recommendation.

Administrator Holly reported of information received from Motorola regarding lease agreement for 911 equipment concerning certification of tax free municipal lease with Internal Revenue Service exclusion. This could mean difference in lease payment. The Commissioners informed this was not discussed when purchasing was made and felt they would have to abide by previous agreement.

A letter was signed to Ms. Celestine Ratliff concerning clean-up of property. Administrator Holly gave information concerning Class "D" license. A letter to IPI, was approved and signed concerning clean-up of property. The meeting was adjourned. Next scheduled meeting is June 9, 1993.



FAYETTE COUNTY COMMISSION MEETING

SPECIAL SESSION

JUNE 1, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

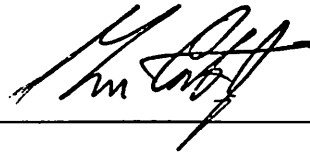
The Fayette County Commission met in Special Session on this 1st day of June, 1993.

David Neal submitted Selection Committee's recommendations for employment as telecommunicators in the E-911 Center.

Commissioner Witt made motion to approve list submitted for employment. Commissioner Lopez seconded. Vote unanimous. Training will begin on June 14, 1993.

David Neal informed Commissioners that all who applied for the position their applications will remain active in files for 1 year.

The meeting was adjourned. Next scheduled meeting is June 9, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JUNE 9, 1993
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Gene Carte, Jr. and John L. Witt

The Fayette County Commission met in regular session on this 9th day of June, 1993.

Administrator Holly presented letter from Casto Technical Services regarding renewal of HVAC Service Agreement. Cost \$3,540.00 per year. This was approved.

The Commissioners met with Magistrate John Lopez and Earl Pauley regarding renovating 2nd floor of Danese Detachment. Discussions was held. Earl suggested getting gravel for shoulder. President Carte suggested getting in touch with Mike Cobb of the Department of Highways to see if they could repair shoulder.

Earl suggested that Commissioners check into CWEP Program through the Department of Human Services. Mr. Pauley feels that this is a good program. President Carte informed they would check into.

Earl asked Commissioners for part time workers, U. S. Flag size 3x5. Earl informed Commissioners that George Proskin will be retiring in October and he needed replacement for that position.

Commissioner Witt recommended purchase of 8 fans for Park.

Earl presented to the Commission a list of specs for a compact diesel tractor for Fayette County Park. Administrator Holly informed the Commission and Earl that they would have to advertise. This was approved to be advertised.

Administrator Holly presented to the Commission a type of mulch that Earl suggested County purchase for Annex. It was decided that chip brick be purchased for Annex.

The Commissioners signed release forms from West Virginia Court of Claims regarding Fayette County Commission vs. Division of Corrections Claim No. CC-92-399.

Administrator Holly informed Commissioners that Home Detention Fund be created.

It was moved and seconded that the Commission sign order that a special revenue fund be created entitled Home Detention Fund.

Administrator Holly presented letter from Fayette County Health Department regarding annual allotment. This was approved to be paid. Amount \$5,000.00.

Administrator Holly presented Sales Tax Report for the Month of May.

The Commissioners received and reviewed letter from Region 4 requesting drawdown for White Oak Public Service District. Pay Request #21. Amount \$5,009.61.

President Carte informed that George Vickers recommended T. E. Myles be appointed Fiduciary Commissioner.

The Commissioners received and reviewed letter from First Empire Federal regarding new Custodian and Security Agreement for Third Party Deposits. This was signed.

The Commissioners signed order for Committee Appointment for Margaret Huk.

The Commissioners signed order transferring \$43,079.08 from Fayette County Excess Levy Election Expense Fund to the Fayette County General Fund for Special Election held on February 6, 1993.

The Commissioners received and signed letter to Holiday Inn Heart of Town authorizing Dianna Dyke, Buren Renick, Herbert Meador, and William Kincaid to have their sleeping rooms, meals, room guarantees and parking fees charged to County.

The Commission received and reviewed letters from Senator Rockefeller and Congressman Rahall regarding update on "Doughboy" statue. Copy of letters was mailed to Thomas Love.

Administrator Holly presented Circuit Court Order regarding Sheriff Sale of 1984 Thunderbird. Proceeds to be distributed between West Virginia Department of Public Safety, the Fayette County Sheriff's Office and the Oak Hill City Police Department. Amount \$300.00.

The Commissioners received and approved application and resume of Tamara Arwen Gaefke to give simming lessons at Park.

The Commissioners received and reviewed notice from Workers Compensation Fund regarding rate increase.

The Commissioners received and reviewed resignation letter of James C. Blankenship, III from the Fayette County Deputy Sheriff's Civil Service Commisison.

President Carte suggested that copy of letter be sent to the Fayette County Bar Association members.

The Commissioners received and reviewed letter from Division of Environmental Protection informing application requesting funding assistance from Abandoned Mine Lands Program for FY 1994 will be included in New Haven Chambers of Commerce application as chosen by the committee for the Phase I Investigation Study.

The Commissioners received and reviewed letter from Prosecuting Attorney Paul Blake regarding training classes on new computer system in his office at 1:30 P.M. today.

The Commissioners received and reviewed letters from Worker's Compensation Fund for William Hamilton and Dovie Christian.

The Commissioners received and reviewed thank you letter from Senator Rockefeller regarding Land and Water Conservation Fund.

The Commissioners received and reviewed letter from Public Service Commission regarding filing list of Public Service Districts and current board members with Secretary of State and their office by first of July.

The Commissioners received and reviewed letter from State of West Virginia Board of Risk and Insurance Management regarding Loss Prevention Report. Administrator Holly informed that copy had been sent to the Sheriff and Earl.

The Commissioners received and reviewed payroll adjustments from Tom Aiello informing that effective June 1, 1993, Buren Renick will be a part time employee, will be paid from Assessor's Valuation Fund at \$800 a month with no benefits.

The Commissioners received and reviewed payroll adjustment from Sheriff Bill Laird informing that effective June 1, 1993, Carol J. Wilson will be part time cook in Fayette County Jail at \$4.25 per hour.

The Commissioners received and reviewed letter from 4-C Economic Development Authority regarding invitation to attend a joint annual meeting of the 4-C Economic Authority and 4-C Certified Development Corporation on Monday, June 21, 1993 at 6:00 P.M. at the Comfort Inn.

The Commissioners received and reviewed letters from C and P Telephone Company regarding "refusals to pay" E-911 fee for month of April and check in the amount of \$27,723.28 for the Emergency Telephone System for the month of April.

The Commissioners received and reviewed minutes from Deepwater Public Service District.

Administrator Holly informed the Commission that Jim Smith with ProCom, Inc. had spoke with her regarding preparing proposal for long distance calling for County.

The Commissioners informed they were satisfied with long distance calling the county have, and to inform Jim Smith County was not interested.

Commissioner Witt informed Commission that Greenbrier County might be interested in hooking on to our 911 System.

The Commissioners received and reviewed letters from County Clerk, Kelvin Holliday and Assessor Thomas Aiello regarding adjustments in budget for fiscal year.

The Commissioners received and reviewed letter from Tele-Media Company.

Administrator Holly informed that Judge Vickers had requested chairs for witness room. This was approved.

Administrator Holly informed Commission that County was only approved to receive 16 workers and 2 supervisors for Governor's Summer Yough Program.

Commissioner Witt made motion to hire 6 for park, 5 for Page/Kincaid Public Service District and 5 for Beards Fork. Gene Carte seconded. Motion approved.

Administrator Holly informed that Kathryn South will no longer be supervisor for Beards Fork but recommended Thomas Wood.

Commissioner Witt made motion to except the recommendation of Ms. South and approve Thomas Wood as supervisor for Beards Fork and Lloyd Allen Good supervisor for Page/Kincaid for Governor's Summer Youth Program. Gene Carte seconded. Motion approved. Program will start June 22 and last 5 weeks.

Letter was signed regarding "dutch treat" luncheon at Lopez and Sons on Tuesday, June 15, 1993 at 12:00.

Administrator Holly informed Commissioners that Assistant Prosecuting Attorney Carl Harris will be advertising Stone property clean up.

Earl informed Commissioners that he would check existing lighting around Annex building.

Administrator Holly suggested to the Commission they discuss Switchboard changes and contact AT&T regarding moving switchboard upstairs.

Administrator Holly informed Commission that she had received letter from Dr. Barry Stowers regarding update of property tax disputes. Ms. Holly informed Commission that she hadn't talked with anyone from Assessor's Office.

The Commissioners received and reviewed Monthly Dog Tax Report.

The Commission signed letter to County Clerk's Office informing effective June 14, 1993, Tina Boyd, Susan Burdette, Barbara Hull, James Koone, Patricia Morgan, Rebecca Pollastrini, Scott Tygrett and Kay Whitlow will be full time telecommunicators employees at Fayette County Emergency 911 at an annual salary of \$11,128.00. Willaim McGraw will be Senior Telecommunicator at current pay of \$13,520.00 plus benefits paid from E-9-1-1 Fund and Joetta Adkins, Linda A. Haith, Lori E. Massie, and Dana L. Roepke will be part time telecommunicators employees at Fayette County Emergency 911 at \$5.35 an hour with no benefits to be paid from the E-9-1-1 Fund.

The Commissioners met with Attorney Belinda Morton with Petition from Stanley Norman to be appointed Committee for Hattie Moyer. Fred Jesser was appointment guardian ad litem. Mr. Norman was questioned. Attorney Morton informed Commission that Melba Moyer, other family member had not signed waiver.

The Commissioners approved appointment upon receiving waiver and posting proper bond.

The Commissioners met with Attorney Belinda Morton with Petition from Mary Calhoun to be appointed Committee for Depolia Penny. Fred Jesser was appointed guardian ad litem. Ms. Calhoun was questioned.

The Commission approved appointment upon receiving waivers and posting of proper bond.

Commissioner Witt informed Attorney Morton that whenever she appeared before the Commission that she should have all the necessary forms and documents prepared and in order.

Attorney Phil Tissue presented to the Commissioners Order for Glinner Foster.

Gary Holcomb, Commissioner for Danese Public Service District appeared before the Commission informing that Department of Highways had ordered the District to move two main water lines in conjunction with work being done by them on two bridges in the Danesea area. Mr. Holcombe informed the Commission that they didn't have the funds to do this.

Commissioner Witt suggested to the Commission they write letters to the Governor, Senators and House of Delegates explaining the situation and ask for their financial assistance,

Administrator Holly informed the Commissioners that due to the fact that the Commission hadn't signed the Motorola contract the equipment for the 911 Center had not been ordered. Ms. Holly informed Motorola offered them an open contract for 30 days and this would authorize Steve to order equipment. This was approved.

The Commissioners received and reviewed appreciation from L. A. Gates Company.

The Commissioners received and reviewed letter from Armstrong Public Service District regarding resignation of David Lively.

The Commissioners received and reviewed notice from Bureau of Employment Programs.

The Commissioners received and reviewed thank you letter from William R. "Bill" Watts.


The Commissioners received and reviewed copy of June 1, 1993 Petitioned Public Health Assessment.

Payroll and outstanding bills were approved.

The Commissioners asked Administrator Holly to have Nancy call AT&T to move switchboard to Magistrate Office.

The Commissioners dismissed for Executive Session.

The meeting was adjourned. Next scheduled meeting is June 15, 1993.



A handwritten signature in cursive script, appearing to read "M. L. Hoff", is written above a horizontal line.

FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JUNE 15, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 15th day of June, 1993.

Kelvin Holliday appeared before the Commission presenting information of precinct changes. Discussions were held. No decision was made. Will take under advisement.

Herbert Mann and Judge Vickers appeared before the Commission requesting funds to pay person to act as Clerk for Annex and maybe work some with Judge Hatcher.

Fayette County Commission informed they would work with Herb to determine salary.

Commissioner Lopez made motion to approve hiring Clerk for Annex. Commissioner Carte seconded. Commissioner Witt voted no. Motion approved 2-1. Commissioner Carte informed to revise budget. Clerk to start July 1, 1993.

Commissioner John Witt recommended or suggested to not defer from Agenda in future meetings. Commissioner Carte--Okay.

Payroll for June 30th was approved.

Commissioner Lopez discussed renovation at Danese Detachment.

Judge Hatcher and Magistrate Lopez had appeared at past meeting before requesting typewriter and desk for Detachment.

It was advised that Magistrate Lopez get with Administrator Holly and write down what is needed.

Tom Woodrum appeared before Commission regarding use of lawn for Heritage Art Show on Wednesday, June 23, 1993 and 2:00 p.m. tour of historical sites in Courthouse. Commissioner Carte recommended John Witt be tour guide. Commissioner Lopez seconded.

Administrator Holly informed that maintenance will assist in putting up banner for July 4th (if inclimate weather--will be canceled.)

Administrator Holly presented Delinquent List received from Sheriff's Office. Commissioner Witt made motion to except Delinquent List. Commissioner Lopez seconded. All approved.

The Commissioners signed order transferring \$2,000 from the Fayette County General Fund to Dog Tax Fund.

The Commissioners received and reviewed letter from Division of Environmental Protection regarding order allowing the Fayette County Landfill to continue operation until September 30, 1994.

The Commissioners signed order appointing Charles Walker, Commissioner of Armstrong Public Service District due to the resignation of David K. Lively.

Commissioner Witt mentioned that Paul Gonzalez term with Beckwith Public Service District has expired.

The Commissioners received and reviewed letter from Jim Lively Insurance informing liability insurance does not cover animals dying from natural causes.

Administrator Holly informed the Commission that on Thursday, June 17, 1993, she will be attending the aDA conference in Charleston and on Wednesday, June 23, 1993, she and Commissioner Carte will be attending ADA meeting in Charleston.

The Commissioners received and reviewed proposed Fayette County Repayment Agreement for E-911 telecommunicators. This was approved.

Discussion was held regarding relocating Switchboard to where Green Thumb worker stationed. Commissioner John Witt suggested partition be installed around area where switchboard to be. Administrator Holly to find out where Green Thumb worker will be placed and how much space will be needed. Effective July 1, 1993, switchboard operators will be working split shifts, after 8:00 p.m. they will switch all calls to 911 non-emergency.

Administrator Holly reported that she talked with Mike Cobb of West Virginia Department of Highways. Mr. Cobb informed there would be no problem repairing shoulder at Danese.

The Commissioners received and reviewed letter from Sheriff Bill Laird regarding Budget Revision Fiscal Year 1992-93.

The Commissioners received and reviewed letter from One Valley Bank regarding The Commissioners of Raleigh County, Fayette County and Nicholas County, WV Municipal Refunding Collateralized Mortgage Obligation (MR CMO) Series 1990 A, Payment Date Statement and Mortgage Status Report, Series 1990-B Interest Accrual Date Statement.

The Commissioners received and reviewed letter from West Virginia Development Office regarding Industrial Targeting Study.

The Commissioners received and reviewed reminder notice from 4-C Economic Development Authority regarding Annual Meeting.

The Commissioners signed letter to Ralph Young, President Fayette County Bar Association regarding resignation of James C. Blankenship, III from Fayette County Deputy Sheriff's Civil Service Commission.

