

FAYETTE COUNTY COMMISSION
REGULAR SESSION
APRIL 7, 1999
COURTHOUSE
FAYETTEVILLE, WV 25840

The Fayette County Commission met in regular session on this 7th day of April, 1999.

The meeting was called to order at 9:40

Exonerations were approved and signed.

On a motion made by Commissioner Witt and seconded by Commissioner Lopez the Commission approved and authorized the adoption of a Resolution for Small Cities Block Grant Program Funds for updating the Fayette County Comprehensive Plan. Resolution signed.

Outstanding bills were approved.

The Commissioners signed Sales Tax Report for the months of February and March for the Fayette County Park.

The Commissioners signed questionnaire from the Auditor regarding the policies and procedures for conducting an audit.

The Commissioners received and reviewed fax from the National Association of Counties regarding the Payment in Lieu of Taxes (PILT) funding for Fiscal Year 2000.

The Commissioners asked Ms. Holly to check with Patty Hamilton to see if person attending would have to be a member of the National Association of Counties (NACO) and if County Administrators can attend. The Commissioners approved for Ms. Holly to attend pending answer from Patty Hamilton.

Minutes were approved and signed.

The Commissioners signed 1999 camp letters to Fayette County 4-H

Club, Camp Kismet, Girl Scouts, Oak Hill Apostolic Church, Gospel Hill, Mountain View Church of God, Saint Anthony, Cub Scouts, Virginia Street Baptist, Boone County 4-H Club. Commissioner Witt moved that all camp fees are \$650.00 same as last year with the exception that camp fees for Camp Kismet are \$300.00 and camp fees for Fayette County 4-H Club are \$500.00. Commissioner Carte seconded. All approved.

Commissioner Witt moved to go into Executive Session. Upon reconvening from Executive Session, Commissioner Carte informed meeting concern situation regarding county employee. No action taken.

Attorney James Blankenship appeared before the Commission to present the Report of Fiduciary Commissioner in the Estate of Butler L. Fleming. Mr. Blankenship informed the Commission that he received a fax from Mary Murphy's attorney advising that Ms. Murphy no longer wishes to pursue her claim filed against the Estate. Mr. Blankenship presented order confirming Report of Fiduciary Commissioner and denies the claims of Mary Murphy as set forth in said Report. Order signed.

The Commissioners received and reviewed a letter from the Fayette Continuance Care Center requesting approval for the use of the Fayette County Memorial Building as an Emergency Shelter for the residents of Fayette Continuance Care Center in the event of a disaster. After a brief discussion, the Commission asked Ms. Holly to forward to Steve Cruikshank, Director of Emergency Services to get a written response regarding this matter.

Commissioner Lopez made motion that subject to the approval of the State Tax Department that Budget Revisions for the General County

Fund and the Coal Severance Fund for Fiscal Year 1998-99 be approved. Commissioner Witt seconded.

The Commissioners received and reviewed a letter from the Minden Community Meeting Center, Inc. requesting funds for the Fiscal Year 1999-2000. The Commission informed they would take the request under advisement.

The Commissioners received and reviewed a letter from David Neal, E-911 Coordinator informing that Janet Honey has been terminated as Part-time Addressing Assistant and informed the Commission he would like to re-hire Sam Parsons as a Part-time Communications Specialist effective immediately hourly rate would be \$7.26. The Commissioners approved, copy forwarded to the Payroll Clerk.

The Commissioners approved Lennox Zone Damper with Outdoor Thermostat for the 911 Center, cost \$750.00.

The Commissioners received and reviewed proposals to address the Y2K issues regarding our existing System 25 Communication System and the Integrated Solutions II Voice Mail product. After a brief discussion, the Commission asked Ms. Holly to request proposal for a new telephone system.

Commissioners Carte signed letter to Capitol CableCom for their review and response regarding complaint of their rates from a consumer and attached was a copy of a letter of inquiry from Congressman Bob Wise. The Commission asked Ms. Holly to call Capitol CableCom.

Samuel White appeared before the Commission to ask the Commission what he would need to do to get his name added as a member of the family in the Estate of Mitchell Monday Rose. After a brief

discussion, the Commission informed Mr. White they would have to get an answer from the Prosecuting Attorney's Office. Carl Harris, Assistant Prosecuting Attorney informed the Commission that he had talked with Mr. White and suggested to im to get in touch with Gordon Billheimer, attorney of the Estate.

Bobby Ward appeared before the Commission with complaint of property located on Route 41, a half mile from Babcock State Park, owner John and Tammy Tolley. The Commissioners informed Mr. Ward they would have the Fayette County Beautification Committee investigate complaint.

The Commissioners received and reviewed brochure from the Division of Criminal Justices announcing the availability of fiscal year 1999 Drug and Violence Crime Control grant funds through the U. S. Department of Justice, Bureau of Justice Assistance.

The Commissioners approved request from Sheriff Larry Dotson for a check to be made payable to Computer Pro for \$1,700.00 for purchase of new computer for the Sheriff's Office for the entry and transmission of data for the Uniform Crime Reporting/Incident Based Reporting System and for the tracking of domestic violence offenses.

The Commissioners received and reviewed a letter from the West Virginia Development Office informing that through its Energy Efficiency Program (EEP) provides a Lighting Grant Program to assist educational and local government facilities in reducing lighting-related energy costs.

The Commissioners received and reviewed a letter from ITT Hartford regarding claim #474AC07576.

The Commissioners received and reviewed Workers' Compensation claims.

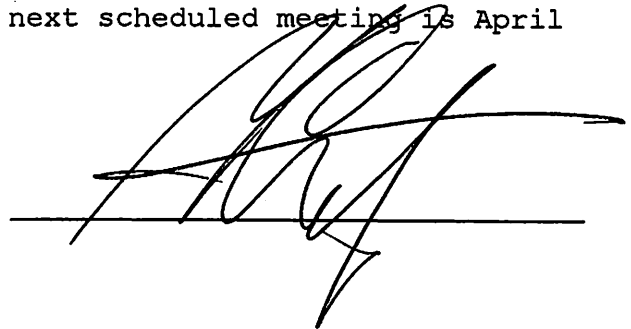
The Commissioners received and reviewed a letter from the Bank of New York informing that effective May 1, 1999 the sweep fee that is currently charged for the County mutual funds investments at 25 basis points will increase to 35 basis points.

The Commissioners received and reviewed a letter from the State Tax Department regarding appraisal ratio rates.

The Commissioners received and reviewed a letter from the West Virginia Development Office regarding Monitor Visit #2, Fiscal Year 1997 Small Cities Block Grant, Project E97CBG0009, Fayette County Commission/New Haven Water Extension Project.

The Commissioners received and reviewed editorial from Harold Bragg to the Fayette Tribune regarding pay raises for the Deputy Sheriffs.

The meeting was adjourned. The next scheduled meeting is April 15, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
APRIL 15, 1999
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, 1999.

The meeting was called to order at 9:30 a.m.

Exonerations were approved and signed.

The Commissioners received and reviewed complaint from Bob Clemon regarding the closing of the Kincaid Post Office.

The Commissioners received and reviewed letter from the Armstrong Public Service District recommending that Thomas Bowen be reappointed Commissioners of the Armstrong Public Service District Board of Commissioners.

The Commissioners signed order reappointing Thomas Bowen to the Armstrong Public Service District Board, term to expire April 1, 2005.

Minutes from previous meetings approved and signed.

Payroll and outstanding bills were approved.

The Commissioners approved and signed several request to combine or divide and segregate land as submitted by the Assessor's Office.

The Commissioners approved invoices for \$314.82 from Judge John Hatcher for purchase of chair and desk sign.

The Commissioners approved to pay meal receipts from Kristen Keller, Special Prosecutor in the State v. Lee Jones case, amount \$50.99.

The Commissioners approved invoice for the Boomer ballfield.

The Commissioners took 15 minutes recess.

The Commissioners reconvene from recess 9:55 a.m.

Rod Lang, Region 4 Planning and Development Council presented to the Commission a drawdown request for payment regarding the Fayette County Commission/New Haven Public Service District Water Extension project, 1997 Small Cities Block Grant B-97-DC-54-001, amount \$42,816.98. Commissioner Witt moved to adopt resolution. Commissioner Carte seconded. All approved.

The Commissioners met with the Water Resource Committee. The Committee met with recommendation that the Commission adopt a countywide water resource plan to consolidate several water system.

Also present were Kanawha Falls Public Service District, West Virginia Soil Conservation Agency, USDA Natural Resource Conservation Service, West Virginia Bureau for Public Health, Southern Soil District.

Jay Hannah presented a brief explanation of what the water plan entails. Kanawha Falls Public Service District would provide water to the three Public Service Districts and the Kanawha Falls Water Association in the Upper Kanawha Valley.

Aaron Keno, an engineer with Gannet Fleming, Inc. informed the Commission that the study analyzed future needs of 14 water systems in the county.

Commissioner Witt made motion to adopt Resolution for a countywide water resource plan. Commissioner Lopez seconded. Unanimous. Resolution signed.

Commissioner Carte left at 10:30 a.m. to attend another meeting.

Kelvin Holliday, County Clerk, introduced to the Commission. Chris Herrington with Computer System Support, Inc. (CSSI). Mr.

Herrington presented a presentation for an update of the voter registration records for the statewide voting system. The Commissioners asked Mr. Herrington to give demonstration to Sherry David and Treatha Sexton, Registrants.

The Commissioners asked Ms. Holly to have the other vendor come in on May 20th.

The Commissioners received and reviewed requisition from Earl Pauley, Park Superintendent requesting a safe for the Fayette County Park. Ms. Holly informed the Commissioners that the safe that was used in the Tax Department is available. No decision made.

The Commissioners signed a letter to Mountain Transit Authority (MTA) informing that the Commission have appropriated \$1,500 for Fiscal Year 1999-2000.

The Commissioners signed invoices to the Town of Fayetteville, and the City of Oak Hill for the confinement of inmates at the Southern Regional Jail for the month of March.

The Commissioners signed letter to the West Virginia Department of Health and Human Resources informing that Fayette County has budgeted \$5,000 for the Fiscal Year 1999-2000 for Mental Health Services for Fayette-Monroe-Raleigh-Summers Mental Health Council, Inc.

Ms. Holly informed the Commissioners that Sheriff Larry Dotson had called her and informed her that Ed Holsclaw needed a letter from the Sheriff and the Commission regarding a position for the Court Security.

Commissioner Witt suggested meeting with the 2 Judges, and the Sheriff on April 20. The Commissioners asked Ms. Holly to check with the Judge's scheduled to see if they can attend.

Commissioner Witt made motion to advertise for the Dog Warden position. Commissioner Lopez seconded. All approved.

The Commissioners approved for Charlotte Holly to attend one-day seminar to provide assistance for the preparation of financial statements for the upcoming close of fiscal year 1999.

The Commissioners received and reviewed Workers' Compensation letters.

Ms. Holly gave brief update regarding elevator for Courthouse.

Ms. Holly informed the Commissioners she talked with Steve Cruikshank, Director of Emergency Services regarding Fayette Continuance Care Center request to use the memorial building as an Emergency Shelter for their residents. Mr. Cruikshank informed he was still checking into but he still have a problem with this request.

Ms. Holly informed the Commissioners that Y2K Workshops are being held.

The Commissioners received and reviewed an order from the Division of Highways, ordering the addition of the following orphan road in Roy Bowden Subdivision (Hico Area) to the Home Access Road Program (HARP).

The Commissioners received and reviewed a letter from the Coal Heritage Trail Association, Inc. informing that a meeting will be held Saturday, April 17, 1999 at 1:00 p.m. at Tamarack.

The Commissioners received and reviewed a letter from the West Virginia Development Office informing that Governor Cecil Underwood has proclaimed April, 1999 as Fair Housing Month for the State of West Virginia. Commissioner Witt asked that original be forwarded to Dave Pollard, Community Resource Coordinator.

The Commissioners received and reviewed minutes form Salem-Gatewood Public Service District for the month of March.

The Commissioners received and reviewed letter from Governor Cecil Underwood informing of that a Natural Gas Fleet Vehicles Workshop will take place May 13, 1999, at the Days Inn in Flatwoods.

The Commissioners approved for Bob Massey, Maintenance Supervisor, to replace air condition in holding area of the Fayette County Sheriff's Department.

The Commissioners received and reviewed summaries of the 1999 Legislative Session and an invitation and schedule for the "First Annual Regional Wrap-Ups.

The Commissioners approved for Earl Pauley, Park Superintendent, to purchase tires for the Fayette County Humane Society vehicle.

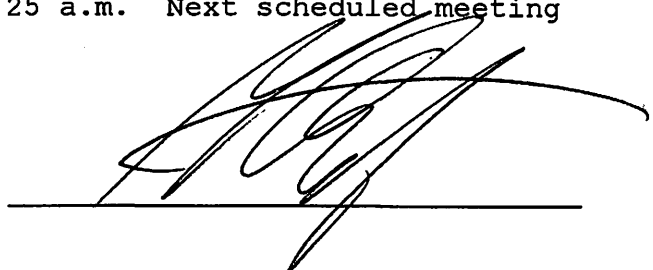
The Commissioners received and reviewed letter from the Department of Transportation regarding recall information for county vehicles. Original forwarded to Earl Pauley, Park Superintendent.

The Commissioners received and reviewed brochure regarding the 2000 Census Count.

Carl Harris, Assistant Prosecutor Attorney asked the Commissioners if they were going to join in on the class action law suit against Lucent Technology. Commissioner Witt informed they would be meeting with Carl Krzys, Lucent Technology at their next meeting and suggested waiting to make decision regarding the law suit after talking with Mr. Krzys. Commissioner Carte seconded.

Commissioner Lopez moved to adjourn.

The meeting was adjourned at 11:25 a.m. Next scheduled meeting is April 20, 1999.

A handwritten signature in black ink, appearing to be "A. Lopez", is written over a horizontal line at the bottom right of the page.

4/15/99

State Resource Hearing

Bill Harris	USDA, Natural Resources Conserv. Serv.
Kenneth Winter	Kanawha Falls P.S.D.
Nancy Ferrill, Comm.	Kanawha Falls PSD
Shawn Parke	Kanawha Falls P.S.D.
Billy Preast	Kanawha Falls P.S.D.
James Truman	Kanawha Falls PSD
David Thomas	WV BUREAU FOR PUBLIC HEALTH
Danny Evans	WV Soil Conservation Agency
Russ Campbell	WV SOIL CONSERVATION AGENCY
Aaron Reno	STANNETT FLEMING - ENGINEERS
Aubrey Riner	Southern Soil DISTRICT
Kenneth Burgess	" " " "
David W. Hill	County Resource Coord. A

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
APRIL 20, 1999
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 20th day of April, 1999.

The meeting was called to order at 10:10 a.m.

The Commissioners denied exoneration for the White Oak Country Club.

Ms. Holly presented notice of a conditional approval from the State Tax Department of Levy Estimate (Budget) for Fiscal Year 1999-2000. Commissioner Witt made motion to lay the levy for Fiscal Year 1999-2000; Commissioner Lopez seconded. All approved. Levy Order and rate sheet signed.

The Commissioners signed letter to Lisa Thornburg, Director, Office of the Chief Inspector giving explanation as to why Acct #413, Election County Clerk was budgeted less for Fiscal Year 1999-2000 than Fiscal Year 1998-99.

Richard Bendure with Data Design presented a brief presentation for an update of the voter's registration for the statewide voting system. The Commissioners asked Mr. Bendure to give demonstration to Sherry Davis and Treatha Sexton. The Commissioners told Kelvin Holliday, County Clerk that the decision was up to him.

Carl Krzys with Lucent Technology appeared before the Commission to discuss and present proposal for upgrade of the Courthouse telephone system. No decision was made.

The Commissioners met with Judge Charles Vickers, Judge John Hatcher, and Sheriff Larry Dotson to discuss courthouse security.

Sheriff Dotson reminded the Commissioners that in his budget for fiscal year 1999-2000 he had requested two additional deputies to operate metal detectors, closed circuit video monitors and other devices to be installed in the Circuit Court offices.

Commissioners Witt informed the Commissioners that he wants to see a definite security plan before approving the additional deputies.

Sheriff Dotson also discussed with the Commissioners the schedules in Magistrate court. Sheriff Dotson explained the overtime to the Commissioners, informed the Commissioners that most suspects are arrested after the magistrate go off duty; the suspect have to be transported to the Southern Regional Jail for overnight and then transported back to the courthouse the next day to be arraigned. Sheriff Dotson informed that this is why the county often have to pay two per diem fees for the jail.

The Commissioners agreed to defer action pending a plan.

Commissioners Witt suggested having Allan Workman to come to the May 5, 1999 meeting to discuss.

Outstanding bills were approved.

Commissioner Carte informed that sympathy goes to the family of Mary Lou Schmidt.

The Commissioners decided not to take any action on the class action law suit against Lucent Technology.

The Commissioners received and reviewed Workers' Compensation Report.

The Commissioners received and reviewed letter from Mrs. Brown regarding a refund of her taxes.

The Commissioners received and reviewed Dog Warden Report for

the month of March and information on stress from Bert Horrocks, Dog Warden.

The Commissioners signed letter to Kelvin Holliday, County Clerk, informing that effective midnight April 15, 1999, Bert Horrocks resigned his position as Dog Warden.

The Commissioners signed letter to Kelvin Holliday, County Clerk, effective April 19, 1999, Rebecca Neal is to be paid \$1,100 a month without benefits from the General Fund as a temporary secretary for the West Virginia Extension Office.

The Commissioners approved to pay Rodney Crouse for work done at the Fayette County Park.

The Commissioners approved check for \$465.00 to be paid to the 1999 NACo meeting for Kelvin Holliday, County Clerk.

The Commissioners received and reviewed a letter from the Public Service District requesting information regarding cable control.

The Commissioners received and reviewed a letter from CableVision informing CableVision is introducing Total TV digital cable service to their system.

The Commissioners approved tire changer for the Fayette County Park, amount \$2,089.00.

Ms. Holly informed the Commissioners that Thursday she has a doctor's appointment, and Monday she will be attending the preparation of financial statements for the upcoming close fiscal year 1999 seminar in Beckley.

The Commissioners informed they do not have any money for Shaffer.

The Commissioners received and reviewed fax informing that the Regional Wrap-up Meeting being held April 26th time has been changed

to 5:00 p.m.

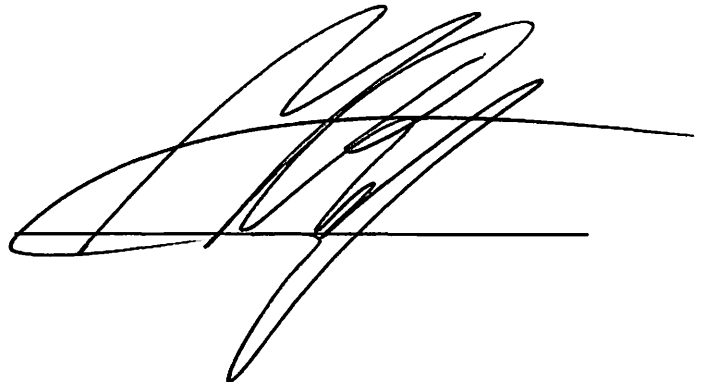
The Commissioners received and reviewed check in the amount \$1,600.00, contribution from Elkem Metal Company for fence for the Boomer ballfield.

The Commissioners signed Zoning minutes for Zoning Hearing held March 31, 1999.

The Commissioners received and reviewed letter from Jeanie Ayers regarding the Commission not hiring Terry Sizemore as the Fayette County Park Pool Manager.

The Commissioners received and reviewed a copy of a letter to Mrs. Bowers from Judy Gunsaulis, Director, Fayette County Public Libraries giving an update of the complaints she received.

The meeting was adjourned at 11:55 a.m. The next scheduled meeting is April 28, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
APRIL 28, 1999
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 April, 1999.

The meeting was called to order at 9:35 a.m.

Mary Abbot, Betty Mahan, Mark Spinder, member of the Fayette County Humane Society. Also present were Laura and Richard Plumley.

Ms. Abbot presented a letter to the Commissioner from the Board recommending that Richard Plumley be considered for Dog Warden position.

The Commissioners informed Ms. Abbot that they did advertise for the position and that the Commissioners would be accepting application until 10:00 a.m., Wednesday, May 5, 1999. The Commissioners informed the Fayette County Humane Society Board members that they would take the Boards recommendation under advisement.

Discussion was held regarding complaints made to the 911 Center regarding barking dogs.

Commissioner Witt presented to the Commission on behalf of W.D. Smith, Region 4 Planning and Development Council five copies of Estimate No. 5 for the New Haven Public Service District Small Cities Block Grant Contract #3 for review and approval by the Owner, recommending payment of \$49,004.75. The Commissioners approved.

The Commissioners received and reviewed a letter from Frank Hill informing the Commission that he resign as a member of the New Haven

Public Service District Board. Upon recommendation by the Commission, Commissioner Witt made motion to appoint Ann Berry to fill the unexpired term of Frank Hill. Commissioner Lopez seconded. All approved. The Commissioners asked that a letter of appreciation be sent to Mr. Hill.

Commissioner Lopez informed the Commission he had talked with Judson Wallace, member of the Armstrong Public Service District and he has requested that the Commission take the necessary steps to merging Deepwater Public Service District with Armstrong Public Service District. Commissioner Witt made motion to take the necessary steps to merge the Deepwater Public Service District with the Armstrong Public Service District. Commissioner Carte seconded. All approved. The Public Service would be known as the Armstrong Public Service District.

Commissioner Lopez informed the Commission that Senator Shirley Love had discussed with him about 911 Center naming a couple roads in the Plateau District. Mr. Lopez informed he would have to get more details as to what roads.

The Commissioners received and reviewed Workers' Compensation letters.

The Commissioners signed a letter to Helicon Cable Communications regarding Cable Television Franchise Transfer of Control Application from the Helicon Group, L.P. to Charter Communications, LLC.

The Commissioners signed a letter to Cablevision Communications advising that assignment of their franchise and/or a transfer of control of your cable television company is subject to approval by the Fayette County Commission as your franchising authority and that

application fee is \$250.00.

The Commissioners signed order subject to the approval of the Assessor for Samuel and Frances Brown be afforded tax relief for tax years 1995, 1996, and 1997 in the total amount of \$602.54 in the form of a credit against taxes owing for the following year or years with said tax relief being spread over the year or years until the debt is paid to Petitioner/Applicant.

It was moved and seconded that the outstanding bills and payroll be approved. Payroll to be released Friday, April 30, 1999.

The Commissioners received and reviewed a list of "Subscribers Refusing to Pay the Emergency Telephone System Fee" for the month of February, 1999.

The Commissioners received and reviewed check in the amount of \$30,497.88 for the Emergency Telephone System Fee for the month of March, 1999.

The Commissioners received and reviewed an order from the Division of Highways, ordering the addition of the following orphan roads in Hendricks Cemetery Road (Hawks Nest State Park Area) and Tabit Addition (aka Andrew Avenue Tabit Road and Third Avenue) (Belva Area) to the Home Access Road Program (HARP).

The Commissioners received and reviewed letter from Senator Robert Byrd thinking the Commission for writing their concerns about the loss of tax revenues from public lands (Pay in Lieu of Taxes PILT).

The Commissioners received and reviewed letter from the Bank of Mount Hope asking for public comments on their action to offer various needs and concerns of the citizens, communities, and various activities within their servicing area.

The Commissioners received and reviewed check from the Fayette County Board of Education for \$800.00 contribution toward installation of a fence at the Boomer baseball field.

Ms. Holly informed the Commissioners that a check was written to the New River Convention and Visitors Bureau for \$959.56 for quarter January-March, 1999.

The Commissioners received and reviewed fax update on the internet project.

Ms. Holly informed the Commission that she received a copy of a letter from Steve Cruikshank, Director Emergency Services informing that a training seminar has been scheduled for June 12 and 13 if any of the Commissioners would like to attend Steve will be making reservations.

The Commissioners received and reviewed a copy of a letter to Larry Johnson, Chairman, Fayette County Solid Waste Authority informing that Dave Pollard has resigned as a member of the Fayette County Solid Waste Authority.

The Commissioners received and reviewed invitation from the United Community Services inviting the Commission to attend their Sixteenth annual Awards Dinner being held at West Virginia Technology Ballroom on the 23rd of May, 1999.

Ms. Holly reminded the Commission that Know Your Government Day is Friday, May 7th.

Ms. Holly informed the Commissioners she had advertised to receive bids for application software, products and services for automating the receipts and disbursements, functions of the Fayette County Sheriff's Tax Office. Ms. Holly informed the Commission she received only one bid from Software systems, Inc. (\$22,001.00). The

Commissioners accepted bid from Software System. Ms. Holly to review specifications.

The Commissioners received and reviewed introduction letter from Simi Clair informing that he is the new service representative for Vision Service Plan.

The Commissioners received and reviewed refund check form ITT Hartford regarding claim number 474AC07576.

The Commissioners received and reviewed a letter from Ford Motor Company informing they are providing a no-charge Service Program, #99M01, to owners of certain 1997 and 1998 Crown Victoria Police Interceptor vehicles equipped with 4-6LS0HC engine. Ms. Holly informed the Commissioners that the original has been forwarded to Earl Pauley, Park Superintendent.

Attorney Phil Tissue appeared before the Commissioners to file application to abandon unnamed and unused streets A. J. Taylor Subdivision. Mr. Tissue presented to the Commissioners copy of publication. No opposition, the Commissioners approved abandonment.

Tom Aiello, Assessor, and Bill Caudill appeared before the Commission to request permission to developing some kind of form that can be used if someone wanted to convey property to County when they are sent a letter asking property owner to clean up property.

Commissioner Witt approved permission to develop form that can be sued if someone wanted to convey their property to the County. Commissioner Lopez seconded. All approved.

Sally Hurst, Fayette County Family Resource Network appeared before the Commission to request funding match of \$3,500 and support for the America Read Coordinator. Commissioner Witt asked if the Board of Education was participating in program. Ms. Hurst informed

that the Board offer space and support. The Commissioners informed they will accept request and take under advisement.

Terry Rahn, Mayor of Pax appeared before the Commission to request funding in the amount of \$6,000 for the cleaning and snagging of the creek at Pax. Discussion was held, Commissioner Witt made motion to take the request under advisement and we would get back with them. Commissioner Lopez seconded. Unanimous.

Gary Harding, Zoning Officer presented to the Commissioners the proposed amended Comprehensive Plan for U. S. Route 19: Article XIII(a) U. S. Route 19 Corridor Overlay District and an amendment of Article XV, Section 1506 Amendment, Subsection 3 Fees and Deadlines.

Al Gannon, member of the Fayette County Planning and Zoning Commission informed the Commission that the committee's intent today is to come up with a solid plan with different language for the Comprehensive Plan on Route 19. Mr. Gannon informed the Commissioners that 10 members of the Planning and Zoning Commission met and a vote of 7 to 2 approved with 1 abstention recommended that the fee schedule be adopted and that the Route 19 Overlay District Ordinance be adopted but did not support the recommendation of B-2 Zoning along the length of the corridor.

Dave Pollard, Gene Kistler and Al Gannon presented the proposal to the County Commission. Several people spoke with reference to the B-2 portion of the proposal including Kirk Wallace, Harold Bragg and Bud Hill.


Commissioner Witt informed he would like to see some modification to protect the property owners who reside around the area that would be classed as B-2.

Pat Ford suggested to the Commission to considering granting

everything B-2 conditional applicant proving that the petitioner presented map, code, fees that are needed.

After a lengthy discussion Commissioner Carte moved that the fee schedule and Route 19 Overlay District be approved with the reinsertion of the B-2 zoning designation. Commissioner Lopez seconded. Unanimous.

The meeting was adjourned. Next scheduled meeting is May 5, 1999.

A handwritten signature in black ink is written over a horizontal line. The signature is stylized and appears to be the name of Commissioner Carte, as mentioned in the text above. The line extends to the right of the signature.

Comprehensive Plan Rt. 19

04-28-99

Gene Kistler Zoning Hearing

HAROLD D. BRAGG

PATTI SUE PAYNE

KATHY KELLY

AL GANNON

Kirk Wallace

Leon Cooper

Jackie Tharp

Bud Hill

PATRICK B FORD

Dave Pollard

Gary Harding

Joe Myers

Susan Williams

FAYETTE COUNTY COMMISSION
REGULAR SESSION
AUGUST 4, 1999
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, 1999.

Commissioner Carte called meeting to order t 9:33 a.m.

Exonerations were approved and signed.

The Commissioners signed letter designating David Pollard, Community Resource Coordinator alternate on the Central Appalachian Empowerment Zone (CAEZ) Board of Directors.

The Commissioners signed letter to Penelope Crandall, Director, Family Law Masters requesting reimbursement for rent in the amount of \$2,400.00 for the months of July and August, 1999.

The Commissioners signed resolution informing they would make application through the Industrial Road Access Program to provide Fayette County \$300,000 for fiscal year 1999-2000 in favor of the construction of the access road to the Mount Hope South Industrial Park in Mount Hope.

The Commissioners signed letter to CamCare, Inc. informing they have been advised of their decision to discontinue the mobile mammogram services, the Commission expressed their concern of the effect their decision will have on the availability of this critical health service in Fayette County.

The Commissioners signed Fire Levy Fire Protection Agreement for the Town of Fayetteville for fiscal year 1999-2000.

The Commissioners signed invoice to the City of Mount Hope, the Town of Fayetteville, and the City of Oak Hill for the confinement

of inmates at the Southern Regional Jail for the month of June.

The Commissioners approved to purchase Heating/Cooling System for Judge Hatcher's secretary and Law Clerk offices.

The Commissioners and Judge John Hatcher approved for Randy Boyd, with the Plateau Action Network Watershed Association to use the courtroom for a public presentation on Thursday, September 2, 1999 from 7:00 to 9:00 p.m. Ms. Holly to notify maintenance to have the courthouse open.

The Commissioners approved to purchase a copy of the West Virginia Courthouses, A Pictorial History book from Mary Thrash, cost \$18.90.

The Commissioners received and reviewed audit reports from the State Auditor's office for the Magistrate Court for the periods ending December 31, 1996 and December 31, 1997.

The Commissioners received and reviewed audit report from the Loup Creek Volunteer Fire Department, Inc. for fiscal year ending June 30, 1996.

Ms. Holly informed the Commission that she received a letter from the West Virginia Development Office informing that Fayette County have been granted nine grants through the Legislative Digest.

The Commissioners received and reviewed updates regarding the McCormick law suit.

The Commissioners received and reviewed franchising tax check from Interlink Communications Partners, LLLP and TWFanch-One Company for the period from April 1, 1999 through June 30, 1999.

The Commissioners received and reviewed Application for Employment from Roger C. Goins.

The Commissioners received and reviewed Medical Leave of Absence

Report from Heather Hambrick.

The Commissioners received and reviewed letter from Page-Kincaid Public Service District requesting contribution from the Commission. Discussion was held, the Commission informed Ms. Holly not to issue anything until they received in writing confirmation that the project is 100% funded.