The Commissioners signed letter to Governor Gaston Caperton regarding removal of two main water lines by Danese Public Service District.

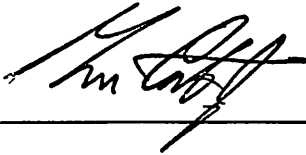
The Commissioners approved Fire Protection Agreement form.

The Commissioners received and signed letter to Governor's Office of Community and Industrial Development regarding extension on Community Partnership Grant 911 Emergency Services #92-243.

Budget Revision Order #3 to General County Fund was approved.

The Commissioners received and signed letter to Governor's Office of Community and Industrial Development regarding extension on Project SAINT Grant #88-103.

The meeting was adjourned. Next scheduled meeting is June 30, 1993.



FAYETTE COUNTY COMMISSION MEETING

REGULAR SESSION

JUNE 30, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on the 30th day of June, 1993.

The Commissioners received letter from Firefighters Association recommending that the salary of County Fire Coordinator/Emergency Services Director Stephen Cruikshank be increased by \$4,000.00 and Lynn Holstine to \$12,000.00 annual salary.

The Commissioners received and reviewed letters from West Virginia Board of Investments regarding Investment Activity for July 1, 1993 and notice of Public Hearing for amended rules and regulations for the Consolidated Fund and the Consolidated Pension Fund.

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, Bank of Mount Hope, and One Valley Bank were approved and letters issued to trustees banks requesting confirmation of pledged securities.

The Commissioners signed Order regarding ordering the balance in the sum of \$2,527.64 for fiscal year 1992-93 be transferred from the Magistrate Court Fund to the Fayette County General Fund in reimbursement of long distance telephone expenses.

The Commissioners signed Order reappointing A. W. Orndorff to the Fayette County Board of Health.

The Commissioners signed Order transferring \$4,042.75 from Fayette County Home Detention to Fayette County General Fund for reimbursement of expenditures.

The Commissioners signed Order reappointing Paul Gonzalez to the Beckwith Public Service District.

The Commissioners signed letter to Penelope Crandall, Director Family Law Master requesting reimbursement for rent in the amount of \$550.00 for the month of June.

The Commissioners received and signed letter to William Spence, Grants Management Specialist regarding 3rd drawdown for 911 Emergency Services Project. Amount \$5,000.00.

The Commissioners signed Order increasing mileage effective July 1, 1993 to \$.28 (twenty-eight cents).

Outstanding bills and vouchers were approved.

Letters were signed to Pocahontas Land Corporation, Thomas Aiello, Assessor, James H. Paige, III, Secretary Department of Tax and Revenue, and Paul M. Blake, Prosecuting Attorney informing that a hearing for relief in Assessment has been scheduled for 9:30 A.M., Wednesday, July 28, 1993.

David Thomas with State Health Department appeared before Commission requesting funding for Clifftop Water System. Discussion was held. Commissioner John Witt made motion to approve \$12,000.00 grant for repairs to Water System. Commissioner John Lopez seconded. All approved. Vote passed 3-0.

The Commissioners received and reviewed bids from Miller's Implement, Inc., \$11,498.00 and State Equipment, Inc. \$11,673.00 for a Compact Diesel Tractor for Fayette County Park. Discussion was held. It was decided to let Earl Pauley review before making any decision.

Steve Cruikshank appeared before Commission requesting purchase of mobile radio and paging units for use by private and/or non-profit ambulance companies. The cost would be approximately \$325,000. Discussion was held. It was decided to get written opinion from Prosecuting Attorney's Office before making any decision.

The Commission met with Attorney Steven Vickers with petition of Albert Scott to be appointed Committee for Virginia Scott. Mr. Scott was questioned. Attorney Jamie Blankenship was approved guardian ad litem. Commissioner Lopez offered motion to approve. Commissioner Witt seconded. Vote was unanimous. Minimal bond was set in the amount of \$500. Mr. Vickers is to present order.

The Commissioner met with Jim Ennis, Patty Hamilton with Public Service Commission, W. D. Smith with Region 4, and Rick regarding water project in Mahan. Discussion was held. No decisions was made. Commissioner Witt suggested getting together for feasibility study and to look at figures and plans. The Commission would take under advisement.

The Commissioners met with Katheryn Hoffman regarding water situation in Ansted and Shade Creek areas. Ms. Hoffman asked the Commission for their support and if they knew of other means of finance to make this project a reality. Discussion was held. Commissioner Witt informed they would support.

The Commissioner met with Attorney Ralph Young and Tom Oxley, City Manager with petition regarding annexation by minor boundary adjustment of 20.476 acres tract owned by Pineknoll Apartments, Ltd. (which includes 2.482 areas belonging to the West Virginia Department of Highways) and on existing right of way for West Virginia Route 21/18 containing 7.09 acres, or or less, adjoining the City of Oak Hill, situated on West Virginia

Route 21/18, Lochgelly Road Fayette County, West Virginia. Final hearing scheduled for July 28, 1993 at 10:45 a.m.

Discussion was held regarding Public Defender Board members.

The Commissioners received and reviewed letter from C and P Telephone Company regarding check in the amount of \$27,714.41 for the Emergency Telephone System for the month of May.

The Commissioners received and reviewed letter from West Virginia Development Office regarding the replacement of a water line due to the construction of two bridges in the Danese area of Fayette County.

The Commissioners received and reviewed letter from New Haven Public Service District informing they have chosen Stafford Consultants, Inc. to provide design and construction services for its public water system project.

Administrator Holly presented letter from the Sheriff's Office reminding Commissioners about the swearing in ceremony for newly appointed Deputy Sheriffs.

The Commissioners received and reviewed letter from Appalachian Research and Defense Fund, Inc. regarding Juanita V. Woodards application for employment with the Fayette County Office of Emergency Services.

The Commissioners approved David Neal's salary as E-911 Coordinator be raised \$1,000 more a year. Effective July 1, 1993 salary will be \$21,000 annual.

The Commissioners received and reviewed letter from Steven Cruikshank recommending that salaries be used for full time E-911 telecommunicators as spelled out in the Fayette County Commission letter dated June 9, 1993 to County Clerk.

The Commissioners received and reviewed letter from Norfolk Southern Corporation regarding abandonment of 3.7 miles of rail line located from Oak Hill to Lochgelly, West Virginia between mileposts WL-2.5 and WL-6.2. The Commissioners opposed abandonment.

The Commissioners received and reviewed letter from Appalachian Power regarding Electric Service Agreement.

The Commissioners received and reviewed letter from Sheriff advising that effective July 1, 1993, Bernard L. Forren, Sterley C. Flanagan, Jr., Donald W. Williams, John W. Kauff, and Walter S. Casey will be employed as Deputies in the Sheriff Office. Salary \$1,348.42 a month.

The Commissioners received and reviewed letter from Sheriff advising that effective June 16, 1993, Stacy Ann Schoolcraft, Lisa Marie Carelli, and Angela Renee Steele will be part time help in Tax Office. Salary \$5.00 an hour.

The Commissioners received and reviewed letter from Assessor advising that effective June 16, 1993 Cindy Robertson, Holly Canaday, Glen Richardson, Lee Smith and Larry Stover will be part time help in Assessor's Office. Salary at \$4.50 an hour.

The Commissioners received and reviewed letter from the Fayette County Sheriff regarding Orders entered by the Fayette County Correctional Officers' Civil Service Commission on June 22, 1993 concerning Michael Scott McCormick and Cecil Leon McCormick.

The Commissioners received and reviewed letter from Workers' Compensation regarding Fred Sizemore.

The Commissioners received and reviewed letter from Control Screening requesting to be placed on county bid list.

Administrator Holly presented to the Commissioners report from Winona Water Association regarding transactions that have transpired since receiving grant funds from County. The Commissioners accepted the report.

Invoice from Dennler Fencing was approved. Amount \$582.00.

The Commissioners sent letter to all elected officials and employees informing that George Bragg would be taking a panoramic picture of the Fayette County Court House on Wednesday, June 30, 1993.

The Commissioners received and reviewed letter from State of West Virginia Board of Risk and Insurance Management regarding Boiler Inspection Report. Copy was sent to Earl Pauley.

The Commissioners received and reviewed letter from Ames Public Service District informing that in July they will be re-electing officers.

Administrator Holly presented invoice from Sheriff's Office regarding Legal Services in McCormick v. Laird et al. Amount \$22,846.91.

The Commissioners received and reviewed letter from Public Improvement Council for Kincaid and Upper Page. Copy mailed to Mike Cobb.

The Commissioners received and reviewed minutes from the Salem-Gatewood Public Service District.

The Commissioners received/reviewed and signed memorandum of understanding from Sheriff Laird's office regarding confinement of inmate in Central Regional Jail.

The Commissioners received and reviewed letter from Sheriff Laird regarding reimbursement request for (2) expert witnesses to appear and testify before Fayette County Correctional Officer Civil Service Commission in matters relating to the discharge of Cecil L. and Michael Scott McCormick.

The Commissioners received and approved letter from Sheriff Laird regarding court Ordered payment for invoice for services rendered by Special

Monitor W. Joseph McCoy. Amount paid \$473.86.

The Commissioners received and reviewed information from Gordon Billheimer regarding the recommended decision and final order of the Public Service Commission granting the enlargement of boundaries of the Kanawha Falls Public Service District.

President Carte signed Certification of Project Completion--Project #92-243.

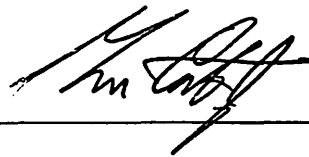
The Commissioners received and reviewed Order from the Fayette County Correctional Officer Civil Service Commission regarding Michael Scott McCormick.

The Commissioners received and reviewed letter from Tele-Media Company.

The Commissioners received and reviewed Annual Reports for period beginning June 1, 1992 through May 30, 1993 from Thomas Aiello, Assessor, Kelvin Holliday, County Clerk, Herbert Mann, Circuit Clerk, and Paul M. Blake, Jr., Prosecuting Attorney.

The Commissioners reviewed and signed Budget Statement for fiscal year July 1, 1993 through June 30, 1994.

The meeting was adjourned. Next scheduled meeting is July 7, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
JULY 7, 1993
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 7th day of July, 1993.

The Commissioners discussed replacing Bill Adkins on the Fayette County Public Defenders Corporation.

Administrator Holly presented update on Olivia Stone property. Informed she talked with Carl Harris yesterday, he suggested that one more registered letter be sent. If no respond after receiving letter to go ahead with legal advertisement.

The Commissioners signed thank you letter to Rosedale Baptist Church thanking them for the church pews.

The Commissioners signed letter to Rick Powell regarding the possible increase in the monthly cost for electricity at the Memorial Building as a result of the operation of the E-911 Communication Center.

Commissioner Witt suggested that if the Fayette County Board of Education don't get started on windows as promised the Commission will write another letter.

The Commissioners signed letter to Secretary of State Ken Hechler informing of the corrected map of the precincts and magisterial districts for Fayette County.

County Clerk Kelvin Holliday asked the Commission if they needed to meet with him on the redistricting. Ms. Holly suggested that they wait until they hear from Secretary of State.

Kelvin Holliday informed the Commission that warning letter had been issued to Barbara McGuffin and a copy is in his general files. Informed the Commission they could review.

Administrator Holly reminded the Commissioners about the Fayette County Democrat Women's picnic on Friday, July 9, 1993.

Administrator Holly informed Commissioners that new air condition was purchased for Jury Room.

Administrator Holly informed she had talked with Magistrate Lopez regarding broken air condition at Danese Detachment. Ms. Holly informed that Earl Pauley would be getting prices on new one.

Administrator Holly informed that Magistrate Lopez has no objections about moving Switchboard upstairs thinks it's a great idea. Discussion was held regarding rotating of shifts.

Commissioner Witt made motion to move Switchboard to Lobby of Magistrate Court and to have rotating shifts from 8:00 a.m. to 8:00 p.m. Commissioner Lopez seconded. Commissioner Carte opposed. Vote passed 2-1. The Change will be August 1, 1993.

Administrator Holly informed she talked with Earl he informed that part-time worker Will Dickerson quit. Bobby Hudson will replace at same wages.

Commissioner Lopez mentioned he was confronted by Montgomery Civitans informed they've decided to dissolve chapter. Would like to know if County Commission would work with CSX to take lease on park property at Deepwater. The Commissioners decided they would work with CSX to take lease. Ms. Holly is to get in touch with CSX. Commissioner Lopez informed the Ministerial Association will upkeep and keep clean. Ms. Holly is to contact Judson Wallace for more details.

Administrator Holly presented audit report for fiscal year ending June 30, 1991.

Administrator Holly presented amended budget letter from Herb Mann office informing that effective July 1, 1993 Rosalea T. Morrison will be employed as Clerk. Monthly salary \$1,239.59.

The Commissioners received and reviewed Dog Tax Report for the month of June.

The Commissioners received and reviewed minutes of Deepwater Public Service District.

The Commissioners received and reviewed letter from C and P Telephone Company regarding "refusals to pay" for the month of May, 1993.

President Carte signed invoice to Division of Correction for monthly rent of Parole Office.

The Commissioners received and reviewed letter to Jim Lively Insurance regarding Civil Action No. 5:93-0478.

The Commissioners received and reviewed accident report from Sheriff's Office.

Administrator Holly gave an update of proposed fees for Swim Lessons at Park.

Administrator Holly presented letter from Prosecuting Attorney Paul Blake regarding purchase of Mobile Radio and Paging units.

Assessor Tom Aiello and Assistant Prosecuting Attorney Carl Harris appeared before Commission regarding Dr. Barry Stowers property assessment. Mr. Aiello informed that he could not explain previous assessment. He also informed that Dr. Stowers problem with how property was assessed could probably have been

resolved if it had been brought before the Commission earlier. Used replacement cost since 1976 and depreciation	\$22,701.03	taxes paid
	<u>18,112.08</u>	
	\$ 4,588.95	

Attorney Carl Harris appeared before Commission and informed that after listening to Mr. Aiello explanation it appears to be an appraisal error not clerical error. Attorney Harris recommended that based upon additional information suggested that new hearing be set up and have Dr. Stowers to reappear.

Administrator Holly presented Order to Commission regarding Dr. Stowers clerical error.

Commissioner John Lopez made motion to sign order based upon clerical error of Dr. Stowers property. Commissioner John Witt seconded. Commissioner Gene Carte voted no.

Attorney Phil Tissue appeared before the Commission with Order to declare Pauline Marth Johnson legally deceased. Petitioner Joseph E. "Buddy" Johnson. This was approved and signed.

C. R. Hill, Jr. and Guy Dooley of the Fayette County Land Use Steering Committee appeared before Commission informing of the ideas and concerns to enhance the development and quality of life for the citizens of Fayette County.

Outstanding bills were approved.

Sheriff Laird appeared before the Commission informing he will be checking into getting Medical Contracts for treating prisoners in jail.

The Commissioners received and approved monthly allotment for the Fayette County Humane Society. Amount \$4,239.00.

The Commissioners received and reviewed letter from West Virginia Development Office regarding drawdown payment #21 for Fiscal Year 1989 Small Cities Block Grant White Oak Public Service District Improvements. Amount \$5,009.61.

The Commissioners received and reviewed letter from Public Service Commission regarding meeting initiating a new program to provide additional technical assistance to Public Service Districts begin held July 21-22 at 9:00-4:00 at Region IV Council Office.

The Commissioners received and reviewed letter from Fayette County Office of Emergency Services regarding removal of William Watts from the part-time employment list.

The meeting was adjourned. Next scheduled meeting July 15, 1993.

FAYETTE COUNTY COMMISSION

REGULAR SESSION

JULY 15, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: John H. Lopez, and John L. Witt

The Fayette County Commission met in regular session on this 15th day of July, 1993.

The Commissioners signed Order granting funds to the Fayette County REACT Team, Inc. Amount \$1,000.00

The Commissioners signed letter to Interstate Commerce Commission regarding their objections to the proposed abandonment of N & W's line of railroad from Milepost WL-2.5 at Oak Hill, West Virginia to Milepost WL-6.2 at Lochgelly, West Virginia.

Administrator Holly informed Commissioner she had received letter from Judge Hatcher regarding purchasing tape of all Division of Motor Vehicles Drivers license list for Fayette County and a tape of the voters registration list of Fayette County for the purpose of having names to add to jury box.

The Commissioners received and reviewed letter to West Virginia Department of Motor Vehicle for purchase of jury selection 9-track 1600 bpi tape standard IBM format and labels. Amount \$75.00.

The Commissioners received and reviewed letter to Kelvin Holliday regarding permission to access and to copy to diskette the computerized voters registration list.

The monthly sales tax report for Fayette County Park was signed.

The Commissioners received/reviewed and signed Fire Levy Fire Protection Contracts for Montgomery Volunteer Fire Department, Pax Volunteer Fire Department, Nuttall Volunteer Fire Department, Gauley River Volunteer Fire Department, and Mount Hope Volunteer Fire Department.

Administrator Holly informed Commissioners Earl had reviewed bids for Compact Diesel Tractor and suggested we go with United Cycle. Amount \$11,237.68. This was approved.

The Commissioners received and reviewed renewal certificate of liability insurance from the State of West Virginia Board of Risk and Insurance Management.

The Commissioners received and reviewed letter from Karen Vuranch regarding survey of visitors by the National Trust for Historic Preservation Southeast West Virginia Heritage.

The Commissioners received and reviewed audit report of Danese Volunteer Fire Department and Rescue Squad, Inc.

The Commissioners received and reviewed thank you letter from Governor Gaston

regarding the need for the Danese Public Service District to replace water line due to construction of two Department of Highway bridges in Danese Area.

Administrator Holly presented to the Commissioners Boomers Volunteer Fire Department Quarterly Report.

The Commissioners reviewed notice informing that picnic for County employees will be September 19, 1993.

The Commissioners received and reviewed letter from Region 4 regarding their annual dinner meeting on Wednesday, July 21, 1993 at the Crystal Rapids Meeting Room.

Administrator Holly presented letter from Fayette County Board of Education informing the proposal for reimbursement for KWH usage increase at Memorial Building is acceptable.

Administrator Holly presented letter written to CSX Transportation regarding leasing property currently leased to the Montgomery Civitans at Deepwater.

The Commissioners approved to purchase 2 speed bumps for Fayette County Park. Amount \$146.90 each.

Payroll and outstanding bills were approved.

Administrator Holly informed Commissioners that the County Clerk had requested 2 Xerox machines for office. Ms. Holly informed Commission that she had talked with American Office System which has contract with State. The Commissioners approved purchase of Xerox through State.

Administrator Holly informed Commissioners that she had received calls from Robert Mays and Dave Thomas regarding grant money for Clifftop Water System. The Commissioners informed Ms. Holly to hold payment until project is approved.

The Commissioners received and reviewed Budget Revision to the Coal Severance Fund.

Commissioner Lopez made motion to sign order for Budget Revision #1 to Coal Severance Fund Budget. Commissioner Witt seconded. Order signed and approved.

Stephanie Harrah appeared before Commissioner informing that Order for Virginia H. Scott was mailed into County Clerk's Office and she needed the Commissioners to sign. Order was signed.

Discussion was held regarding switchboard. It was decided not to move switchboard upstairs to lobby at this time. The switchboard will be operating on rotating shifts (not based on seniority). They are to monitor number of calls after 4.

Commissioner Lopez made motion to operate switchboard on trialbases from 7:30 a.m. to 7:00 p.m. rotating shifts. Commissioner Witt seconded. All approved.

Steve Cruikshank appeared before Commission requesting buying radio equipment for ambulances. Mr. Cruikshank also submitted rules and regulations for use of equipment.

Commissioner Lopez made motion to purchase radio equipment for ambulances.
Commissioner Witt seconded.

Ms. Holly informed that equipment will be used strictly for E911 dispatch purposes only and will be strictly monitored. Any, private, personal, or company traffic on county equipment or frequencies will be in violation of these rules and regulations an appropriate action will be taken according to the guidelines.

Exonerations was signed by Prosecuting Attorney, Assessor and Commissioners.

The Commissioners received and reviewed letter from Board of Risk and Insurance Management regarding Civil Action #5:93-0478, Plaintiff David Lee Wilson.

The Commissioners received and reviewed minutes from Salem Gatewood Public Service District.

The Commissioners received and reviewed letters from Thomas Aiello, Assesor correcting Annual Report for June 1, 1992 - May 30, 1993.

Administrator Holly presented letter from Sheriff Laird regarding Civil Action #5:93-0478 David Lee Wilson vs. Fayette County Sheriff's Department etal.

The Commissioners received and reviewed Annual Report from Sheriff Bill Laird for period June 1, 1992 - May 30, 1993.

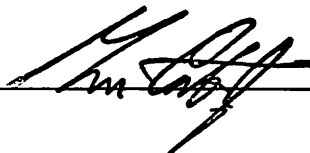
The Commissioners received and reviewed letter from Prosecuting Attorney Office informing that effective July 8, 1993 Hilary McKinney will be employed as part time employee at the rate of \$35.00 per day.

Commissioner Lopez suggested that cleaning crew be sent down to clean up Fred Carter's property.

Administrator Holly informed Commissioners that Ann Skaggs was not satisfied with the decision to send Olivia Stone another clean-up letter. Ms. Holly reported to Commissioners that she informed Ms. Skaggs that Attorney Harris said due to the length of time between first letter sent Ms. Stone and now that it's best to start all over.

Outstanding bills and vouchers were approved.

The meeting was adjourned. Next scheduled meeting July 28, 1993.



FAYETTE COUNTY COMMISSION MEETING

REGULAR SESSION

JULY 28, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 28th day of July, 1993.

Assessor Tom Aiello, Jerry Knight with State Tax Commission, Ernie Hayes, and Bill Gorby with Pocahontas Land Corporation appeared before the Commission requesting relief in assessment.

Mr. Aiello informed Commission that after reviewing request by Pocahontas Land he found they had been doubled assessed on the same property and felt that correction need to be made.

Jerry Knight with State Tax Commission also agreed with Assessor that correction needed to be made.

Mr. Hayes with Pocahontas Land Corporation informed he would prepare an order for the Commission and the Prosecuting Attorney to sign.

Commission John Witt made motion that correction be made through over a period of 3 years until debt is paid. Commissioner Lopez seconded. All approved.

The Commissioners met with Zoning Officer Gary Harding with Zoning Request: Z-377-93-1 - Request of Lloyd J. Champ, Owner, for a change in land classification from R-R, Agricultural and Rural Residence District, to I-2, Heavy Industrial District, for the purpose of operating a saw mill on 8.80 acres, Meadow Fork, located off Pea Ridge Road, Plateau District.

The County Commission was informed by the Zoning Officer that the Planning Commission did by a vote of 8-1 recommend that this request for the purpose of operating a saw mill on 8.80 acres, Meadow Fork, located off Pea Ridge Road, Plateau District be denied.

Mr. Harding informed the Commissioners that he had received a call from Debbie Berry requesting that this matter be tabled since Jim Billing had been retained to represent Lloyd Champ and could not attend hearing. Six people were present in opposition to the request. After general discussion a motion was made by John Lopez to deny the request as recommended by the Planning Commission. John Witt seconded. Motion passed by a vote of 3-0.

Administrator Holly informed Commission that a copier for the County Clerk's Office had been purchased and the County Clerk was satisfied with copier. It was suggested that Ms. Holly get in touch with Jerry Sizemore to see if they wanted old copier (Xerox 9200). Ms. Holly informed that American Office System would remove old copier.

Administrator Holly informed Commissioners that she had received check in the amount of \$80,000.00 from West Virginia Court of Claims.

Administrator Holly informed Commissioners that County would be audited for the fiscal year July, 1991 to June 30, 1992.

The Commissioners approved for Administrator Charlotte Holly to attend the County Commissioners Association 1993 Annual Meeting August 14-18 in Huntington.

The Commissioners reviewed and signed letter to U.S. Department of Housing and Urban Development regarding their support to the Housing Authority's Application for Certification and/or Vouchers by the Housing Authority of Raleigh County.

The Commissioners received and reviewed letter from the Probation Department requesting that doors to the probation office remain locked until unlocked by probation department personnel when arriving for work.

The Commissioners received and reviewed letter from West Virginia Development Office informing grant extensions for White Oak Public Service District and Page-Kincaid Public Service District had been approved.

The Commissioners received and reviewed letter from Governor Gaston Caperton informing that a Drug Control and System Improvement Grant for \$9,983.00 has been approved for two officers and program materials in support of Project Dare.

The Commissioners approved and signed check in the amount of \$200.00 for incinerator agreement with the West Virginia Department of Commerce, Labor and Environmental Resources.

Commissioner John Witt made motion to adopt revision of the 1993-94 General Fund Budget. Commissioner John Lopez seconded. All approved order signed.

Administrator Holly presented to the Commissioners copy of check from Greenbrier County for dispatch training. Amount \$200.00.

The Commissioners received and signed certification agreement between the State of West Virginia, by and through the West Virginia State Historic Preservation Office.

The Commissioners received/reviewed and signed lease agreement with AT&T Credit Corporation.

The Commissioners approved and signed Fire Protection Agreement for Boomer Volunteer Fire Department.

Discussion was held regarding dusty conditions to area residents of Armstrong Creek due to delayed paving as promised by the West Virginia Division of Highways.

Administrator Holly informed she had talked with Joe Hayes and he informed her that Armstrong Creek project has been programmed for paving and that bids are scheduled for opening on August 24, 1993. It was suggested that letter be sent to Division of Highways so they could get started.

Administrator Holly presented proposed agreement from CSX to transfer lease from the Deepwater Civitan Park to the Commission.

Commissioner Lopez made motion to accept and sign agreement with CSX Transportation. Commissioner Witt seconded. All approved. The Commissioners agreed to pay \$468 annual lease fee.

Exonerations for real and personal property was signed by Prosecutor's Office and Commission.

The Commissioners informed County Clerk Kelvin Holliday they would not authorize survey for the Town of Pax.

Attorney Ralph Young and City Manager Tom Oxley appeared before Commission regarding final hearing of annexation of Pine Knoll Apartments. No one appeared to oppose. The annexation was approved.

The Commissioners reviewed and signed clean up letter to Margaret Gray.

The Commissioners received and reviewed letter from Burns and McDonnell serving as a "third-party consultant" to the Interstate Commerce Commission to prepare the environmental review of application by The Vaughan Railroad Company. The Commissioners informed Ms. Holly to send letter of support.

Administrator Holly informed the Commissioners picnic committee would like to know if Commission could supply chicken/hot dogs or etc. The Commissioners informed would like to but could not.

Administrator Holly informed the Commissioners that Judy Gonzalez had called and asked who was responsible for maintenance of library. Discussion was held. Commissioner Witt asked about windows. It was suggested that Ms. Holly check with Phil Tissue.

The Commissioners adjourned to go into Executive Session with Kelvin Holliday and Carl Harris.

After returning from Executive Session, Commissioner Witt informed that upon the advice of Assistant Prosecuting Carl Harris it was decided that the Commission could not pay County money to represent Kelvin Holliday being as he was being sued individually.

Commissioner Lopez made motion not to pay attorney fee. Commissioner Witt seconded. All approved. For his official duties the county would cover under the county's liability insurance. It has been turned over to the Board of Risk but no response.

Payroll and outstanding bills were approved.

The Commissioners received and reviewed letter from Department of Tax and Revenue regarding a programming error the back tax amounts for personal property accounts were incorrectly calculated.

The Commissioners received and reviewed letter from the West Virginia Development Office acknowledging receipt of the request for \$54,000 in Highway Safety fund.

The Commissioners received and reviewed letter from Prosecuting Attorney's Office informing that effective July 19, 1993 Dana Roepke will be part time secretary at the rate of \$35.00 per day.

The Commissioners received and reviewed letter from Public Service Commission informing of initiating a new program to provide additional technical assistance to public service districts.

The Commissioners received and reviewed letter from Steve Cruikshank informing Appalachian Research and Defense Fund, Inc. that Emergency Service has in no way discriminated against Juanita Woodards.

The Commissioners received and reviewed letter from Sheriff Bill Larid regarding Civil Action #5:93-0478, Wilson v. Fayette County Sheriff's Dept., etal.

The Commissioners received and reviewed letter from Senator Robert Holliday regarding water system for residents of Pax Branch.

The Commissioners received and reviewed letter from Senator Robert Holliday regarding Danese Public Service District replacing of a water line.

Administrator Holly presented letters to Commissioners from Fayette County National Bank and Board of Investments regarding late fee charges in Coal Severance Account.

The Commissioners received and signed Bill of Sales to Ernest Pridemore for purchase of brass bell.

The Commissioners received and reviewed letter from Earl Pauley informing that deposit for the Girl Scout Camp held at the park under the guidance of Carol Zickafoose will be retained.

The Commissioners received and reviewed memorandum from John Witt informing of Community Capacity Building Program Orientation Meeting.

The Commissioners received and reviewed notice from Weatherization Policy Advisory Committee informing of meeting July 28th at 1:30 p.m. in Oak Hill.

The Commissioners received and reviewed letter from Prosecuting Attorney's regarding letter received from State Auditor regarding non-compliance with West Virginia State Laws.

The Commissioners received and reviewed invoice from Software Systems, Incorporated.

The meeting was adjourned.


The Commissioners reconvened to discuss the 911 Center.

Steve Cruikshank appeared before the Commissioners requesting they postpone opening of the E-911 emergency communications center because of a delay in receiving critical piece of equipment.

Commissioner Lopez suggested August 9th all agreed to postpone opening.

Steve informed the Commissioners regarding proposal of an alarm no expense to County. This was approved.

The meeting was adjourned. Next scheduled meeting August 4, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
AUGUST 4, 1993
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 4th day of August, 1993.

The Commissioners changed August 25 meeting to August 20th.

The Commissioners reviewed and signed letter to the Division of Highways regarding Armstrong Creek area.

The Commissioners signed permit for James A. Smith to enter Loop Creek for the purpose of correcting any potential flood hazard which exists.

The Commissioners signed letter to Firestone Building Products Company regarding written update and specifications for the reroofing of the Memorial Building.