The Commissioners received and reviewed information from the County Commissioners Association on the National Association of Counties meeting held in St. Louis.

The Commissioners received and reviewed letter from the New River Convention and Visitors Bureau informing how much they enjoyed their visit to the Fayette County Jail Museum.

The Commissioners received and reviewed Quarterly Report from Dave Pollard, Community Resource Coordinator.

The Commissioners received and reviewed update on the Statewide ATM Intranet Network from the West Virginia Association of Counties.

Ms. Holly reminded the Commissioners that the County Commissioners Association meeting is this weekend.

The Commissioners received and accepted applications for temporary secretary/receptionist for the West Virginia University Extension Office. The Commissioners asked Ms. Holly to forward applications to Yvonne Harp for her to review.

Fred Jesser, attorney for the Fayette Humane Society and Board Members appeared before the Commission with amended By-Laws for the Fayette Humane Society. Mr. Jesser informed the Commission that they held two meetings, first meeting to give the board members copy of the new By-Laws to review and second meeting was to adopt.

Mr. Jesser informed the Commission that the members have

completed with their requirements, shelter has been cleaned up. Mr. Jesser asked that funding for the animal shelter be restored.

Patty Adkins, Bob Korn, Danni Nichols spoke against the amended By-Laws and informed the Commission that the Humane Society was still in violation.

Pat Day spoke on behalf of the Humane Society.

Bob Korn informed the Commission that at the last meeting he told the Commission that the Human Society would participate in the Neutering/Spade Program. Mr. Korn informed the Commission that the Fayette Humane Society would not be participating.

Commissioner Lopez asked the Humane Society if they would consider conveying their property to the County. Mr. Jesser informed he could not answer that question.

Commissioner Lopez made motion that the county construct and build own shelter. Commissioner Witt seconded. All approved.

The Commissioners received invitation from the Division of Highways to the ribbon cutting ceremonies for Charles C. Rogers Bridge at Cottonhill on Thursday, August 10, 1999 at 10:00 a.m.

Ms. Holly informed the Commission that David Neal, E911 Coordination called regarding the 911 fee increase. Ms. Holly informed the Commission they need to advertise and have a public hearing.

Ms. Holly informed the Commissioners that she had pulled out the original invoices of the equipment at the Fayette County Park that the Oak Hill Sanitary Board had placed a bid on. The original cost is \$1,990.00. Mr. Pauley had told her that the bid that Oak Hill Sanitary Board gave was to low. After a brief discussion, the Commissioners asked Ms. Holly to talk with Mr. Pauley to see if he

could get a higher bid for the equipment from the Oak Hill Sanitary Board since it was never used.

Kelvin Holliday, County Clerk appeared before the Commission to request increasing the fee for making copies and to start charging the attorneys and a request that an additional \$2,000 be added to his part-time help budget. The Commissioners approved the increase for making copies this to include charging the attorneys.

Commissioner Lopez moved to add an additional \$2,000 for part-time help in County Clerk's budget. Commissioner Witt seconded.

Frederick Armstrong, Director Archive and History appeared before the Commission to discuss storage of old microfilm records. Mr. Armstrong informed the Commission of the cost to purchase a reader/printer machine. Mr. Armstrong informed the Commission that the film he found downstairs he would take a test to see if anything could be saved and he would get back with them.

Commissioner Witt suggested that the Commission would consider purchase of the reader/printer machine. Commissioner Lopez seconded.

Katie Bohn appeared before the Commission to ask the Commission what they wanted her to do with the old railroad blueprints. Ms. Bohn suggested giving to the Railroad Society. The Commissioners informed Ms. Bohn they would have an answer on August 13th.

The Commissioners received and reviewed application for temporary help at the WVU Extension Office. The Commissioners asked Ms. Holly to give application to Yvonne Harp to review and make recommendation.

Ms. Holly presented invoice from Data Design, Inc. for installment for Registrar equipment. Ms. Holly informed the Commission that Data Design, Inc. have not installed equipment. The

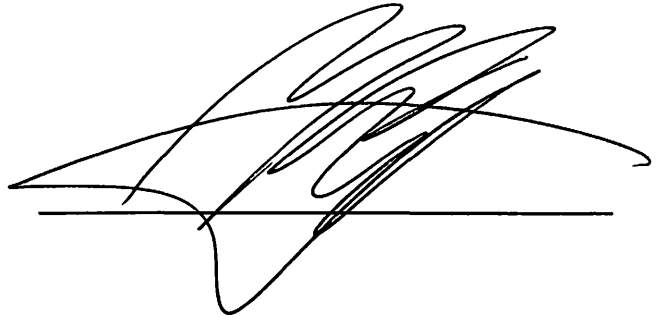
Commissioners asked Ms. Holly to hold invoice until installation is complete.

Ms. Holly informed the Commission that she is working on the Financial Statement hope to have completed by August 13th.

The Commissioners received and reviewed thank you letter from Midland Trail Scenic Highway Association regarding the \$7,000 contribution to the Upper Kanawha Valley Housing Project.

The Commissioners received and reviewed letter from Valerie Wilson regarding the Fayette Humane Society.

The meeting was adjourned at 11:55. Next scheduled meeting is August 13, 1999.

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pc
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08-04-99

Fayette Humane Society

~~Patty Adams~~
Dawni Nicholes
Patty Payne
Devon Atka

BOB KIDEN
Bobby Ernie
Mark Campbell
Norma Cob
Lad Pascher
Barbara Evans
Angel Evans

FAYETTE COUNTY COMMISSION
REGULAR SESSION
AUGUST 13, 1999
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Gene Carte, Jr., John L. Witt

The Fayette County Commission met in regular session on this 13th day of August, 1999.

The meeting was called to order at 9:30 a.m.

Exonerations were approved and signed.

Outstanding bills and payroll were approved.

Commissioner Carte suggested to the Commission to apply for a Use Permit for reopening the animal shelter in Beckwith.

Commissioner Witt made motion to apply to the Zoning Office for whatever is need to reopen shelter. Commissioner Carte seconded. All approved.

Commissioner Carte informed the press that the Fayette Humane Society was not the only agency that's not current on their audits.

Pam Bailey appeared before the Commission to inquire about the reopening of the animal shelter in Beckwith.

Ms. Holly informed the Commission that Yvonne Harp, Extension Agency has submitted her recommendation for the temporary position, Sarah McMillion. The Commissioner accepted Ms. Harp recommendation, Ms. McMillion to start work on August 16, 1999 no benefits, salary \$1,100 a month.

The Commissioners received and reviewed an order from the Division of Highways, ordering the addition of the following orphan road on Milo Lane (Charlton Heights Area) to the Home Access Road Program (HARP).

The Commissioners received and reviewed thank you letter from the Kanawha County Commission thanking the Commission for their

letter of support for the mobile mammogram services.

The Commissioners received and reviewed minutes from Salem-Gatewood Public Service District for the month of July.

Ms. Holly informed the Commission she received a call from Senator Shirley informing that the Division of Environmental Protection Agency is going to discontinue monitoring wells at the landfill. Ms. Holly informed the Commission that Senator Love want to know if the Commission want him to check into what's going on. Commissioner Carte informed the Commission he had talked with Senator Love and asked him for his assistance.

Ms. Holly informed the Commissioners she did pass the information to the Debbie Berry and asked her to inform the Fayette County Solid Waste Authority members of the Division of Environmental Protection Agency plans.

The Commissioners received and reviewed letter from Page-Kincaid Public Service requesting that John David be reappointed as a Commissioner.

The Commissioners received and reviewed a letter from David Neal, E911 Coordinator informing that Alisha Abbot and Becky Toney will begin training for Part-time Communications Specialist and that Frank Cafego has submitted his resignation as full-time Communications Specialist, effective August 12, 1999.

The Commissioners informed that the Fayette Historic Landmark Society has received grant from the Legislative Digest for \$10,000 for the LaFayette Statue.

Ms. Holly informed the Commissioners that James Perdue, maintenance was injured when lifting air conditioner to be installed in the Law Clerk's Office.

Ms. Holly informed the Commission that she had advertised for a

Public Meeting to be held Wednesday, September 15, 1999 at 10:30 to discuss the proposed to increase the monthly Enhanced 911 Emergency telephone system fee for the County's consolidated emergency communications system.

The Commissioners opened bid for the Prosecuting Attorney's Office for the purchase and installation of a Local Area Network (LAN) and opened bid for the WVU Extension Office for the purchase and installation of siding and windows.

Carolyn Jones, Minden Community Association appeared before the Commission to ask for assistance in obtaining the playground equipment from the Glen Jean Elementary School. Commissioner Witt informed Ms. Jones he would talk with Ray Carson regarding the equipment.

Commissioner Witt made motion that if Buckland's bid for the WVU Extension Office works out he approve. Commissioner Carte seconded. All approved.

The Commissioners received request for funds from the Fayette County Senior Program for fiscal year 1999-2000.

Ms. Holly informed the Commissioners that Debbie Berry, Bookkeeper still had a few more invoices to present for payment. The Commissioners approved.

Ms. Holly asked Commissioner Witt about the repair of the bridge at the Dog Pound in Beckwith. Commissioner informed he haven't found anything out.

Ms. Holly informed the Commission that the Fiscal Year books are closed and balanced. The Commission approved and signed.

Ms. Holly informed the Commission that the chairs for the Commission room would be shipped mid-October.

Rod Lang, Region 4 Planning and Development Council presented to

the Commission a drawdown request for payment regarding the Fayette County Commission/New Haven Public Service District Water Extension project, 1997 Small Cities Block Grant B-97-DC-54-0001, amount \$38,806.51. Commissioner Witt moved to adopt resolution, approve and authorize the payment for services. Commissioner Carte seconded. Unanimous.

Fred Jesser appeared before the Commission with Press release informing that the Fayette Humane Society will stop accepting animals on the 25th of August, they are planning a pet adoption on the 28th of August, shelter will be closed on the 31st of August.

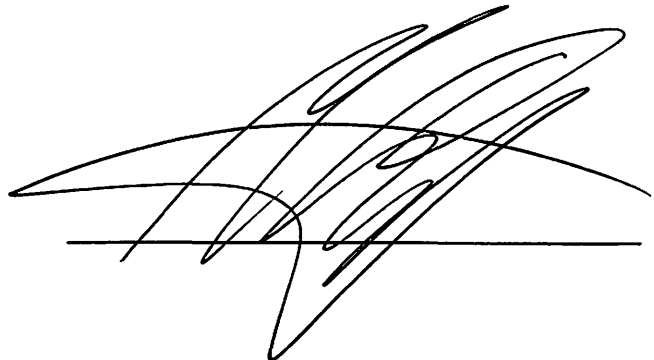
The Commissioners received and reviewed letter from Deborah Herget, President of the West Virginia Animal Rescue League regarding incidents of animal abuse and neglect at the animal shelter in Glen Jean.

The Commissioners received and reviewed authorization from Kelvin Holliday, County Clerk for Software Systems, Inc. to download Voter Registration System and overnight diskettes to Data Design, Inc.

The Commissioners received and reviewed Certificate to Operate Courthouse Incinerator from the Division of Environmental Protection Agency.

The Commissioners received and reviewed introduction letter from the National Coal Heritage area giving information regarding the projects for southern West Virginia.

The meeting was adjourned at 10:37 a.m. Next scheduled meeting is August 25, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
AUGUST 25, 1999
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 25th day of August, 1999.

Commissioner Carte called meeting to order at 9:35 a.m.

Exonerations were approved and signed.

Tom Aiello, Assessor appeared before the Commission to ask if they would consider going with or contracting out courthouse telephone system.

Mr. Aiello informed the Commission that the contract Marion County have with Joe Shelton has saved Marion County money.

Commissioner Lopez suggested that Ms. Holly get in touch with Mr. Shelton to discuss.

Earl Pauley, Park Superintendent appeared before the Commission with recommendation that the County build a new shelter. Discussion was held, Mr. Pauley to get figures of the cost to build shelter. Ms. Holly to advertise for material. Discussion was held about getting a used mobile home for shelter.

Motion was made to go into Executive Session to discuss personnel matter.

Upon returning from Executive Session, the Commission approved that Mark Campbell would be under the direct supervision of Earl Pauley. The new shelter number is 574-0937. Commissioner Lopez made motion to authorize Patty Adkins and Mark Campbell to take animals to the veterinarian. Commissioner Witt seconded. All approved.

Commissioner Witt made motion to appoint Mary Bradford a member of the Fayette Transition Team replacing Tom Bell. Commissioner Lopez seconded. All approved.

Tim Richardson, Zoning Office appeared before the Commission to present disposition: Z-472-99-2-Request of Hilda Light, owner, by William E. Light, for a change in land classification from RR-1, Agricultural and Rural Residence, to B-2, General Business on Lots 1 and 2, Salem Heights Subdivision, for the Light's Carry Out located on Gatewood Road near Nottingham Village, Plateau District.

Mr. Richardson informed the Commission that this had been tabled from the previous meeting and that the public notice was correct that Mr. Light had a non-conforming B-1 use. Mr. Richardson informed the Commission the previous recommendation of the Planning Commission was a 6 to 4 vote to approve his request to B-2. After a general discussion with Mr. Light, Commissioner Witt made a motion that this request be approved to a B-1 classification to allow Mr. Light to continue his carry-out business. Commissioner Lopez seconded. Unanimous.

Outstanding bills and payroll were approved. The Commissioners approved to release payroll Friday.

The Commissioners signed Sales Tax Report for the Fayette County Park for the month of July.

The Commissioner received and reviewed check from Citizens Telecommunications Company of West Virginia (Springdale) for 911 fees for the month July.

The Commissioners approved recommendation of Paul Blake, Prosecuting Attorney to increase contract with Lanier to allow 60,000 copies per year at a cost of \$1,058.00.

The Commissioners received and reviewed a letter from Kelvin Holliday, County Clerk requesting that Data Design be issued a check for installation of software for the statewide voter registration. The Commissioners asked to hold until installation is complete. After a brief discussion, the Commissioners approved check to be released only after installed and approved by the County Clerk.

The Commissioners received and reviewed Annual Audit from the Kanawha Falls Public Service District for 1998.

The Commissioners received and reviewed a letter from the Fayette Humane Society to the municipalities informing that the shelter would be closed August 31, 1999.

Ms. Holly informed the commission that a hearing has been set for September 7, 1999 at 5:00 p.m. to apply for a Use permit for the purpose of operating an animal shelter on 277.51 acre tract known as the Girl Scout Camp Tract located on Route 8, Laurel Creek Road, Laurel Creek, New Haven District.

The Commissioners signed renewal of maintenance support from SCT Customer Support for Payroll/Personnel and Budgeting/Accounting for a 12 month period beginning November 1, 1999.

The Commissioners received and reviewed a letter from CableCom informing of the upgrading status.

The Commissioner received and reviewed letter from the West Virginia Development Office thanking the Commission for their request that the state administer any Appalachian Regional Commission (ARC) funds that may be awarded to Fayette County Commission/New Haven Public Service District. Copy forwarded to Dave Pollard, Community Resource Coordinator.

The Commissioners received and reviewed Certificates of

Membership from the County Commissioners Association of West Virginia.

The Commissioners approved invoice from BJW Printing and Office Supplies for the purchase of a desk chair for the Law Clerk, cost \$365.70.

Commissioner Witt made motion to approve and authorize the adoption of Resolution to designate the 4-C Economic Development Authority as representing our county for the purpose of participating in the West Virginia Certified Development Community (CDC) Program. Commissioner Lopez seconded. All approved. Resolution signed.

The Commissioners signed letter to Kelvin Holliday, County Clerk informing that effective August 16, 1999 the annual salary to be paid to Randall Redden, Fayette County Park maintenance is \$13,104 plus benefits from the General Fund.

The Commissioners received and reviewed a list of "Subscribers Refusing to Pay the Emergency Telephone System Fee" for the month of June, 1999.

Ms. Holly informed the Commissioners that the Auditor is here to audit 1998 Fiscal Year.

The Commissioners approved and signed several request to combine or divide and segregate land as submitted by the Assessor's Office.

The Commissioners signed Article XV, Section 1506 regarding change in Building Permit Fees from the Zoning Office.

Jeffrey Harpold with the National Coal Heritage Area appeared before the Commission and presented to the Commission a proposal to stimulate economic development through the creation of heritage tourism and improve the quality of life of the citizens of southern West Virginia.

Pam Bailey appeared before the Commission to inquire about the Animal Shelter in Beckwith.

John David, Kenneth Fox, and Bart Jackson with Page-Kincaid Public Service District appeared before the Commission to request for funds to construct a wastewater treatment and collection system to serve the Wriston and Ingram Branch areas. Discussion was held, regarding whether or not the project would be completed funded. Commissioner Witt approved to release \$5,000 to project. Commissioner Lopez seconded. Unanimous.

The Commissioners received and reviewed audit report from Southern Appalachian Labor School Foundation (SALS) for December 31, 1998.

The Commissioner signed letter to Penelope Crandall, Director Family Law Masters requesting reimbursement for rent in the amount of \$1,200.00 for the month of September, 1999.

Ms. Holly informed the Commission that she received a request from the Family Law Master for an additional panic button and a request from the Law Clerk for a humidifier. The Commissioners asked Ms. Holly to take no action until she receive something from Judge John Hatcher.

The Commissioners signed Fayette County Fire Levy Fire Protection Agreement from Gauley Bridge Volunteer Fire Department for the period July 1, 1999 to June 30, 2000.

The Commissioners signed order reappointing John David a Commissioner on the Page-Kincaid Public Service District.

The Commissioners signed invoices for the confinement of inmates at the Southern Regional Jail for the Town of Ansted, City of Mount Hope, the Town of Fayetteville, and the City of Oak Hill for the

month of July.

The Commissioners approved purchase of a typewriter and wall mount for the West Virginia Extension Office.

The Commissioners received and signed from Attorney James Blankenship a petition of Michael H. Hunt and Brenda M. Hunt to abandon an unnamed and unused 30 foot street between lot nos. 9, 10 and 36 of the Hicks subdivision.

The Commissioners approved for Commissioner Carte and Charlotte Holly to attend the West Virginia Employment and Labor Law seminar (September 14, 1999) and the Basic Wage and Hour Law seminar (September 15, 1999).

The Commissioners received and approved invoice from Allen, Guthrie and McHugh, amount \$3,016.03 in the McCormick law suit.

Discussion was held by Commissioner Witt but no decision made regarding updating the voter system (tabulator).

Commissioner Carte signed letter of support regarding the Central Regional Airport.

Ms. Holly reminded the Commission that the Minden Community Meeting dedication ceremony has been rescheduled for September 5, 1999 at 10:00 a.m.

The Commissioners received and reviewed from the West Virginia Development Office a letter regarding the West Virginia Clean State Program.

The Commissioners received and reviewed a letter from American Tower regarding Emergency 911-Public Safety Communications.

The commissioners received and reviewed resumes form Amanda Leshner and Paul J. Nugen for employment.

The Commissioners received and reviewed Certificate of Coverage

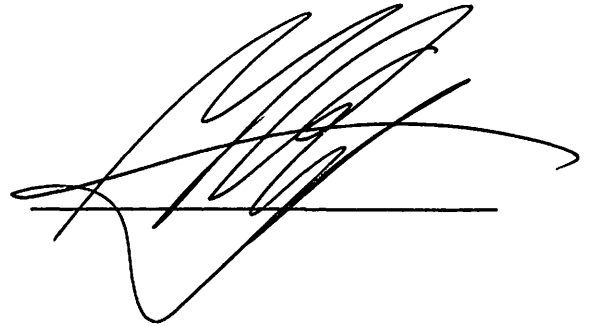
from the Workers' Compensation Division.

The Commissioners received and reviewed Workers' Compensation letter regarding Barbara Hull.

The Commissioners received and reviewed letter from Tele-Works, Inc.

The Commissioners received and reviewed a letter from the Governor's Office of Technology requesting that a letter be sent to help their office prepare a grant requesting funding to assist counties in developing an information technology plan.

The meeting was adjourned at 12:12. Next scheduled meeting is September 8, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
DECEMBER 8, 1999
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, 1999.

The meeting was called to order at 9:30 a.m.

Exonerations were approved and signed.

The Commissioners signed order having been advised of the need to substitute certain securities pledged on behalf of the Fayette County National Bank hereby order the release of said securities provided that securities will be substituted simultaneously and that Fayette County funds deposited with said banking institution will not be unsecured.

The Commissioners approved to pay invoice from C-PAC spay Fund, amount \$1,111.00 for the month of November.

The Commissioners approved and signed a Resolution accepting the contract proposal and scope of work presented by the consulting firm Whitney, Bailey, Cox and Magnani for the update of the Fayette County Comprehensive Plan and zoning Ordinance.

The Commissioners received and reviewed check in the amount of \$30,273.03 for the Emergency Telephone System Fee for the month of October, 1999.

The Commissioners received and reviewed thank you letter form the Fayette County Chamber of Commerce for hosting the Business After Hours on November 16th.

The Commissioners received and reviewed Certificate of Insurance

from Charter Communications, Inc.

The Commissioners signed order subject to the approval of the Assessor that Frank V. and Geneva Lynn Kious be afforded tax relief for tax years 1996, 1997, and 1998 in the total amount of \$909.05 in the form of a credit against taxes owing for the following year or years with said tax relief being spread over the year or years until the debt is paid.

The Commissioners received and reviewed letter from Sheriff Larry Dotson informing that Deputy Sheriff Mark Webb has been suspended without pay for a period of 15 days beginning December 16, 1999 through December 30, 1999.

The Commissioners reviewed request from the Fayette Family Resource Network requesting \$6,000 county match in supporting the full time AmeriCorps Promise Fellow position for the upcoming year. The Commission informed they would consider budget time.

The Commissioners signed contract and Resolution regarding the acceptance of the Court Security Fund Grant, approved funding \$55,975, project #99-CS-25.

The Commissioners received and reviewed schedule of the year 2000 Board meetings and annual Dinner/Meetings form Multi-Cap, Incorporated.

The Commissioners received and reviewed expenditures for the Fayette County Park for the month of November.

The Commissioners approved to pay quarterly insurance premium (\$2,609) for the Fayette County Solid Waste Authority.

The Commissioners approved to pay \$5,000 to the Fayette County Solid Waste Authority for Larry Parsons payroll expenses.

The Commissioners received and reviewed letter from the West

Virginia Development Office informing they are conducting a technical review of the Fayette County Commission's application for a Small Cities Block Grant to update fire fighting and rescue equipment for three community Fire Departments, amount (\$262,356).

The Commissioners received and reviewed minutes and financial reports from the Fayette County Solid Waste Authority for the month of November.

The Commissioners signed Zoning minutes from the meeting held November 24, 1999.

Ms. Hickman reminded the Commission that the 911 fee increase will be on January 1, 2000 telephone bills. Ms. Hickman informed the Commission that Ms. Holly received positive confirmation from Tom Williams, Bell Atlantic on November 30, 1999.

The Commissioners received and reviewed proposal for Vision Service Plan regarding adding Laser Vision Correction to current policy.

Earl Pauley, Park Superintendent, appeared before the Commission to ask the Commission to sign two titles for 1 1986 Van and a 1990 Chevy Truck that he purchased from the West Virginia State Agency for Surplus Property. Titles signed.

The Commissioners approved proposals from Rody Crouse for repairs to the mobile home trailer at the Fayette County Park, amount \$3,075.00

The Commissioners signed letters to Kelvin Holliday, County Clerk informing that effective December 6, 1999 Jackie Barnhart, Courthouse Maintenance/Janitor is employed full time annual salary \$12,000 plus benefits to be paid out of the General County Fund.

The Commissioners signed letters to Kelvin Holliday, County

Clerk, informing that effective December 8, 1999, John Barnhart will be employed on part-time basis as Maintenance/Janitor at a salary of \$1,000 no benefits payable from the General County Fund.

The Commissioners signed letter to Kelvin Holliday, County Clerk informing that effective December 16, 1999 the annual salary to be paid to Richard Smith, Maintenance/Janitor is \$12,300 plus benefits from the General County Fund.

Commissioners Lopez moved to go into Executive Session to discuss personnel matter.

Upon reconvening from the Executive Session Commissioner Carte informed no action was taken.

Yvonne Harp appeared before the Commission with request for a new desk for the Extension Office. Commissioner Witt moved to approved but have the assistant purchasing agent check to see if she can find one the same style Ms. Harp want but at a lower price. Commissioner Lopez seconded. All approved.

Commissioner Witt moved to order aluminating lights for the front of the Courthouse. Commissioner Lopez seconded. All approved.

Sharon Cruikshank, Director, New River Convention Visitor's Bureau appeared before the Commission to present new 3 year contract agreement between the New River Convention and Visitors Bureau, Inc. and the Commission. Commissioner Witt moved to accept agreement beginning January 1, 2000 and terminating December 31, 2002. Commissioner Lopez seconded. All approved.

Harold Bragg informed the Commission he feel that due to the error of the Sheriff's Office or the Assessor's Office should be reprimanded for the school bond levy rate for the Tax Year 1999 that was entered into the tax system at a rate ten time the correct rate.

Shirley Roberts, Mayor and Jeanette Roberts Town of Pax,
Delegate John Pino appeared before the Commission to request funds to
purchase appliance for kitchen at the Pax Elementary School.

Commissioner Lopez made motion to approve \$1,400 to purchase
appliance. Commissioner Carte seconded. All approved.

Commissioner Witt asked Ms. Shirley Roberts why did the Town of
Pax pull out of the water project.

Ms. Roberts informed the Commission that the Town did not have
funds for the project.

The meeting was adjourned at 11:35 a.m. Next scheduled meeting
is December 15, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
DECEMBER 15, 1999
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 December, 1999.

The meeting was called to order 9:32 a.m.

Exonerations were approved and signed.

Chris Callas, attorney West Virginia American Water Company appeared before the Commission with an order authorizing the issuance of not to exceed \$33,000,000 in aggregate principal amount of the County Commission of Fayette County, West Virginia Industrial Development Revenue Bonds (WV-American Water Co.) 1999 Series A.

Commissioner Witt moved that Gene Carte, President of the Fayette County Commission be authorized and empowered to execute acknowledge and deliver on behalf of the Commission the aforesaid documents in substantially the forms presented to this meeting. Commissioner Lopez seconded. Order signed.

Earl Pauley, Park Superintendent appeared before the Commission to discuss the purchase of two vehicles (truck and van). Commissioner Witt questioned about the mileage on the vehicles. After a brief discussion, Commissioner Witt informed that he had talked with Sheriff Larry Dotson regarding the mileage. The Commissioners approved purchase. The Commissioners approved topper for David Neal, E911 Coordinator vehicle.

Earl Pauley informed Sheriff Dotson that he had received complaints about the paint job done on a 1991 vehicle that had been

wrecked twice. Mr. Pauley informed the Sheriff that since the vehicle had been wrecked twice the paint job that was done would suffice. Sheriff Dotson informed Mr. Pauley that he would check into the matter.

Mr. Pauley informed the Commissioners he needed to hire a part-time employee to clean around the animal shelter, they would work 4 hours a day.

Mr. Pauley informed the Commissioners that this is only temporary until George Proskin and Hugh Alley can come back in January.

Commissioner Lopez asked ~~Mr.~~ Pauley to see if he could find someone.

Outstanding bills and payroll were approved, first half payroll released today, second half to be released on the 30th.

The Commissioners signed invoices for the confinement of inmates at the Southern Regional Jail for the Town of Fayetteville, the City of Mount Hope, and the City of Oak Hill for the month of November.

The Commissioners approved and signed several request to combine or divide segregate land as submitted by the Assessor's Office.

The Commissioners received letter from the Deep Water Public Service District informing that the term of Brent Walker has expired.

The Commissioners signed order to reappoint Brent Walker a member of the Deep Water Public Service District.

The Commissioners signed order, ordering the balance of the Fayette County General School Fund in the amount of \$68,558.50 for the calendar year 1999, to be transferred to the Fayette County General Fund to defray the balance due said fund for the cost of care

and feeding of misdemeanor prisoners incarcerated by magistrates.

The Commissioners signed affidavit of lost Certificate of Sale for Janet Comer.

The Commissioners received thank you letter from the Women's Resource Center for their contribution of \$2,500.00 for fiscal year 1999-2000.

The Commissioners received and reviewed letter from the Public Service Commission to Margie Campbell regarding a request to run a water line extension for County Road 4 (Sunday Road).

The Commissioners received and reviewed minutes from Salem-Gatewood Public Service District for the month of November.

The Commissioners received and reviewed Audit Reports from the Gauley Bridge Volunteer Fire Department for fiscal years ending June 30, 1995, 1996, 1997, 1998, 1999.

The Commissioners received and reviewed 911 calls for the month of November.

The Commissioners received and reviewed letter from Software System regarding Y2K Readiness installations.

Commissioner Witt suggested to the Commission to write a request that the Fayette County Health Department do a test of the New River Gorge spring on the Fayette Station Road in Lansing.

The Commissioners received and reviewed minutes from Multi-Cap, Inc. for the month of November.

The Commissioners received and reviewed renewal notification from Vision Service Plan, schedule to renew on February 1, 2000. Discussion was held, the Commissioners asked to hold until January 15th meeting.

The Commissioners received and reviewed order from the Division

of Highways order Copperhead Road (Hico) to the Home Access Road Program (HARP).

The Commissioners received and reviewed Application of Employment from Vanessa Marlene Bainer.

The Commissioners received and reviewed Workers' Compensation letters (claimant Barbara J. Hull), copy forwarded to David Neal, E911 Coordinator and Paul Blake, Prosecuting Attorney.

The Commissioners received and reviewed franchise fee payment for the quarter ended September 30, 1999 from Charter Communication, amount \$5,969.32.

The Commissioners received and reviewed report of Dog Tax fees collected.

Ms. Holly informed the Commission that today ends the six month probation for Mark Campbell, Dog Warden.

The Commissioners received and reviewed letter and invoice from Allen, Guthrie, and McHugh regarding the McCormick lawsuit. The Commissioners approved invoices.

The Commissioners received and reviewed request from Shirley Roberts, Mayor, Town of Pax requesting \$1,397.00 to purchase kitchen appliance for the Community Center at Pax Elementary School. Commissioner Lopez moved to contribute \$1,400.00 to the Community Center in Pax. Commissioner Carte seconded. All approved.

The Commissioners received invitation to the Gauley Bridge annual Senior Citizen Christmas dinner scheduled for December 17th at the Gauley Bridge Baptist Church at 11:30 a.m.

The Commissioners approved bid from Election Systems and software for professional services and lease of automatic tabulating equipment and services for the conduct of the 2000 Primary and

General Election, amount \$7,150 per election.

The Commissioners approved for Debbie Aliff, Payroll Clerk to issue 2nd half December county employees and part-time and overtime payroll for 2nd half December.