The Commissioners received and signed "Memorandum of Understanding" between the West Virginia Regional Jail and Correctional Facility and Fayette County to house prisoners at the Central Regional Jail.

The Commissioners received and reviewed check in the amount of \$27,843.58 for the Emergency Telephone System for the month of June, 1993.

Administrator Holly presented to the Commissioners a requisition from Bill Webb signed by Sheriff Laird for a 19" color television for jail. This was approved.

The Commissioners signed Fire Levy Fire Protection Agreements for Meadow Bridge Volunteer Fire Department, Gauley Bridge Volunteer Fire Department, Armstrong Creek Volunteer Fire Department, Ansted Certified Fire Department.

Administrator Holly informed the Commissioners that American Office System would charge for moving Xerox machine from County Clerk's office.

Ms. Holly presented to the Commissioners invoice for payment to American Office System for copier for County Clerk's Office. This was approved. Commissioner Witt will contact Jerry Sizemore regarding moving xerox.

The Commissioners received and reviewed monthly Dog Tax Report for the month of July.

Administrator Holly informed the Commissioners she had talked with Gary regarding Fred Carter's property. Gary was told that within next month Mr. Carter would be adding an addition on house will clean up then. Gary to check again in a month.

Administrator Holly presented to the Commissioners a Dental Plan Program from Ted Boggess with Better Benefits, Inc.

The Commissioners approved to request premium and have Payroll Clerk forward list of County employees, their gender and date of birth to Mr. Boggess.

Commissioner Witt mentioned to the Commissioners he received call from Margaret Gray regarding clean-up letter mailed to her. Ms. Gray informed she did not put trash or anything else on property. Ms. Gray will send letter explaining the situation. It was decided to wait for letter.

The Commissioners received and reviewed letter from Buchanan Sound and Communications, Inc. regarding "Central Station" alarm monitoring station.

Administrator Holly asked the Commissioners if they had made any decision on whether or not to replace Bill Adkins on the Fayette County Public Defender Corporation. The Commissioners informed they would put replacement of Public Defender on hold.

Administrator Holly informed due to the delay in opening the E911 System Frances Webb will start working at Switchboard August 9th salary same as current pay. Switchboard will begin rotating shifts on this day.

Steve Cruikshank appeared before the Commisisoners regarding extra levy money toward purchase of new trucks.

The Commissioners questioned Steve regarding which fire departments will get extra levy money toward purchase of new truck.

Commissioner Carte asked Steve who approved the recommendation for Pax, Mount Hope, Fayetteville and Montgomery to get the extra money.

Steve informed the Commissioners the county fire chiefs had recommended him to make the decision on which 4 departments should split the \$300,000 and will present it for a vote when the Fayette County Firemen's Association meets August 12. Furhter discussion was held.

Commissioner Lopez suggested the Commission wait to see how the Association vote before taking any action in matter.

Attorney Jim Billings appeared before the Commission regarding the Estate of Marjorie A. Courts. Mr. Billings informed Commission that former Attorney Andy Keenan neglected to file any appraisals or final papers on estate.

The Commissioners request that order be sent to Mr. Warren to file appraisal papers within 30 days or be removed as Executor of Estate.

Administrator Holly informed Commissioenrs the audit team is scheduled to begin on August 16th and finish on August 20th, 1993.

President Carte signed letter to Radisson Hotel-Huntington authorizing Ms. Holly's sleeping room, meals, room guarantees, and parking fees be charged to the Fayette County Commission.

Administrator Holly presented to the Commissioners copy of check from Wyoming County for registration fee for employees to attend the Association of Public Communication Offices Emergency Medical Dispatch Class. Amount \$200.00.

The Commissioners received and reviewed letter from Wachovia Trust Services, Inc. confirming that as of July 28, 1993 securities are being held as collateral to service deposits to the Fayette County Commission.

The Commissioners received and reviewed Model Community Organization Survey from the Bank of Mount Hope.

The Commissioners received and reviewed resume of Eugene F. Ballard.

The Commissioners received and reviewed letter from Steptoe and Johnson regarding Michael Scott McCormick v. William R. Laird, IV, Civil Action #5:93-0008. Copy was forwarded to Sheriff.

The Commissioners approved for County Clerk Kelvin E. Holliday to attend Fall Clerks' Workshop Survey, October 25-28, 1993 to be paid from Election Travel.

The Commissioners received and reviewed copy of informal opinion from Prosecuting Attorney's Office regarding appointing of Deputy Sheriff to handle litter control.

The Commissioners received and reviewed letter from Department of Tax and Revenue acknowledging receipt of our letter dated July 19, 1992 regarding an error in Tax year 1992 database.

The Commissioners received and reviewed copy of letter to Lou Vieweg from the Department of Tax and Revenue concerning the revaluation of the mineral rights that Mr. Vieweg own in Fayette County.

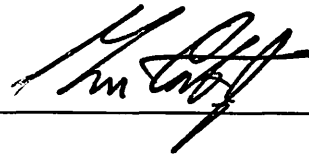
The Commissioners received and reviewed notice from picnic committee asking how many will be attending and what vegetable, salad, meat, etc. each will bring.

The Commissioners received and reviewed Calendar and Summary of Duties for Special Levy and Bond Elections from Secretary of State Ken Hechler.

Noah Rakes had appointment with the Commissioners at 11:00 a.m. No show.

Commissioner Lopez made motion to go into Executive Session concerning personnel matter. Commissioner Carte seconded.

The meeting was adjourned. The next scheduled meeting is scheduled for August 13, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
AUGUST 13, 1993
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Gene Carte, Jr., John H. Lopez

The Fayette County Commission met in regular session on this 13th day of August, 1993.

Earl Pauley appeared before the Commissioners with 3 quotes on Chipper/Shredder for Fayette County Park. Campbell's Tractor & Equipment--Summersville, \$3,485.00, Miller Implement--Lewisburg, \$4,775.00, and United Cycle--Beckley, \$3,639.00. The Commissioners approved to purchase Chipper/Shredder from Campbell Tractor.

Earl also presented to the Commissioners 3 quotes for repairs and paint for Charlie Bryant blazer, Charles Ellison--Oak Hill, \$825.00, Rodes Auto Service--Fayetteville, \$850.00, and Bud Fox's Body Shop, \$950.00. The Commissioners approved to go with lower bid--Charles Ellison.

The Commissioners received from West Virginia Development Office letter informing approval of Drug Control and System Improvement--Project DARE. Amount \$9,983.00.

The Commissioners received two request for drawdowns for Armstrong Creek. This was approved.

The Commissioners received and reviewed monthly sales and tax report for the month of July.

President Carte signed letter to radisson Hotel in Huntington authorizing Paul Blake, Henry Armstrong, and Carl Harris sleeping rooms, meals, room guarantees and parking fees be charged to the Fayette County Commission.

The Commissioners signed letter to Penelope Crandall, Director, Family Law Master regarding reimbursement for rent in the amount of \$550.00 month of July.

The Commissioners signed letters to Paul Blake regarding audit report for fiscal year ended June 30, 1991 advising of actions to remedy the instances of noncompliance with West Virginia State Laws.

The Commissioners signed letters to T. E. Myles, General Receiver of the Circuit Court, Sheriff William Laird, Assessor Tom Aiello regarding the Schedule of Fundings and Questioned costs as contained in Audit Report of Fayette County for the fiscal year ended June 30, 1991.

The Commissioners signed order reappointing Cathy Dunlap to Ames Public Service District.

Discussion was held regarding litter cop.

The Commissioners received and reviewed letter from Gary Harding, Zoning Officer recommending that Tim Richardson and William T. Louisos be reappointed to the Planning Commission.

The Commissioners approved to reappoint Tim Richardson to the Planning Commission. President Carte informed William T. Louisos declined to serve.

The Commissioners received and reviewed letter from Lee Massey regarding the resignation of Glendon Riner from the Fayette County Board of Health. Mr. Massey informed he had talked with Alfred Gannon and he has agreed to serve. Discussion was held. The Commission was informed that Paige Skaggs would like to be appointed. It was decided to defer to next meeting.

The Commissioners received and reviewed letter from CNA Insurance regarding Civil Action #93-C-0699, Barbara A. McGuffin V. Kelvin Holliday.

The Commissioners received and reviewed letter from C & P Telephone regarding "refusals to pay" associated with the Emergency Telephone System for the month of June.

Administrator Holly presented brochure regarding County employees to participate in the West Virginia Public Employees Credit Union. The Commissioners approved to participate and payroll deduction.

The Commissioners signed letter to Kelvin Holliday informing effective August 9, 1993, Frances Webb is to be employed by the Fayette County Commission on a full time basis as PBX Operator/Secretary/Receptionist, salary \$12,420 plus benefits paid from General Fund.

The Commissioners received and reviewed letter from West Virginia University Central District Office regarding Grant money in support of West Virginia University Extension Service to cover fiscal year July 1, 1993 to June 30, 1993.

The Commissioners received and reviewed letter from Board of Risk and Insurance Management informing Civil Action #93-C-0699 has been referred to the State's liability insurance carrier.

The Commissioners received and reviewed letter from Department of Tax and Revenue informing that effective August 6, 1993, Jerry Knight is the Director of the Property Tax Division.

The Commissioners received and reviewed letter from Department of Tax and Revenue informing programming error on list of accounts with back taxes that had been incorrectly placed on the tax bills (See letter dated 07/19/93) corrections made.

The Commissioners received and reviewed copy of letter to Alan Hess from Department of Tax and Revenue.

Payrolls for 1st and 2nd half and outstanding bills were approved.

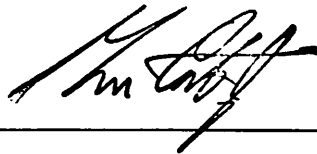
The Commissioners received and reviewed voucher for Sheriff's commission for collection of 92 taxes.

Administrator Holly presented to the Commissioners letter from Firestone Building Production Company regarding roof at Memorial Building. Ms. Holly informed that copy of letter had been sent to Assistant Prosecuting Attorney Carl Harris for his review and advise on what legal action they have or that he recommend.

The Commissioners received and reviewed copy of letter from Joe Craffey to Steve Cruikshank regarding awarding of levy money for truck purchases.

The Commissioners received and reviewed letter from Margaret Gray regarding cleaning up of property.

The meeting was adjourned. Next scheduled meeting is August 20, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
AUGUST 20, 1993
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS PRESENT: Gene Carte, Jr., President
John L. Witt, Commissioner

The Fayette County Commission met in regular session on this 20th day of August, 1993.

Administrator Charlotte Holly presented list of exonerations of real and personal property taxes from the Fayette County Assessor's office. They were approved as presented.

Administrator Charlotte Holly presented request from Jim Murdock for the Fayette Humane Society for letter stating that the Humane Society is financed by the Fayette County Commission. The letter will be used as a letter of introduction for the State Surplus Warehouse in Charleston. The Commissioners approved and signed a letter to the West Virginia State Agency for Surplus Property informing that the Fayette Humane Society is a duly incorporated, non-profit corporation.

The Commissioners reviewed, approved and signed the Annual Financial Statement for fiscal year ending June 30, 1993. Ms. Holly reported that information for the Health Department was not complete but this would be added as soon as discussed with employee who is on vacation from the Health Department.

Invoice for the Department of Corrections was approved and signed for monthly rent for Parole Officer.

The Commissioners signed orders approving reappointments of Jack Wood and Tim Richardson to the Fayette County Planning Commission. Terms to expire August 3, 1993.

The Commissioners received and reviewed request from Shant Kapoor with the Bank of New York to sign certificates related to Union Carbide Corp. Project Series 1976 6 1/4 Environmental Improvement Revenue Bonds. This was approved.

The Commissioners received and reviewed letter from Ken Hechler, Secretary of State regarding population breakdowns and status of precinct boundary changes.

County Clerk Kelvin Holliday requested permission for deputies to attend Election Conference at Canaan Valley. This was approved.

The Commissioners received and reviewed letter from CNA Insurance regarding Law Suit filed by Barbara McGuffin against Kelvin Holliday. (93-C-0699)

The Commissioners received and reviewed letter from City of Oak Hill to Steve Cruikshank concerning equipment for Oak Hill Fire Department.

The Commissioners reviewed letter from Lewis A. Cook, Chairman of Keep America Beautiful inviting the Commissioners to meeting September 9, 1993 at 7:30 p.m.

The Commissioners received and reviewed minutes of monthly meeting of Board of Directors of Deepwater Public Service District held June 28, 1993.

The Commissioners received and reviewed letter from C & P Telephone regarding the refusal to pay for E-911 fee of Delta Harrah.

The Commissioners received and reviewed copy of letter from Gary E. Pullin of Cleek, Pullin, Knopf and Fowler addressed to Belinda Morton, Esq. regarding law suit Koch v. Fayette County Commission, et al. (92-C-0974)

The Commissioners received and reviewed letter from Firestone Building Products Company concerning Fayette County Memorial Building roof leak. The Commissioners authorized Prosecuting Attorney to institute legal actions regarding this matter.

Administrator Charlotte Holly reported of receiving 3rd and final draw down for 911 grant.

The Commissioners received and reviewed letter from Cable Equities of the Virginias, Ltd. informing of updates with changes in cable television.

The Commissioners received and reviewed letter from W. D. Smith with a copy of the Statewide Transportation Improvement Program.

Administrator Holly presented necessary forms for approval for Project DARE presented to Sheriff Larid from the West Virginia Development Office.

The Commissioners received and reviewed request from Mountain Resource Conservation and Development Area, Inc. in the amount of \$500.00. This was approved.

Administrator Charlotte Holly reported that lost mail complaint form has been mailed for trying to contact property owner Olivia Stone.

The Commissioners reviewed letter from G. Lee Massey, Administrative Assistant to the Health Officer requesting appointment of Al Gannon to the Fayette County Board of Health to replace Mr. Glendon Riner who has moved to Harrisonburg, Virginia. No action was taken on this matter.

The Commissioners received and reviewed copy of letter addressed to Bill Spence with the West Virginia Development Office regarding the Danese Public Service District trying to obtain funds to cover expenses incurred to replace water lines due to the construction of two bridges by the Department of Highways in the Danese area.

Commission President informed that he met recently with the Public Service Commission regarding funds for water for residents in the Mahan area. He reported they are going to ask Parkway Authority for funds.

Administrator Charlotte Holly reported of complaints from Page Kincaid Public Service District citizens. She reported that they are to appear at September 8, 1993 Commission meeting.

Administrator Charlotte Holly reported of letter received from John Poffenbarger regarding appointments to the Morris Creek Public Service District. Administrator Charlotte Holly reported that she has not researched law but informed majority of customers for district reside in Kanawha County. This will be looked at further.

Administrator Charlotte Holly reported of complaint from Beverley Hundley concerning sewer gas fumes in Road Office. Ms. Holly reported problem to Earl Pauley who is working with the City of Fayetteville in trying to correct.

Ms. Holly reported she hopes to finalize franchise agreements next week. She reported that Helicon is restructuring and was informed by the Cable Advisory Board that they felt this should not be finalized at this time.

The Commissioners met with Kenneth Smart and Ms. Yuen with the Smart Group A.C. with exit review for audit for fiscal year ending June 30, 1992.

The Commissioners met with Paul Clay with petition of Eva Grubbs and Mary S. Brown to appointed as Co-Committee for Judy Ann Grubbs.

Both Ms. Grubbs and Ms. Brown were questioned.

T. E. Myles was approved guardian et litem and answer was submitted.

Judy Ann Grubbs was present for hearing.

Commissioner John Witt offered motion for approval of appointment of Eva Grubbs and Mary S. Brown for Committee for Judy Grubbs. All approved. Bond was set in the amount of \$500.00.

Commissioner John Witt suggested a No Smoking Sign be placed in the lounge downstairs. President Carte informed he had no problem with employees smoking in lounge. He felt this should be discussed further when Commissioner Lopez was present. Commissioner Witt informed he would have door to downstairs sealed off and locked if smoking does not stop.

The Commissioners reviewed letter from Clyde Dowdy requesting a hearing before the Commissioners to consider the exoneration of property taxes on the Mountaineer Building at 403 Main Street in Mount Hope. A hearing has been scheduled for September 14, 1993.

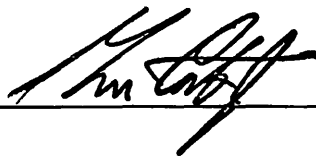
The Commissioners reviewed letter from Small Business Development Center concerning meeting August 30, 1993 at 1:30 p.m. to discuss program.

A letter was received and reviewed from Steptoe & Johnson regarding hearing of McCormick v. Laird and McGuffin v. Holliday.

The Commissioners reviewed information from Bluefield State College concerning endorsement of International Trade and Investment Project (Export Assistance Services).

Payroll and outstanding bills for last half of August were approved.

The meeting was adjourned. The next scheduled meeting is scheduled for September 8th, 1993.



FAYETTE COUNTY COMMISSION MEETING
REGULAR SESSION
SEPTEMBER 8th, 1993
COURTHOUSE
FAYETTEVILLE, WEST VIRGINIA 25840
MEMBERS PRESENT: Gene Carte, Jr., President
John H. Lopez
John L. Witt

The Fayette County Commission met in regular session on this 8th day of September, 1993.

The Commissioners met with Assistant Prosecuting Attorney Carl Harris and Assessor Tom Aiello. Mr. Aiello presented order pertaining to Tax Assessments Against Pocahontas Land Corporation, a corporation, for tax year 1993. The Commissioners approved and signed order stating that clerical error has been made and upon consideration of evidence, it was ordered \$56,408.78 in net taxes shall be exonerated in the amount of \$9,401.47 per half for next 3 tax years, beginning with the first half of 1993 tax year.

The Commissioners received, approved and signed letter to Ms. Penelope Crandall, Supreme Court of Appeals requesting reimbursement for rent in the amount of \$550.00 for the Office of the Family Law Master in Fayette County for the month of August, 1993.

The Commissioner reviewed and approved Fire Levy Agreement for the Town of Fayetteville.

Administrator Charlotte Holly presented letter from Mr. John Poffenbarger of Hamb, Poffenbarger & Baily law offices pertaining to the Morris Creek Public Service District. The Commissioners approved and signed Resolution and Order appointing Mr. Robert Hudnall and Mr. Franklin Brown to the Morris Creek Public Service District.

The Commissioners reviewed letter from Firestone regarding Fayette County Memorial Building roof repairs. The letter stated that Firestone did not feel totally responsible for the wet substrate condition and should not be expected to shoulder the complete burden for system replacement. The letter states what they will be responsible for.

President Carte informed he felt the Commission should go ahead with litigation. Administrator Charlotte Holly is to ask Assistant Prosecuting Attorney Carl Harris to respond to letter.

The Commissioners reviewed letter from Mr. Harris concerning a Zoning Hearing scheduled for today of Browning Lumber Company.

The Commissioners signed order reappointing Woodrow Brent Walker to the Deepwater Public Service District.

The Commissioners also signed order appointing Paige Skaggs to the Fayette County Board of Health.

The Commissioners reviewed letter from Helicon Corp. notifying of hearing scheduled on 9/30/93.

Dog Warden Report for the month of August, 1993 was presented and reviewed.

The Commissioners gave approval for President Carte to attend Seminar - Wills Estates & Probate on October 22 - 23, 1993 in Morgantown.

County Clerk Kelvin Holliday was present and requested permission for Linda Johnson to attend this also. This was approved.

The Commissioners reviewed letter from Judge John W. Hatcher, Jr. concerning Bailiff/Court Security Training.

The Commissioners reviewed letter from W. D. Smith from Region 4 Planning and Development Council enclosing copies of Statewide Transportation Improvement Program (STIP) that involves Fayette County.

The Commissioners received and reviewed audit report for fiscal year ending June 30, 1993 from Boomer Volunteer Fire Department, Inc.

The Commissioners received and reviewed notice from Lane Dobbins with Georgia-Pacific informing that Georgia Pacific Corp. plans to begin construction of a new oriented strand board plant in Fayette County.

The Commissioners reviewed copy of letter to Kelvin Holliday from Sheriff Laird informing of employment of Correctional Officer David Brian Crist.

The Commissioners reviewed copies of letters from County Clerk Kelvin Holliday to Sherry Davis and Barbara Coffey inquiring about their availability to work part-time.

Administrator Charlotte Holly informed of speaking to Ted Boggess concerning Dental Insurance for county employees. This will be discussed further on the meeting scheduled for September 14th, 1993.

The Commissioners reviewed letter from William F. Spence to Mr. Clarence Bandy concerning the New Haven Public Service District.

The Commissioners met with G. Lee Massey and Guy Dooley with the Fayette County Planning Commission. Kathy Lencio and Jim Lively, Jr. were present.

The Commissioners discussed re-advertising request of A. L. Browning Lumber Co. to change to Planning and Development. This would allow for an on-site inspection.

Mr. Massey informed that the Planning Commission did vote 8 - 0 to deny this request. After discussion, Commissioner John H. Lopez offered motion to uphold the Planning Commission's decision to deny this request. Motion was seconded by Commissioner John Witt. Vote passed unanimously.

The Commissioners heard request Z-378-93-1: Request of Philip K. Or Rose Ann Farley, owners, for a change in land clasification from R-2, Residence District, to I-1, Light Industrial District, on Lot 89, Section 3, Adena Villiage, Mt. Carbon, Valley District.

Mr. Massey informed the Planning Commission voted 10 - 0 to approve. Commissioner John H. Lopez offered motion to approve as recommended by the Planning Commission. Motion was seconded by John Witt and passed unanimously.

Cases Z-379-93-4 and Z-380-93-1 were withdrawn.

The Commissioners discussed the telephone problem the Court House had experienced. Commissioner Lopez requested checking to see what the problem could have been with AT&T to make sure it did not happen again.

The Commissioners met with Guy Dooley and Bud Hill concerning a Professional Grant Writer to assist the Fayette Transition Team. Mr. Hill reported that Dr. Carrier at West Virginia Tech informed of hiring a professional grant writer who may help the county. Mr. Hill requested the Commission commit \$3,000.00 for her services.

Commissioner John H. Lopez offered motion to approve the \$3,000.00 for the grant writer's services. Commissioner Witt seconded. Vote was unanimous.

T. E. Myles appeared before the County Commission informing that he plans to resign as General Receiver for the County. The Commissioners had written Mr. Myles a letter concerning this after auditor informed of reports being filed incorrectly. Mr. Myles informed he has filed reports the way he feels they should be filed. He informed he has asked Judge Hatcher to look for replacement.

Attorney T. E. Myles appeared before the Commission with petition of Jonathan E. White to be appointed Committee for Phillip S. White.

Mr. Jonathan E. White was questioned. Attorney Paul Clay was approved guardian et litem and his report was filed.

Commissioner John Lopez offered motion for appointment. Commissioner John Witt seconded. Vote was unanimous. Bond was set in the amount of \$500.00.

The Commissioners met with Attorney Jamie Blankenship with petition of Ann Gilmore to be appointed Committee for Kathryn M. Scott. Ms. Gilmore was questioned. Attorney Jim Keenan was approved guardian et litem and filed report. Commissioner John Lopez offered motion for approval of appointment. Commissioner John Witt seconded. Motion passed unanimously. Bond was set in the amount of \$500.00.

The Commissioners met with Danny Ellis with the West Virginia Public Service Commission and Bobby Gee, Tom Louisos, Delegate, Mary Gee Ref Settle, Mabb Harvey, Billie Jo Wriston, Kenneth B. Fox, Barton C. Jackson and Attorney Phil Tissue concerning complaints from citizens of the Page-Kincaid Public Service District.

The Commissioners listened to complaints of the citizens and response from Mr. Ellis, Delegate Louisos and Attorney Phil Tissue. The Commissioners informed that the Public Service District should provide the citizens with monthly financial reports, and should look for suitable space for meetings. Mr. Ellis informed he would be glad to attend the district's monthly meetings.

The Commissioners met with Tim Richardson, Delbert F. Cordle, Jackie Gravley, Tom Oxley, Bruce Coleman, Micah Feltner, E. G. Larrick, Steve Cruikshank, Sheriff Laird and Assessor Tom Aiello concerning distribution of extra fire levy monies.

President Carte informed that the County Commission had concerns about the distribution of the fire levy funds. He informed that the Commission would like to take time to look at the entire picture to ensure cities that they do have good communications.

President Carte informed a meeting will be scheduled with the fire departments to discuss this further.

Commissioner John H. Lopez offered motion to approve grants in the amount of \$3,350.00 from E-911 funds to the Town of Fayetteville, City of Oak Hill, Town of Mount Hope, City of Smithers, City of Montgomery, Town of Gauley Bridge, and Town of Ansted for the exclusive purpose of offsetting the initial purchase price of ultra high band radio equipment for E-911 communications.

The Commissioners discussed the retirement of Lawrence White from the Maintenance Department. The Commissioners authorized Administrator Charlotte Holly to interview for this position.

Administrator Charlotte Holly requested permission to attend Labor and Employment Law Seminar on September 21, 1993. This was approved.

She also reported of meeting concerning 1990 Census on ✓
She was given permission to attend this also.

Administrator Charlotte Holly presented information concerning monthly collections for month of July, 1993 of Emergency Telephone System in the amount of \$27,801.29. A list of refusals to pay was also presented.

The Commissioners reviewed Resolution for the Page-Kincaid Public Service District. Administrator Charlotte Holly reported she understood this agreement was to allow the district to execute a line of credit with One Valley Bank for financing the final phase of construction of the Beards Fork Project.

Commissioner John Witt offered motion to approve Resolution. Commissioner John Lopez seconded. Vote was unanimous.

The Commissioners received and reviewed letter from Douglas M. Ritchie with complaints about Holiday Inn in Oak Hill.

Commission President Gene Carte informed he felt the hours should be reduced at the switchboard. Currently the hours are 7:30 A.M. to 7:00 P.M.

Commissioner John Witt informed he felt the Commission had decided to try the hours for a certain period of time and then to review.

Commissioner John Lopez informed he felt the Commission should leave hours as they are now until October 1, 1993. The Commission will review telephone records to see how many calls are coming in. Commissioner Witt agreed with this.

Administrator Charlotte Holly informed of meeting with Judge Hatcher and Ted Philyaw concerning computerizing the Circuit Clerk's office.

Commissioner Lopez informed to notify Circuit Clerk that this will be looked at in next years budget.

Administrator Charlotte Holly reported of being contacted by Earl Pauley concerning scheduling at the Park. The Commissioners informed they would discuss this at the next meeting.

Administrator Charlotte Holly reported of receiving approval of inspection of Cliftop Water. The Commissioners approved to release funds for work. A letter was signed to One Valley Bank requesting the disbursement in the amount of \$2,945.70 from the Fayette County Project Account Subaccount established for Raleigh, Fayette, and Nicholas Counties, Municipal Collateralized Mortgage Obligation Bonds, Series 1990B.

The Commissioners reviewed letter from Dyan Brasington, Executive Director for WV Development Office enclosing guidelines for Local Economic Development Grants for FY 1993-94.

Monthly meeting of the Board of Directors of Deepwater Public Service District minutes were received for month of August, 1993.

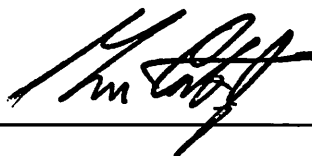
The Commissioners reviewed letter from Jerry A. Knight of the WV State Tax Department concerning inquiries made at the Tax Commissioner's Annual In-Service Training.

The Commissioners reviewed Memorandum of Invitation to Community Capacity Building Meetings to be held 9/20/93, 9/21/93, 9/27/93, 9/28/93 and 10/4/93, 6:00 - 9:00 p.m. at the American Legion Hall in Fayetteville.

Lease Agreement for Parole Officer Space was approved and signed to the Division of Corrections.

A letter from Steptoe and Johnson addressed to The Smart Group, A.C. was received and reviewed concerning Michael Scott McCormick v. William R. Laird, IV Civil Action No: 5:93-0008.

The meeting was adjourned. Next scheduled meeting September 14, 1993.



9/8/93

FCC

Tim Richards

Duffell F. Coode

John Haley

Tom OXLEY

Bruce Coleman

Michal feltner

E. G. Parvick

Steve Cruikshank

Sheriff Laird

Assessor Aiello

9/8/93

11:30 p.m.

Bobby Lee

Tom Johnson

Mary Gee

Ref. Smith

Mable Harvey

Billie Jo Whiston

Kenneth B. Fox - Chairman, Page Kincaid, P.S.D.

Nanny Ellis, Public Service Commission

Barton C. Jackson - Chief Oper. Page Kincaid P.S.D.

Phil Justice

FAYETTE COUNTY COMMISSION

REGULAR SESSION

OCTOBER 6, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 6th day of October, 1993.

Administrator Holly presented to the Commissioners invoice for \$550.00 to Penny Crandall, Director, Family Law Master for rent for the month of September, 1993.

The Commissioners received/reviewed and signed Fire Protection Agreement from Smithers Volunteer Fire Department.

The Commissioners received and reviewed invitation from Aubrey Riner, Chairman of the Southern Soil Conservation District inviting the Commissioners to attend the annual awards dinner on Thursday, October 21, 1993 at 5:30 p.m at the Shady Spring High School Cafetorium. No one will be attending.

Administrator Holly informed Commissioners Billy Blake will be on vacation for one week. Bert Horrocks with the Fayette Humane Society had been informed.

The Commissioners received and reviewed letter from the Prosecuting Attorney's Office requesting that \$2,000.00 be paid to the Fayette Engineering Company for work done in a criminal case, this is to be paid from the Investigation and Detection of Crime. This was approved.

The Commissioners received and reviewed letter from Citizens Advisory Board informing the Commissioners of meeting on October 12, 1993 at 4:00 p.m. in the front lobby of the Southern Regional Juvenile Detention Center. No one to attend.

The Commissioners received and reviewed 1st Quarterly Report 1993-94 from Boomer Volunteer Fire Department.