Attorney Fred Jesser appeared before the Commission to inform the Commission that an agreement to protect the picture on loan to the Fayette County Commission from the John Lee Family should be prepared. The Commissioners agreed, Mr. Jesser to prepare agreement.

Kelvin Holliday, County Clerk spoke to the Commission about the employees sick leave policy. No decision made.

The Commissioners approved for Kelvin Holliday to attend The Election Center Special Workshop being held February 17th and 18th in Tucson, Arizona. The Commissioners approved for Mr. Holliday to become a member of the Election Center, cost \$150.00.

The Commissioners received and reviewed a letter from the State Tax Department informing that the Property Valuation Training and Procedures Commission approved the requested revision(s) to the County Valuation Fund Budget for Fiscal Year 1999-2000.

The Commissioners received and reviewed letter from Judge John Hatcher requesting that the sound system in the courtroom be upgraded.

The Commissioners signed Sales Tax Report for the Fayette County Park for the month of November.

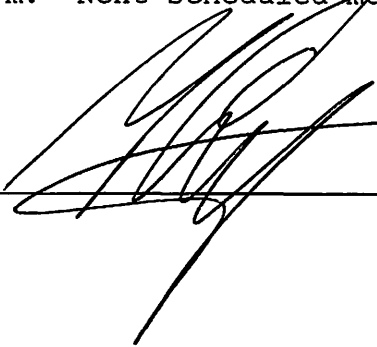
The Commissioners received and reviewed lawsuit from Craig A. Vickers v. Carey Vickers et al.

The Commissioners received and reviewed letter from Meredith Gregg, Chair with Plateau Action Network concerning the construction and functioning of the animal shelter in Beckwith. The Commission

informed that Earl Pauley, Park Superintendent will put in barriers.

The Commissioners received and reviewed 911 fee from Citizens Telecommunications Company for the month of November, amount \$64.17.

The meeting was adjourned at 11:05 a.m. Next scheduled meeting is January 5, 2000.



FAYETTE COUNTY COMMISSION
SPECIAL SESSION
BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 1, 1999
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 1st day of February, 1999.

Commissioner Carte called meeting to order at 9:40 a.m.

The Commissioners approved for the County Clerk to move election supplies to the County Commission Room on Tuesday evening to give out supplies on Wednesday and Thursday for the Special Election being held February 6, 1999.

Ms. Holly informed the Commissioners that she called and talked with the Division of Labor regarding the reinstatement of a part-time employee back to a full time employee because of his military status. Ms. Holly informed the Commissioners she had talked with Paul Blake, Prosecuting Attorney, regarding this matter and was told that because of the military status the County would probably have to reinstate Chris Campbell as a full-time employee at the 911 Center but he would review and get back with the Commission.

Commissioner Witt moved that based on the information received the County would reinstate Chris Campbell. Commissioner Witt withdrew motion and asked that the Commission wait until they hear from the Prosecuting Attorney.

The Commissioners received and reviewed Employee Loss Activity Statement from Workers' Compensation Division.

Ms. Holly informed the Commission that Larry Dotson, Sheriff asked her if the Commission was going to make application for the

Court Security grant; Sheriff Dotson had informed her he would get in touch with Chief Judge Charles Vickers.

Kelvin Holliday, County Clerk appeared before the Commission to inform the Commission he received a quote from Dayton Legal Blank for reconditioned voting booths and informed the Commission the Clerk's Office should get on the statewide voters computer system.

Clerk Holliday recommended that the Commission purchase 11 reconditioned booths at \$222 each. Commissioner Witt made motion to purchase reconditioned voting booths from Dayton Legal Blank as requested by the County Clerk. Commissioner Carte seconded.

The Commission adjourned from regular meeting at 10:15 a.m. The Commission reconvened as Board of Equalization and Review of Property Assessment.

The Commission signed order giving the Assessor's Office and the WV Department of Tax and Revenue permission to make corrections to the initial assessment roll and the corrections to be corrected before the 26th of February, 1999.

Carl Harris, Assistant Prosecuting Attorney gave the Commissioners an update of the Twin Oak Apartments Board of Equalization appeal case pending before the Circuit Court.

Since there were no Board of Equalization and Review of Property Assessment hearings scheduled, Commissioner Carte asked that the Board of Equalization and Review be adjourned. Unanimous.

The Commissioners reconvened for the regular Commission meeting.

Carl Harris, Assistant Prosecuting Attorney, informed the Commissioners that the settlement order of Mountain Laurel Resource received by the Commission was not the County's money or claim.

Commissioner Lopez suggested sending letters of appreciation to

people who resign from any of the County Committee Boards. John Witt suggested that Dave Pollard could prepare certificates on his computer to send.

Ms. Holly informed the Commission that all precincts have been squared away for the Special Elections.

Ms. Holly informed the Commissioners they received a check in the amount of \$10,000.00 as reimbursement for truck costs for the Fayette County Emergency Food Assistance Center (Legislative Digest Grant #99-165).

Ms. Holly informed the Commissioners that Sheriff Larry Dotson wanted her to bring to their attention that overtime is going to be a lot higher this month and that the Law Enforcement uniform allowance is over expended.

Ms. Holly informed the Commissioners that David Neal, E-911 Coordinator received a call on Thursday from Shan Wheeler informing that General Ambulance would be taking over Valley Ambulance Service.

Thomas Aiello, Assessor gave the Commissioners an update of the pending legislation.

Commissioner Lopez made motion to appoint Howard Tygree as a member of the Arbuckle Public Service District replacing George Shuff. Commissioner Carte seconded. Commissioner Witt opposed. Vote passed 2 - 0. Order signed.

The Commissioners received and reviewed letter from the Division of Natural Resources informing of 2 trucks available through repossession.

The Commissioners received and reviewed Verified Proof of Claim Form from the Commercial Explosives Antitrust Litigation.

The Commissioners received and reviewed check in the amount of

\$29,946.60 for the Emergency Telephone System fee for the month of December, 1998.

The Commissioners received and reviewed 1st drawdown check in the amount of \$78,954.86 for the HUD/CDBG Fund for the New Haven Public service District Water Project.

The Commissioners received and reviewed Quarterly Report from Dave Pollard, Community Resource Coordinator.

The Commissioners received and reviewed Workers' Compensation Reports.

The Commissioners received and reviewed letters from Steptoe and Johnson regarding the Jennifer Settle law suit.

The Commissioners received and reviewed various legislative bills.

The Commission asked Ms. Holly to call Gary Moore at Elkem Metals to find out if Elkem was aware of and approved the situation with Valley Ambulance.

The Commissioners discussed picking up county owned ambulances from the Valley Ambulance service, but after a brief discussion it was decided to hold off picking up the ambulances and equipment. The Commissioners asked Ms. Holly to have David Neal, 911 Director, to get a list of what vehicles and equipment belong to the county and for him to check with the State regarding the status of the ambulances.

The Commissioners received and reviewed a copy of a letter from Delegate John Pino to Governor Cecil Underwood regarding a Small Cities Block Grant to match \$52,000.00 provided by the 4-C Economic Development Authority to update the county's comprehensive plan.

The Commissioners received and reviewed a list of "Subscribers

Refusing to Pay the Emergency Telephone System Fee" for the month of October, 1998.

The commissioners asked that a letter of thanks be sent to Ann Skaggs thanking her for serving on the Fayette Transition Team.

Ms. Holly informed the Commission that the Hotel Occupancy tax from October through December, 1998 was \$8,631.49. Ms. Holly informed the Commission that check in the amount of \$4,315.75 has been issued to the New River Convention and Visitors Bureau.

The Commissioners received and reviewed letter from I-73/74 Corridor Association requesting support and assistance in planning, organizing and implementing a Southern West Virginia Transportation Summit.

The Commissioners received and reviewed letter from Lincoln County Commission criticizing the letter that Kanawha County Commission mailed to every County Commission regarding building a new regional airport.

The Commissioners received and reviewed letter from Paul Blake, Prosecuting Attorney, informing that effective February 1, 1999, Emily Corley (\$25,000), Debra Rinehart (\$18,000), Cathy Jo Fox (\$14,000), will receive salary increase and Bobbie Jo Calvert is hired as a full time secretary salary \$12,000 per year.

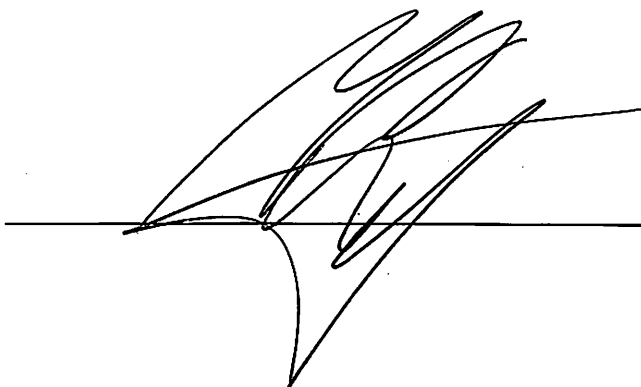
Ms. Holly informed the Commission that James Rogers with ITT Hartford Insurance conducted a survey of the courthouse facilities.

The Commissioners received and reviewed Audit Report from Central Appalachian Empowerment Zone (CAEZ) for year ended June 30, 1997.

The Commissioners received and reviewed letter from Bob Wise, U. S. Representative regarding Addison E. Perkins complaint regarding

her cable rates.

The meeting was adjourned at 11:30 a.m. The next scheduled meeting is February 3, 1999.

A handwritten signature in black ink, consisting of several overlapping, fluid strokes, positioned above a horizontal line.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 3, 1999
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 February, 1999.

Commission Witt called meeting to order.

Exonerations were approved and signed.

The Commissioners signed a letter to Penelope Crandall, Director, Family Law Masters requesting reimbursement for rent in the amount of \$1,200.00 for the month of February, 1999.

Ms. Holly informed the Commission she had talked with Gary Moore, he told her that Elkem had no problem with General Ambulance or Jan Care Ambulance taking over Valley Ambulance Service.

Ms. Holly informed the Commission that she had received a notice that an audit will be conducted for the county for the fiscal year ended June 30, 1998, and that the auditor will be here in about three weeks. The Commission signed acknowledgment for the audit.

Ms. Holly informed the Commission she received Budget Proposal Workpapers from the State Tax Department for the Elected Officials to submit prior to March 2nd for the ensuing fiscal year. Ms Holly asked the Commission if they wanted her to send this Worksheet to the Elected Officials. Ms Holly informed the Commission that she had prepared and enclosed a worksheet with the January 15 Budget letter. The Commission asked Ms. Holly to forward the information received today from the Department of Tax and Revenue to each elected official.

The Commission signed an order appointing Howard Tyree to serve on the Arbuckle Public Service District.

The Commissioners signed letters of appreciation to Andrew Wooten and Ann Skaggs for their service to the citizens of Fayette County as a member of the Arbuckle Public Service District and as a member of the Fayette Transition Team.

Outstanding bills were approved.

Commissioner Lopez offered a motion to adopt Guidelines Regulating Cable Television Rates. Commissioner Witt seconded. All approved. Regulations signed.

Ms. Holly informed the Commission she had contacted the principal of Midland Trail High School regarding the moving of the polling place from the gym due to the basketball games scheduled on February 6. Ms. Holly informed the Commission that the principal moved the polling place to another room and agreed to put up signs and reserve parking for the Special Election.

The Commissioners received and reviewed franchise tax for the period from October 1, 1998 through December 31, 1998 from Rifken Communications Partners, L.P., amount \$6,051.27.

The Commissioners received and reviewed Audit Report from Loup Creek Volunteer Fire Department, Inc. for fiscal year ending June 30, 1998.

The Commissioners received and reviewed minutes and financial reports for the month of February from the Fayette County Solid Waste Authority.

The Commissioners received and reviewed Workers' Compensation letter.

Dorothy Davila with the Gauley Bridge Senior Center and senior

citizens appeared before the Commission to thank the Commission for their Fiscal Year 1999 contribution and to give a report on how the funds were spent for the fiscal year end June 30, 1998. Mrs. Davila informed the Commission she is here to request for more funding again for the Gauley Bridge Senior Center. The Commission informed Ms. Davila that they would be considered during the budget session in March.

Sarah Ashley, Montgomery General Hospital and Selina Vickers, Family Resource Network were present and spoke on behalf of the Gauley Bridge Senior Center asking the Commission to consider the request of Mrs. Davila.

The Commissioners received and reviewed from the Department of Tax and Revenue Administrative Notices to be used in any mineral or industrial property appraisal/assessment hearings that occur during the Board of Equalization and Review.

The Commissioners received and reviewed letter from the Department of Health and Human Resources regarding a sanitary survey of the water system service consumers of Boonesborough Community Water.

The Commissioners received and reviewed letter from the Division of Natural Resources and a supply of the latest version of the Public Land Corporation, Stream Activity Application dated October, 1998, which replaces any old application forms.

John David, Bart Jackson, and Kenneth Fox, with Page-Kincaid Public Service District appeared before the Commission to request funding for \$20,000, but would appreciate any amount to help construct a wastewater treatment and collection system to serve the Wriston and Ingram Branch areas.

Commissioner Lopez informed the Commission would be in budget session in March would take the request under advisement and let them know something by the end of March.

Eric Painter, Otis Elevator appeared before the Commission to discuss maintenance contract and the new remote elevator monitoring (REM) service. The new contract is for 24 hours a day, 7 days a week with the monthly rate reduced from \$473.00 to \$395.00. The Commissioners questioned Mr. Painter about a bill they received for \$529.00; the Commissioners felt that this charge should have been covered under the maintenance agreement. Mr. Painter informed the Commissioners that Otis will credit the invoice if the Commission enters into a new contract at \$395.00.

The Commissioners informed Mr. Painter they would review contract and act on it on February 24, 1999.

Based upon the review by the Prosecuting Attorney, the Commission unanimously decided to reinstate Chris Campbell to full-time seniority position effective February 1, 1999. The Commissioners agreed to reimburse Mr. Campbell for recent medical costs of approximately \$100.00 in lieu of PEIA insurance, retirement, vacation and sick days prior to February 1.

George Campbell appeared before the Commission and agreed on behalf of his son. The Commission agreed that the position would be an additional employee position at the 911 Center instead of terminating another employee to reinstate Mr. Campbell.

Frank Morris, Al Gannon with the White Oak Public Service District appeared before the Commission to request funds for a facility plan for the upgrade of the White Oak Public Service District sewage treatment plant. Commissioner Lopez suggested

considering during the budget session. After a brief discussion, the Commission committed \$10,000 contingent upon the White Oak Public Service District securing additional funding.

The Commission adjourned from regular meeting until 1:15.

The Commission reconvened as Board of Equalization and Review of Property Assessment.

Clara Stegal and John Zink appeared before the Commission with application for Review of Property Assessment. Ms. Stegal and Mr. Zink were sworn in. Eddie Young from the Assessor's Office and Carl Harris from the Prosecuting Attorney's Office were present.

Ms. Stegal questioned the Commission about the increase in her taxes and presented to the Commissioners copies of her 1997 tax tickets.

Eddie Young presented to the Commissioners comparisons of taxes from other property owners in the surrounding area. Discussion was held; the Commission informed Ms. Stegal they would review and take under advisement and a decision would be made prior to the end of the month.

Robert Johnson appeared before the Commission with application for Review of Property Assessment. Mr. Johnson was sworn in.

Eddie Young presented as Exhibit I comparisons of taxes owed by other property owners.

The Commissioners informed Mr. Johnson they will review and take under advisement and will make a decision prior to the end of the month.

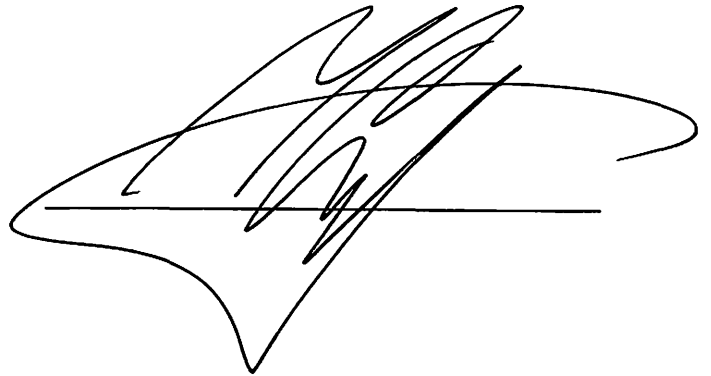
William and Dreama Wykle did not appear for their scheduled appointment. The Commissioners asked to hold review application open and reschedule.

The Board of Equalization and Review hearings were adjourned.

The Commissioners received and reviewed check in the of \$1,200 for Family Law Master rent for the month of January, 1999.

The Commissioners received and reviewed a Form 1099 from the Internal Revenue Service for interest income (\$14.20).

The meeting was adjourned. The next scheduled meeting is February 5, 1999.

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and difficult to decipher, but appears to consist of several overlapping loops and strokes.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 5, 1999
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 5th day of February, 1999 as Board of Equalization and Review of Property Assessment.

Since there were no hearings scheduled, Commissioner Carte asked that Board of Equalization and Review be adjourned.

The Commissioners reconvened for regular County Commission meeting.

Judy Radford, Executive Director, 4-C Economic Development Authority appeared before the Commission to give report of the projects and of the future plans of the 4-C Economic Development Authority.

Bill Caudill, member of the Fayette County Dilapidated Beautification Committee appeared before the Commission. Mr. Caudill informed the Commission that the Dilapidated Committee needed a mailing address, secretary, cellular phone. The Commissioners told Mr. Caudill he could use the Fayette County Commission Post Office Box; the Commissioners informed Mr. Caudill they would talk with Jackie Hickman regarding doing the secretarial work at a monthly increase in pay; Mr. Caudill asked the Commission if they knew of a smaller title that could be used and suggested Fayette County Beautification Committee; the Commission approved; Commissioner Witt moved to purchase cellular phone for the Fayette County Beautification Committee. Approved. The Commission suggested

getting Gary Harding, Zoning Officer to investigate property and get address of property owners. The Commission also approved monthly mileage, a file cabinet, stationery, and ID badge as requested by Mr. Caudill.

The Commissioners received and reviewed Workers' Compensation letters.

The Commissioners received and reviewed letter from ITT Hartford Insurance regarding accident report claim #474ACC06061.

Ms. Holly informed the Commissioners that she has application for Court Security Grant prepared and asked the Commissioners if they wanted her to submit. Ms. Holly informed the Commissioners that she did include the renovation for the Juror Lounge on the third floor.

Commissioner Carte informed the Commissioners he had talked with Chief Judge Vickers who informed him that they do not need any more equipment but would like for the Sheriff to provide more security when court is in session.

Commissioner Witt suggested putting request in letter form and submit to the Commissioners and moved that Judges and Sheriff meet to devise a plan for security of Courthouse.

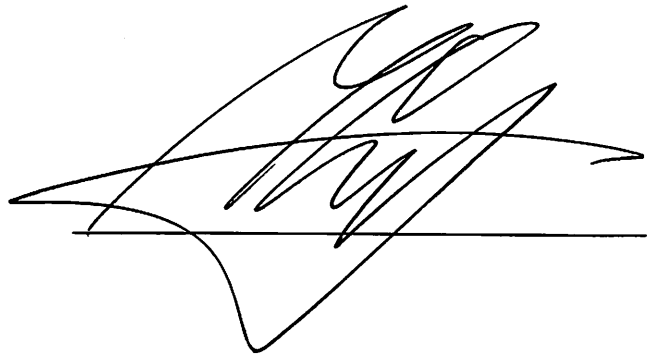
Commissioner Witt moved to approve and submit the application and to send letters to the Judges, Circuit Clerk, Sheriff, Chief Magistrate and Family Law Master to submit letters of support to the Commission for the Court Security Grant by February 9, 1999. Commissioner Lopez seconded. All approved; application and letters signed.

Commissioner Lopez made motion to go into executive session to meet with Attorney's regarding the McCormick law suit. Commissioner Witt seconded.

Upon reconvening from Executive Session, Commissioner Carte informed that the Commission has authorized Prosecuting Attorney to offer plaintiff's attorney a set amount and authorized counsel to get back in touch with the Commission if that offer does not resolve the matter.

At the request of Sanford McNeely, Commissioner Carte directed Ms. Holly to write a letter to Randy Epperly, Division of Highways in Charleston, requesting that all preliminary design proposals for signs and lighting of the Mount Hope intersection be forwarded to the Fayette County Commission for review.

The meeting was adjourned. The next scheduled meeting is February 10, 1999.

A handwritten signature in black ink, written over a horizontal line. The signature is stylized and appears to be the name of the Commissioner, likely Carte.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 10, 1999
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 10th day of February, 1999.

The meeting was called to order.

Ms. Holly informed the Commission that David Neal, E-911 Coordinator has requested a lap top mounting that needed to be installed in the jeep that will be used for addressing.

Eddie Young from the Assessor's Office presented 2 exonerations to the Commission to be approved and signed. The Commissioners approved one of the exonerations, but the one for White Oak Country Club was denied.

Yvonne Harp appeared before the Commission to request funding for Energy Express. Discussion was held, the Commission asked Ms. Harp to see if the Board of Education would subsidize program. Commissioner Lopez suggested to Ms. Harper to confront Bill Arthur regarding funding the program. The Commissioners informed Ms. Harper if the Board of Education would subsidize part of the program they would make a commitment by the 15th of March.

Rod Lang, Region 4 Planning and Development Council presented to the Commission a drawdown request for payment regarding the Fayette County Commission/New Haven Public Service District Water Extension Project, 1997 Small Cities Block Grant B-97-DC-54-0001.

Since there were no hearings scheduled for Board of Equalization and Review of Property Assessment, Commissioner Carte asked that the

meeting be adjourned.

The Commissioners reconvened for regular County Commission meeting.

Discussion was held regarding the opening and closing of the Courthouse and Courthouse Annex for court security.

The Commissioners signed memorandum informing that effective immediately, the exterior doors of the Fayette County Courthouse and Courthouse Annex will not be unlocked until 7:55 a.m. and will be locked at 4:05 p.m. Employees may enter at front door of the Courthouse or the Courthouse Annex prior to 7:55 a.m.; someone from maintenance would be available to unlock and let employees into the building. The Commission agreed to ask the Sheriff to have a deputy do a security sweep of each building at 8:00 a.m. and at 4:00 p.m.

Outstanding bills and payroll including poll workers were approved and released.

It was moved and seconded that Ann Cavalier be appointed to the 4-C Economic and Development Board. Ms. Cavalier is to replace John Carrier. Letter signed.

Ms. Holly informed the Commissioners that the canvass workers are to report February 16, 1999 at 8:30 a.m. The Commission approved starting the canvass at 9:00 a.m. on the 3rd floor of the courthouse.

The Commissioners signed memorandum regarding county-owned vehicles, informing that every county vehicle be stenciled on each side with the identifying Office of Fayette County (i.e. Fayette County Park, etc).

The Commissioners agreed for Earl Pauley, Park Superintendent to do the spray painting and get stencil cut for each vehicle.

The Commissioners reviewed and signed State Tax Report for the

Fayette County Park for the month of January, 1999.

The Commissioners approved lap top mounting to be installed in the jeep that will be used for addressing for \$315.00.

Ms. Holly informed the Commission that because the equipment would be on the passenger side, David Neal, E-911 Coordinator, is asking the Commission's permission to deflate air bag on passenger side. Ms. Holly advised that she had contacted Jim Lively Insurance and had been told that this would not affect the insurance coverage. The Commissioners informed they had no problem with having passenger side air bag deflated.

Ms. Holly informed the Commission that she received a letter from the Clerks and Commissioners who worked at Precinct 56 on February 6, 1999, suggesting to continue to use the Fayetteville Elementary School as a polling place instead of the Memorial Building for Precinct 56. No decision made except to check with the Board of Education first and then conduct a public hearing.

Commissioner Carte informed he would like to commend the two Fayetteville Police officers for the handling of the suicide attempt on the New River Gorge Bridge Sunday.

The Commissioners received and reviewed Workers' Compensation letters.

The Commissioners received and reviewed letter from Steptoe and Johnson regarding the Jennifer Settle law suit.

The Commissioners received and reviewed a copy of a letter from the Division of Highways to Kenneth Beard, President of the Coal Heritage Trail Association, Inc. informing of the Commission's proposal that a loop from U S Route 19 and following Route 16 to Chimney Corner and following U S Route 19 to the intersection of

Route 60 at Hico and following Route 60 through Ansted to Chimney Corner.

The Commissioners received and reviewed order, ordering the addition to the Home Access Program (HARP) of the following Orphan Road (Rat Road-Minden Area), Derryhale Hill Road (Derryhale Area).

The Commissioners received and reviewed Dog Warden Report for the month of January, 1999.

Ms. Holly informed the Commissioners she received a telephone call from a lady regarding a complaint that an employee at the Fayette County Humane Society stomped a dog. The Commissioners asked that this be referred to Ms. Abbot and the Humane Society Board.

Ms. Holly informed the Commissioners she received invoices for medical costs and had prepared check to reimburse Chris Campbell as agreed. Ms. Holly asked if the Commission wanted Mr. Campbell to sign a release to be prepared by the Prosecuting Attorney for the reimbursement; Commissioner Witt suggested having Mr. Campbell sign a release. Unanimous.

The Commissioners signed letter to the Division of Highways requesting a copy of the preliminary design of the proposed signage and lighting for the Mount Hope exit on U S. Route 19.

The Commissioners received and reviewed letters from citizens regarding the Estate of Jeremy Bell.

The Commissioners signed letter certifying that a public meeting to elect two board members for Census Tract 205 was held on February 9, 1999.

The Commissioners received and reviewed letters from ITT Hartford Insurance regarding the Loss Control Visit of January 27th and 28th, 1999.

Ms. Holly informed the Commissioners she received and reviewed estimates from Earl Pauley, Park Superintendent on 2 vehicle accidents and forwarded copies of estimates to Jim Lively Insurance.

The Commissioners received and reviewed Quarterly Report from John Doyle, AmeriCorps.

The Commissioners signed letters to William Wooten, Chairman Judiciary Committee and Oshel B. Craigo, Chairman, Finance Committee and to local Senators and Delegates informing that the Commission endorses Senate Bill 370 to repeal the managed timberland tax break.

The Commissioners received and reviewed a copy of a document from Debra Ferrell acknowledging she fully understands and accepts the position of 911 Addressing Assistant which is at this time a temporary position at an hourly rate of \$7.26 and that she is no longer a supervisor.

Commissioner Carte informed the Commission that Judy Cottle, Court Reporter for Judge Charles Vickers has requested a file cabinet. Commissioner Carte will check with Judge Vickers for approval.

The Commission approved submitting the Court Security Grant application but not to attach a letter regarding sufficient funding of security personnel.

Ms. Holly reminded the Commission that Legislative Budget Digest requests should be submitted soon.

Ms. Holly advised the Commission that training for the 911 Mapping/Addressing system was scheduled to begin February 17, 1999.

The meeting was adjourned at 12:09. The next scheduled meeting is February 16, 1999.

A handwritten signature in black ink, appearing to be 'M. Holly', is written over a horizontal line.

FAYETTE COUNTY COMMISSION
SPECIAL ELECTION
BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 16, 1999
COURTHOUSE

FAYETTEVILLE, WV 25840

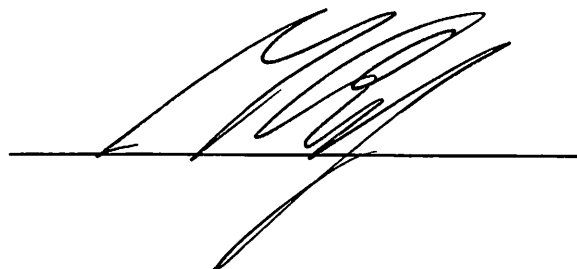
MEMBERS Present: Gene Carte, Jr., John H. Lopez, John L. Witt

The Fayette County Commission met in Special Session on this 16th day of February, 1999.

The Commissioners convened as Board of Canvassers to conduct Canvass of Special Levy Election held on February 6, 1999. The Statement of Ballots Used were verified, the challenged ballots were determined and the results of the election were disclosed. Results are to be certified on Friday, February 19, 1999. The Commissioners adjourned as Board of Canvassers.

Since there were no hearings scheduled for Board of Equalization and Review of Property Assessment, Commissioner Carte asked that the meeting be adjourned.

The meeting was adjourned. The next scheduled meeting is February 19, 1999.

A handwritten signature in black ink, written over a horizontal line. The signature is stylized and appears to be the name of one of the commissioners mentioned in the text above.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 19, 1999
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 19th day of February 1999.

The meeting was called to order at 9:45 a.m.

Exonerations were approved and signed.

The Commissioners received and reviewed a letter from the Fayette County Deputy Sheriff's Association requesting a waiver of the rental fee for the Memorial Building for their Annual Country Show being held July 24, 1999. Commissioner Lopez made motion to approve waiver of the rental fee. Commissioner Witt seconded. All approved. Letter signed.

Commissioner Lopez made motion to approve payment of \$2,500 to Upper Kanawha Valley Economic Development Authority for Randal Boyd to attend the Empowerment Zone Training Seminar. Commissioner Witt seconded. All approved.

Discussion was held regarding having Lee Massey, Bill Caudill, Larry Parsons, Larry Dotson, Mike Sale and Tim Richardson come in to discuss the dilapidation program.

Commissioner Lopez made motion that the results of the canvass of the 1999 Special Levy Election be certified. Commissioner Witt seconded. All approved. The Commissioners signed orders certifying the results of the canvass for the Special Levy Election.

The Commissioners signed letters to Robin C. Capehart, Secretary, Department of Tax and Revenue, Glen Gainer, State Auditor,

and Ken Hechler, Secretary of State informing them of the results of the Special Levy Election.

The Commissioners received memorandum from the County Commission Association regarding Senate Bill 169-Recreation and Amusement Tax Bill.

The Commissioners signed letter to Senator Oshel Craigo, Chairman of the Finance Committee and copies to the Finance Committee and our local Senators and Delegates informing them that the members of the Fayette County Commission support Senate Bill 169 known as the "Recreation and Amusement Tax" bill.

The regular meeting of the Commission was adjourned to convene for the Board of Equalization and Review of Property Assessment.

Dreama and William Wykle appeared before the Commission with application for Review of Property Assessment. Dreama and William Wykle were sworn in. Eddie Young from the Assessor's Office was present and sworn in.

Ms. Wykle questioned the Commission on why her property value had increased.

Eddie Young presented to the Commission comparisons of other property values surrounding Ms. Wykle property. The Commissioners informed Mr. and Mrs. Wykle they would take their request under advisement and let them know a decision by the end of the month.

Terry Travis with Redwing Logging Supply appeared before the Commission with an application for Review of Property Assessment. Terry Travis was sworn in. Tom Lilly and Eddie Young were sworn in. Mr. Travis presented copies of an amended application that had been filed but not with the Assessor's Office. Mr. Lilly informed he had no record of the amended application but did inform the Commission

that Mr. Travis is eligible for the free port amendment for 1999. The Commissioners informed Mr. Travis that this was not a hearing to come before the Board of Equalization. After a brief discussion Mr. Travis withdrew his application.