The Commissioners received and reviewed "Notice to Take Plaintiff's Deposition" in the case of Tex Koch, Jr. v. The Fayette County Commission on Tuesday, November 16, 1993 at 10:00 a.m.

The Commissioners received and reviewed letter from the Agency for Toxic Substances and Disease Registry (ATSDR) Petitioned Public Health Assessment Addendum-Public Comment Release for the Shaffer Equipment Company, dated September 27, 1993.

The Commissioners received and reviewed letters from the City of Oak Hill regarding the Fire Levy Allocations/Fleet Equipment Purchases.

Administrator Holly presented to the Commissioners update on the progress of the Mulberry water line extension project.

The Commissioners received and reviewed list of "refusals to pay" associated with the Emergency Telephone System for the month of August, 1993.

Administrator Holly presented letter from Thomas Aiello,

Assessor regarding payroll changes effective October 1, 1993 for Buren Renick and Mary K. Weatherford \$75.00 a month, Don Hogan and Ernie Burleson \$60.00 a month.

The Commissioners received and reviewed Audit Report for Ansted Certified Fire Department, Inc.

Administrator Holly informed the Commissioners she had talked with Carl Harris, Assistant Prosecuting Attorney regarding the roof problems at the Memorial Building. Ms. Holly presented copy of follow-up letter Carl mailed on September 29th to Firestone Building Products.

The Commissioners received and reviewed letter from David Neal, E-911 Coordinator to the West Virginia Department of Corrections requesting reimbursement for overtime incurred during the escape and subsequent manhunt of Craig Swick and Billy Jo Hottle.

The Commissioners received and reviewed Dog Warden Report for the month of September.

The Commissioners received and reviewed letter from the Department of the Interior Bureau of Land Management informing that as a result of technical difficulties with their computer system, the recent payments dated September 27, 1993, under the payment in lieu of taxes (PILT) Program was mailed with an incomplete explanatory card.

The Commissioners received and reviewed letter from the

West Virginia State Tax Department recommending that a tax relief be made on the mineral rights of Joe Moreau. Discussion was held. The Commissioners decided to except the recommendation of the State Tax Department. Order to be typed.

The Commissioners received and reviewed letter from the Division of Highways advising the Commissioners that a \$500,000 contract was recently awarded to West Virginia Paving for the completion of paving on Fayette County Route 61/24, Armstrong Creek Road.

The Commissioners received and reviewed letter from Campbell, Woods, Bagley, Emerson, McNeer and Herndon attorneys for Eastern Hardwoods, Incorporated Project regarding exercising its option to acquire the real estate, fixtures and equipment which were financed through the bond issue.

Administrator Holly informed Commissioners that Paul Blake Prosecuting Attorney is in the processing of preparing deed.

Administrator Holly informed the Commissioners she had talked with Earl regarding 3 county vehicles which are junk cars need to decide how to dispose of. It was suggested that Ms. Holly call Department of Motor vehicles.

Administrator Holly informed Commissioners that letter mailed to Olivia Stone regarding clean up of property had been returned undelivered. Sent legal ad to paper. Copy of legal ad mailed to Ann Skaggs.

Administrator Holly informed Commissioners that at the last meeting it was approved to adopt policy regarding absentee ballots. Ms. Holly informed Commissioners she checked the code it has to be in effect 90 days before the election and filed with the Secretary of State Office.

The Commissioners informed they will be meeting on November 24, 1993 before the Thanksgiving weekend.

The Commissioners asked Herb Mann to give them an update on the roof repairs in his office. Mr. Mann informed he had talked with Allstate Roofers 2 weeks ago was informed the foreman would get back in touch with him.

Commissioner Witt informed the Commissioners this would be a good time to start work in court room and bathroom since Judge Hatcher is out of town.

Administrator Holly informed the Commissioners that Judge Hatcher had called Lois to see if courtroom was being used. Discussions was held regarding the repairs. Commissioners Lopez and Witt approved of stripping in the court room and fixing tile in bathroom. Commissioner Carte voted no on stripping and tile.

Administrator Holly presented letter to the Commissioners from Herb Mann dated January 6, 1993, did not receive until October 6th, regarding appointing of two Emergency Special Election Commissioners to serve for this calendar year. H. P. "Paul" McGraw and H. E. "Shorty" Shawver.

Attorney Jim Billings appeared before the Commissioners to file Appraisals in the Estate of Marjorie Courts.

Ann Skaggs appeared before the Commissioners with update on clean-up of properties. Informed the Commissioners Jack Clark is working on clean up. Suggested to the Commissioners that letters to appear before the Commissioners be sent out to Randolph Miller, Roy Miller, Steve Campbell and Lee Massey.

The Commissioners approved of sending letters to Randolph Miller, Roy Miller and Steve Campbell. Commissioner Carte informed he would talk with Lee Massey.

Commissioner Carte informed he had talked with Judson Wallace regarding getting 3 to 4 tables and chairs, playground equipment for Deepwater Park. Discussions was held. It was suggested that Judson Wallace check with Rick Powell at the Board of Education to see if any of the schools might have playground equipment and 3 to 4 tables and chairs to donate.

The Commissioners received and reviewed letter from Steptoe and Johnson regarding the McCormick v. Larid and McGuffin v. Holliday.

The Commissioners received and reviewed letter from CNA acknowledging receipt of the Summons and Complaint filed in Circuit Court of Fayette County, styled Barbara Allen McGuffin v. Kelvin Holliday.

The Commissioners received and reviewed letter from James

Keenan, Attorney regarding McGuffin v. Holliday. Copy forwarded to the Prosecuting Attorney's Office.

The Commissioners received and reviewed Audit Report of White Oak Public Service District for fiscal year ended June 30, 1993.

Commissioners Carte suggested the County apply for a Land and Water Conservation Grant to build handicap toilet and recreation hall excessibility for the handicap at the Fayette County Park.

Prosecuting Attorney Paul Blake appeared before the Commissioners informing he had talked with Eastern Hardwood on corrections or suggestions that he had regarding deed.

Attorney Paul Blake requested to the Commissioners they purchase monitoring equipment for his personal vehicle with radio to receive telephone calls in case of emergency.

Commissioner Lopez moved they purchase monitoring equipment for Prosecuting Attorney's personal vehicle. Amount \$724.10. Commissioner Witt seconded. All approved.

President Carte moved for the Commissioners to go into Executive Session with Paul Blake regarding personnel matter.

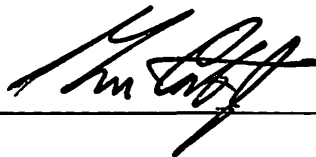
The Commissioners returned from Executive Session. Commissioner Carte informed no action was taken in personnel matter.

The Commissioners received and reviewed copy of letter from King, Betts and Allen to The Smart Group, A.C. regarding repre-

sentation in matters affecting the Commission for the fiscal year ended June 30, 1992.

The Commissioners received and reviewed application from Southern Public Service Company for gas service at the Deepwater Park.

The meeting was adjourned. Next scheduled meeting is October 15, 1993.



FAYETTE COUNTY COMMISSION
REGULAR SESSION
OCTOBER 15, 1993
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Gene Carte, Jr., John H. Lopez

The Fayette County Commission met in regular session on this 15th day of October, 1993.

Payroll and outstanding bills were approved.

Steve Cruikshanks and John Vernon appeared before the Commission with their recommendation from the Fayette County Firefighters Association regarding the Fire Levy Allotment/Fleet Equipment purchase. Discussion was held, but due to the absence of one of the Commissioners, President Carte suggested delaying decision on Association recommendation until next meeting October 27th.

Earl Pauley appeared before the Commissioners requesting the Commissioners purchase vacuum cleaner for 911 Center. Amount \$440.00 for the 911 Center. This was approved.

Earl informed the Commissioners he needed full time employee at park. Discussion was held. It was moved and seconded that full time employee be hired at park.

Earl presented to the Commissioners a report of the cost of maintenance bills for work done on county cars. It was suggested he get together with Sheriff and go over the cost. President Carte suggested Ms. Holly attend. The Commissioners also received from Earl a list of work and projects for park.

Letter was signed to Gerald K. Chandler, President, Master Telecable, Inc. regarding revised proposed nonexclusive cable

television franchise agreement.

The Commissioners signed order giving county vehicle to the Fayette County Vo-Tech Center.

The Commissioners signed letter to Deepwater Public Service District accepting recommendation dated September 27, 1993 and a rescinding letter dated September 22, 1993 reappointing Woodrow Brent Walker to the Deepwater Public Service District.

The Commissioners signed letter to One Valley Bank regarding a requisition for the disbursement in the sum of \$1,082.10 from the Fayette County Project Account Subaccount.

The Commissioners approved and signed exonerations for real and personal property.

Administrator Holly presented to the Commissioners a list of Polling Places for Special Election being held December 4, 1993. This was approved.

The Commissioners approved invoices to Town of Gauley Bridge, Town of Fayetteville, City of Montgomery, Town of Ansted for \$3,350.00 for the exclusive purpose of off-setting the initial purchase of ultra high band (UHF) radio equipment for 911 Communications.

The Commissioners received and reviewed letter from Mountain Vending, Inc. informing of an increase of \$.05 cents per item for candy and pastry in machines at courthouse.

The Commissioners received and reviewed letter from the West Virginia Eyecare Center.

The Commissioners received and reviewed copy of the Deepwater Public Service District Sewer Extension application package

for financial assistance prepared by Region 4 Planning and Development Council.

President Carte signed letter to Charles Moore informing of hearing concerning the residency of Gary Ewing scheduled at 1:15 p.m. on Wednesday, October 27, 1993 in the Fayette County Commission office.

The Commissioners received and reviewed copy of letter from Sheriff Bill Laird regarding damages to Deputy Dancy's vehicle.

The Commissioners received and reviewed copy of Annual Report from Mountain Resources Conservation and Development Area, Inc.

The Commissioners received and reviewed letter from the Department of the Army informing the annual inspection of the Paint Creek Flood Protection project at Pax was completed on September 29, 1993.

The Commissioners approved for Commissioner Witt to attend the Fall Quarterly Dinner meeting on Wednesday, October 20, 1993 at the County Road Inn.

The Commissioners received and signed maintenance agreement for Lanier Copy, Model #6215.

The Commissioners received and reviewed letter from the County Commissioners Association informing Commission the Southern Regional Jail in Raleigh County is scheduled to begin receiving prisoners in the summer of 1994. The Greenbrier County Commission is inviting the Commissioners to attend meeting on November 18, 1993 at the Greenbrier County Courtroom at 1:00 in order to begin preparing for changes. Copy of letter for-

warded to Sheriff.

The Commissioners received and reviewed copy of Certification of Project Completion from Page-Kincaid Public Service District regarding Grant #91-92CPGP00, Project #92CPGP0201, \$46,000 Community Partnership Grant, Mulberry, Second Mile.

Administrator Holly informed Commissioners she received Audit Report from The Smart Group and found several corrections the auditor needed to make. Ms. Holly informed Commissioners report would be revised.

Administrator Holly presented to the Commissioners for their signatures deed and bill of sale to Eastern Hardwoods, Inc.

Commissioner Lopez moved to approve bill of sale and deed to the Eastern Hardwood, Inc. Commissioner Carte seconded.

The Commissioners received and reviewed copy of Page-Kincaid Public Service District Annual Audit for fiscal year ending June 30, 1992 and copy of the annual budget for 1994.

The Commissioners received and reviewed from the City of Montgomery Oath of Office Certificate for Raymond E. Hudnall.

The Commissioners received and reviewed letter from C & P Telephone Company informing the Commissioners that the Federal Communication Commission (FCC) has allowed C & P Telephone to offer telephone equipment and enhanced services.

The Commissioners received and reviewed letter from Public Service Commission appointing Joe Myers to the Fayette County Solid Waste Authority.

The Commissioners received and signed letters to Randolph

Miller, Roy Miller and Steve Campbell requesting they appear on November 3, 1993 regarding clean-up of property.

The Commissioners received and reviewed introduction letter from Randy Schoonover new Senator for the 11th Senatorial District.


The Commissioners received and reviewed letter from State Emergency Response Commission regarding tier two filing fee for reporting year 1993. Copy given to Steve Cruikshanks.

The Commissioners received and reviewed letter from Attorney James Billing regarding New River Catering, Inc.

The Commissioners signed order transferring 1980 Chevrolet truck to the Fayette County Board of Education.

The Commissioners received and reviewed copy of letter from the State Tax Department concerning the coal rights on the 833.85 acre mineral tract.

The meeting was adjourned. Next scheduled meeting is October 27, 1993.



FAYETTE COUNTY COMMISSION

REGULAR SESSION

OCTOBER 27, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 27th day of October, 1993.

Administrator Holly informed the Commissioners Gloria Bozo will be attending the West Virginia Geographic Information Systems Conference on November 18-19. Ms. Holly informed the Commissioners she felt David Neal, Steve Cruikshank and herself should attend since there were several topics on agenda that might benefit their department.

The Commissioners approved for David Neal, Steve Cruikshank, and Charlotte Holly to attend West Virginia Geographic Information Systems Conference on November 18-19.

Letter authorizing Gloria Bozo to charge her room, meals, room guarantees and parking fees at the Conference was signed.

The Commissioners received and reviewed invitation to Gauley River Public Service District inviting them to the dedication ceremonies on Tuesday, November 9, 1993 at 11:00 A.M. at the Dixie Grade School. Will be attending.

The Commissioners signed letter to Kelvin Holliday, Clerk informing effective November 1, 1993, Daniel Pauley will be employed by the Fayette County Commission on full time basis as a mechanic/park maintenance employee, at a monthly salary of \$1,300.00 plus benefits to be paid from General Fund.

The Commissioners reviewed and signed clean-up letters to Kanawha Gauley Coal and Coke Company, c/o W. R. Coal Company and

reviewed and discussed clean-up letter to William Bee. Discussion was held regarding property. It was decided this would be discussed further at 10:30 with Gary Harding, Zoning Officer.

The Commissioners reviewed and signed letter to Penny Crandall, Director Family Law Master for rent for the month of October.

Administrator Holly presented to the Commissioners copy of Auditors Report for the County for the fiscal year end June 30, 1992 from the Smart Group. Ms. Holly informed copies has been delivered to each elected official. Invoice of balance of Audit was submitted and approved. Amount \$3,950.10.

Administrator Holly informed the Commissioners she received letter form Tom Bell regarding reappointments of Board Members to the Fayette County Historic Landmark Commission.

The Commissioners signed orders reappointing Pat Phillip Wendell, Daniel Wright, Christine Beckelheimer, George Bragg, and Tom Bell to the Fayette County Historic Landmark Commission.

The Commissioners signed 3 Orders regarding request for Tax Relief; (1) Clyde Dowdy request for exoneration of property tax denied. (2) Joe Moreau request for exoneration due to clerical error was approved and Joe and Lou Henri Moreau each be afforded tax relief for tax year 1993 in the total amount of \$1,716.64 each in the form of an exoneration. The Commissioners decided to hold Pennzoil Products order until they talk with Tom Aiello, Assessor.

Administrator Holly presented to the Commissioners proposal from Software Systems, Inc. regarding upgrading computer system to include Circuit Clerk Office. Cost would be \$76,771.00. No

decision was made on proposal.