The Commissioners adjourned as Board of Equalization and Review. The Commission reconvened for regular meeting.

The Commissioners received from Phil Tissue, attorney Contract No. 3 (SCBG) for New Haven Public Service District Waterline Extension Project. Commissioner Witt asked Ms. Holly to give contract to Dave Pollard, Community Resource Coordinator.

The Commissioners received and reviewed letter from the Fayette Transition Team requesting that the Office of Fayette County Resource Coordinator position be continued to be funded. The Commissioners suggested putting the letter in the budget file.

The Commissioners received and reviewed letter from the Canaan Valley Institute informing of the public meeting being held to provide an opportunity for all stakeholders to have input into the Environmental Impact Study (EIS) process that will be done on the Valley Fill/Mountain Top Removal Issue.

The Commissioners received and reviewed memorandum from Jim Lively Insurance regarding check and cancellation invoices for bonds recently canceled, amount \$613.00.

The Commissioners received and reviewed letters from Steptoe and Johnson regarding the Jennifer Settle law suit.

The Commissioners received and reviewed Certificate of Coverage from the Workers' Compensation Division.

The Commissioners received and reviewed copy of two bills from David Neal, E-911 Coordinator for mapping/addressing grant.

The Commissioners received and reviewed a copy of a letter from the City of Mount Hope to Samuel Beverage, West Virginia Department of Transportation giving a list of the persons designated to represent the City of Mount hope regarding the development of any proposed improvements to the on/off ramp from Route 19 to Pax Avenue, Fayette County.

The Commissioners received and reviewed letter from David Neal, E-911 Coordinator regarding personnel changes; Freda Whittaker and Jason Hager to replace Julie Skidmore and Charles Vanmatter as Part-time Communications Specialist at \$6.00 an hour; Janet Honey, Part-time Addressing Assistant hourly rate be changed from \$5.35 an hour to \$6.00 an hour; George Campbell as Shift Supervisor effective February 15, 1999 at \$9.00 an hour; Debbie Ferrell from Shift Supervisor to Addressing Assistant at \$7.26 an hour.

Ms. Holly informed the Commissioners she received notice from Ed Holtsclaw requesting that the Commission send a letter stating they do or they do not have funds available for additional positions for Courthouse Security. The Commissioners asked Ms. Holly to prepare letter stating that funds are not available.

The Commissioners received and reviewed a copy of a letter from Tom Aiello, Assessor informing that effective February 15, 1999, Johnny Dodson resigned his position as Data Collector.

The Commissioners received and reviewed a copy of a letter from Larry Dotson, Sheriff informing that Curtis L. Adkins will fill the position as Deputy Sheriff effective February 16, 1999, salary \$1,673.00 a month.

The Commissioners received and reviewed check in the amount of \$2,308.88 for 2nd and 3rd quarter franchise fee from Bradley's, Inc.

The Commissioners received and reviewed letter from the State Tax Department informing that 1999 In-Service Training Seminars have been scheduled for assessors, circuit clerks, county clerks, county commissioners, sheriff and their employees. Ms. Holly informed the Commission that the In-Service Training Seminar for the Commissioners is scheduled for August 8-10.

The Commissioners received and signed invoices to the City of Oak Hill, the Town of Fayetteville and the City of Mount hope for the confinement of prisoners at the Southern Regional Jail for the month of January.

Ms. Holly reminded the Commission that the Legislative Budget Digest requests should be submitted soon, and asked the Commission if they had any projects they might want to submit. Commissioner Lopez informed he had talked with Earl Pauley, Park Superintendent, and he had mentioned a water slide for the Fayette County Park; Commissioner Lopez also suggested getting measurements for a fence at the Boomer ballfield.

The Commissioners received and reviewed letter from the Southern West Virginia Transportation Summit regarding a summit meeting March 30-31, 1999.

The Commissioners received and reviewed minutes from the Gauley River Public Service District for the period July through December, 1998.

The Commissioners received and reviewed fax from the West Virginia Association of Counties regarding bills that were introduced from February 4th to February 11th.

The Commissioners received and reviewed letter from citizens regarding the Estate of Jeremy Bell.

The Commissioners received and reviewed minutes from Salem-Gatewood Public Service District for the month of January, 1999.

Discussion was held regarding the opening and closing of the Courthouse and Courthouse Annex for court security. Ms. Holly informed the Commissioners she received a call from Chief Magistrate Allan Workman inquiring about leaving the Magistrate front door open during evening hours so that employees would not have to answer buzzer. The Commission approved to get a key to the Annex made for Sheriff.

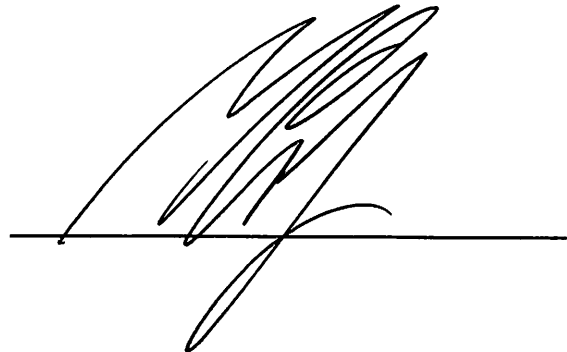
Commissioner Carte recommending giving Carolyn O'Dell a raise in her monthly contract for cleaning Prosecuting Attorney office. Discussion was held, the Commissioners asked Ms. Holly to check with the Prosecuting Attorney to see if he was satisfied with Ms. O'Dell work. The Commission approved monthly increase from \$400 to \$500 if approved by Prosecuting Attorney Paul Blake.

The Commissioners received and reviewed check from ITT Speciality Risk Services, Inc. for \$1,222.40 accident. Copy forwarded to Earl Pauley, Park Superintendent.

The Commissioners received and reviewed estimates from Crawford & Company of accident. Copy forwarded to Earl Paul.

The Commissioners received message from Kelvin Holliday, County Clerk to unlock votamatic room to get poll slips.

The meeting was adjourned at 11:25 a.m. The next scheduled meeting is February 24, 1999.

A handwritten signature in black ink, consisting of several overlapping, sweeping strokes, positioned above a horizontal line.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
BOARD OF EQUALIZATION AND REVIEW
FEBRUARY 24, 1999
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 February, 1999.

The meeting was called to order at 9:40 a.m.

Exonerations were approved and signed.

The Commissioners signed letters to Clara Stegal and to William and Dreama Wykle informing of the decision of the Board of Equalization and Review for 1999 not to change the assessed valuations of their properties in question.

The Commissioners signed a letter to Robert Johnson informing of the decision as a Board of Equalization and Review for 1999 that the assessed valuation of his property in question will be as follows: Surf. .24/Ansted-Land-\$5,040, Building-\$38,280; Surf. 1.899 Pt.Lot 12 Hawks Nest- Land-\$14,880, Building-\$75,000.

The Commissioners signed order certifying that they have examined each and every item and valuation fixed by the Assessor and have made such corrections and fixed such valuations, and that records shows the complete valuations and assessments of the property of Fayette County for the year 1999.

The Commissioners approved and signed several requests to combine or divide and segregate land as submitted by the Assessor's Office.

The Commissioners signed letter to Penelope Crandall, Director, Family Law Masters requesting reimbursement for rent in the amount of

\$1,200.00 for the month of March, 1999.

The Commissioners reviewed, approved and signed minutes for February 10, 1999 and February 16, 1999.

The Commissioners signed letter of support of the plan by the Southern Appalachian Labor School (SALS) plans to seek Housing Preservation Grant funds.

The Commissioners signed letter to the Criminal Justice and Highway Safety Division informing that at this time the Commission does not have funding available for additional positions for Courthouse security.

Ms. Holly presented to the Commissioners the Otis Elevator proposal agreement. Commissioner Witt asked that this be delayed until the next meeting, informing he would like to get more information from other sources.

Ms. Holly reminded the Commission that Legislative Budget Digest requests would have to be submitted soon.

Commissioner Witt suggested exploring the possibility about getting a stair lift for the Courthouse.

Discussion was held regarding the marking of the county vehicles. The Commission approved not to mark the Sheriff's unmarked cars, but all other county vehicles are to be marked.

Commissioner Carte informed the Commission that the license tags on the County vehicles have expired. Ms. Holly informed the Commissioners she received a stack of vehicle registrations in the mail, but no letter of explanation was received as to why the new registrations were issued.

The Commissioners received and reviewed letter from CableVision informing that Interlink Communications Partners, LLLP is planning on

selling the Company to Charter Communications. Ms. Holly informed the Commission that Cablevision would have to file a Federal Communications Commission 394 application to seek approval for assignment of franchise and/or transfer of control from the Fayette County Commission.

The Commissioners received and reviewed a letter from the West Virginia Department of Transportation regarding the proposed Regional Airport.

The Commissioners received and reviewed a letter from the Page-Kincaid Public Service District thanking the Commission for considering being a financial partner in their proposed sewage project.

The Commissioners received and reviewed fax from the County Commissioner Association regarding Managed Timberland Senate Bill 370.

The Commissioners received and reviewed a list of "Subscribers Refusing to Pay the Emergency Telephone System Fee" for the month of November, 1998.

The Commissioners received and reviewed check in the amount of \$30,100.57 for the Emergency Telephone System Fee for the month of January, 1999.

The Commissioners received and reviewed a letter from the Department of Health and Human Resources regarding Montgomery Heights Water System.

The Commissioners received and reviewed letters from the Workers' Compensation Division.

The Commissioners received and reviewed a letter from the Criminal Justice Services regarding a Juvenile Accountability

Incentive Block Grant Direct Award. Ms. Holly informed the Commission she sent copies to the Prosecuting Attorney and the Sheriff.

Outstanding bills and payroll were approved and released.

Ms. Holly reminded the Commission that the Auditor will be here within the next few weeks to audit Fiscal Year 1997-98.

Commissioner Carte discussed the procedure in which the vouchers are prepared in Nicholas County compared to how they are done in Fayette County. No decision made.

Ms. Holly informed the Commissioners that Magistrate T. C. Monk has requested a glass top for his desk. The Commissioners asked Ms. Holly to check to see if the County would have to purchase or the Supreme Court.

The Commissioners received and reviewed a letter requesting funding from the ASA Fast-Pitch Softball 18-16 Under.

The Commissioners received and reviewed minutes of Planning Commission meeting held on January 25, 1999.

The Commissioners received and reviewed cancellation notice for Public Official Bond for Stephanie Harrah.

Gary Harding, Zoning Officer presented to the Commission the following cases for disposition:

Z-463-98-3: On the County Commission's own motion, a request of C. Sam Miller, for a change in land classification from P-D, Planned Development, to B-2, General Business, on 4 acres, Hico, located on Sunday Road across from Mountain River Tours, New Haven District.

This case was tabled from the previous meeting because the request could not get a second on the motion. The Commission was reminded that the Planning Commission did by a vote of 10 to 4

recommend this be approved. After a general discussion a motion was made by Commissioner Lopez that this be approved as recommended by the Planning Commission. Motion was seconded by Commissioner Carte and passed by a vote of 2 to 1 with Commissioner Witt voting against the motion.

Z-466-99-1: Request of Van James, owner, by Mark Hurley, contract owner, for a change in land classification from RR-1, Agricultural and Rural Residence District, to B-2, General Business District, on 4.13 acres, Lots A, B and part of parcel 4, located off Route 61, Mount Carbon, between Adena Village and Montgomery Heights, Valley District.

The Commission was informed that this was a request to locate a building contractor's office in a 50' x 100' building and that the Planning Commission did by a unanimous vote recommend that this be approved. After a general discussion a motion was made by Commissioner Lopez that this be approved as recommended by the Planning Commission. Motion was seconded by Commissioner Carte and passed by a vote of 3 - 0.

The next item to be considered was a proposed amendment to the zoning ordinance with relation to adding Article XIII(a) U.S. Route 19 Corridor Overlay District. Al Gannon, Guy Dooley, and Gene Kistler were present representing both the Planning Commission and the Fayette Transition Team. Gary Harding, Zoning Officer, informed the Commission that the Planning Commission did by a vote of 8 to 1 recommend that this be adopted. After a very lengthy discussion a motion was made by Commissioner Witt that the amendment be adopted subject to approval of the fee schedule. Commissioner Carte commented that he would like to see the penalty section removed

because he did not feel that you could set jail time as a penalty for a zoning violation. Commissioner Lopez stated that he felt something needed to be changed with relation to the plans and elevations because of the cost that could be incurred before finding out if the zoning request is approved. After further discussion Commission Witt withdrew his motion to approve the amendment. Commissioner Lopez made a motion that this be tabled to allow time to work out some of these concerns. Motion was seconded by Commissioner Carte and passed.

Evelyn O'Dell and Tammy Barr with the Retired Senior Volunteer Program appeared before the Commission to request \$1,000 funding for the fiscal year 1999-2000. The Commission informed Ms. O'Dell they would consider her request during budget session.

Since there were no additional hearings scheduled for the Board of Equalization and Review of Property Assessment, Commissioner Carte asked that the meeting be adjourned.

The meeting was adjourned 11:45 a.m. The next scheduled meeting is March 3, 1999.

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and difficult to decipher, but it appears to be a name starting with 'M' and ending with 'A'.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JANUARY 6, 1999
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 6th day of January, 1999.

Commissioner John Lopez made motion to elect Commissioner Carte, Jr. as President for the year 1999; Commissioner John Witt seconded. Commissioner Witt moved to appoint Commission Lopez as Purchasing Agent and Deborah A. Berry designated Assistant Purchasing Agency for the year 1999. Commissioner Gene Carte seconded. The Commissioners signed Organization Order.

The Commissioners received and reviewed letter from Magistrate Allan Workman requesting shelves for the arraignment room, light for parking lot and cellular phones for the Magistrates. Commissioner Witt stated that he had already talked to Bob Massey, Maintenance Supervisor about shelves and light. The Commissioners voted no the cellular phones.

The Commissioners approved and signed several request to combine or divide and segregate land as submitted by the Assessor's Office.

Commissioner Carte informed he had received a call from the Arbuckle Public Service District informing that Andrew Wooten has resigned as Commissioner. Mrs. Holly presented a letter from the Public Service District; Commissioner Witt suggested appointing George Shuff. Commissioner Lopez made motion to appoint George Shuff to fill the unexpired term of Andrew Wooten. Commissioner Witt seconded. Commissioner Carte asked that a letter of appreciation be

sent to Mr. Wooten.

The Commissioners signed probate reports as submitted by the County Clerk's Office.

Outstanding bills were approved.

Commissioner Witt informed there would be a meeting at the Courthouse on Thursday at 7:00 to discuss attracting the retirees back to the State.

The Commissioners signed letter to Penelope Crandall, Director, Family Law Masters requesting for reimbursement for rent in the amount of \$1,200.00 for the month of January, 1999.

The Commissioners planned the following dates and times for the purpose of reviewing equalizing the assessments of the County:

February 1, 1999	Monday	10:00 A.M.
February 3, 1999	Wednesday	1:15 P.M.
February 5, 1999	Friday	10:00 A.M.
February 10, 1999	Wednesday	10:00 A.M.
February 16, 1999	Tuesday	1:15 P.M.
February 19, 1999	Friday	10:00 A.M.
February 24, 1999	Wednesday	1:15 P.M.
February 26, 1999	Friday	10:00 A.M. (optional if necessary for hearings).

Ms. Holly informed the Commissioners that the Annual Association of Counties meeting is being held February 6-9th.

Ms. Holly informed the Commission that canvass for the Special Election would be held on Tuesday, February 16, 1999.

Commissioner Carte presented to the Commissioners 3 executed grant awards from the West Virginia Development Office (Fayette County Emergency Food Assistance Center, Boomer Ballfield, and Fayette County Courthouse Handicapped accessible Grants).

The Commissioners approved for Sheriff Larry Dotson to transfer funds to pay deputies overtime.

Commissioner Witt informed the Commissioners that Tim

Richardson, Bill Caudill, Larry Parsons met to discuss the dilapidated ordinance, and asked that the Commissioners send letter to the Fayette County Firemen's Association asking for their input and participation in the institution of a plan to rid Fayette County of structures that have been deemed to be disposed of.

Commissioner Witt made motion that letter be typed and sent to the Fayette County Firemen's Association and all Fire Departments to the attention of the Fire Chief. Commissioner Lopez seconded. Unanimous. Letter signed.

Norman Jordan, Jean Evansmoore, Marjorie Campbell, and Sharon Cruikshank appeared before the Commission with a proposal to the Commission for financial assistance to support the first of an Annual Fayette County Museum Day. Mr. Jordan informed the Commissioners they would like to do something to bring attention to the museums in Fayette County. Commissioner Lopez suggested considering in our March budget, but informed the committee that funds would not be available until July 1st. Commissioner Witt moved to take up in budget session. Commissioner Lopez seconded. All approved.

Gloria Fredericks and other concern citizens appeared before the Commissioners to request that the Commissioners send a letter to the Library Board opposing moving the West Virginia Collection which belong at the County seat to the Oak Hill Administrative Building. Commissioner Carte informed they would be sending a letter to the Library Board asking to reconsider not moving the books.

Commissioner Lopez made motion to go into Executive Session to discuss law suit and reimbursement of Deputy Retirement Plan. Unanimous.

Upon return the Commissioners informed they took no action on

matter.

Commissioners Witt questioned Joe Myers with the Fayette Tribune on why he waited until now to publish his article about the county having extra surplus.

Commissioner Witt informed the Commissioners that Senator Shirley Love would be presenting a check in Charleston on January 14th in the Governor's Office at 11:45 a.m. to the Kanawha Falls Public Service District for purchase of a belt-filter press.

The Commissioners signed letter to Delegates Bill Laird, John Pino, and Senator Love asking for there support of the Comprehensive Plan.

The Commissioners received and reviewed several letters from Steptoe and Johnson regarding law suits.

The Commissioners received and reviewed several Workers' Compensation Reports.

The Commissioners received and reviewed Unemployment Compensation Reports.

Ms. Holly informed the Commissioners that she had sent a letter to Paul Blake, Prosecuting Attorney, asking him to prepare cable rate regulations for review and adoption by the Fayette County Commission prior to February 4, 1999.

The Commissioners received and reviewed letter from the Department of Tax and Revenue informing that Joseph M. Palmer has been appointed the new State Tax Commissioner.

The Commissioners received and reviewed a copy of a letter from General Ambulance Service, Inc. regarding dispatch inquiry.

Ms. Holly informed the Commissioners she received a call from Gary Hough, Principal, Fayetteville Elementary School, regarding a

conflict of schedule for the Special Election. Mr. Hough informed that a wrestling match and a basketball game had been scheduled at the Memorial Building for that day and he had suggested moving the polling places to Fayetteville High School, Fayetteville Elementary School, or Fayetteville Middle School. The Commission approved moving the polling places to Fayetteville Elementary only or leave precincts where they are.

The Commissioners received and reviewed letter from Paul Blake, Prosecuting Attorney informing that Kathy Bird has requested that she be permitted a leave of absence under the Family & Medical Leave Act of 1993. Approved.

The Commissioners received and reviewed copy of a letter from Sheriff Larry Dotson informing of the re-employment of Sean Snuffer.

The Commissioners received and reviewed list of vacation and sick days for the employees of the Circuit Clerk's Office and the Maintenance Department for the period from January 1, 1998 through and including December 31, 1998.

The Commissioners received/reviewed and signed Fayette County Fire Levy Pumper Replacement Agreement for Gauley Bridge Volunteer Fire Department for the period July 1, 1998 to June 30, 1999.

The Commissioners received and reviewed check in the amount of \$31,556.04 for the Emergency Telephone System Fee for the month of November, 1998.

The Commissioners received and reviewed fax from the County Commissioners' Association of West Virginia informing of the Basic Training Plans being held at the Days Inn, January 14-15, 1999.

The commissioners received and reviewed Abstract Orders from the Division of Highways.

Commissioner Witt asked Ms. Holly to write a letter to the United States Post Office informing that the Commission has no objections to the proposal for expanding the post office located at Kincaid.

Ms. Holly informed the Commissioners that the conversion of the AS400 computer operating system, payroll and budgeting and accounting for year 2000 was completed.

Ms. Holly asked the Commissioners if any of the Elected Officials have discussed the Courthouse Security Application. The Commissioners informed Ms. Holly there was no interest in submitting an application for court security.

The Commissioners received and reviewed letter from Bell Atlantic informing that Bell Atlantic will host a series of planning and implementation Statewide Internet sessions for county officials.

The Commissioners received and reviewed Audit Report of Loup Creek Volunteer Fired Department, Inc. for fiscal year ending June 30, 1992 and June 30, 1993.

The Commissioners received and reviewed letter from Software Systems, Inc. informing of rate increases for services.

The Commissioners received and reviewed copy of the Assessor's Valuation budget.

The Commissioners received and reviewed a copy of a balance sheet and financial sheet from Kanawha Falls Public Service District for the month of October.

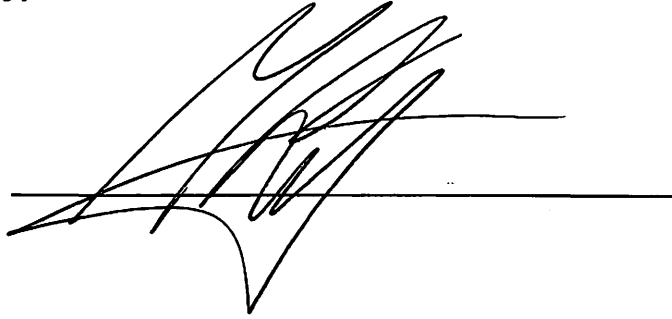
The Commissioners received and reviewed letter from the West Virginia American Water Company regarding water extension projects.

Commissioner Carte made motion to pay \$5,000 to the Fayette Family Resource Network. Commissioner Lopez seconded. Unanimous.

The Commissioners received and reviewed a letter from the Office Emergency Services regarding the status of the West Virginia Integrated Flood Observing and warning Systems (IFLOWS).

The Commission approved moving old xerox copier from Prosecuting Attorney Office to the Smithers Detachment.

The meeting was adjourned at 1:00 p.m. The next scheduled meeting is January 15, 1998.

A handwritten signature in black ink, consisting of several overlapping, stylized loops and lines, positioned above a horizontal line that spans the width of the signature.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JANUARY 15, 1999
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Gene Carte, Jr., John L. Witt

The Fayette County Commission met in regular session on this 15th day of January, 1999.

Exonerations were approved and signed.

Rod Lang, West Virginia Development Office appeared before the Commission to present request for payment, Document 1 invoices for the New Haven Public Service District-1997 Small Cities Block Grant Water Extension Project. The Commissioners approved. Commissioner Witt made motion to approve and authorize the payment of said request. Commissioner Carte seconded.

The Commissioner approved to allow Stafford Construction to present a proposal with change order on New Haven Public Service District Project utilizing funds allowed through the project with the understanding that formal finalization may not be approved until a public meeting and income survey have been conducted and the West Virginia Development Office has approved the request.

The Commissioners signed order appointing George Shuff to fill the unexpired term of Andrew Wooten as a member of the Arbuckle Public Service District. Commissioner Carte opposed. Vote passed 2-1.

The Commissioners received and reviewed minutes from Salem-Gatewood Public Service District for the month of December.

The Commissioners received and reviewed Unemployment Compensation and Workers' Compensation letters.

Outstanding bills and payroll were approved.

The Commissioners signed invoices to the Town of Fayetteville, City of Oak Hill, City of Mount Hope and the City of Smithers for the confinement of the prisoners at the Southern Regional Jail for the month of December.

The Commissioners signed order to increase the corporate surety bond of Orland L. Nichols.

The Commissioners received and reviewed vacation and sick leave from Kelvin Holliday, County Clerk for the period January 1, 1998 through December 31, 1998.

The Commissioners received and reviewed letter from the Board of Education waiving the custodial fee for the 1998 General Election and when the ballot includes a Fayette County Board of Education Special Levy and/or Bond Levy ballot.

The Commissioners received and reviewed Sheriff Department Vehicle Report for January 1, 1998 through December 31, 1998.

Ms. Holly informed the Commissioners that the bankruptcy order she received regarding Mountain Laurel Resources was a different claim. Ms. Holly informed the Commissioners that Carl Harris, Assistant Prosecuting Attorney will check into further regarding the County's claim for taxes.

The Commissioners received and reviewed letter to David Neal from Valley Emergency Medical Service informing that as of 12:00 midnight on Saturday, January 9, 1999 they will cease emergency service operations.

The Commissioners received and reviewed check from the Supreme Court of Appeal for reimbursement for Twinax Cable for Circuit Judges, amount \$757.20.

The Commissioners approved purchase of chairs for Judge Charles Vickers secretary and Court Reporter.

The Commissioners received and reviewed letter from Paul Blake, Prosecuting Attorney informing that Kathy Bird will return to work effective January 18, 1999, and will not be taking Family Leave.

The Commissioners received and reviewed Audit Report from the Nuttall Volunteer Fire Department for fiscal year ending June 30, 1998.

The Commissioners approved for Charlotte Holly to attend the Employment Labor Law seminar.

The Commissioners received and reviewed Employer's Guide to the Qualified Loss Management Program from the Workers' Compensation Division.

The Commissioners received and reviewed Workers' Compensation Reports.

The Commissioners received and reviewed Order from the Unemployment Division regarding Dolly E. Holcomb v. Fayette County Commission.

Commissioner Witt made motion that request to waiver rental of the Memorial Building for the Fayette County Volunteer Gospel Show be approved. Commissioner Carte seconded. All approved.

The Commissioners received and reviewed 911 response report for the month of December.

Ms. Holly asked the Commission if they had gotten any response from the Library Board regarding the removal of the West Virginia Collection from the Memorial Building. The Commissioners informed Ms. Holly that the Library Board did not meet.

Ms. Holly informed the Commissioners she received response from

the Attorney that's handling the McCormick's law suit regarding the counter proposal for settlement.

The Commissioners received and reviewed a letter from Circuit Clerk Thelma Kincaid informing that effective January 15, 1999 her employees will receive salary increases.

The Commissioners received and reviewed order from the Division of Highways ordering the addition to the Home Access Road Program (HARP) of the Orphan Road (Harrah Cemetery Road).

The Commissioners received and reviewed copy of the proposed agreement for a Deputy Sheriff who has elected to become a member of the new Deputy Sheriff's Retirement System. The Commissioners informed Ms. Holly no need to have it signed since Public Employees Retirement System had signed enrollment forms.

The Commissioners received and reviewed notice from the Kanawha County Commission regarding the Enterprise Community grant.

The Commissioners received and reviewed a copy of the letter from the Secretary of State responding to the questions asked by David Perry, Chairman of the Fayette County Democratic Executive Committee.

The Commissioners received and reviewed letter from the Department of Tax and Revenue regarding the Board of Equalization and Revenue hearings.

The Commissioners received and reviewed check in the amount of \$8,579.44 representing a disbursement of Wireless E-911 subscribers fees for the months of July, August and September, 1998.

The Commissioners received and reviewed resume from Fred Reiniger.

The Commissioners approved drawdown of \$5,000 to the Fayette

County Solid Waste Authority payroll for Larry Parsons.

Ms. Holly informed the Commissioners she had called Gary Hough regarding moving the two precincts from the Memorial Building to the Fayetteville Elementary School for the Special Levy Election in February.

In order to prepare the application and get estimates, Ms. Holly informed the Commissioners that she needed to know as soon as possible if the county is going to make application for the Court Security Grant. The Commission decided not to submit an application since no one was interested.

Ms. Holly reminded the Commissioners of the National Association of Counties meeting being held February 26th - March 2nd, 1999.

Ms. Holly informed the Commissioners that she had checked with the West Virginia Surplus Agency about a 4-wheel vehicle for the mapping project and was told that they didn't have any at this time.

The Commissioners signed letter to Governor Cecil Underwood requesting that the traffic situation along U S Route 19 south of Oak Hill at the Route 16 intersections at Pea Ridge Road at Greenstown be upgraded.

The Commissioners signed letter to all elected officials and Department Heads requesting that each office, prior to March 2, 1999 submit to the Commission a detailed request for appropriation for anticipated or expected expenditures for is respective office.

The Commissioners signed letter to the U S Post Service regarding the post office located in Kincaid informing they offer no objection to the proposal.

The meeting was adjourned at 9:20 a.m. The next scheduled meeting is January 27, 1999.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the left.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JANUARY 27, 1999
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: Gene Carte, Jr. John L. Witt

The Fayette County Commission met in regular session on this 27th day of January, 1999.

Commissioner Carte called meeting to order at 9:30 a.m.

Exonerations were approved and signed.

Attorneys Clint Gallaher and Ralph Young appeared before the Commission with a petition to remove Kim Ball the Administratrix from the Estate of Jeremy Bell. Attorney Travers Harrington appeared before the Commission to oppose the petition to remove Ms. Ball. After a brief discussion the Commission made no decision regarding matter and informed the parties they would confer with the Prosecuting Attorney on the matter. The attorneys are to file motions with the Commission.

Commissioner Witt made a motion to recess for Executive Session with Prosecuting Attorney to discuss McCormick law suit. Unanimous.

Upon reconvening from Executive Session Commissioner Carte informed no action taken, still negotiating, will meet with the Attorneys on Monday, February 1st at 10:00 a.m. to discuss.

The Commissioners held public hearing to receive comments on proposed basic cable rate regulations. No comments received; the Commission asked that comments for the proposed basic cable rate regulations be extended until February 2, 1999. The Commission will adopt regulations on February 3, 1999. The public hearing was closed.

Outstanding bills and payroll were approved.

The request of Chris Campbell to be reinstated as a full-time employee at the 911 Center based on his Military service rights was deferred until February 3.

Gary Harding, Zoning Officer presented the following cases for a disposition to the Commission:

Z-463-98-3: On the County Commission's own motion, a request of C. Sam Miller, for a change in land classification from P-D Planned Development, to B-2, General Business, on 4 acres, Hico, located on Sunday Road across from Mountain River Tours, New Have District.

Mr. Miller was present and two ladies were present in opposition. Mr. Harding informed the County Commission that the Planning Commission did on Monday recommend by a vote of 10 to 4 that this property be rezoned to B-2, General Commercial. After much discussion it was decided by the Commission to table this request until February 24, 1999, at 10:30 a.m. to allow for a full Commission to vote on the matter.

Z-465-99-1: Request of Charles R. and Kathryn Piotrowski, contract owners, for a change in land classification from R-R, Agricultural and Rural Residence, to P-D, Planned Development District on 1.83 acres, located on Route 60, the Old Crawford Motors property, Lookout, New Haven District.

Mr. Piotrowski was present and informed the Commission of the intended use of the property. Mr. Harding informed the Commission that the Planning Commission did by a vote of 14 to 0 recommend that this be approved to P-D, Planned Development. After a brief discussion a motion was made by Commissioner Witt that this be approved as recommended. Motion was seconded by Commissioner Carte

and passed 2-0.

Earl Pauley, Park Superintendent appeared before the Commission to give update on the Lacy Lights display during the month of December. Mr. Pauley informed 14,000 came to view lights.

Earl Pauley made request to partition half of the men's restroom at the Memorial Building for 911 Employees only; asked about building shed with heat for the women taking names during the display of the Lacy's Lights; request for popcorn popper, cost (\$450); request for heat in canteen building; request bathrooms be opened during display; request running cable underground for display; request to check with State Road about getting directional sign for Park. The Commission approved for Earl to do projects.

The Commissioners signed letter to the Division of Highways supporting plan for the Coal Heritage Trail to form a loop from Route 19 at Fayetteville to Chimney Corner and from Route 19 to Hico to Chimney Corner.

The Commissioners signed letter to Governor Cecil Underwood requesting his support and assistance in gaining approval from the West Virginia Department of Highways for the construction of a Northbound Exit from U S Route 19 to Mount Hope and for the installation of improved signs.

The Commissioners approved and signed several requests to combine or divide and segregate land as submitted by the Assessor's Office.

The Commissioners signed orders appointing John Witt, Debbie Laird, Thomas Woodrum, Tim Velie, Elmer Hess, John Tolley, and Larry Dotson as members of the Fayette County New River Gorge Bridge Day Commission and order appointing Debbie Laird as chairman.

The Commissioners received and signed Fire Levy Fire Protection Agreement for Smithers Volunteer Fire Department for the period July 1, 1998 to June 30, 1999.

The Commissioners signed order giving the Assessor of Fayette county permission to make corrections to the initial assessment roll, and ordering that any errors created by the West Virginia Department of Tax and Revenue or by the Assessor of Fayette County and found in the initial assessment roll be corrected before the 26th day of February, 1999.

Commissioner Carte moved that secretarial help be given to the Dilapidated Building and Beautification Committee. Commissioner Witt seconded. All approved.

The Commissioners received and reviewed letter from Tom Aiello, Assessor informing that effective January 21, 1999 Butch McClung will be working part-time in the Assessor's Office.

The Commissioners received and reviewed letter from Tom Aiello informing that effective January 16, 1999, Johnny Dodson, an employee of the P.V.C. fund has been suspended from the payroll for a period of thirty (30) days.

The Commissioners received and reviewed letter from David Neal, E-911 Coordinator informing Julie L. Skidmore has been added to the E-911 staff as a Probationary Part-time Communication Specialist, hourly pay rate of \$6.00 and that Robert S. Massey has completed the requirements, for Probationary Full-time Communication Specialist.

The Commissioners approved the purchase of Fayette County aerial slides for the 911 Center, cost \$160.00, from the U S Agricultural Office.

The Commissioners signed letter to Senators Shirley Love, Randy

Schoonover and Delegates John Pino, Tom Louisos, and William Laird informing the Commission endorse the letter written by Gordon Billheimer regarding proposed legislation to fund costs associated with the removal of unsightly buildings by adding ten cents (10¢) per \$1,000 to the consideration charged on each deed.

The Commissioners received and reviewed Workers' Compensation Report.

The Commissioners received and reviewed Quarterly Report from the Boomer Volunteer Fire Department for the period October, 1998 through December 31, 1998.

The Commissioners received and reviewed Accident Report of Deputy Kendall L. Baker.

The Commissioners received and reviewed fax from the West Virginia Association of counties regarding bills addressed in the Legislative Session.

The Commissioners received and reviewed grant checks in the amount of \$75,000 for Kanawha Falls Public Service District for the purchase of a belt filter press.

The Commissioners received and reviewed letter from Steptoe and Johnson regarding Jennifer Lynn Settle law suit.

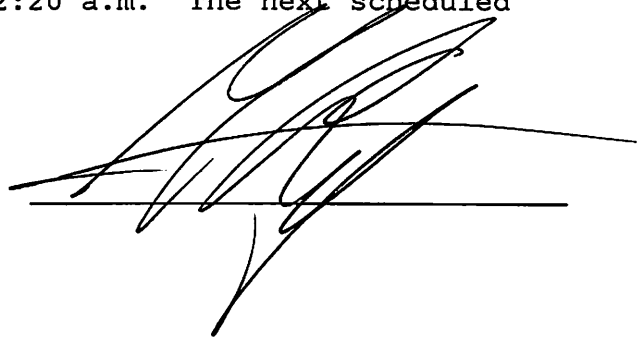
The Commissioners received and reviewed notices from Ford Motor Company informing that a defect exists in certain 1995 through 1999 Ford Crown Victoria and Lincoln Town Car. Original forwarded to Earl Pauley, Park Superintendent.

The Commissioners received and reviewed notice from the Division of Highways ordering the addition to the Home Across Road Program (HARP) of the Orphan road in Teel Lane (Winona area).

Commissioner Carte moved that the meeting be adjourned.

John Witt moved to purchase 2 jeeps through State Purchasing-- one for Assessor and one for business use by County Officials and to transfer 1997 jeep from the Assessor to the 911 Center for use with the mapping project. Gene Carte seconded. Vote 2 - 0 approved.

The meeting was adjourned at 12:20 a.m. The next scheduled meeting is February 1, 1999.

A handwritten signature in black ink, appearing to be "John Witt", is written over a horizontal line. The signature is stylized and somewhat illegible due to the cursive nature of the handwriting.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
JULY 7, 1999

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 7th day of July, 1999.

Commissioner Carte called the meeting to order at 9:57.

Commissioner Witt informed the Commissioners he received Comprehensive Plan Update from Dave Pollard, Community Resource Coordinator asking the Commission to officially designate the Joint Review Committee to act as their agents and steering committee and asking the Commission to sign and enter a resolution. Commissioner Witt made a motion to approve and sign resolution authorizing the Joint Review Committee to act as the Agent of the Fayette County Commission in the update of the County Comprehensive Plan and Zoning Ordinance. Commissioner Carte seconded. All approved.

The Commissioners received and reviewed a letter from the Town of Gauley Bridge requesting funding for Fiscal Year 1999-2000.

The Commissioners signed Fire Levy Protection Agreement for Montgomery Volunteer Fire Department for the period July 1, 1999 to June 30, 2000.

The Commissioners signed Work Study contract for the West Virginia University Extension Office for Fiscal Year ending June 30, 1999.

Fred Jesser, attorney for the Fayette County Humane Society appeared before the Commission gave a summary on when the Fayette Humane Society was established and informed the Commission that the

By-Laws for the Fayette Humane Society should be amended.

Carl Harris, Assistant Prosecuting Attorney assisted the Commission in conducting the hearing and asked for the names of the people who would like to speak. Danni Nichols presented list to Mr. Harris.

Danni Nichols informed the Commission she feel the Fayette Humane Society should disband and reorganize. Ms. Nichols informed the Commissioners she thinks the shelter should be updated.

Fred Jesser informed the Commission that the By-Laws should be changed but that the existing Fayette Humane Society should not be disband.

Patty Adkins suggested to the Commissioners that the shelter should have a separate pens for the sick animals and pens for the animals that are picked up.

Patty Payne informed the Commission of the problems and the conditions of the animal shelter when she visited.

Bob Korn suggested forming a committee as a representative for the Commission and they are to report back to the Commission with new By-Laws. Mr. Korn informed the Commission he would put \$2,000 in a bank account for spading animals. Mr. Korn informed the Commission that he don't think it would be necessary to destroy the building.

Fred Jesser informed the Commission that he would have to notify all the Board members; and they would have to have two meetings to discuss the changing of the By-Laws.

Carl Harris, Assistant Prosecuting Attorney asked if their were plans to make repairs to the shelter. Ms. Abbot informed yes.

The Commission asked the Board members to report back on August 4, 1999 at 10:00 a.m. with change of By-Laws and update.

Commissioner Witt moved that Earl Pauley, Park Superintendent be authorized to repair water problem at the shelter. Commissioner Lopez seconded. Unanimous. The meeting adjourned at 11:10 a.m.

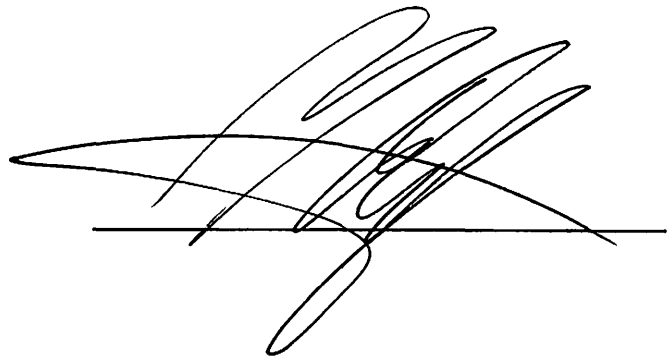
Outstanding bills were approved.

Earl Pauley, Park Superintendent informed the Commissioners that Ellis Alley had asked about being paid for his sick days. The Commission informed Mr. Pauley that this was not in their Sick Leave Policy. The Commissioners discussed changing Sick Leave Policy.

Mr. Pauley informed the Commission that the candy at the canteen is melting. Commissioner Lopez made motion to purchase heating and cooling system from Camco Heating System, cost \$1,500.00. Commissioner Witt seconded. Unanimous.

Kelvin Holliday, County Clerk informed the Commissioners that he would be attending the Annual NACO convention in St. Louis and asked the Commission if they wanted him to cast their proxy vote for the purpose of voting for president or such other matters as may arise. The Commissioners approved.

The meeting was adjourned at 11:30 a.m. Next scheduled meeting is July 15, 1999.

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7/7/99

Fayette Co. Humane
Society Hearing

Nancy Whitt
Bettye Malpas v
Keith A. Spangler
Mary W. Hines Abbott
Bob Korn
Ledy Abbott
Earl Day

FAYETTE COUNTY COMMISSION
JULY 15, 1999
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 this 15th day of July, 1999.

Commissioner Carte called meeting to order 9:30 a.m.

Exonerations were approve and signed.

Steve Cruikshank, Director OES, appeared before the Commission to inform them that the Office of Emergency Services would like to have a Y2K Seminar conducted one evening in Fayette County during the period of September 1, 1999 through November 15, 1999. Mr. Cruikshank informed the Commission they would have to provide three dates for the seminar. The seminar should be scheduled from 7:00 p.m until 9:00 p.m. Mr. Cruikshank informed the Commission that these seminars will concentrate on Family and Individual Preparedness for Y2K. After a brief discuss the Commission asked Mr. Cruikshank to schedule October 18, 19 or 21 date for the seminars.

Commissioner Witt discussed assisting the Law Enforcement in getting rails for cruisers to protect cruisers from being hit by deers. Commissioner Lopez informed the Commission that the Sheriff should have the funds to purchase rails but informed the Commission that if needed the Commission would assist.

Commissioner Care suggested getting a sensor. After a brief discussion, Commissioner Witt informed he would talk with Chief Everette Steele regarding the matter. No decision was made.

Commissioner Lopez informed the Commission that since the Fayette Humane Society has hired on an out of county manager he

suggested to the Commission that the Fayette Humane Society should check into installing a phone where the people could call the manager without having being charged a long distance call.

Ms. Holly informed the Commission she received a call from the Nicholas county Commission requesting a copy of our contract with the Humane Society. Ms. Holly asked the Commission if it was okay to fax. The Commission approved.

Commissioner Lopez made a motion that effective July 1, 1999 the annual salary to be paid to Richard A. Smith, Courthouse Maintenance/Janitor is \$12,000 plus benefits from the General County Fund. Commissioner Witt seconded. All approved.

Commissioner Witt informed the Commission that unless the Fayette Humane society reorganize the whole system he was in favor of discontinuing funding.

The Commission signed a letter to the West Virginia Development Office requesting first drawdown reimbursement for construction, materials and supplies and contractual costs during the period of July 1, 1998 through June 30, 1999 for the Boomer Ballfield.

The Commissioners signed order, ordering the sum of \$2,453.86 to be transferred from the General County fund to the Coal Severance fund as reimbursement for actual expenditures of Community Partnership Grant #99-166 for the Boomer Ballfield.

The Commissioner signed and approved application by Petition of Jerry c. Leshar, Sherd L. Maynard, Jr. and Shirley M. Maynard, his wife Christopher Skaggs, and James Hamilton to abandon an unnamed and unused street.

Commissioner Lopez made a motion that subject to the approval of the State Auditor that Budget Revision #1 for the General County Fund

and the Coal Severance Fund for Fiscal Year 1999-2000 be approved. Commissioner Witt seconded. All approved.

Commissioner Lopez made motion that the Law Enforcement cruisers be paid out of the General County Fund and the Jeep be paid out of the Coal Severance Fund. Commissioner Witt seconded. All approved.

The Commissioners signed State Tax Report for the Fayette County park for the month of June.

The Commissioners signed letter to Page-Kincaid Public Service District informing the members of the Fayette County Commission have approved an amount of \$10,000 contingent upon their success for funding of 100% of the project completion to construct a wastewater treatment and collection system to serve the Wriston and Ingram Branch areas.

The Commissioners signed Fire Levy fire Protection Agreement for the Smithers Volunteer Fire Department for Fiscal Year July 1, 1999 to June 30, 2000.

Keith Maim for CableVision appeared before the Commission for a hearing on a transfer of control of cable television franchise agreement. No one appeared in opposition to the transfer. Commissioner Lopez made a motion to approve transfer of control of cable television franchise agreement from Interlink Communication Partners, LLLP d/b/a CableVision to Charter Communications Operating, LLC. Commissioner Witt seconded. Unanimous.

Shirley Robert, Mayor of the Town of Pax appeared before the Commission with request of funding of \$3,00 to pay for a four year audit. Commissioner Witt made motion to take under advisement. Commissioner Lopez seconded. After a brief discussion the Commission rescinded motion and Commissioner Witt approved to pay the \$3,000 for

the audit. Commissioner Lopez seconded. All approved. The Commission approve to give 15 to 20 folding chairs to the Town of Pax.

The Commissioners approved and signed several request to combine or divide and segregate land as submitted by the Assessor's Office.

Rod Lang, Region 4 Planning and Development Council presented to the Commission a drawdown request for payment regarding the Fayette County Commission/New Haven Public Service District Water Extension project, 1997 Small Cities Block Grant B-97-DC-54-0001, amount \$68,584.53. Commissioner Witt moved to adopt resolution, approve and authorize the payment for services. Commissioners Lopez seconded. Unanimous.

The Commissioners received and reviewed invitation to a building dedication being held Saturday, August 28, 1999 at 2:00 p.m from the Minden Community Meeting.

Ms. Holly informed the Commissioners that payment to the New River Convention and Visitors Bureau for April thru June hotel taxes is included in the outstanding bills to be paid.

The Commissioners received and reviewed a letter from Dale-Bob Penn requesting an appointment with the Commission to discuss enforcement of Senate Bill 179. Ms. Holly informed the Commission that after a brief discussion with Mr. Penn he was told that he would have to set up an appointment with the City of Smithers. Mr. Penn called an informed Ms. Holly he is on the City of Smithers agenda and that he does not need to meet with the Commission.

Ms. Holly confirmed with the Commission that they had approve extended Medical Leave for Heather Hambrick subject to review every three months and that Ms. Hambrick would be responsible for the

employee's portion of the insurance premium (WV Code 5-16-24).

Ms. Holly informed the Commission that Yvonne Harp called and told her that the Work Study Program will expire August 1. Ms. Holly informed the Commission that Yvonne had drafted a job description. The Commissioners asked Ms. Holly to get job description from Ms. Harp and advertise for temporary position. Pay would be the same as the last temporary employee.

The Commissioners received and reviewed an order from the Division of Highways, ordering the addition of the following orphan road in Fleshman Cemetery Road (Danese Area) to the Home Access Road Program (HARP).

The Commissioners received and reviewed thank you letter from the Upper Kanawha Valley Economic Development Corporation, Inc. for allocating funding in the budget for Fiscal year 1999-2000.

The Commissioners received and reviewed minutes from the Kanawha Falls Public Service District for the month of June.

The Commissioners received and reviewed check in the amount of \$10,555.38 representing a disbursement of Wireless E-911 subscriber fees for the months of January, February and March, 1999.

The Commissioners received and reviewed report from Thelma Kincaid, Circuit Clerk of interest earned from checking account from July, 1998 through June, 1999.

The Commissioners received and reviewed a letter from the Department of Health and Human Resource regarding Pax Water Distribution System.

The Commissioners received and reviewed minutes from Salem-Gatewood Public Service District for the month of June.

The Commissioners received and reviewed 4th Quarter Operating

Expense Report from the Boomer Volunteer Fire Department.

The Commissioners received and reviewed a copy of a letter from Judge John Hatcher to Maury Johnson regarding request to hold public meeting after courthouse close.

The Commissioners received and reviewed a letter from the Workers' Compensation Division informing that the letter dated July 1, 1999 regarding being placed in a Target or Focus group was sent in error; new calculations and a revised mailing would be sent within the next week.

The Commissioners received and reviewed the Fayette Humane Society Financial Report for the month of May, 1999.

The Commissioners received and reviewed a copy of a thank you letter to Tom Aiello, Assessor from David Neal, E-911 Coordinator thanking the Assessor for permitting the E-911 informational leaflet be placed inside their mailing.

The Commissioners received and reviewed Financial Statement from New River Convention and Visitor Bureau, Inc. for the period ended December 31, 1997 and 1998.

Ms. Holly informed the Commission that Earl Pauley, Park Superintendent had received a bid from the City of Oak Hill to purchase equipment from the Park.

The Commissioners received/reviewed and approved to pay \$2,566.28 to the Allen Guthrie and McHugh law firm for legal services regarding the McCormick law suit.

The Commissioners approved for Ms. Holly to attend the Workers' Compensation Seminar in Charleston tomorrow.

The Commissioners received and reviewed a letter from Tom Aiello, Assessor informing that effective July 8, 1999, Robin R.

Brown will start as a full time employee in the Assessor's Office, salary \$1,100 per month, plus benefits.

The Commissioners received and reviewed a copy of a letter from Carl Harris, Assistant Prosecuting Attorney to Mark Campbell regarding euthanasia of animals.

The Commissioners received and reviewed Insurance Binders from Jim Lively Associates (PENCO) effective July 1, 1999.

The Commissioners received and reviewed a list of "Subscribers Refusing to Pay the Emergency Telephone System Fee" for the month of May, 1999.

The Commissioners received and reviewed memorandum from Sheriff Larry Dotson informing that a surplus of \$26,976.26 is in the Home Incarceration Fund as of July 1, 1999. Discussion was held, Ms. Holly informed the Commission that this can be transferred to the General County Fund.

The Commissioners received and reviewed a letter from Software Systems, Inc. regarding the 1999-2000 Maintenance Schedules and Y2K.

The Commissioners received and reviewed a letter from the West Virginia Housing Development fund asking for their comment on the proposed Village Project in Oak Hill.

The Commissioner received and reviewed a letter from the Kanawha Corporation informing of the immediate closing of the Armstrong Creek Mine effective July 2, 1999.

The Commissioners received and reviewed a letter from the Division of Highways informing they would be hosting a Bicycle/Pedestrian Conference on September 29 thru October 1, 1999 at Lakeview Resort.

Outstanding bills and payroll were approved.

The Commissioners received and reviewed a letter from the West Virginia Association of Counties informing the nomination process for membership on NACO policy steering committee is underway.

The Commissioners received and reviewed a letter from Bell Atlantic informing they have signed a three year agreement with the West Virginia State Government enabling them to subscribe to a flat rate CENTREX service.

The Commissioners received and reviewed a letter from the West Virginia Development Office regarding Change of Scope #1, Fiscal Year 1997 Small Cities Block Grant-Project #97SCBG0009 Fayette County Commission/New Haven Water Project.

The Commissioners received and reviewed a memorandum from the West Virginia Development Office regarding annual Small Cities Block Grant Reporting Forms. Copies forwarded to W. D. Smith, Region 4 Planning and Development Council and to Dave Pollard, Community Resource Coordinator.

The Commissioners received and reviewed notice from the State Auditor informing that effective July 1, 1999 Ssenate Bill 635 transferred the duties of the Chief Inspector and Supervisor of Public Offices to the West Virginia State Auditors Office.

Discussion was held regarding the guidelines on how to post the agenda for the County Commission meetings. Commissioner Carte suggested getting a cut off date and sending notices to the press. No decision was made.

The meeting was adjourned at 11:55 a.m. Next scheduled meeting is July 28, 1999.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JULY 28, 1999
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, 1999.

Commissioner Carte called meeting to order at 9:35 a.m.

The Commissioners approved and signed several request to combine or divide and segregate land as submitted by the Assessor's Office.

Ms. Holly asked the Commission if they would approve invoices Debbie Berry had prepared, but due to the computer problem she was unable to run checks. The Commission approved.

The Commission signed renewal of HVAC Services Agreement from Casto Technical Services effective September 1, 1999 for the Courthouse Annex.

Bob Korn appeared before the Commission to inform the Commission that he had established a Fayette County Spade Fund at the Fayette County National Bank for people who can't afford to have their dogs spaded. Mr. Korn informed the Commission that Dr. Steve Swank would give a discount and informed the Commission that the Fayette Humane Society has agreed to assist. Mr. Korn asked the Commission if they would agree to pay 1/3 of the cost. Commissioner Lopez informed he had no problem with the County paying 1/3 of the cost. Commissioner Witt made motion that the County pay 1/3 of the cost to spade animals. Commissioner Lopez seconded. All approved. Commissioner Carte informed not to spade or neuter an animal if taxes are not paid. Mr. Korn informed the Commission that he would make that a stipulation that the owner have to pay the \$3.00 dog taxes before they can spade or neuter the animal.

Exonerations were approved and signed.

Ms. Holly informed the Commissioners she received a call from Eastern States Oil and Gas giving notice that they would start drilling two wells adjacent to the Fayette County Park. Ms. Holly informed the Commission that the Damage Release has been reviewed and approved by the by the Prosecuting Attorney's Office. The Commissioners signed and approved the Damage Release.

Ms. Holly informed the Commission she received a request from Fayette County National to substitute certain securities pledged. The Commissioners signed order, ordering the release of said securities provided that securities will be substituted simultaneously and the Fayette County funds deposited with said banking institution will not be unsecured.

Ms. Holly informed the Commissioners that the Town of Pax did pick up chairs.

The Commissioners received and reviewed a copy of a letter from Paul Blake, Prosecuting Attorney informing that effective August 1, 1999 the salary of Thomas Steele and Hamilton Skeens would be \$34,000.00 annual.

The Commissioners received and reviewed Memorandum Opinion and Order from the Federal Communications Commission regarding Bradley's, Inc. and Rifkin Communications Partners, L. P. petition for Revocation of the certification of Fayette County, to Regulate Basic Cable Service Rates.

The Commissioners received and reviewed a letter from the Fayette Transition Team requesting a loan of \$500.00 to pay two outstanding invoices. Mr. Pollard informed the Commission that they would be reimbursed once they receive their reimbursement from two grants. Commissioner Witt moved to make a loan of \$500.00 to the

Fayette Transition Team. Commissioner Lopez seconded. Unanimous.

Commissioner Witt moved to appoint George Smith and Melba Lou White members of the Fayette Transition Team. Commissioner Lopez seconded. All approved.

Commissioner Witt moved that Ann Cavalier be reappointed a member of the 4-C Economic Development Authority. Letter signed.

The Commissioners received and reviewed check in the amount of \$5,953.05 for franchise fees from The Helicon Group, L.P. for the period April 1, 1999 to June 30, 1999.

Commissioner Witt moved that Commissioner John Lopez be appointed representative on the Upper Kanawha Valley Enterprise Community (UKVEC). Commissioner Carte seconded. All approved. Commissioner Lopez selected Dave Pollard as his designated alternate.

Al Gannon, Chairman of the Planning and Zoning Commission presented to the Commission for a disposition: Z-472-99-2: Request of Hilda Light, owner, by William E. Light, for a change in land classification from RR-1, Agricultural and Rural Residence, to B-2, General Business on Lots 1 and 2, Salem Heights Subdivision, for the Light's Carry Out located on Gatewood Road near Nottingham Village, Plateau District.

Mr. Gannon informed the Commission that the Planning Commission recommended approving change by a vote of 6 to 4. Several people appeared in opposition opposing the change. After a brief discussion, Commissioner Lopez made motion that the Planning Commission re-advertise due to an error in the public notice. Commissioner Witt seconded. All approved.

Katie Bohn appeared before the Commission to ask for a final decision as to what is to be done with some of the records that were stored in the basement of the courthouse. After a brief discussion,

Commissioner Witt suggested taking under advisement and let Ms. Bohn no something by August 4 at 1:00 a.m.

Carolyn Jones, Minden Community appeared before the Commission to check if the Commission had heard anything from the Legislative Digest regarding the support letter the Commission sent in support of their application. The Commissioners informed Ms. Jones they have not heard anything. Commissioner Lopez suggested to Ms. Jones to call Senator Shirley Love to inquire about the status of her application.

Ms. Jones also asked the Commission about cleaning up the area in Minden. The Commissioners suggested to Ms. Jones to get in touch with Bill Caudill, Chairman of the Fayette County Beautification Committee.

Gene Kistler, Al Gannon, Pat Day and Dave Pollard appeared before the Commission to discuss the proposed amendment and re-enactment of the of the Fayette Zoning Ordinance with reference to the B-2 Commercial Classification assigned the U S Route 19 Corridor Overlay District.

Mr. Gannon informed the Commission that the Planning and Zoning Commission met on Monday and they decided to stand by their vote of 7-2 not to include B-2. After a brief discussion, Commissioner Lopez made motion to rescind vote for B-2 Commercial classification assigned the U S Route 19 Corridor Overlay District. Commissioner Witt seconded. Commissioner Carte called a point of order informing that he don't think the Commission can rescind after it's been passed for 3 months. Vote passed 2-1.

The Commissioners signed orders reappointing Al Gannon, Leon Cooper, Eugene Kistler, Charles Dummitt, and Pat Day to serve on the Fayette County Planning Commission, terms to expire August 3, 2002.

The Commissioners approved for Larry Dotson, Sheriff to purchase 4 or 5 radar units and buy wind breakers out of the Concealed Weapon Fund.

Ms. Holly informed the Commission that legals have been prepared to advertise for bids for the purchase and installation of a Local Area Network (LAN) and for a temporary position of secretary/receptionist for the Fayette County Extension Office.

The Commissioners asked Ms. Holly to advertise for the cleaning and painting of the Courthouse windows.

The Commissioners received a letter from Thelma Kincaid, Circuit Clerk, informing that Deborah Smith has been hired as a full-time employee beginning July 19, 1999, salary \$1,300.00 a month plus benefits.

The Commissioners received and reviewed Audit Report from Loup Creek Volunteer Fire Department, Inc. for fiscal year ending June 30, 1995.

Ms. Holly informed the Commissioners that the Sheriff recommended maintaining \$10,000 in the surplus Home Incarceration Fund for equipment, but the remaining surplus can be transferred to the General County Fund.

The Commissioners received and signed Fire Levy Fire Protection Agreement for the City of Oak Hill, Meadow Bridge Volunteer Fire Department, and Armstrong Creek Volunteer Fire Department.

The Commissioners received and reviewed thank you letter from Page-Kincaid Public Service District for contribution for sewer project. Commissioner Witt informed not to approve paying until the Commission see that Page-Kincaid receive 100% funding. The Commissioners asked Ms. Holly to have John David come in.

The Commissioners approved renewal of maintenance support and

equipment from SCT Customer Support Agreement, amount \$300.00.

The Commissioners signed Small Cities Block Grant Annual Report for the Regional Water Project.

Outstanding bills and payroll approved. Payroll to be released on Friday.

The Commissioners received and reviewed letter of thanks from the Fayette County Volunteers (Camp Kismet) for the use of the Fayette County Park.

The Commissioners received and reviewed revised date for the Open House of the Oak Hill Volunteer Fire Department.

The Commissioners received and reviewed an order from the Division of Highways, orders the addition of the following orphan road on Red Water Road (Edmond Area) and Snuffer Street (Scarbro Area) to the Home Access Road Program (HARP).

The Commissioners received and reviewed letter of thanks for their support and financial contributions from the Upper Kanawha Valley Economic Development Corporation, Inc. for fiscal year 1999-2000.

Ms. Holly informed the Commission she received from the West Virginia Development Office Time Extensions for Boomer Ballfield, Courthouse, and Sheriff's Department projects.

Ms. Holly informed the Commissioners she received check in the amount of \$10,000 for the Boomer Ballfield project.

The Commissioners received and reviewed notice from the Minden Community Meeting informing that the invitation they received on August 28th has been postponed to September 5 at 10:00 a.m. at the Minden Community Meeting Center.

Ms. Holly informed the Commission that the bid they received from the City of Oak Hill for the equipment at the Fayette County

Park, per Earl Pauley, Park Superintendent bid is to low. The Commissioners asked Ms. Holly to check the original cost.

The Commissioners received and reviewed information from the County Commissioners Association informing of the Supreme Court decision ruling reaffirms that the County Commission have final say over all employees hired by the County, including those hired by another constitutional officer (i. e. the Sheriff).

The Commissioners received and reviewed a letter from Allen, Guthrie and McHugh regarding the McCormick law suit.

The Commissioners approved check for \$5,000 to the Fayette County Solid Waste Authority for Larry Parsons payroll expenses.

The Commissioners received and reviewed fax from the West Virginia Association of Counties informing they are conducting a survey to see what counties are doing to celebrate/commemorate the Year 2000. The Commissioners informed they have no special plans for Year 2000 celebration.

Ms. Holly informed the Commission that Steve Cruikshank, OES Director informed her that plans have been scheduled to hold a Y2K Seminar for the public on October 18, 1999 at 7:00 p.m.

Minutes of the Commission meeting were signed.

Ms. Holly informed the Commission she received Court Facility questionnaire survey from the Supreme Court of Appeals. Ms. Holly informed the Commission that survey is due back August 13, 1999.

The Commissioners received and reviewed letter from the U S Department of Housing and Urban Development regarding an historic Appalachian Summit on August 12-13 in Ashland, Kentucky and Huntington.

The Commissioners received and reviewed notice from the Town of Pax informing Jeanette Roberts would pick up chairs.

The Commissioners approved payment to the Division of Environmental Protection Office of Air Quality for application for certificate to operate the Courthouse incinerator.

The Commissioners received and reviewed a Workers' Compensation claim.

The Commissioners received and reviewed a letter from Jackson County Development Center, Inc. regarding the Quarterly Wage Records.

The Commissioners received and reviewed a check in the amount of \$30,496.48 for the Emergency Telephone System Fee for the month of June, 1999.