Administrator Holly informed the Commissioners she and Steve Cruikshank met with Ed Nicklow with Corps of Engineer to check Paint Creek Flood area. Ms. Holly and Steve suggested removal of brush along side of creek and other debris could be cleaned up by Larry Parsons and clean up crew. Steve is to talk with Department of Natural Resources. Ms. Holly to check with Mayor Gary Ewing this afternoon.

Administrator Holly informed the Commissioners back in June they had approved to purchase chairs for witness room at Annex informed before chairs could be delivered charges of \$150.00 pre-payment had to be received. This was approved.

Administrator Holly presented to the Commission estimates from Bud Fox's Body Shop--\$330.10, Cardinal Auto Center--\$994.40, and King Coal Chevrolet Company--\$379.80 for repairs on Deputy Godsey vehicle. The Commissioners approved repairs be done by lower bid--Bud Fox's Body Shop.

The Commissioners received and reviewed report from Deepwater Public Service District for the month of September.

The Commissioners received and reviewed list of "refusals to pay" associated with the Emergency Telephone System for the month of September, 1993.

Discussion was held regarding the Allocation/purchase for the Fire Department. Commissioner Lopez made motion to except Firemen Association recommendation. Commissioner Witt seconded. All approved. Vote passed 3-0.

Administrator Holly informed the Commissioners she received

literature from Pitney Bowes regarding updating of postage machine for County. It was approved Ms. Holly get prices on postage machine.

Administrator Holly presented to the Commissioners an original of a license agreement for the Mountain line crossing Appalachian Land Company. Ms. Holly informed Prosecuting Attorney's Office was sent copy for their review. Attorney Carl Harris informed the Commission nothing in agreement guaranteeing continued use or availability of right of way.

Administrator Holly informed the Commissioners Frances Webb had called requesting a couch for lounge at Annex. This was approved.

Ms Holly passed information on to the Commissioners regarding resampling at the Shaffer Equipment site from Pat Gaughan with Environmental Protection Agency.

The Commissioners received and reviewed complaint from Joseph Tuholsky regarding cablevision hook up fee to his home. Copy of complaint forwarded to Mary Collins with West Virginia Cable Television.

Ms. Holly informed Commissioners she sent out revised Cable contract agreements to the different franchises. Have not heard from any of them.

The Commissioners received and reviewed letter from Attorney John Taylor regarding request for a PPD Examination for Dovie Christian.

The Commissioners received and reviewed equipment lease purchase agreement #93115 from Motorola Credit Corporation.

The Commissioners received and reviewed copy of letter Attorney Harris sent to Firestone Products Company. Carl informed Commissioners they did not need to advertise for additional work on roof. Carl informed warranty same as before.

Ms. Holly informed the Commissioners estimated amount of Coal Severance Fund was up slightly, but did not know amount.

Ms. Holly informed the Commissioners advertised on October 15th for purchase and installation of dual PC database operation for the Callers Address Location System ("CALLS") for Enhanced 911 Telephone System. Received bids from Corley's Consulting Service--\$7,294.95 if prepaid cost would be \$6,284.39, Computerland--Proposal A-\$13,957.52, Proposal B-\$9,517.52, Computer Care, Inc.--\$6,342.00.

The Commissioners approved to purchase equipment from Corley's Consulting Service and approved to prepay for discount.

Commissioner Witt questioned voucher to The Music Shop. Mr. Witt asked Ms. Holly to check into purchasing of equipment for County.

Gary Harding, Zoning Officer and Bill Light with Division of Highways appeared before the Commissioners regarding the proposed amendment and re-enactment of Article XIV, Section 1400, Subsection 2 In Agricultural and Rural Residence Districts R-R and R-R 1 only.

The Commissioners was informed by Gary, the Planning Commission did by a vote of 8-0 recommend that this amendment be approved. After a brief discussion motion was made by

Commissioner Witt this amendment be approved as recommended by the Planning Commission. Commissioner Lopez seconded. All approved. Vote passed 3-0.

The Commissioners asked Mr. Harding if he would check property of William Bee. Mr. Harding informed the Commissioners he sent notices to Mr. Bee, the Commissioners were also informed by Bill Light of the Department of Highways they had also sent notices through the Magistrate Court to Mr. Bee.

Attorney Toad Conrad introduced new Attorney Thomas K. Fast to the Commissioners.

Attorney Fast appeared before the Commissioners regarding the removal of Michael Edwin Cales from the Estate of Virginia Mae Cales and appointing another Administrator in his place. Warren Lee Cales was sworn in and questioned. After a brief discussion the Commissioners appointed Mr. Cales as Administrator of the Estate. The Commissioners made motion that an order be sent to Michael Edwin Cales informing him of his removal as Administrator of the Estate of Virginia Cales and that he file within 20 day of receipt of the order a final settlement of his Administrative activities in connection with the Estate.

Attorney Wilbert Payne appeared before the Commission with Petition to dissolve Committee Appointment for Bruce Hizer. Betty Blume is appointed Committee for Hizer. Attorney Payne presented affidavit from Dr. Ramesh Shah stating that Bruce Hizer is competent to manage his financial affairs. T. E. Myles appeared before the Commission for Ms. Blume informing the Commission that she did not receive notice of hearing today. After

a brief discussion it was decided to reschedule for November 24th at 11:00 a.m.

Payroll and outstanding bills were approved.

Robert Horrocks appeared before the Commissioners with a decision entered on October 15, 1993 by the Public Service Commission order in part the purchase and installation of a 6-inch master water flow meter in Winona Water System. Mr. Horrocks requested that the Commissioners grant funds to the Winona Water Association in the amount of \$1,806.40 for the purchase and installation.

Commissioner Lopez made motion to grant \$1,806.40 to Winona Water Association to purchase and install a 6-inch master water flow meter. Commissioner Witt seconded. All approved. Vote passed 3-0.

The Commissioners received and reviewed letter from Manford G. Stone regarding notice in Fayette Tribune of Olivia Stone Property. Copy sent to Carl Harris, Assistant Prosecuting Attorney to review.

The Commissioners received and reviewed statistics reflect responses dispatched thru the E-911 Center to respective resource agencies during September 5-18 and September 19-30.

The Commissioners received and reviewed letter to Page-Kincaid Public Service District from Committee for Equal and Proper Representation requesting visit for the purpose of reviewing financial records.

The Commissioners received and reviewed resume of Janice M. Malay.

The Commissioners received and reviewed letter from Department of Administration regarding stamping "Approval for One Fiscal Year" on their leases.

The Commissioners received and reviewed letters from concerned citizens regarding funding from the Abandon Mine Lands Program.

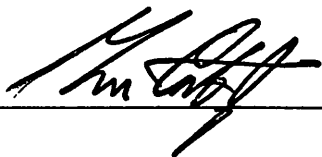
Ms. Holly informed Earl had talked with her regarding checking into purchasing dump truck for park. The Commissioners asked Ms. Holly to advertise.

Commissioners Witt suggested sending letters to each Elected Officials regarding "dutch treat" luncheon at Kelly's Corner on November 15th at 12:00.

Gary Ewing appeared before the Commission regarding a Petition filed by Charles Moore regarding his residency in the City of Pax. Mr. Charles Moore the petitioner did not appear. Assistant Prosecuting Attorney Carl Harris was present.

The Commissioners decided since no evidence had been presented by the Petitioner, Commissioner Witt made motion they except the findings of Kelvin Holliday, County Clerk, and Gary Ewing is a resident of Pax. Commissioner Lopez seconded. All approved. Vote passed 3-0. Ms. Holly is to prepare order.

The meeting was adjourned. Next scheduled meeting is November 3, 1993.



FAYETTE COUNTY COMMISSION
REGULAR SESSION
NOVEMBER 3, 1993
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 3rd day of November, 1993.

Administrator Holly presented to the Commissioners lease with Motorola to be signed.

The Commissioners signed letter to West Virginia Department of Commerce, Labor and Environmental Resources requesting an update regarding the status of Phase I Investigation Study for the Northern Fayette County Regional Water System.

The Commissioners signed grant to the Winona Water Association, Inc. for the purchase and installation of a 6-inch master water flow meter. Amount \$1,806.40.

The Commissioners signed order regarding the residency of Gary Ewing/Request for hearing by Charles Moore.

Administrator Charlotte Holly presented to the Commissioners for signatures request for reimbursement for Project Buckle Down. Project DTNH-22-92-Y1902. Amount \$20,215.00.

The Commissioners received and reviewed invoices and Lease Agreement from City of Mount Hope to receive grant of \$3,350.00 from E-911 funds for the purpose of off-setting the initial purchase price of Ultra high band (UHF) radio equipment for E-911 Communications.

The Commissioners received and reviewed copy of letter from Sheriff Laird informing the Deputy Sheriffs and Correctional

Officers the current coal strike will result in substantial reductions in coal severance tax collections for Fiscal Year 1993-94 the Sheriff is asking the Deputy Sheriffs and Correctional Offices to monitor and control the expenditures in the Department.

Administrator Holly informed the Commissioners that Linda Johnson needed 3 or 4 more carriers for Special Election and she needed to know whether or not the Election Workers would pick up ballot cans when picking up supplies or would the maintenance crew take cans to Polling Places.

The Commissioners informed Ms. Holly they would get back with Ms. Johnson regarding the carriers and the Election Workers would pick up ballot cans when picking up supplies.

The Commissioners signed Credit Application to Houchins Manufacturing Company.

Administrtor Holly presented voucher for chairs in witness room at Courthouse Annex. Amount \$1,440.00. Commissioners Carte and Lopez voted to approve. Commissioner Witt voted no.

Administrator Holly reminded the Commissioners about the Regional meeting prior to opening of Regional Jail which is at the Greenbrier County Courthouse, November 18, 1993 at 1:00 to 3:00 P.M.

The Commissioners received and reviewed letter from Bill Spence informing that on November 12th he will be monitoring Beards Fork Component/Page-Kincaid Public Service District Sewer Project.

The Commissioners received and reviewed check in the amount

of \$27,976.82 for the Emergency Telephone System for the month of September, 1993.

The Commissioners received and reviewed invitation from Kanawha Falls Public Service District inviting them to ground breaking ceremonies on November 12, 1993 at 9:00 at Valley High School.

The Commissioners approved for Charlotte Holly to attend Grantsmanship Training Program.

Commissioner Witt told Ms. Holly to get a list of the private phones installed for Elected Officials. Mr. Witt informed he had no problem with the private phones as long as the county is paying basic charges only.

The meeting for December 29th was cancelled.

Janet Zameila, Director of Fayette Seniors Program appeared before the Commission to give an update on the progress of the program.

Attorney Clinton Smith appeared before the Commission with petition for appointment of guardian for Wesley D. Jones. Mr. Jones was sworn in and questioned. Discussion was held. The Commissioners approved Delmas and Cheryl Dunlap guardian of Wesley D. Jones.

The Commissioners sent letters to Randolph Miller, Roy Miller, and Steve Campbell asking them to appear regarding the cleaning up of their properties.

Roy Miller and Randolph Miller did not appear. Discussion was held. Assistant Prosecuting Attorney Carl Harris informed the Commissioners that Gordon Billheimer is the attorney that

is handling the Crawford Estate and suggested that the Commissioners talk with him. Attorney Billheimer appeared before the Commission. Discussion was held. The Commissioners asked Attorney Harris and Attorney Billheimer to get with the heirs of the estate and see if they are willing to sell property since no one will take the responsibility of getting the property cleaned up.

Steve Campbell appeared before the Commissioners regarding clean-up of his property. Discussion was held. The Commissioners gave Mr. Campbell six months to tear the place down or fix it up.

Ann Skaggs appeared before the Commission requesting they send another letter to Lee Massey regarding cleaning up of his property. The Commissioners decided to send 2nd and final notice.

The Commissioners approved subject to an agreement with Sam Boardwine for Gary Montgomery with Pocahontas Land Company to timbering on lease property behind the Fayette County Park.

The Commissioners received and reviewed letter from Calvin S. Warner requesting adjustment in the assessed value of his coal gas, oil and mineral rights. Ms. Holly informed the Commission she would talk with Assessor Tom Aiello regarding this matter.

The Commissioners signed and approved waiver of rental fee of the Fayette County Memorial Building for concert on November 6, 1993 sponsored by the Fraternal Order of Police.

The Commissioners received and reviewed letter from C & P Telephone Company announcing Bell Atlantic's intent to merge with

Tele-Communications, Inc. and Libery Media Corp.

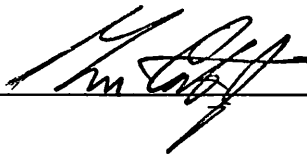
The Commissioners received and reviewed letter from Board of Education informing the following closed schools will be used for the election on December 4, 1993: Beards Fork Elementary School, Kimberly Elementary School, and Minden Elementary School.

James Lively appeared before the Commissioners informing the Commissioners the Fayette Plateau Business Development Corporation will be dissolving the Corporation.

Mr. Lively asked the Commissioners if they would be interested in purchasing 47.27 acres of land and in Glen Jean owned by the Corporation for \$10,000.00. After discussion and plan of distribution was reveiwed the Commissioners informed Mr. Lively they would review and get back in touch with Corporation before the stockholders meeting on November 22nd.

The Commissioners received and reviewed letter of thanks from AT&T Credit Corporation for purchase of business equipment.

The meeting was adjourned. Next scheduled meeting is November 15, 1993.



FAYETTE COUNTY COMMISSION
REGULAR SESSION
NOVEMBER 15, 1993
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 15th day of November, 1993.

Sheriff Laird appeared before the Commission with proposal regarding Medical Services for inmates at Jail. Sheriff Laird informed Commissioners the proposal is in compliance with Court Order. Discussion was held. The Commissioners approved concept, but ask Sheriff to draft letter to Prosecuting Attorney's Office for opinion. Pending until next meeting.

Commissioner Lopez made motion except for the courts on November 26th the court house will be closed on Thursday, November 25th and Friday, November 26th in observance of Thanksgiving. Commissioner Witt seconded. All approved.

The Commissioners received and reviewed monthly sales tax report for the month of October.

The Commissioners received and reviewed a copy of the West Virginia Assessment Ratio Study-Calendar Year 1992-Tax Year 1993.

The Commissioners received/reviewed and signed invoice to Division of Correction for monthly rent for Month of November.

Ms. Holly informed the Commissioners Fayette County Health Department is requesting for allotment for fiscal year 1993-94.

The Commissioners received/reviewed and signed letter to One Valley Bank for approval to replace lost certificate Number R-9652 dated 09/01/10 in the amount of \$5,000.00.

Ms. Holly informed Commissioners 3 openings exist on Building Commission. Prepared orders reappointing John L. Walker, William Skaggs, and Herb Jones. Commissioner Witt suggested to the Commission to review and act on at next meeting.

Commissioner Witt informed the Commission they would have to replace Paul Breuer on the New Haven Public Service District due to fact he reside in Mount Nebo.