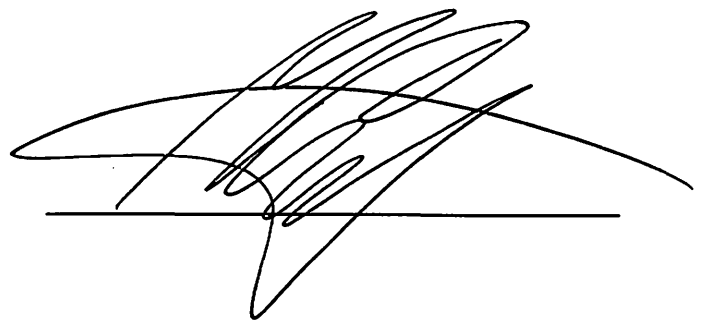
The Commissioners approved for Richard Packman to use Courthouse lawn and steps on August 6th.

The Commissioners received and reviewed from the Workers' Compensation Division Employee Loss Activity Statement.

The Commissioners received and reviewed the Amended By-Laws of the Fayette Humane Society.

Ms. Holly informed the Commissioners she received a letter from a tax payer regarding overpayment of property taxes. Ms. Holly informed the Commission she would have to check with the Assessor's Office regarding the time frame for the overpayment.

The meeting was adjourned. Next scheduled meeting is August 4, 1999.

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
JUNE 9, 1999
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 9th day of June, 1999.

Commissioner Carte called meeting to order at 9:35 a.m.

Exonerations were approved and signed.

Kelvin Holliday, County Clerk appeared before the Commission to inform the Commission that he has chosen Data Design, Inc. the vendor to install hardware for the Voters Registration System. After a brief discussion, Commissioner Witt made motion to purchase two workstations with 17" monitors, substitute a laptop/printer for third workstations from Data Design, Inc. Commissioner Lopez second. All approved.

The Commissioners signed Sales Tax Report for the Fayette County Park for the month of May.

The Commissioners signed order having been advised of the need to substitute certain securities pledged on behalf of the Fayette County National Bank hereby order the release of said securities provided that securities will be substituted simultaneously and that Fayette County funds deposited with said banking institutions will not be unsecured.

The Commissioners signed a letter to One Valley Bank informing them of the pledge of securities by Fayette County National Bank and asking One Valley Bank to confirm that their institution is holding the pledged securities to the account of the Fayette County

Commission and that said securities will not be released by you except by order of said Commission.

The Commissioners signed a letter to the West Virginia Public Service Commission and the Secretary of State giving a list of the Public Service Districts, and the current board members and the date term ends.

The Commissioners received and reviewed a letter from Christopher Dragan opposing amendment of the US Route 19 Overlay District Ordinance.

Commissioner Witt suggested to the Commission that they meet with the Planning Commission to discuss the US Route 19 Overlay District Ordinance again. Ms. Holly to write a letter to the members of the Planning Commission requesting they meet with the Commissioners on June 28th at 3:30 p.m. to discuss.

Ms. Holly presented to the Commissioners a copy of the amendment and minutes from Gary Harding, Zoning Officer for the Commission to sign. The Commissioners decided to hold off signing until after the June 28th meeting. Based upon a review by Carl Harris, Assistant Prosecuting Attorney and in accordance with the West Virginia Code §8-24-22, Mr. Harris suggested to the Commission to return amendments to the Planning Commission for their consideration.

The Commissioners approved application for minor boundary adjustment of 12.45 acres situated in Plateau District and application for minor boundary adjustment of 19.79 acres of US Route 19 right of way adjoining the City of Oak Hill.

The Commissioners approved to cancel July 7th meeting to allow Ms. Holly time to prepare Financial Statement for Fiscal Year 1998-99.

The Commissioners discussed extending leave of absence pertaining to one of their employees. After a brief discussion the Commission informed Ms. Holly that a medical leave of absence would be extended, but the employee would be responsible for the employee share of insurance coverage (WV Code 5-16-24).

The Commissioners met with Bob Baker, Division of Highways, David Neal, 911 Coordinator, John Syner and Marie Smith to discuss who were responsible for naming the unincorporated streets. Ms. Smith presented to the Commissioners documents as to why the original name (First Street) should remain.

Mrs. Syner gave brief explanation as to why he felt the road should remain Syner Road instead of First Street.

David Neal, E911 Coordinator informed the Commissioners that with the new addressing system there would be confusion with location of first, second streets or avenues.

After a brief discussion, Commissioner Witt made motion that the First Street be named Syner Road and the Second Street be named Orndorff Road. Commissioner Lopez seconded. Unanimous.

Attorney for Helicon Group, L. P. appeared before the Commission for a hearing on a transfer of control of cable television franchise agreements. No one appeared in opposition to the transfer. Commissioner Witt made motion to approve transfer of control of cable television franchise agreement from The Helicon Group, L. P. to Charter Communications Partners, LLC. Commissioner Lopez seconded. All approved. Order signed.

Jim McCoy, Chief, Mount Hope Police Department, Everette Steele, Chief, Fayette County Sheriff Department, and David Neal, E911 Coordinator appeared before the Commission to request assistance

on completion of the Hope Tower Project Remote keyed Radio (RKR) Repeater System. Mr. McCoy explained to the Commission as to why this project needed to be completed. Commissioner Witt made motion to approve to pay \$1,950.00 to complete Hope Tower Project repeater for the hand-held radios. Commissioner Lopez seconded. Unanimous. Equipment would be county-owned; check to be made to the Mount Hope Police Department.

Yvonne Harp, Extension Agent appeared before the Commission to request part-time help in her office especially during the week of camp. Discussion was held, the Commission informed Ms. Harp they would check with the Assessor's and Sheriff's Office to see if they had a part time helper that could help out.

James Akers and Ken Esque with the Fayette County Historic Society appeared before the Commission to give an update and progress report of plans for the Fayette County Jail Museum.

The Commissioners signed orders reappointing Daniel Wright, Ann Skaggs, Tom Bell, Pat Wendell, and Carolyn Hill to the Fayette County Historic Landmark Commission.

The Commissioners signed order reappointing Robert Stephens on the Fayette County Board of Health.

The Commissioners signed a letter to Penelope Crandall, Director, Family Law Masters requesting reimbursement for rent in the amount of \$1,200.00 for the month of June 1999.

The Commissioners approved full time payroll checks for June 15, 1999.

Commissioner Witt made motion that the Commission send letter expressing their support of the Putnam County Commission in its

effort to reverse the decision of Rite-Aid to withdraw from Putnam County. Commissioner Lopez seconded. All approved. Letter signed.

Ms. Holly presented an invoice to the Commissioners that she received from Dave Pollard regarding a payment for 50 Civil Engineering Books. The Commissioners reviewed invoice and informed Ms. Holly that this bill is not for the Commission.

The Commissioners received and reviewed Annual Report of salaries paid to the Prosecuting Attorney's Office for the period beginning June 1, 1998 through May 30, 1999.

The Commissioners received and reviewed notice from the Southern West Virginia Convention and Visitors Bureau inviting the Commissioners to attend the Songer Whitewater June Mixer being held Wednesday, June 9, 1999 at 5:30 p.m.

Outstanding bills were approved.

The Commissioners received and signed oath and certificates for Personal and Real Property Land Books from the Assessor's Office.

The Commissioners received and reviewed an order from the Division of Highways, ordering the addition of the following orphan roads on Jefferson Street (Oak Hill area) and Casey Road (Hamilton area) to the Home Access Road Program (HARP).

The Commissioners received and reviewed a resume from Teresa Persinger.

The Commissioners received and reviewed a letter from the West Virginia Development Office informing they have increased the funding ceiling on the Small Cities Block Grant (SCBG) Water/Wastewater Projects. Copy forwarded to Dave Pollard, Community Resource Coordinator for him to review.

The Commissioners received and reviewed a notice from the

Environmental Protection Agency (EPA) of a sight clean up at the Kanawha Motive Power

The Commissioners received and reviewed notice from the West Virginia Commissioners' Association informing of an open meeting workshop being held June 18th at 10:00 a.m. at the Charleston House Holiday Inn. Commissioner Witt and Charlotte Holly to attend.

David Neal, E911 Coordinator appeared before the Commission to inform them that the Y2K upgrade for the 911 System has been completed.

Discussion was held regarding the 911 Addressing/Mailing Project. Ms. Holly informed the Commissioners that the Assessor's Office and the Sheriff's Office are in the process of mailing out the assessment forms and tax tickets and that the Commission needs to make a decision on how to send the forms for the new 911 Addressing/Mailing questionnaires.

The Commissioners decided to include questionnaires in the Assessor's mailing. Questionnaires are to be printed in a bright color.

David Neal informed the Commissioners that he had talked with a representative from the Public Service Commission regarding increasing the 911 fees, but have not heard anything from them.

Ms. Holly presented a letter to the Commission from Carl Harris, Assistant Prosecuting Attorney informing he had talked with the Public Service Commission and they informed him that he had forwarded to David Neal all of the information necessary to file a request with the Commission to change our rates. Ms. Holly forwarded copy of the letter to Steve Cruikshank, Emergency Service Director and David Neal E911 Coordinator.

The Commissioners received and reviewed a letter from Gauneka Ruritan Club with request for contribution for Fiscal Year 1999-2000. The Commissioners asked Ms. Holly if they had included the Ruritan Club in budget. Ms. Holly informed yes.

The Commissioners received and reviewed a letter from John G. Sims, Prosecuting Attorney from Logan County requesting records of the Fayette County Commission budget for the 1999/2000 Fiscal Year.

Ms. Holly informed the Commissioners that Sheriff Larry Dotson informed her he would be picking up two vehicles, but will not be billed until July.

The Commissioners received and reviewed fax from the Upper Kanawha Valley Enterprise Community (UKVEC) informing of a meeting being held July 7, 1999 at the city Hall in Montgomery at 7:00 p.m.

The Commissioners received and reviewed a resignation letter from Debra H. Laird as Executive Director of the Fayette County Chambers of Commerce.

The Commissioners received and reviewed from the West Virginia Association of Counties a summary of the family law bill.

The Commissioners approved to pay contribution to the Fayette County Health Department for \$5,000.00 for fiscal year ending June 30, 1999.

The Commissioners received and reviewed a fax from 4-C Economic Development Authority informing that Elizabeth Lewis (Angel for 10 years) past away on June 1, 1999.

The Commissioners received and reviewed from the Federal Licensing, Inc. informing the radio station authorization license that was granted February 3, 1995 is scheduled to expire February 3, 2000. Original forwarded to Steve Cruikshank, OES Director.

The Commissioners received and reviewed Application for Employment from Jeremy Curtis Bennett.

The Commissioners received and reviewed notice that the Governor's Mobile Office will be visiting the Courthouse, Friday, June 4, 1999.

The Commissioners received and reviewed notice of a local Internet Access called HawksNet.

The Commissioners received and reviewed West Virginia Workers' Compensation Certificate of Coverage effective April 1, 1999 to August 31, 1999.

The Commissioners received and reviewed a letter from Becky Neal informing she will be leaving her temporary employment at the Extension Office; she has been offered a full-time position as secretary at the Fayetteville Police Department.

The Commissioners received and reviewed a list of "Subscribers Refusing to Pay the Emergency Telephone System Fee" for the month of April, 1999.

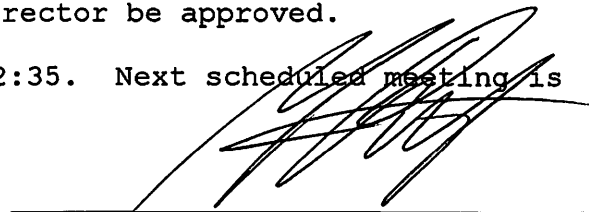
The Commissioners received and reviewed Certificate of Liability Insurance for R & A Management, LLC (formerly known as Rifkin).

The Commissioners received and reviewed a letter from Casto Technical Services informing per request of Bob Massey, Maintenance Supervisor requesting information for the Paragon Model EC128 time clock installed at the Courthouse Annex.

The Commissioners received and reviewed Fiscal Year 2000 Rate Notification from the West Virginia Bureau of Employment Programs.

The Commissioners approved a proposal by the Fayette County Fire Fighters Association that a fifty-fifty match for a purchase of a new Suburban for Steve Cruikshank, OES Director be approved.

The meeting was adjourned at 12:35. Next scheduled meeting is June 15, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
JUNE 15, 1999
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, 1999.

Commissioner Witt moved that the Commission recess to go into Executive Session.

Upon reconvening from the Executive Session the Commission informed that it was a personnel matter. No decision made.

Danni Nichols, Patty Adkins, Norma Coles appeared before the Commission to inform the Commission that the meeting they had with the Fayette Humane Society Board members was unsuccessful.

Commissioner Lopez questioned what was the problem and asked Ms. Abbot for a list of the Board members and a copy of their By-Laws.

The Commissioners discussed hiring of a Dog Warden due to the resignation of Elbert Horrocks.

Commissioner Witt made motion to hire Mark Campbell as Dog Warden effective June 16, 1999, salary \$16,860 annually plus benefits on a six months probationary period to be reviewed in three months. Commissioner Lopez seconded. Unanimous.

Discussion was held regarding the Commissioners appointing a member to the Fayette Humane Society Board. Commissioner Witt made motion to appoint Danni Nichols. Commissioner Lopez seconded. Unanimous.

Rod Lang, Region 4 Planning and Development Council presented to the Commissioners a drawdown request for payment regarding the

Fayette County Commission/New Haven Public Service District Water Extension project, 1997 Small Cities Block Grant B-97-DC-54-0001, amount \$103,032.50. Commissioner Witt moved to adopt resolution, approve and authorize the payment for services. Commissioner Lopez seconded. Unanimous.

Commissioners Lopez made motion to extend medical leave to Heather Hambrick provided she submit a doctor's report once a month. Commissioner Witt seconded.

Exonerations were approved and signed.

Outstanding bills and June 30th payroll for full time employees were approved.

Commissioner Lopez made motion that subject to the approval of the State Tax Department that Budget Revision #4 for the General County Fund and the Coal Severance Fund for Fiscal year 1998-99 be approved. Commissioner Witt seconded. All approved.

The Commissioners signed order transferring \$17,548.35 funds from the Fayette County Worthless Check Fund to the General County Fund for reimbursement of previous expenditures.

The Commissioners signed order transferring the balance of \$76,744.50 from the Fayette County General School Fund to the Fayette County General Fund to defray the balance due said fund for the cost of care and feeding of misdemeanor prisoners incarcerated by Magistrates.

The Commissioners signed order pursuant to statute and Revised Rule 19 of the Administrative Rules for West Virginia Magistrate Courts to transfer the sum of \$49,256.18 for Fiscal Year 1998-99 from Magistrate Court Fund to the Fayette County General Fund.

The Commissioners signed order having been made aware of the

necessity to transfer funds to the Fayette County Dog Tax Fund, hereby order the sm of \$1,500.00 be transferred form the Fayette County General Fund to said Dog Tax Fund.

The Commissioners signed order transferring funds from the Fayette County General Fund to the Fayette County Building and Improvement Fund.

Ms. Holly presented to the Commissioners their Budget Statement for the ensuing Fiscal Year beginning July 1, 1999 through June 30, 2000.

The Commissioners received and reviewed minutes from the Salem-Gatewood Public Service District for the month of May.

Ms. Holly informed the Commissioners she had talked with Bob Learmonth with Bell Atlantic regarding installing cable from the Jail to the Courthouse for future need for the telephone system. Installation is free. Ms. Holly informed the Commissioners she did tell Bob Massey, Maintenance Supervisor that someone from Bell Atlantic would be here to install.

The Commissioners received and reviewed an order form the Division of Highways, amending the addition of the following orphan road on Jefferson Street (Oak Hill area) to the Home Access Road Program (HARP).

The Commissioners approved by recommendation of Kelvin Holliday, County Clerk a Rapidprint Book-Page Numbering Machine, cost \$825.00.

The Commissioners signed invoices to the City of Oak Hill, the City of Mount Hope, and the Town of Fayetteville for the confinement of inmates at the Southern Regional Jail for the month of May.

Ms. Holly presented to the Commissioners a voucher from the Assessor payable to the Government Information Services (GIS) in the

amount of \$12,000.00.

Ms. Holly informed the Commissioners she received updated quote for the purchase and installation of Software Systems, Inc. Sheriff's Accounting System. Ms. Holly informed the Commissioners that Software System would have original proposal with the stipulation that the Sheriff's Accounting System will not include one year of free maintenance and support, but are asking the County to begin Level Two monthly maintenance in the amount of \$250.00 per month, due thirty days from the date of installation; Level Two maintenance includes all software updates and enhancements and unlimited telephone support. The Commissioners approved if okay with the Sheriff.

Ms. Holly asked the Commission about the Law Clerk's Office. After a brief discussion the Commission informed Ms. Holly that the office would be downstairs, the Fayette County Beautification Committee would be moved to Bob Massey's Office.

The Commissioners received and reviewed a letter from the West Virginia Sheriff's Association regarding the Jail processing Fee Law.

The Commissioners received and reviewed delinquent tax books from the Sheriff's Office.

The Commissioners received and reviewed Annual Report from Kelvin Holliday, County Clerk for the period beginning June 1, 1998 through May 30, 1999.

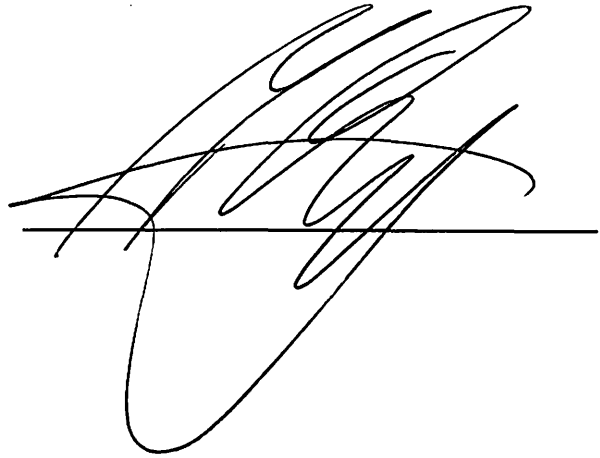
The Commissioners received and reviewed questionnaire from the Supreme Court of Appeals regarding the Commission on Mental Hygiene Reform Survey.

Ms. Holly informed the Commission that Sheriff Larry Dotson had purchased 2 police cruisers for the Fiscal Year 1999-2000. Ms. Holly

informed the Commission that all cars would be in next week per Sheriff Dotson. Payment for police cruisers would be made in July.

The Commissioners signed letter to Kelvin Holliday, County Clerk informing that effective June 16, 1999, Thomas Mark Campbell will be employed on a 6 month probationary bases (renewable in 3 months) as the Fayette County Dog Warden, salary \$16,860 plus benefits payable from the General County Fund.

The meeting was adjourned at 12:10. Next scheduled meeting is June 30, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
JUNE 30, 1999
COURTHOUSE
FAYETTEVILLE, WV 25840
MEMBERS Present: John H. Lopez, John L. Witt

The Fayette County Commission met in regular session on this 30th day of June, 1999.

Exonerations were approved and signed.

Commissioner Witt informed the Commission of what was going on with the water problem at the animal shelter. Commissioner Witt told the Commission that Earl Pauley, Park Superintendent had gone down with backhoe to assist. Commissioner Witt suggested to the Commission to authorize Mr. Pauley to go down and complete job.

Barbara Brown met with the Commissioners for tax relief for tax years 1995, 1996 and 1997 in the total amount of \$602.54. Present were Tom Aiello, Assessor, Eddie Young, Carl Harris, Assistant Prosecuting Attorney.

Tom Aiello, Assessor spoke on behalf of Ms. Brown explaining to the Commissioners as to why Ms. Brown was requesting a refund. Mr. Aiello informed the Commissioners that Ms. Brown was in the process of selling real and personal property. Mr. Aiello informed the Commissioners that the mistake was made in the Assessor's Office and that he feel the Commissioners should let the State Tax Department render a decision.

The Commissioners informed Ms. Brown they would take under advisement until they hear from Carl Harris, Assistant Prosecuting Attorney. Mr. Aiello suggested to the Commissioners to keep Ms. Brown informed of the matter. The hearing was adjourned.

Patty Adkins and several concerned citizens met with the

Commission to discuss the conditions and water problem at the Animal Shelter in Glen Jean.

Ms. Adkins informed the Commissioners that she had volunteered to take water to the shelter and later was told not to bring water.

Carl Harris, Assistant Prosecuting Attorney was present and he asked who pays the employees and who was in charge of the shelter. The citizens informed Mr. Harris that the Fayette Humane Society pays the employees but no one is in charge of the shelter.

Commissioner Lopez informed Mr. Harris that all the County do was subsidize money to the Fayette Humane Society.

Discussion was held regarding terminating funds to the Fayette Humane Society.

Commissioner Witt informed that due to the absence of the Fayette Humane Society Board members, Mr. Witt suggested having a special meeting with the citizens and the Fayette Humane Society Board members to discuss the matters.

Carl Harris, Assistant Prosecuting Attorney informed the Commission that he would have to send a notice to the Board members informing them that the Commission are considering terminating funds.

The Commissioners set hearing for next Tuesday, July 6, 1999 at 10:00 a.m.

The Commission gave Earl Pauley, Park Superintendent permission to complete work at the shelter.

Earl Pauley, Park Superintendent appeared before the Commission to inform them that the new cash register gears were busted and suggested getting a new cash register. The Commissioners approved up to \$600.00 to purchase new cash register for the Fayette County Park.

Mr. Pauley informed the Commissioners that Ellis Alley is

retiring, and he would like for Randy Redden part-time employee at the Park to fill the full-time position. The Commissioners approved.

Mr. Pauley informed the Commissioners that Mike Sales from the Health Department had written citations on the pool. Mr. Pauley informed the Commissioners he was not present when inspection took place. The Commissioners informed Mr. Pauley they would talk with Lee Massey regarding the matter.

Mr. Pauley informed the Commissioners he would like to change the rule regarding; an adult must accompany a child while using wading pool to one adult must accompany a child any other person would have to pay full admission. The Commission approved.

Gary Harding, Zoning Officer presented to the Commissioners for a disposition: Z-47199-1: Request of Cordia Miller, owner, by Vernon Miller, for a change in land classification from RR-1, Agricultural and Rural Residence, to I-1, Light Industrial District, on Lots 7, 9, 11, 13 and 15, Block 1, Scarbro Subdivision, located on Jasper Street, in Scarbro, Plateau District.

Mr. Harding informed the Commission that the Planning Commission did on Monday, June 28th, 1999, recommend by a vote of 11-0 that this request be approved and that there was no opposition. Commissioner Witt made motion that this request be approved as recommended. Commissioner Lopez seconded. Vote passed 2 - 0.

Commissioner Witt and Commissioner Lopez approved to advertise for painting contractor for painting and cleaning courthouse windows.

The Commissioners signed order designating and approving incorporated banking institutions within the County to act as County depositories for the Fiscal year beginning July 1, 1999 (Fayette County National Bank, Bank of Mount Hope, Inc., One Valley Bank of

Oak Hill, and United National Bank). Letters signed.

The Commissioners approved to pay \$2,000 to Paul Blake, Jr. for investigation of crime.

Discussion was held regarding agreement faxed from Putnam County Aging Program regarding the purchase of property in the City of Oak Hill for use by the Fayette County Senior Programs. After a review from Carl Harris, the Commissioners approved to sign agreement.

Phil Tissue, attorney for the City of Oak Hill presented before the Commission annexation by minor boundary adjustment of 12.45 acres situate in Plateau District, Fayette County. Mr. Tissue informed the Commission no opposition. Commissioner Witt made motion to approve annexation. Commissioner Lopez seconded. All approved.

Phil Tissue presented before the Commission annexation by minor boundary adjustment of 19.79 acre of U. s. Route 19 right of way, adjoining the City of Oak Hill. Mr. Tissue informed the Commission no opposition. Commissioner Witt made motion to approve annexation. Commissioner Lopez seconded. All approved.

Sharon Johnson, Alberta Ramsey appeared before the Commission to discuss the Estate of Alberta Jean Morton. Ms. Johnson presented to the Commission a petition to file a claim against the Estate and also wanted to contest the Will before the Commission sign final settlement. Carl Harris, Assistant Prosecuting Attorney informed Mr. Johnson that she could file a claim against the Estate in the County Clerk's Office, but to contest the Will they would have to go to the Circuit Clerk's Office.

The Commissioners received and reviewed the Yearly Dog Tax Report for Fiscal Year 1998-99. Commissioner Witt made motion to approve check in the amount of \$647.70 to the Assessor. Commissioner

Lopez seconded. Unanimous.

Outstanding bills were approved.

The Commissioners approved to rehire Richard Smith as janitor plus benefits, salary to be same as when he left.

The Commissioners signed order reappointing Loretta Lively a member of the Library Board.

The Commissioners signed Fire Levy Fire Protection Agreements for Pax Volunteer Fire Department, Danese Volunteer Fire Department, Ansted Certified Fire Department, Nuttall Volunteer Fire Department, Mount Hope Volunteer Fire Department, Loup Creek Volunteer Fire Department, Gauley River Volunteer Fire Department, Boomer Volunteer Fire Department for July 1, 1999 to June 30, 2000.

The Commissioners received and reviewed Annual Report for the period beginning June 1, 1998 through May 30, 1999 from Sheriff Larry Dotson.

The Commissioners received and reviewed letter from Putnam County Commission thanking the Commission for their letter of support to Governor Cecil Underwood regarding the decision on Rite-Aid to relocate from Putnam County, West Virginia to Maryland.

The Commissioners approved desk and chair for Thelma Kincaid, Circuit Clerk's Office.

The Commissioners received and reviewed Application for Employment from Terry Ray Tucker.

The Commissioners received and reviewed a check in the amount of \$30,390.96 for the Emergency Telephone System Fee for the month of April, 1999.

The Commissioners received and reviewed from the 911 Emergency Center response statistics for the month of April.

The Commissioners received and reviewed a letter from Sheriff Larry Dotson informing he has designated Deputy Sheriff Donald Williams and Thomas Mark Campbell, Dog Warden to act as Humane Officers for Fayette County.

The Commissioners received and reviewed minutes of the Kanawha Falls Public Service District board meetings from January through May, 1999.

The Commissioners received and reviewed thank you letter from Governor Cecil Underwood regarding the Rite-Aid ware house in Putnam County.

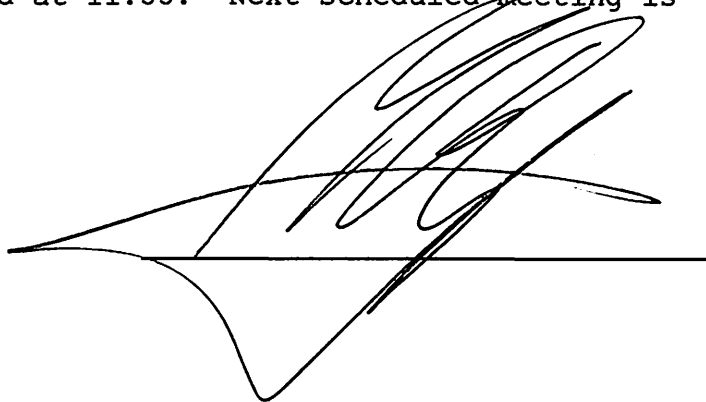
The Commissioners received and reviewed letter from Charles Welch, Sr. recommending Carlos Spurlock as Fayette County Dog Warden.

The Commissioners received and reviewed letter from the West Virginia Association of Counties regarding the Governor's Commission on Fair Taxation.

The Commissioners received and reviewed minutes and financial report for the month of June from the Fayette County Solid Waste Authority.

The Commissioners decided to hold off discussion of the Ordinance Adopting The U S Route 19 Corridor Overlay.

The meeting was adjourned at 11:55. Next scheduled meeting is July 7, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 3, 1999
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in a regular session on this 3rd day of March, 1999.

The meeting was called to order at 9:40 a.m.

Commissioner Lopez suggested adding an unlisted telephone line for the Fayette County Park. All approved.

Outstanding bills were approved.

Commissioner Witt asked that a resolution be prepared for 4-C Economic Development Authority informing that the Fayette County Commission is in favor of the construction of the access road to the Mount Hope South Industrial Park.

The Commissioners approved to schedule the morning of March 10th at 10:00 a.m. for Budget hearings for the Elected Official.

The Commissioners approved to schedule the morning of March 15th at 10:30 to work on Budget.

Exonerations were approved and signed.

The Commissioners signed minutes of the Zoning hearings held on February 24, 1999.

The Commissioners received and reviewed copy of the 1998 Senate Bill 179 regarding Handicapped Parking Violations.

The Commissioners received and reviewed a list of "Subscribers Refusing to Pay the Emergency Telephone System Fee" for the month of December, 1998.

The Commission reviewed the County's Schedule of Fixed Assets for the Year Ended June 30, 1998.

The Commissioners received and reviewed a letter from Governor Cecil Underwood informing that a Local Law Enforcement Block Grant for \$15,278 was approved.

The Commissioners received and reviewed a letter from the Southern West Virginia Transportation Summit advising that the plan to conduct the Southern West Virginia Transportation Summit at Pipestem State Park on March 30-31, 1999 has been canceled.

The Commissioners received and reviewed a letter from Steptoe and Johnson regarding a "Dismissal Order" in the Jennifer Settle law suit.

The Commissioners received and reviewed from the West Virginia Development Office an application form to apply for a Governor Community Partnership Grant for the Fayette County Emergency Food Assistance Center. The application form was forwarded to the Food Center as requested.

The Commissioners received and reviewed a letter from the Department of Health and Human Resources regarding a sanitary survey of the Kanawha Falls Community Water Treatment and Distribution System.

The Commissioners received and reviewed faxes from the West Virginia Association of Counties regarding the bills that were introduced during the Legislative session.

The Commissioners received and reviewed a fax from Bienstock and Clark regarding Bradley's, Inc. Response to Notice of Basic Cable Rate Regulations.

The Commissioners received and reviewed a letter from Senator Sarah M. Minear thanking the Commission for their letter dated February 19, 1999 regarding Senate Bill 169 creating county

recreation and amusement tax.

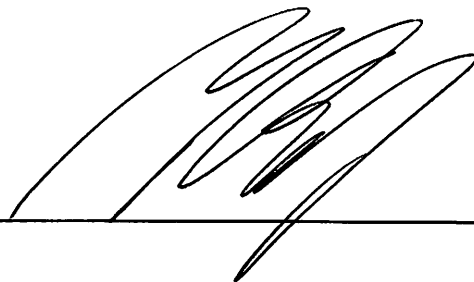
The Commissioners received and reviewed a letter from Congressman Nick Rahall regarding the efforts of Fire Chief George Smith, Mount Hope Fire Department, to provide more suitable and available emergency sheltering for Fayette County.

John Doyle with Americorp appeared before the Commission to give an update on the current projects that are underway.

Larry Dotson, Sheriff, appeared before the Commission to inform the Commission that he had applied for a Local Law Enforcement Block Grant for \$20,000 for purchase of new equipment but was approved for \$15,278. Mr. Dotson asked the Commission if they would approve an additional \$1,600 for the purchase of equipment. Commissioner Carte made motion to approve the additional \$1,600 for equipment. Commissioner Witt seconded. All approved.

Tom Aiello appeared before the Commission to inform the Commission that he and his employees are not satisfied with the Vision Service Plan and suggested to the Commission that they should check into other plans. Discussion was held; Commissioner Carte agreed with Mr. Aiello that the Commission should get out of this plan and check into getting a different plan. Commissioner Witt made a motion for the Administrator to check into other plans; Commissioner Lopez seconded. All approved. The Commissioners discussed getting out of the Vision Service Plan. No action taken.

The meeting was adjourned at 11:06. Next scheduled meeting is March 10, 1999.



FAYETTE COUNTY COMMISSION
SPECIAL SESSION
MARCH 10, 1999
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 10th day of March, 1999 to discuss with each Elected Official his budget request for the fiscal year 1999-2000.

Kelvin Holliday, County Clerk, appeared before the Commission to discuss his budget for the Fiscal Year 1999-2000. Mr. Holliday asked for an increase in salary for his employees and group insurance. The Commission informed Mr. Holliday that there would be no salary increase this year and informed they would take his request under advisement and get back with him.

Larry Dotson, Sheriff, appeared before the Commission to discuss his budget for the Fiscal Year 1999-2000. Mr. Dotson asked for an increase in salary for his employees, five new vehicles, two extra deputies for courthouse security, training and education, overtime and uniform allowance line item increases.

Commissioner Carte asked the Sheriff that if the Commission approved the two (2) new deputies whether they would have a vehicle available to drive. The Sheriff informed the Commission that was correct they would not have any additional vehicles available besides the current fleet and the 5 new cruisers.

Ms. Holly asked the Sheriff to explain to the Commissioners his request regarding the beginning salary adjustment that he had requested to be compensated to 17 deputy sheriffs beginning July 1st.

The Commissioners informed Mr. Dotson that there would be no

salary increase this year and they would take his request under advisement and get back with him.

Paul Blake, Jr., Prosecuting Attorney, appeared before the Commission to discuss his budget for the Fiscal Year 1999-2000. Mr. Blake asked for an increase in salary for his employees. Mr. Blake discussed restructuring of his office staff. The Commissioners informed Mr. Blake that there would be no salary increase this year and they would take his request under advisement and get back with him.

Mr. Blake and the Commissioners discussed proposal of settlement received from the law office of Allen, Guthrie and McHugh regarding the McCormick law suit. After a brief discussion the Commissioners approved a sum for a counter offer of settlement.

Thelma Kincaid, Circuit Clerk, appeared before the Commission to discuss her budget for the Fiscal Year 1999-2000. Ms. Kincaid asked for salary increase for her employees. Ms. Kincaid informed the Commission that due to the increase of paper work in her office she would like to hire an additional full-time employee. The Commission informed Ms. Kincaid that there would be no salary increase this year and they would take her request under advisement and get back with her.

The Commissioners reviewed the Assessor's, the Extension Office, and the Planning and Zoning Office budget requests.

The Commissioners signed invoices to the Town of Fayetteville, the City of Mount Hope, and the City of Oak Hill for the confinement of inmates at the Southern Regional Jail for the month of February.

The Commissioners approved request of Circuit Clerk Thelma Kincaid to hire an additional employee as approved by the Chief

Judge. Commissioner Carte suggested approving an additional employee for the County Clerk's Office. Commissioner Witt and Commissioner Lopez voted no because the County Clerk had not asked for the additional position.

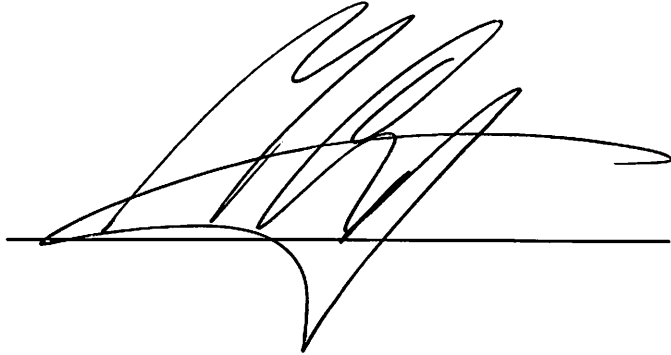
The Commissioners discussed the requests from the outside agencies.

Commissioner Witt moved that April, 1999 be proclaimed as Fair Housing month. Commissioner Carte seconded. All approved. The Commissioners signed a Proclamation for Fair Housing month for April.

The Commissioners received and reviewed a copy of an order from the Circuit Clerk regarding the 1994, 1996, and 1997 Property Tax Assessments for Twin Oaks Plaza and Rivermont Presbyterian Homes ordering the assessments for the tax year 1994, 1996, and 1997 be reissued and new assessments or appropriate refunds of taxes paid, whichever is appropriate, be issued.

The Commission asked Ms. Holly to prepare and submit legislative digest budget requests for Boomer ballpark, Fayette County Park, Harlem Heights park, Minden Community playground, 911 projects, Memorial Building improvements, and courthouse improvements.

The meeting was adjourned at 1:30. The next scheduled meeting is March 15, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 15, 1999
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 March, 1999.

The meeting was called to order at 9:45 a.m.

Exonerations were approved and signed.

Outstanding bills and payroll were approved and released.

Mary Lou Schmidt, Extension Agent, appeared before the Commission to discuss her budget for the Fiscal Year 1999-2000. The Commissioners informed Ms. Schmidt that there would be no salary increase this year and informed they would take her request under advisement and get back with her.

The Commissioners signed resolution and agreement for the Local Law Enforcement Block Grant.

The Elected Officials signed a letter to the State Tax Department informing that the policy for the purchase of commodities for various Fayette County departments has been that the County Commission would be the central purchasing office

Ms. Holly asked the Commission the effective date of Carolyn O'Dell's raise as janitor for the Prosecuting Attorney's Office. The Commission informed Ms. Holly the effective date would be February 1, 1999 at \$500.00 a month.

Ms. Holly informed the Commissioners that David Neal, E-911 Coordinator, had prepared a letter to the Division of Safety to get permission to disconnect the air bag on the passenger side of the 911

address/mapping vehicle as previously approved by the Commission.

The Commissioners approved to pay Means Lumber Company out of the General County Fund for materials for the restroom under construction at the Fayette County Park.

Ms. Holly informed the Commission that another training seminar for the Juvenile Accountability Incentive Block Direct Award has been scheduled and she would try to attend.

The Commissioners received and reviewed a list of "Subscribers Refusing to Pay the Emergency Telephone System Fee" for the month of January, 1999.

The Commissioners received and reviewed a letter from the Department of Health and Human Resources regarding a sanitary survey of the Kanawha Falls Public Service District water treatment and distribution system.

The Commissioners received and reviewed Workers' Compensation letters.

The Commissioners received and reviewed a letter from Steptoe and Johnson with enclosure of Dismissal Order from Judge John Hatcher in the Jennifer L. Settle law suit.

The Commissioners received and reviewed a letter from the Unemployment Compensation Division regarding their decision of Curtis B. Williams.

The Commissioners received and reviewed quarterly cable franchise checks from TWFanch-One Company and the Helicon Group, L.P.

Ms. Holly informed the Commissioners she received letters from Rifkin Communications Partners, L.P., Interlink Communication Partners, L.P. and Bradley's, Inc. regarding response to notice of basic cable rate regulations. Ms. Holly informed the Commission she

called the Federal Communication Commission (FCC) on December 1, 1998 and they informed her that the operators' petitions for revocation and request for stay was not filed with the FCC within the 30-day time period following the County's application filed on October 7, 1998.

The Commissioners received and reviewed an invoice from Allen, Guthrie and McHugh regarding legal service in the McCormick law suit. The Commissioners approved to pay \$2,928.27.

The Commissioners received and reviewed a letter from the State Tax Department regarding the Pittston Coal Valuation.

The Commissioners received and reviewed a letter from the MetLife Company requesting telephone numbers of the employees who are covered under the policy to see if they want to update their coverage. The Commissioners approved request.

The Commissioners received and reviewed an invoice from the Fayette County Board of Education requesting payment for janitorial services for the Special Election. The Commission approved, amount \$1,739.30.

Ms. Holly informed the Commissioners she received a letter from Jerry Henderson, owner of A. Governor's Inn in support of the expansion of the Historic White Horse Bed and Breakfast in Fayetteville. Ms. Holly informed the Commission she had talked with Tom Woodrum, Mayor of the Town of Fayetteville, and he informed her that this was a zoning issue for the Town of Fayetteville. Ms. Holly informed the Commission she forwarded the original letter to Mayor Woodrum.

The Commissioners received and reviewed minutes from Salem-Gatewood Public Service District for the month of February.

The Commissioners received and reviewed a letter from Congressman Nick Rahall regarding request of George Smith, Fire Chief

of Mount Hope Fire Department, for suitable and available emergency sheltering for Fayette County.

The Commissioners received and reviewed a letter from Senator Brooks McCable informing that he is in favor of redoing the tax benefit to timber owners while retaining the management features of Senate Bill 370.

The Commissioners received and reviewed an audit from Ansted Certified Fire Department, Inc. for the year ended June 30, 1998.

The Commissioners received and reviewed an order from the Division of Highways, ordering the addition of the following orphan roads in Beech Run Cemetery Road (Ramsey) and Old Harrah Road (Beelick Knob Area) to the Home Access Road Program (HARP).

The Commissioners received and reviewed a letter from ITT Hartford regarding changes made in the General Liability coverage forms.

The Commissioners received and reviewed a letter from ITT Hartford informing that Claim Number 474AC06061 is currently pending in their recovery office.

The Commissioners reviewed letters sent to their Legislators in support of or in opposition of Senate Bills and House Bills.

Alice King, Region 4 Planning and Development Council presented to the Commission a drawdown request for payment regarding the Fayette County Commission/New Haven Public Service District Water Extension Project, 1997 Small Cities Block Grant B-97-DC-54-001. Commissioner Lopez moved to adopt resolution. Commissioner Carte seconded. All approved.

The Commissioners scheduled a budget hearing for Monday, March 22, 1999.

The Commission asked Dave Pollard, Resource Coordinator, if he recalled the Commission telling West Virginia American Water that they would charge an administrative fee of \$15,000 for the New Haven Public Service District project in lieu of the County's standard ½ of 1% to issue bonds. The Commission asked Mr. Pollard to check with West Virginia American Water Company regarding the payment of the \$15,000 Administrative fee for the bonds for the New Haven Public Service District Project.

The meeting was adjourned at 11:11 a.m. The next scheduled meeting is March 22, 1999.

A handwritten signature in black ink, appearing to be 'D. Pollard', written over a horizontal line. The signature is stylized and cursive.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
MARCH 22, 1999
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, 1999 to approve and finalize budget for the fiscal year 1999-2000.

The meeting was called to order 10:15 a.m.

The Commissioners received and reviewed an invoice from Allen, Guthrie, and McHugh for legal services rendered from February 1, 1999 to February 28, 1999 (McCormick law suit). The Commissioners approved to pay \$1,923.30.

Commissioner Carte presented a letter from the Division of Highways regarding the proposed signing and lighting for the intersection on U S 19 and the Mount Hope intersection. The Division of Highways informed the Commission that their Traffic Engineering Division is currently working on the final design of both projects. Commissioner Carte asked that a copy be forwarded to Donald Stark.

Discussion was held regarding the 911 budget for fiscal year 1999-2000. Ms. Holly informed the Commissioners that based on current expenses and including the salary increases previously implemented and since the 911 fee had not been increased, the 911 Fund would run approximately \$8,000 short next fiscal year. Also, 911 equipment maintenance costs of \$35,000 were budgeted in the General County Fund. The Commissioners approved to transfer \$10,000 from the Coal Severance Fund to the 911 Fund for Fiscal Year 2000.

Ms. Holly asked the Commissioners if they wanted to transfer the

equipment maintenance cost for the 911 Center from the Coal Severance Fund to the General Fund for Fiscal Year 2000. The Commissioners approved.

The Commissioners approved the Elected Officials' budgets for fiscal year 1999-2000.

The Commissioners approved and signed budget for fiscal year 1999-2000 subject to the State Tax Department approval.

Commissioner Lopez informed the Commission that a new phone line telephone # 574-0937 would be installed at the Fayette County Park on Thursday.

Outstanding bills and payroll were approved. The payroll is to be released on March 30, 1999.

Commissioner Witt suggested having the 911 Advisory Board come in to discuss raising the 911 Fee from \$1.48 to \$2.00.

The Commissioners received and reviewed recall of 1998 Crown Victoria to correct lower control arm ball joint. Card forwarded to Earl Pauley, Park Superintendent.

The Commissioners received and reviewed Workers' Compensation letters.

The Commissioners received and reviewed franchise check for the 4th quarter from Bradley's, Inc., amount \$1,371.55

The Commissioners received and reviewed a letter from ITT Speciality Risk Services, Inc. informing that the law suit regarding the Town of Fayetteville annexation is not covered under the County liability coverage. Ms. Holly advised the Commission that she had forwarded the law suit to the Prosecuting Attorney on March 8 and had sent him a copy of the ITT letter.

The Commissioners received and reviewed a letter from the Coal

Heritage Trail Association, Inc. informing that a meeting is scheduled to be held on Friday, March 26 at 12:30 p.m. in the Corner Shop Building.

The Commissioners posted notice for Central Appalachia Empowerment Zone of West Virginia (CAEZ) informing that an emergency meeting is scheduled for Thursday, March 18, 1999 at 6:00 p.m.

The Commissioners received and reviewed letter sent to Mike Miller with West Virginia American Water Company inquiring about the \$15,000 administrative fee that was discussed in relation to the issuance of bonds for the Fayette Plateau Regional Water System.

The Commissioners received and reviewed from the Vision Service Plan a list of the participating doctors.

The Commissioners received and reviewed letter from the West Virginia Development Office informing that they will not be accepting applications for the 4th quarter of the 1998 program year for water and wastewater projects. Copy of letter forwarded to Dave Pollard, Fayette County Resource Coordinator.

The Commissioners reviewed letter sent to Senators Robert C. Byrd and John D. Rockefeller requesting their support of an increase for payments in lieu of taxes (PILT).

The Commissioners reviewed telephone message from Judy Learmonth informing that her lunch and the jurors lunch on March 12 be charged at Shad's per Judge Charles Vickers.

The Commissioners received and reviewed fax from the County Commissioners Association regarding House Bill 2005.

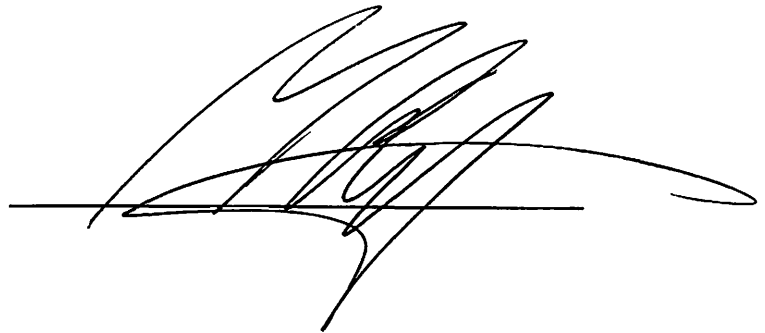
The Commissioners received and reviewed check in the amount of \$30,304.45 for the Emergency Telephone System Fee for the month of February, 1999.

The Commissioners stated that they plan to talk to Earl Pauley, Park Superintendent, about curtailing his expenditures at the Fayette County Park.

The Commissioners asked Ms. Holly to find out more information regarding payment of overtime wages and get back with them. The Commission discussed that the County Overtime Policy should be only for hours worked in excess of 40 hours weekly.

The Commissioners received telephone message from Mary Lou Schmidt, Extension Agent, informing that due to the maternity leave of Heather Hambrick, secretary, they will do the best they can with keeping the office open but there would be days when it could be closed if everyone would have to be out.

The meeting was adjourned at 11:50. The next scheduled meeting is March 31, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
MARCH 31, 1999
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 31st day of March, 1999.

Exonerations were approved and signed.

Discussion was held regarding the Circuit Court order for the Rivermont Homes and Oak Hill Citizens tax relief refund for the year 1994.

Eddie Young informed the Commission they were exempt from the 1999 taxes.

Ms. Holly informed the Commission they need to have Carl Harris, Assistant Prosecuting Attorney look at and get guidance from him.

Ms. Holly advised the Commission to have Thomas Aiello, Assessor, Eddie Young, and herself get with Carl Harris to review. Ms. Holly informed the Commission that this refund would be close to \$70,000.00 according to the Assessor's Office.

The Commissioners received and reviewed letter from Mary Lou Schmidt, Extension Agent, informing that Heather Hambrick, secretary has requested emergency family leave to be with her sick child. Ms. Schmidt also requested temporary person until Ms. Hambrick can return to work. The Commissioners approved.

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

The Commissioners signed letters to Bradley's, Inc., Interlink Communications Partners, L. P. and Rifkin Communications Partners, L.

P. informing that the Commission had been advised by the Federal Communications Commission that a Petition for Reconsideration must be filed with the Federal Communications Commission within 30 days of the filing of the Certification of Franchising Authority to Regulate Basic Cable Service Rates and Initial Finding of Lack of Effective Competition and advised that since the Petition for Reconsideration was not filed with the Federal Communications Commission during the required 30-day period, the petition did not stay the imposition of rate regulations.

The Commissioners signed order subject to the approval of the Assessor for James M. and Donna S. Dickerson to be afforded tax relief for tax years 1993, 1994, 1995, 1996, and 1997 in the total amount of \$757.45 in the form of a credit against taxes owing for the following year or years with said tax relief being spread over the year or years until the debt is paid to Petitioner/Applicant.

The Commissioners received and reviewed letter from Michael Giannini, City Manager of Oak Hill requesting that the excess levy checks for the fire department be made payable to the Oak Hill Volunteer Fire Department instead to the City of Oak Hill. Approved.

The Commissioners received and reviewed Applications for Employment from Steven Calloway, Douglas Whisman and Michael Jones.

The Commissioners received and reviewed minutes and Financial Report from the Fayette County Solid Waste Authority for the month of February.

The Commissioners approved check for \$5,000.00 to the Fayette County Solid Waste Authority for Larry Parsons payroll expenses.

The Commissioners received and reviewed check in the amount of \$8,362.89 representing a disbursement of Wireless E-911 subscriber

fees for the quarter of October, November, and December.

The Commissioners received and reviewed Response Statistics from the 911 Center for the months of January and February.

Edward Stacy, with The Pittston Company met with the Commissioners for relief from erroneous assessment. Present were Ken Jones, Eddie Young, Assessor's Office, Paul Blake, Prosecuting Attorney, Chuck Barlow, State Tax Department. Also present was Harold Bragg.

Mr. Stacy informed the Commissioners that he was here today to get error corrected.

Mr. Barlow informed the Commission that letters regarding the acreage and data have been corrected.

Commissioner Carte asked if returned papers were filed correctly.

Mr. Barlow presented letter as evidence.

Commissioner Carte moved to accept letter as evidence.

Commissioner Lopez offered motion to accept recommendation of State Tax Department, error made, proper relief as set out be adopted.

Ms. Holly informed the Commission she would have to make a change in the July 1, 1999 budget if values were recertified.

Eddie young informed the Commissioners if they change values, they would have to recertify or they could exonerate when tax ticket comes out.

The Commissioners moved to exonerate when tax ticket comes out. Unanimous.

The Commissioners suggested to Eddie Young when problem occur, keep list, bring over before ticket comes out to exonerate. Hearing

closed.

Ms. Holly reminded the Commission that on the 3rd Tuesday in April they are to lay the levy for the fiscal year 1999-2000.

The Commissioners received a letter from Helicon Cable Communication requesting consent to assignment of Cable Television Franchise. Ms. Holly to send letter out and schedule hearing.

Ms. Holly informed the Commissioners that a Public Hearing is scheduled on April 20, 1999 at 7:00 p.m. in Beckley regarding the proposed HUD Plan.

Ms. Holly informed the Commission she received a fax informing that a videoconference is scheduled for April 1st regarding Y2K Videoconference for Small Business.

Commissioner Witt asked Ms. Holly if Courthouse is ready for Y2K. Ms. Holly informed the Commission she still had to check the Heating and Cooling System (Casto Technical) at the Courthouse Annex and the telephone system.

The Commissioners received and reviewed order from the Division of Highways ordering that the orphan road for Harrah Cemetery Rd (aka Beech Run Cemetery Rd, Ramsey Area) be rescinded.

The Commissioners received and reviewed letter from the Fayette County Historic Landmark Commission requesting that Tom Bell, Carolyn Hill, Ann Skaggs, Pat Wendell, Daniel Wright be reappointed for another three years. Ms. Holly informed the Commission that the Committees term would not expire until June 30, 1999. The Commissioners asked to hold off on reappointments until expiration date.

Ms. Holly informed the Commission that Know Your County Government Day is scheduled for Friday, May 7, 1999.

The Commissioners received and reviewed a letter from Delegate John Pino informing that he has received the Counties Legislative Digest Request and have submitted the request for Digest funds.

The Commissioners signed letter to Penelope Crandall, Director, Family Law Masters requesting reimbursement for rent in the amount of \$1,200.00 for the month of April.

Ms. Holly informed the Commissioners that mileage has been reduced from \$.32 to \$.31 per mile effective April 1, 1999. The Commissioners signed order.

Discussion was held regarding Otis Elevator proposal changes. Commissioner Witt informed he has checked with other counties and the feel the \$400.00 a month is high. Commissioner Witt made a motion to approve Otis Elevator proposal. Commissioner Carte seconded.

Unanimous.

Gary Harding, Zoning Officer presented the following cases to the Commission for a disposition:

Z-468-99-1: Request of A. L. Browning Lumber Company, owner by John Browning, for a change in land classification from R-R, Agricultural and Rural Residence, to B-2, General Business, on 5.75 acres, Hico, located on Route 60 at Sunday Road across from the old Hico Post Office, New Haven District.

Mr. Harding informed the Commission that this was recommended to be approved by the Planning Commission by a vote of 9-0. Mr. John Browning informed the Commission that he was wanting to build a service station and convenience store on the site. After a brief discussion a motion was made by Commissioner Lopez that this be approved as recommended. The Motion was seconded by Commissioner Witt and passed by a vote of 3-0.

Z-467-99-1: Request of Anna Browning, owner, by John Browning, for a change in land classification from R-R, Agricultural and Rural Residence, to B-2, General Business, on 2.53 acres, Hico, located on Sunday Road off Route 60 behind the old Hico Post office, New Haven District.

Mr. Harding informed the Commission that this was also recommended by a 9-0 vote to be approved. After a brief discussion with Mr. Browning, Commissioner Witt moved that this be approved as recommended. Commissioner Lopez seconded the motion and it carried by a vote of 3-0.

Z-469-99-1: Request of a. L. Browning Lumber Company, owner, by John Browning, for a change in land classification from R-R, Agricultural and Rural Residence, to B-2, General Business, on part of 3.61 acres, Hico, located at the intersection of Route 60 and Stringtown Road, New Haven District.

Mr. Harding informed the Commission that this was recommended to be approved by a vote of 9-0. Commissioner Lopez made a motion that this be approved as recommended. Motion was seconded by Commissioner Witt and passed by a vote of 3-0.

Z-470-99-1: Request of Robert Short and C. S. Swank, contract owners, for a change in land classification from R-R, Agricultural and Rural Residence, to B-3, Highway Business, on 6.49 acres, Tolsticks Land, located on Summerlee Road (Route 38/1) and Lamplighter Road near Oak Hill, Plateau District.

The Commission was informed that the Planning Commission did by a vote of 8-1 recommend that this be approved to Planned Development to allow a dentist office and veterinary clinic. Mr. Hodge and Pam Dove spoke to the Commission in opposition to this request. After a

general discussion a motion was made by Commissioner Witt that this be approved to P-D as recommended. Motion was seconded by Commissioner Lopez and passed by a vote of 3-0.

Gene Kistler, member of the Fayette County Planning and Zoning Commission appeared before the Commission to give an update on the Route 19 Comprehensive Plan. Mr. Kistler informed the Commission the Planning Commission would bring back to the Commission next month after they clarify questions.

Commissioner Carte proposed to Mr. Kistler to identify sites on Route 19 as Commercial or Industrial. Commissioner Carte informed that the county would have no control over the Town of Fayetteville, City of Oak Hill, Town of Mount Hope or the Federal Government. Commissioner Carte informed that the National Park Services makes everything Commercial.

Gene Kistler informed the Commission that the Planning Commission would have guidelines on April 28, 1999.

Earl Pauley, Park Superintendent, appeared before the Commission to inform the Commission that the Buffer machine used at the Courthouse burned up and the cost to repair would be \$700.00 to replace the buffer the cost would be \$990.91. Commissioner Lopez made motion to approve to buy buffer from Phillips Supply Company. Commissioner Witt seconded. All approved.

Mr. Pauley presented to the Commissioners a list of part-time help to work at the Fayette County Park for the summer. Mr. Pauley informed some are workers from last year.

Commissioner Witt questioned about problems with some of the part-time workers from last year. Mr. Pauley informed the Commissioners that the part-time workers they had problem with will

not be back.

Mr. Pauley informed he would hire only under 18 lifeguards.

Mr. Pauley told the Commissioners they would have to do a safety check on the pool.

Commissioner Witt approved part-time workers. Commissioners Lopez seconded. Unanimous.

Mr. Pauley informed the Commissioners that he needed to start 4 part-time workers on April 19, 1999 to help clean-up around the park, everyone else would start on May 2, 1999 at \$5.15 an hour.

Commissioner Witt made motion to approve. Commissioner Lopez seconded. Unanimous.

Mr. Pauley presented bids from Rodney Crouse (\$1,585.00) and Manual Gill (\$2,125.00) to the Commission for bathroom at the Fayette County Park. Mr. Pauley recommended to do immediately. Commissioner Witt questioned about the wiring in one of the cabins. Mr. Pauley informed that the wiring was temporary.

Commissioner Witt made motion to go with lower bid of Rodney Crouse (\$1,585.00). Commissioner Lopez seconded. Unanimous.

Commissioner Lopez informed the Commission that the fencing of Boomer ballfield and parking lot is main priority. Commissioner Lopez suggested getting quotes from McNeil in Charleston. Mr. Pauley informed he feel it should not be contracted out, cheaper getting county employees to do.

Mr. Pauley informed the Commissioners that Deputy Deanna Saxton had wrecked county vehicle for the second time and presented cost estimate to have repaired.

Mr. Pauley presented to the Commission information on a ticket machine for the Fayette County Park, informed the Commission the

approximate cost would be \$2,000.00. The Commission informed Mr. Pauley they would look at for next year.

Kelvin Holliday appeared before the Commission to question about support for his budget. Mr. Holliday informed the Commission he had only one Commissioner in support of him.

Commissioner Lopez told Mr. Holliday that the Circuit Clerk employee was approved because Judge Charles Vickers signed off on budget request.

Ms. Holly informed Mr. Holliday that estimates of employee health insurance are included in the budget based on actual current employee coverage and normally adjusted during budget year as needed.

Mr. Holliday informed the Commission that the former County Clerk always had extra in his budget and he wanted additional funding for employee PEIA premiums so that he could give employee raises with the funds for the premium. Mr. Holliday asked the Commission to be fair across the Board and that he does have the workload to justify adjustment.

Commissioner Witt informed Mr. Holliday that if he see a real burden to come back to the Commission.

Chet Brandon, President of the Board of Directors for Valley Ambulance service appeared before the Commission to discuss the equipment and vehicles used at Valley Emergency Services.

Ms. Holly informed the Commission that the Commission has four titles, Department of Health has 1.

Commissioner Carte informed the Commission that they would have to get the Department of Health to sign off on.

Commissioner Witt suggested that after everything is settled they would donate vehicles to some other cause.

Ms. Holly informed the Commission that four vehicles are allocated to Jan-Care and one vehicle to General not sure if it's in use.

Ms. Holly informed the Commission that the 1984 and 1989 were purchased through a grant. Ms. Holly informed the Commission that after liquidation will feed back to County Commission.

Commissioner Witt informed if the Prosecuting Attorney willing to sign off on he has no problem with approving.

Mr. Brandon informed he had no problem with giving excess money to the County Commission but West Virginia Law will control distribution.

Commissioner Witt made motion if Prosecutor approves no future liability of the Commission he approves. Commissioner Lopez seconded. Unanimous.

Ms. Holly informed the Commission that she is to report for Jury Duty tomorrow.

Ms. Holly informed the Commission that she did not find in her notes that Bill Caudill asked for camera for Larry Parsons.

The Commissioners received and reviewed a letter from the Public Service Commission regarding Armstrong Public Service District Y2K Survey.

The Commissioners received and reviewed information on the Federal Highway Scenic Grant.

Kelvin Holliday appeared before the Commission with example of Circuit Clerk's budget.

Ms. Holly informed Mr. Holliday that regarding the insurance premium questions for Kaye Smith, if actual coverage is needed in the future Commission will add with budget revision.

The Commissioners received and reviewed letter from Governor Cecil Underwood informing he had asked the Human Resource Investment Council to coordinate a series of public meetings for the West Virginia Workplace Investment Act of 1998.

The Commissioners received and reviewed a letter from the Ford Motor Company. Original given to Earl Pauley, Park Superintendent.

The Commissioners received and reviewed Law Enforcement overtime for the period ending March 31, 1999.

The Commissioners received and reviewed letter from the West Virginia Manufactured Housing Association requesting a copy of the Flood Plan Management Program Ordinance. Copy of Letter given to Gary Harding, Zoning Officer.

The Commissioners received and reviewed application to apply for the Bulletproof Vest Partnership Program. Original sent to Larry Dotson, Sheriff.

The Commissioners received and reviewed fax from the County Commissioners Association regarding Governor Underwood's veto of House Bill 2761.

The Commissioners approved to make available to the Fayette County Sheriff's Office the sum of \$4,380.00 for the purchase of a new computer system and a four-day training session on the CRISNET computer system. The County would be reimbursed for the full amount within six month period through the 1998-1999 Violence Against Women Grant.

The Commissioners received and reviewed a letter from West Virginia-American Water Company requesting that the Commissioners waive the administrative fee issuing an Industrial Development Board (IDB) for the Fayette County Regional Water Project.

The meeting was adjourned. The next scheduled meeting is April
7, 1999.

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3/31/99

Valley EMS

Bobby Craze Sec. Bd of Dir.

Melinda Petroff. Bd

Pete Lopez

James Seddon - VP Bd. of Dir.

Chet. Brandon - Pres

3/31/99

Zoning Hearings

Cecil A. O'Dell

Robert T. Short

Steve Swank

Hail Hodge

Erma Pennington

X Henry C Hodge spoke op,

Robin Hodge

Pamela Dore ✓ spoke op.

John Browning -

FAYETTE COUNTY COMMISSION
REGULAR SESSION
MAY 5, 1999
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 5th day of May, 1999.

The meeting was called to order at 9:30 a.m.

Exonerations approved and signed.