Earl Paul presented proposal from Comfort Air, Inc. regarding receiving natural gas at Fayette County Park. Mr. Pauley informed it would cost approximately \$1,900.00 to install gas lines. Commissioner Witt made motion to ^{accept} ~~except~~ proposal to supply gas to Fayette County Park. Commissioner Lopez seconded but to find out if County own mineral rights. Ms. Holly informed would have to advertise for heating system.

Payroll and outstanding bills were approved.

The Commissioners approved to buy plaque listing names of the artist who done paintings on Court house walls.

The Commissioners discussed purchasing of property from Fayette Plateau Business Development Corporation for County Industrial Park. Commissioners asked Prosecuting Attorney's Office to do title search. Commissioner Witt made motion to purchase property pending title search. Commissioner Lopez seconded. Commissioner Carte opposed. Vote passed 2-1.

Ben Todaro appeared before the Commissioners for public hearing to consider and to receive written and oral public comment on transfer application for cable television franchise for Rifkin/CCG, Inc. to Rifkin Communication Partners, L.P. d/b/a

CableVision. No one appeared to oppose hearing. Commissioner Lopez made motion to approve transfer. Commissioner Witt seconded. All approved. Vote passed 3-0.

Ms. Holly informed the Commissioners, Steve Cruikshank need to hire a few part time workers due to turnovers of part time employees at 911 Center. Steve want to know whether or not he would have to have special committee to hire or can he and David just look through applications. The Commissioners informed Ms. Holly, Steve or David could go through application.

Commissioner Witt informed Voucher #106773 should not be paid. Discussion was held. Commissioner Lopez made motion to approve paying invoice, amount \$226.09. Commissioner Carte seconded. Commissioner Witt opposed. Vote passed 2-1.

The Commissioners received and reviewed statistics reflect responses dispatched thru E-911 Center during the period October 1-15 and October 15-31.

Ms. Holly reminded the Commissioners of meeting concerning the Solid Waste Digester Proposal being held on Thursday, November 18, 1993 at 1:30 p.m. Merchants National Bank.

Ms. Holly presented update of incoming calls for month of October. Discussion was held regarding changing of switchboard hours. Commissioner Lopez made motion to leave hours at switchboard same -- 7:30 a.m. - 6:00 p.m., monitoring until 1st of the year. Commissioner Witt seconded. Commissioner Carte opposed. Vote passed 2-0.

Ms. Holly informed she talked with Carl Harris regarding roofing at Memorial Building. Mr. Harris informed that two year

warranty for additional repairs was the best offer and the only offer Firestone would give. Mr. Harris informed weather permitting roofing repairs will began.

The Commissioners received and reviewed finalized version of the Community Capacity Building report.

The Commissioners received and signed renewal application for registration certificate for Fayette County Park/Pool.

The Commissioners received check in the amount of \$647.42 as a donation from the Montgomery Civitan Club.

The Commissioners received and reviewed information notice from the Internal Revenue Service regarding deposit requirements for 1994.

The Commissioners received and reviewed Dog Tax Report for the month of October.

The Commissioners received and reviewed copies of the hand-outs that were discussed at the 1993 Training Seminar from the Department of Tax and Revenue.

The Commissioners received and reviewed thank you letter from Ephraim Marsh Company for order of chairs for witness room at Courthouse Annex.

The Commissioners received and reviewed agreement from the City of Oak Hill for the excess fire levy for the period July 1, 1993 through June 30, 1994.

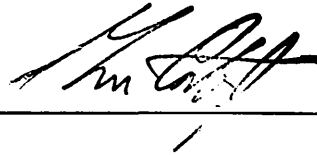
The Commissioners received/reviewed and approved contribution payment request of \$500.00 for fiscal year 93/94 to Retired Senior Volunteer Program (RSVP).

The Commissioners received and reviewed letter Sheriff Laird

and Paul Blake, Prosecuting Attorney regarding extradition expenses for Transportation of Prisoner.

The Commissioners received and reviewed letter from Sheriff Laird informing effective November 1, 1993 payroll adjustment for Eric S. Lilly.

The meeting was adjourned. Next scheduled meeting November 24, 1993.



FAYETTE COUNTY COMMISSION

REGULAR SESSION

NOVEMBER 24, 1993

COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 24th day of November, 1993.

Charles Toombs appeared before the Commission with letter regarding his reappointment to the Wolf Creek Public Service District. Mr. Toombs informed Mr. Bess would not sign letter. Discussion was held.

President Carte suggested to hold off on appointment until next meeting, December 8, 1993.

Ms. Holly presented to the Commission application for a permit to install or modify a small sewage disposal system for the Fayette County Park. Amount \$75.00. This was approved.

Commissioner Lopez presented to the Commissioners a bill from Sam's Club for the purchase of tables and chairs for Deepwater Park. Amount \$575.64.

Ms. Holly informed they would have to complete a business membership application. This was approved. Amount of membership \$47.70.

The Commissioners received and signed Fire Levy Fire Protection Agreement from Loup Creek Volunteer Fire Department.

The Commissioners signed letter to Penelope Crandall, Director with Family Law Masters requesting reimbursement for rent for the month of November.

Ms. Holly informed Commissioners she received check for

\$1,650.00 from family Law Masters for rents for the months of June, July, and August.

The Commissioners signed order regarding the need to substitute certain securities pledged on behalf of One Valley Bank said securities released.

The Commissioners signed order reappointing Russell Dearing to the Gauley River Public Service District.

The Commissioners signed resolution and order for transfer of a cable television franchise to Rifkin Communication Partners, L.P.

Ms. Holly informed the Commissioners the principal at Falls View School did not want xerox machine in County Clerk's office.

The Commissioners received and reviewed letter from the State Tax Commissioner certifying that Tom Aiello, Assessor has complied with the "assessor's additional duties. Entitles Mr. Aiello to supplemental salary of \$11,000.00. This was approved.

The Commissioners received and reviewed application for employment from Howard "Eddie" Keeney.

The Commissioners received and reviewed letter of reference for Eddie Keeney from Judge John Hatcher regarding possible employment.

The Commissioners received and reviewed Audit Reports from Mount Hope Volunteer Fire Department and Fayette Humane Society, Inc.

The Commissioners received and reviewed from Plateau Medical Center certificate of Insurance for American Healthcare Management, Inc.

The Commissioners received and reviewed letter from Public Service Commission regarding informal complaint #I930507W Committee for Equal and Proper Representation to Page-Kincaid Public Service District.

The Commissioners received and reviewed letter from Cleek, Pullin, Knopf, and Fowler regarding Koch v. Fayette County Commission, et al CNA File #42-12421B8.

Ms. Holly informed Commissioners Valley Emergency Medical Service is resubmitting grant application. Application submitted a month ago was returned needed a detail list of the equipment.

The Commissioners received/reviewed and approved payment of \$3,350.00 to the City of Smithers for the exclusive purpose of off-setting the initial purchase price of ultra high band (UHF) radio equipment for E-911 communications.

The Commissioners received and reviewed letters from Senators Randy Schoonover and Robert Holliday opposing to the \$10,000.00 the Division of Highways is asking the Bridge Day Commission to pay.

The Commissioners received and reviewed letter from Joyce Gibson, Assessor of Clay County regarding the transfer of real property from Fayette County to Clay County.

The Commissioners received and reviewed letter from West Virginia Association of Counties regarding Catastrophic Health Insurance for inmates.

Ms. Holly asked Commissioners if they were going to appoint someone to the Building Commission was told to hold off on appointment.

The Commissioners received and reviewed update letter from Division of Environmental Protection regarding Abandoned Mine Lands and Reclamation Grant.

Gary Harding appeared before the Commission with Case No. Z-382-93-1: Request of Stanley R. Pritt, Owner, for a change in land classification from R-R, Agricultural and Rural Residence District, to B-2, General Business District, on part of 8.665 acres, Turkey Creek, located on Route 60/23 near Ansted, New Haven District.

Mr. Harding informed the Commissioners that the Planning Commission met on this case on Monday and recommended by a vote of 7-0 that the request be approved for a Planned Development P-D Classification for the 28' x 36' building with one half acre around the building and access to the building for use as a welding shop only. Discussion was held. Commissioner John Lopez made motion to except the decision of the Planning Commission and change classification. Commissioner John Witt seconded. All approved. Vote passed 3-0.

Attorney Fast appeared before the Commission with petition requesting Sheriff William Laird be appointed Committee for Gertrude Barrino. Terry Thomas with Department of Human Services was questioned. T. E. Myles was appointed guardian et litem. This was approved.

Ms. Holly presented letter Attorney Carl Harris had received from Firestone Building Products Company regarding proposal for re-roofing of the Fayette County Memorial Building. Discussion was held. Commissioner Carte and Commissioner Lopez voted to

approve proposal. Commissioner Witt voted no.

Attorney Wilbert Payne appeared before the Commission with petition to dissolve committee appointment for Bruce Hizer. Mr. Payne felt the evidence he presented, an affidavit signed by Dr. Ramesh Shah was sufficient to dissolve committee.

Judy Oldaker, Field Representative with the Veteran's Administration and T. E. Myles was questioned, both objected to dissolving committee. Mr. Myles and Ms. Oldaker asked for a continuance until they receive deposition from Dr. Shah and report from Veteran's Administration. The Commissioners approved to continue.

Ms. Holly informed the Commissioners supplies for the Special Election will be given out on December 1st and 2nd from 8:00 to 4:00 p.m. The Special Election is December 4th, Ms. Johnson would like for the Commissioners and Election Workers to report at 7:00 p.m. Canvass is December 10th.

Ms. Holly informed the Commissioners that CableVision refused to sign contract because of a clause they would like to have taken out.

The Commissioners and Ms. Holly feel the clause should be kept in contract. It was approved that clause be kept in contract.

Attorney Harris informed the Commissioners Attorney Jim Stacy is still checking on Glen Jean property.

Payroll and outstanding bills were approved.

The Commissioners received and reviewed letter from Attorney Ralph Young regarding Acme Construction Company.

The Commissioners received/reviewed and approved to pay invoice for legal services rendered by King, Betts, and Allen.
Amount \$7,763.05.

The Commissioners received and reviewed copy of the Attraction Inventory of Partnership for Progress Area 5 from the Appalachian Tourism Research and Development Center.

Meeting was adjourned. Next scheduled meeting is December 8, 1993.



FAYETTE COUNTY COMMISSION
REGULAR SESSION
DECEMBER 8, 1993
COURTHOUSE
FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 8th day of December, 1993.

President Carte made motion to reappoint Charles K. Toombs to the Wolf Creek Public Service District. Commissioner Lopez seconded. Commissioner Witt opposed. Vote passed 2-1. Order signed.

Commissioner Witt introduced John Hunt and Judy Radford, Deputy Director of 4-C Economic Development to the Commissioners. Mr. Witt informed Mr. Hunt would give the Commission an overview of what has taken place in the Development.

Mr. Hunt gave review of what 4-C represents. Informed the the Commissioners of plans to do Spec Building on Glen Jean Property. Will check cost estimate for Water and Sewage in area. Informed he talked with the Environmental Protection Agency should have no problem. Mr. Hunt presented update of Georgia-Pacific Corporation.

Commissioner Lopez made motion that the Commissioners join the West Virginia Association of Counties. Commissioner Witt seconded. Commissioner Carte opposed. Vote passed 2-1.

Switchboard hours were discussed. Commissioner Lopez made motion to switch hours from 7:30 a.m.-6:00 p.m. to 8:00 a.m.-6:00 p.m. Commissioner Carte seconded. All approved.

Discussion was held regarding appointing some to serve on

New Haven Public Service District due to the fact that Paul Breuer reside in another county.

Commissioner Witt offered motion to except verbal resignation of Paul Breuer. Commissioner Lopez seconded. All approved. Vote passed 3-0.

The Commissioners signed order appointing Imogene Pennington to fill the unexpired term of Paul Breuer.

Discussion was held regarding location for canvass. Commissioner Lopez suggested using Court Room. Ms. Holly to check with Judge Hatcher's secretary.

Steve Cruikshank appeared before the Commissioners with an update regarding cleaning of creek at Paint Creek in Pax. Discussion was held. It was decided that clean-up start immediately. Mr. Cruikshank to get in touch with Sheriff regarding using clean-up crew.

Discussion was held regarding appointing an advisory board to the 911 Center. Ms. Holly and Mr. Cruikshank are to get information regarding appointing of a advisory board and get back in touch with the Commissioners between now and 1st of the year.

Mr. Cruikshank informed the Commissioners database is in the equipment at 911 Center.

Ms. Holly informed Commissioners she had met with Herb Mann and Robert Evans with Computer Data Systems regarding computer software for the Circuit Clerk's office.

The Commissioners received and reviewed Dog Tax Report for the month of November.

The Commissioners received and reviewed Auditor Reports from

Mount Hope Volunteer Fire Department, Nuttall Volunteer Fire Department, Gauley River Volunteer Fire Department, and Boomer Volunteer Fire Department.

The Commissioners received and reviewed minutes of the Deepwater Public Service District for the month of October.

The Commissioners received and reviewed copy of letter to the Division of Corrections requesting reimbursement cost for state inmates.

The Commissioners received and reviewed copy of letter to West Virginia Court of Claims regarding unpaid per diem costs for the period from December 10, 1992 through November 30, 1993. Amount of claim \$59,480.73.

The Commissioners signed legal holiday list for 1994.

The Commissioners received and reviewed letter from the WV Public Employees Retirement System regarding signing resolution deferring 4 1/2% mandatory employees contribution. The Commissioners voted no.

The Commissioners signed order appointing Gene Carte, Jr. as director to the Fayette County Public Defender Corporation.

Letter was signed to serve as certification that the Ansted Certified Fire Department, Inc. is currently an integral part of the County safety program to the West Virginia State Agency for Surplus Property.

The Commissioners received and reviewed letter from Public Improvement Council for Kincaid and Upper Page (PICK-UP) regarding participating in Governor's Summer Youth Program.

The Commissioners received and reviewed letter from the

Board of Risk and Insurance Management regarding CA #93-C-1157

Thomas L. Blair v. Fayette County Commission.

Attorney Jamie Blankenship appeared before the Commission with Committee Appointment for Cornelia Burton. T. E. Myles was appoint guardian et litem. Ms. Marilyn Johnson, petitioner was questioned. Commissioner Witt made motion to appoint Marilyn Johnson committee for Cornelia Burton. Commissioner Lopez seconded. Motion passed 3-0. Ms. Johnson is to post bond of \$35,000.00.

Ms. Holly informed Commissioners that 2 cable franchises, Helicon, MasterTelecable had signed agreements.

Ms. Holly informed she had talked with Ben Todaro regarding clause he wanted taken out of agreement. Discussion was held, it was decided that franchises have to be agreed upon by January 1.

The Commissioners met with Kelvin Holliday, County Clerk regarding changing the boundaries of precincts, to divide or consolidate precincts as practicable, and to change the location of any polling place whenever public convenience may require it, also the Commissioners intend to realign the boundaries of the New Haven, Valley, and Plateau Magisterial Districts. These actions are scheduled to take place at 9:30 a.m., Friday, January 14, 1994. (See attached public notices)

Outstanding bills were approved.

The meeting was adjourned. Next scheduled meeting is December 15, 1993.