Commissioner Witt offered motion to eliminate all smoking in the Courthouse. Ms. Holly to prepare memorandum to all the Elected Officials and Department Heads.

Commissioner Carte informed the Commissioners he received letter form Judge John Hatcher informing that the Judge has received information from the West Virginia Supreme Court of Appeals that the law clerk, Kevin P. Anderson, will begin employment on August 2, 1999. Judge Hatcher reminded the Commission that their obligation is to furnish the office space, furniture, telephone and janitorial services. Judge Hatcher asked that the law clerk have the capability to have access to the information contained within the Circuit Clerk's computer system. Cost would be paid by the Supreme Court. The Commissioners approved.

Commissioner Carte apologized to Commissioner Witt, Harold Bragg for not properly adjourning last week meeting.

The Commissioners signed letter authorizing the Prosecuting Attorney Office to charge their meals, parking fees to the Fayette County Commission while they are attending the Prosecuting Attorney's Office Annual Seminar.

Ms. Holly informed the Commission she has prepared invoice to the West Virginia American Water Company for Inducement Resolution Administrative and Professional fees, amount \$15,000.00.

Ms. Holly informed the Commission that she had talked with Tom Aiello, Assessor about including information regarding the mapping and addressing system with their mailings they send out.

Commissioner Carte asked what did the Advisory Board think of the ideal. Ms. Holly explained to the Commission that they had already discussed having information mailed out with the Assessor's or Sheriff's mailings. Commissioner Carte suggested to Ms. Holly to have David Neal, E911 Coordinator take to Advisory Board. The Commissioner decided to hold for more information.

The Commissioners received and reviewed Employer Loss Activity Statement from the Workers' Compensation Division.

The Commissioners received and reviewed a copy of a letter to Paul McClung from David Neal, E911 Coordinator informing he has drafted an automatic mutual aid response agreement to Tom Clinebell, Summers County OES Director for his review, revision and submission to the Summers County Commission but have not been contacted nor informed of any action that has been taken on their part in this matter.

The Commissioners received and reviewed two checks from Paul Blake, Prosecuting Attorney for reimbursement for bond forfeiture of prisoners.

The Commissioners received and reviewed fax from CableCom informing services will be extended to the Jodie and Dixie area.

Ms. Holly reminded the Commissioners that Know Your Government Day is Friday, May 17, 1999.

The Commissioners signed letter to Penelope Crandall, Director, Family Law Masters requesting reimbursement for rent in the amount of \$1,200.00 for the month of May.

The Commissioners approved and signed several request to combine or divide and segregate land as submitted by the Assessor's Office.

The Commissioners signed letter of support for the proposed Sun Mountain project near Mount Hope. Commissioner Carte questioned if whether or not the County should support a project they know nothing about.

The Commissioners received and reviewed Dog Warden applications. The Commission to make decision on May 14, 1999.

Danna Nichols and Billy spade both appeared before the Commission to make complaints about the Fayette County Humane Society. Ms. Nichols informed the Commission that she had been told that the Humane Society meetings are not open to the public.

Commissioner Lopez asked that a letter be addressed to the Humane Society abut having closed meetings.

The Commissioners approved to change the meeting of May 14th to May 13th at 9:30 a.m.; Dog Warden position will be decided on at 10:00 a.m. Commissioner Witt suggested hiring in county applicant.

The Commissioners signed order and letters designating incorporated banking institutions in the County of Fayette as depositories of Public Monies for the Fayette County National Bank, Fayette County National Bank, Oak Hill Branch, Fayette County National Bank, Ansted, Bank One Beckley, WVNA (formerly Merchant and Miners National Bank), Bank of Mount Hope, Inc., One Valley Bank of Oak Hill, Inc., United National Bank (formerly Montgomery National Bank), United National Bank (formerly National Bank of Ansted),

United National Bank, Smithers, United National Bank (formerly First Empire Federal Bank), Merchant National Bank, Merchant National Bank (formerly Gauley National Bank), Bank of Raleigh.

The Commissioners received and reviewed checks from Interlink Communications Partners, LLLP, and TWFanch-One Company for franchise fees for the period from January 1, 1999 to March 31, 1999.

The Commissioners received and reviewed letter from Senator Oshel Craigo, Senate Finance Chairman, informing he had received the Commission requests for the 1999 Budget Digest.

The Commissioners signed letter to Helicon Group, L.P. informing that a hearing has been scheduled for June 9, 1999 at 11:00 a.m. to transfer of control of cable television system.

The Commissioners received and reviewed letter from Mountain Resource Conservation and Development Area, Inc. requesting the \$500.00 that was appropriated for fiscal year 1999-2000 budget.

The Commissioners received and reviewed letter from Governor Cecil Underwood asking the Commissioners to attend the West Virginia first Public Official Workshop for Emergency Management being held June 12 and June 13, 1999.

Ms. Holly informed the Commission they had been reimbursed for the 911 Mapping and Addressing project, the equipment won't be installed until June. Ms. Holly presented a list of equipment that was brought.

John Doyle, America's Promise presented to the Commission progress report of AmeriCorp.

Commissioner Carte asked that the minutes read the Commissioners support the Yeager Airport Plan.

Outstanding bills were approved.

Ms. Holly informed the Commission that Frances Brown no longer owned property and would like for the tax credit be taken from her personal property. The Commissioners approved, order signed.

The Commissioners approved tax credit for 1996, 1997 and 1998 for Water Harless.

The Commissioners approved that effective May 16, 1999 Richard Smith salary would be \$1,100.00 a month.

Katie Bohn with the Fayette and Raleigh Genealogical Society appeared before the Commission to inform the Commission that she and Kelvin Holliday, County Clerk had investigated the old records in the basement. Ms. Bohn request to the Commission is to allow the Fayette and Raleigh Genealogical Society in accordance with West Virginia State law to go through the data to see if there is any information they might be able to use for the members of the society as well as the public. Ms. Bohn informed the Commission that after they have gone through the date they would like to the Commission to provide a space in the jail to preserve and protect for safe keeping.

The Commissioners informed they would have to make all the Elected Official's aware of the records so they can decided what to throw out and what to keep.

The Commissioners asked Bob Massey if he would move old records to the third floor or bottom floor of the jail.

Attorney James Blankenship, Fiduciary Commissioner appeared before the Commission to give Report of Claim in the Estate of Lucille J. Milo. The Commission approved report filed.

Ms. Holly informed the Commissioners that the ambulance from Valley Emergency Service is at the Fayette County Park. Ms. Holly informed that sale of equipment from the Valley Ambulance Service has

been completed. Commissioner Carte suggested running vendor number on ambulance they can't locate.

Ms. Holly reminded the Commission of the National Association of Counties (NACo) conferences. Ms. Holly asked the Commission if they wanted to rejoin Association. The Commissioners asked Ms. Holly to call Patti Hamilton to find out the cost of dues.

Ms. Holly informed the Commissioners that bob Massey received a call from the Fayette County Library requesting that some wiring be done. The Commissioner approved.

Ms. Holly asked Commissioner Lopez if had found out the street names in Hilltop that he had inquired about changing at last meeting. Commissioner Lopez informed no.

The Commissioners asked Ms. Holly to schedule an appoint with Allen workman and the Sheriff for May 26, 1999.

Attorney Phil Tissue appeared before the Commission to present application for annexation by minor boundary adjustment of 19.79 acres of U. S. Route 19 right of way adjoining the City of Oak Hill, West Virginia. The Commissioners accepted application.

Commissioners Witt informed the Commissioners he had some reservations about their decision regarding U. S. Route 19 Comprehensive Plan. Commissioner Witt informed he had concerns about B-2 Plan and how it's gonna effect residents.

The Commissioners adjourned to open ballot room.

Upon reconvening, Earl Pauley, Park Superintendent informed the Commission that Linda Light had requested that Scout Troop 8 come in and ride horses. Mr. Pauley informed the Commissioners that Ms. Light has insurance to cover the horse rides. The Commissioners approved.

The Commissioners approved to raise pool rates to \$2.00 for kids, \$3.00 for adults, Monday through Friday; \$2.50 for kids, \$3.50 for adults, Saturday and Sunday.

Mr. Pauley informed the Commissioners that the pool would be open May 22, 1999.

The Commissioners received and reviewed letter from the West Virginia Development Office informing of the Natural Gas Vehicles Conference being held at Flatwoods on May 13, 1999.

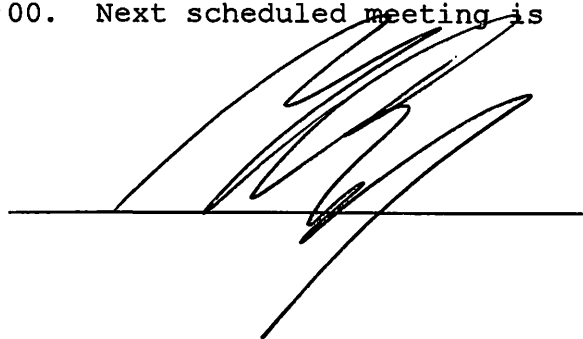
The Commissioners reviewed letter written to Columbia Energy informing that assessment of natural resources for County tax purposes is performed by the West Virginia Department of Tax and Revenue.

The Commissioners received and reviewed permit from the Health Department for on-site sewage disposal system permit for the Fayette County Park.

The Commissioners received and reviewed letter from Attorney Paul Clay confirming permission to use the Commission Room on July 1, 1999 beginning at 9:30 a.m.

The Commissioners received and reviewed letter of thanks from the Electronic Federal Tax Payment System (EFTPS).

The meeting was adjourned at 12:00. Next scheduled meeting is May 13, 1999.

A handwritten signature in black ink, consisting of several overlapping, sweeping strokes, is written over a horizontal line. The signature is located in the lower right quadrant of the page.

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
MAY 13, 1999
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 13th day of May, 1999.

Commissioner Carte called meeting to order at 9:35 a.m.

Exonerations were approved and signed.

Commissioner Witt moved signed letter to the Farmers Home Administration on behalf of the Arbuckle Public Service District informing they support the Public Service District request to Farmers Home Administration for approval of the release of \$10,000 from their Reserve Account for the purchase of a Sewer Flusher. Commissioner Lopez seconded. Unanimous.

The Commissioners signed Sales Tax Report for the Fayette County Park for the month of April.

Commissioner Lopez moved to sign resolution authorizing investment in Consolidated Fund. Commissioner Witt seconded. Unanimous.

The Commissioners signed affidavit of county municipal, or other Public official establishing facsimile signatures for Kelvin Holliday, County Clerk, Gene Carte, Jr., Commissioner, John H. Lopez, Commissioner, and John L. Witt, Commissioner.

The Commissioners signed letters to the Elected Officials approving their budget for Fiscal Year 1999-2000.

The Commissioners signed letter to Canaan Valley Resort and Conference Center authorizing Thelma Kincaid, Circuit Clerk to have

her sleeping room, meals, room guarantee, and parking fees charged to the Fayette County Commission while she is attending the 1999 in-service training seminar being held August 15 through 18, 1999.

The Commissioners signed letter to Wilson Lodge Olegbay Park authorizing Gene Carte, Jr., Charlotte Holly, and John L. Witt to have their sleeping rooms, meals, room guarantee, and parking fees charged to the Fayette County Commission while they are attending the 1999 in-service training seminar being held August 6 through 11, 1999.

The Commissioners signed invoices to the City of Oak Hill and the Town of Fayetteville for the confinement of inmates at the Southern Regional Jail for the month of April.

The Commissioners signed order to reimburse the General Fund to the greatest extent possible for expenditures for the Special Election for the Renewal of Existing Additional County Levy, amount \$44,863.65.

Ms. Holly presented to the Commissioners 2 bids for estimates for siding at the West Virginia University Extension Office. The Commissioners approved to advertise for siding but to hold off on advertising for windows.

The Commissioners reviewed applications for the Dog Warden position.

Danna Nichols appeared before the Commissioners to voice her complaint regarding the Fayette Humane Society.

Patti Payne, Citizen for the Prevention of Animal Cruelty appeared before the Commission to ask the Commission if there was anyway they could get the laws changed regarding animal abuse.

Commissioner Witt recommended to Ms. Payne to get with the

Fayette Humane Society and her Legislators to get laws changed.

Commissioner Witt made a motion that do to the lack of the number of applicants for the Dog Warden position, Commissioner Witt suggested readvertising. Commissioner Lopez suggested meeting with the Fayette Humane Society at the Commission next meeting.

Commissioner Witt withdrew first motion and offered motion that the Commission meet with the Fayette Humane Society at next Commission meeting. Commissioner Lopez seconded. All approved.

Rod Lang, Region 4 Planning and Development Council presented to the Commission a drawdown request for payment regarding the Fayette County Commission/New Haven Public Service District Water Extension project, 1997 Small Cities Block Grant B-97-DC-54-001, amount \$49,004.75. Commissioner Witt moved to adopt resolution, approve and authorize the payment for services. Commissioner Lopez seconded. Unanimous.

Kelvin Holliday, County Clerk, informed the Commissioners that Data Design received the contract for the new statewide voter registration project. The Commissioners informed Mr. Holliday that since this project is for his office they would approve the vendor he choose.

Commissioner Carte moved to approve Data Design to install new statewide voter registration system. Commissioner Witt seconded. All approved.

Kelvin asked the Commissioners if they had no objection to unlocking door to the ballot room if only one Commissioner was present. The Commission approved.

The Commissioners signed letter to Danny Foster regarding his application for compensation for loss of calves. The commissioners

informed Mr. Foster that the Dog Tax Fund is not sufficient to pay for his loss.

Bob Massie, Maintenance Supervisor informed the Commission that the basement has been cleaned everything is in the downstairs basement of the jail.

Payroll and outstanding bills were approved.

The Commissioners received and reviewed Statement of Expenditures for the Fayette County Park as of April, 1999.

The Commissioners received letter from the Supreme Court of Appeals informing that the application of funds under the Court Security Fund was not approved.

The Commissioners signed memorandum to all Elected Officials and Department Heads requesting that all invoices dated on or before June 30, 1999 be submitted to Debbie Berry as soon as possible but no later than July 2, 1999.

The Commissioners received and reviewed minutes from Salem-Gatewood Public Service District for the month of April.

The Commissioners approved to transfer \$5,000 to the Fayette County Solid Waste Authority to cover expenditures for Larry Parsons until June 30, 1999.

The Commissioners received and reviewed minutes from the Fayette County Fire Fighters Association for the month of March.

The Fayette County Fire Fighters Association proposed that a fifty-fifty match for the purchase of a new Suburban for Steve Cruikshank be approved.

The Commissioners received and reviewed letter from the Prosecuting Attorney Office informing that Bobbie Calvert has resigned her position as secretary effective noon today.

The Commissioners received and reviewed reimbursement check from the Fayette Transition Team for mailing of retiree attraction piece, amount \$747.78.

The Commissioners received and reviewed Progress Report from Dave Pollard, Fayette County Community Resource Coordinator.

The Commissioners received and reviewed release from the National Association of County Information Offices announcing winners of Awards of Excellence Competition.

Commissioner Witt moved to rejoin the National Association of Counties (NACo). Commissioner Lopez seconded. Unanimous.

The Commissioners approved purchase of Sentry 53470 Fire Safe for the Fayette County Park, amount \$178.49.

The Commissioners received and reviewed letter from Sheriff Larry Dotson giving authorization and approval to decrease \$79,550 in Coal Severance Regional Jail charges by other Governmental Units budget line item for Fiscal Year 1998-99.

The Commissioners received and reviewed letter from Magistrate Dale Payne regarding the cleanliness of the second floor of the Courthouse Annex.

The Commissioners received and reviewed letter from the Fayette County Emergency Enhanced Telephone System Advisory Board informing that the Board has unanimously agreed to request that the Commission pursue a rate increase in the 911 fee from \$1.48 to \$2.00.

The Commissioners received and reviewed Budget Revision request from Paul Blake, Prosecuting Attorney.

The commissioners received and reviewed Dog Warden Report for the month of April.

The Commissioners signed letters to the West Virginia

Development office requesting extensions of the contract period for Community Partnership Grant #99-122 for the Sheriff's Accounting System upgrade, Community Partnership Grant #99-166 for the Boomer Ballfield, and Community Partnership Grant #99-169 for the Courthouse Handicapped Accessibility Improvement.

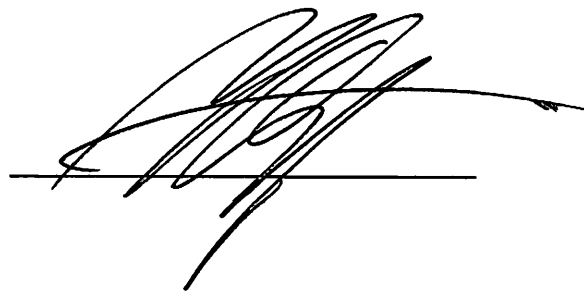
The Commissioners received and reviewed information from the Upper Kanawha Valley Enterprise Community (UKVEC) of the Strategic Plan submitted to USDA.

The Commissioners received and reviewed letter from the West Virginia University Extension Services enclosing the first edition of the Fayette County "Points of Pride" to spotlight successes in the area.

The Commissioners signed request for reimbursement from the Office of Emergency Medical Services.

The Commissioners received and reviewed an order from the Division of Highways, ordering the addition of the following orphan roads in Kincaid Cemetery Road (Kincaid Area) and Pemberton Lane (Lochgelly Area) to the Home Access Road Program (HARP).

The meeting was adjourned at 12:10. Next scheduled meeting is May 26, 1999.

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FAYETTE COUNTY COMMISSION

REGULAR SESSION

MAY 26, 1999

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, 1999.

Commissioner Carte called meeting to order at 9:35.

Exonerations were approved and signed.

Ms. Holly informed the Commission she called the Division of Tourism to see if the County would have to disburse grant money before June 30, 1999. Ms. Holly informed the Commission that she was told that there was no time frame on the money, but money have to be expended for purchase stated in agreement.

Discussion was held regarding who is responsible for naming and the designation of highways in Fayette County. Commissioner Witt suggested having someone from the Division of Highways at next meeting to discuss.

The Commissioners reviewed letter to Kelvin Holliday, County Clerk informing that effective May 17, 1999, Jerry Snyder, Maintenance/Janitor is to be paid an annual salary of \$13,020 plus benefits from the General County Fund.

Ms. Holly informed the Commissioners she received a call from Eddie Young in the Assessor's Office informing that a representative for Oak Hill Presbyterian and Rivermont want to know when they would receive their refund; Ms. Holly informed the Commissioners that all the information had been sent to the tax office; Ms. Holly told the Commissioners that Carl Harris, Assistant Prosecuting Attorney

informed her that the refund would be issued within the next 60 days.

The Commissioners received and reviewed letter from the State Tax Department informing requests to revise the levy estimate (budget) for the 1998-99 fiscal year should be received by their office not later than June 10.

Commissioner Lopez made motion that subject to the approval of the State Tax Department that Budget Revision for the General County Fund and the Coal Severance Fund for Fiscal Year 1998-99 be approved. Commissioner Witt seconded. All approved.

The Commissioners received and reviewed memorandum from David Neal, 911 Coordinator informing that Freda Gail Whittaker has resigned her position of Part-time Communications Specialist effective May 13, 1999.

Commissioner Lopez moved to go into executive session with Paul Blake, Prosecuting Attorney to discuss law suit. Commissioner Witt seconded.

Nancy Widay, Manager of Wendy's appeared before the Commission to request deputy sheriff's assistance to control traffic during the peak hours at Wendy's. After a brief discussion, Commissioner Witt made a motion not to change their policy prohibiting off-duty deputies working private security work in their uniforms. Commissioner Lopez seconded. Commissioner Carte voted to change. Vote passed 2 - 1.

Lee Massey, Administrator, Fayette County Health Department appeared before the Commission to request hat the Commission approve a Clean Indoor Air Regulation. Commissioner Witt made motion to approve the Clean Indoor Air Regulation 1999 policy by the Fayette County Health Department. Commissioner Lopez seconded. All

approved.

The Commissioners signed Agreement between the Fayette County Commission and Fayette County Board of Health and Donald C. Newell, Jr. appointing Donald Newell, Jr. part-time Health Officer.

The Commissioners received and reviewed a letter from the Fayette County Health Department informing that Robert Stephens term as a member of the Fayette County Board of Health will expire on June 30, 1999.

Commissioner Witt moved to reappoint Robert Stephens as a member of the Fayette County Board of Health. Commissioner Lopez seconded. Unanimous.

The Commissioners signed a letter to Paul Blake, Prosecuting Attorney asking that he review applicable status and Public Service Commission regulations regarding a rate increase in the 911 fee to \$2.00 (currently \$1.48). Commissioner Lopez made motion to pursue rate increase. Commissioner Witt seconded. Commissioner Carte voted no. Vote passed 2 - 1.

Jay Myers with Eastern States Oil and Gas appeared before the Commission to request for approval to cross Fayette County Park property to access two wells adjacent to the property. The Commission asked Mr. Myers if Eastern States Oil and Gas, Inc. would supply gas to the Fayette County Park. Mr. Myers informed he see no problem in giving gas to the Park. After a brief discussion with Jay Myers and Paul Blake, Prosecuting Attorney, Mr. Blake suggested to the Commission to write a letter requesting that Eastern States Oil and Gas supply gas directly to the Fayette County Park.

Yvonne Harp, Extension Agent appeared before the Commission, discussion was held regarding filling vacancy for an Extension Agent

due to the death of Mary Lou Schmidt. No decision made.

Ms. Harp requested purchasing a color printer for the Extension Office. The Commission approved color printer.

Ezra Halstead was scheduled for an appointment with the Commission but did not appear.

Earl Pauley, Park Superintendent appeared before the Commission with request to purchase a tow truck for the Sheriff's Department. Mr. Pauley informed the Commission the cost of the tow truck if purchased today would be \$7,500. After a brief discussion the Commission informed Mr. Pauley they would take under advisement and have Ms. Holly check to see if towing is covered under county's insurance policy.

The Commissioners signed and approved order from Attorney Phil Tissue regarding annexation by minor boundary adjustment of 12.45 acres situate in Plateau District, Fayette County (Blackburn Property, Collinwood Acres). Hearing is scheduled for June 3, 1999 at 11:00 a.m.

Outstanding bills and payroll were approved. Payroll to be released on Friday.

Ms. Holly informed the Commission she would be taking a vacation day on Friday.

Ms. Holly informed the Commissioners she received a call informing that extension of the legislative grants has been approved. Ms. Holly told the Commissioners a letter would be mailed verifying the extension.

The Commissioners signed Certification of Area Income for Region 4 certifying that a 1988 household income survey was conducted in the New Haven District (in regard to HUD Small Cities Community

Development Block Grant for the Northern Fayette County Regional Water System Study).

The Commissioners received invitation to the Retired and Senior Volunteer Program Luncheon being held Thursday, June 10, 1999 at 10:00 a.m.

The Commissioners received and reviewed update from the Division of Highways regarding the City of Mount Hope request to have overhead directional signing and highway lighting installed at the intersection of U S 19 and the Mount Hope Connector.

The Commissioners opened 3 bids on behalf of the Fayette County Clerk at 10:00 a.m. for the purchase installation and support of the specified or equivalent hardware for a Voters Registration System. The Commissioners asked that Ms. Holly and the County Clerk review.

The Commission met with the Fayette Humane Society and concerned citizens to discuss complaints received.

Dana Nicholas appeared before the Commission with complaints regarding the Fayette Humane Society and the animal shelter. Ms. Nichols presented to the Commission copies of the citation form Raleigh and Kanawha Counties uses. Ms. Nichols suggested to the Commission to changing the Fayette County citations. The Commission suggested to Ms. Nichols to send forms to Prosecuting Attorney Office to review.

Mary Abbot appeared before the Commission and informed Ms. Nicholas that any complaints she has should be submitted in writing to the Fayette Humane Society.

Pat Adkins appeared before the Commission with complaint regarding the Fayette Humane Society and asked about the Leash Law in Fayette County. After a brief discussion, the Commission asked that

the concerned citizens and the Fayette Humane Society schedule a meeting for Thursday, June 3rd at 6:00 in the Commission room to discuss complaints and to listen to suggestions.

The Commissioners received and reviewed applicants for the Dog Warden position. Commissioner Witt informed he would not support out of Fayette County applicants. After a brief discussion, Commissioner Witt offered a motion to readvertise for the Dog Warden position. Commissioner Lopez seconded. All approved. Commissioner Witt asked Ms. Holly to check with the Prosecuting Attorney Office to see if they could include in the legal Fayette County resident only need to apply.

The Commission will appoint Dog Warden on June 15th. Ms. Holly informed the Commissioners the position would be advertised on June 3rd and June 10th in the Fayette Tribune.

The Commissioners approved and signed several requests to combine or divide and segregate land as submitted by the Assessor's Office.

The Commissioners received and reviewed Renewal Application for Registration Certificate for the Fayette County Park.

Ms. Holly presented to the Commissioners from Carl Harris, Assistant Prosecuting Attorney a list of equipment that need to be replaced in the Prosecuting Attorney's Office. The Commissioners approved to advertise.

The Commissioners received and reviewed letter from the Department of Health and Human Resources regarding Salem-Gatewood Public Service District Water Treatment and Distribution System.

Ms. Holly informed the Commissioners she received a letter from the Office of Emergency Services informing that a Y2K Public Seminar

has been scheduled in Charleston. Ms. Holly told the Commissioners that a copy has been forwarded to Steve Cruikshank, OES Director.

The Commissioners received and reviewed invitation to the Open House/Dedication of the Oak Hill Volunteer Fire Department on Saturday, May 29, 1999 at 1:00 p.m.

The Commissioners received and reviewed a list of "Subscribers Refusing to Pay the Emergency Telephone System Fee" for the month of March, 1999.

The Commissioners received and reviewed a check in the amount of \$30,663.72 for the Emergency Telephone System Fee for the month of April, 1999.

The Commissioners approved check in the amount of \$250.00 payable to the Holiday Inn to pay for room for the instructor to teach the class on the new computer system in the Road Office. This money would be reimbursed from the Domestic Violence Grant.

The Commissioners received and reviewed letter from Bell Atlantic regarding the Counties Bell Atlantic public pay phone.

The Commissioners received and reviewed a letter from the County Commissioners Association regarding replacing the old Job Training and Partnership Act with the Workforce Investment Act (WIA).

The Commissioners received and reviewed letter from the Preservation Alliance of West Virginia, Inc. requesting that the Commission become a member of PAWV.

The Commissioners received and reviewed a letter from Morgan County Commission regarding classification and valuation of managed timberland property.

The Commissioners received and reviewed a fax from the County Commission Association informing that the Environmental Protection

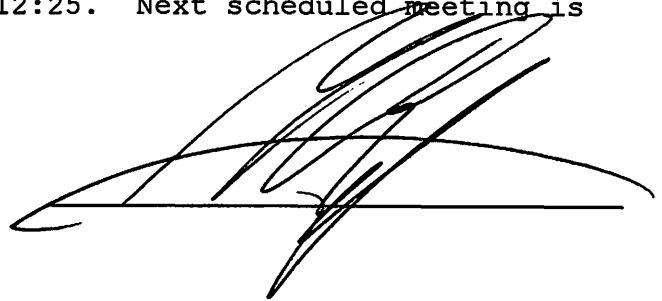
Agency (EPA) is soliciting proposals to fund projects that support local ground water and source water protection efforts for small, rural or economically disadvantaged communities in priority watersheds. Copy forwarded to Dave Pollard, Community Resource Coordinator.

The Commissioners received and reviewed Financial Report and minutes for the month of March from the Fayette County Solid Waste Authority.

The Commissioners received and reviewed check in the amount of \$5,997.85 for franchise fees for the period January 1, 1999 to March 31, 1999.

The Commissioners received and reviewed letter from the Supreme Court of Appeals regarding Courtroom of the Future (COF) project

The meeting was adjourned at 12:25. Next scheduled meeting is June 9, 1999.

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

FAYETTE COUNTY COMMISSION
REGULAR SESSION
NOVEMBER 3, 1999
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, 1999.

Commissioner Carte called meeting to order at 9:35 a.m.

Exonerations were approved and signed.

The Commissioners approved and signed several request to combine or divide segregate land as submitted by the Assessor's Office.

The Commissioners signed minutes of the Zoning meeting held on Wednesday, October 27, 1999.

Ms. Holly informed the Commissioners that Governor Cecil Underwood had declared Friday, November 26, 1999 an additional day off for State employees.

The Commissioners approved November 26, 1999 and additional day off for County employees without charge against accrue annual leave. Memorandum to the Elected Officials and Fayette County employees was signed.

The Commissioners signed letter to the West Virginia Development Office requesting first and final drawdown for the Sheriff's Accounting System upgrade (Grant #99-122).

Ms. Holly informed the Commission that Earl Pauley, Park Superintendent called an informed her that the City of Smithers decided to purchase cruiser from the County. The Commissioners approved, title signed, cost \$500.00.

The Commissioners signed letters to Senator Shirley Love,

Delegate Tom Louisos, Delegate William Laird, Delegate John Pino inviting them to attend the regional meeting of County Commissioners to be held at the Clay County Courthouse on November 12th from 1:00 p.m. to 3:00 p.m.

Ms. Holly reminded the Commissioners that the West Virginia Legislative committee would be here tomorrow at 10:00 a.m. to visit courthouse facility.

The Commissioners signed Fire Levy Pumper Replacement Agreement for Loup Creek Volunteer Fire Department for the period July 1, 1999 to June 30, 2000.

The Commissioners signed order, order the excess money as of June 30, 1999 of the Fayette County Home Confinement Fund in the amount of \$16,989.86 as certified by the Sheriff of Fayette County to be transferred to the Fayette County General Fund to defray the costs of housing county inmates.

Commissioner Lopez made motion to lettering the County vehicles cost up to \$1500.00. Commissioner Witt seconded. All approved.

The Commissioners received and reviewed letter from Gary Harding, Zoning Officer informing that the Fayette County Board of Zoning Appeals did at their meeting of November 1, 1999 approved Use Permit #U-683-99-1 for the operation of an animal shelter on the 277.51 acre tract known as the Girl Scout Camp Tract.

The Commissioners approved to pay invoice from C-PAC Fayette Spay Fund, amount \$1,076.50.

The Commissioners reviewed Fayette County Park and garage expenditures as of October, 1999.

Ms. Holly informed the Commissioners she received a call from Chuck Talley, AEP informing that they started right of way yesterday

for animal shelter in Beckwith should have service by the middle of next week.

Ms. Holly informed the Commissioners she received a call from Southern Appalachian Labor of Schools (SALS) wanting to know who would be attending the dedication of the Thanksgiving House in the New Page Housing Project. The Commissioners informed Ms. Holly they would not be able to attend but suggested to Ms. Holly to ask Dave Pollard, Community Resource Coordinator to attend.

The Commissioners received and reviewed letter from Gary Harding, Zoning Officer informing that effective November 1, 1999, Fred Waugh has resigned from the Fayette County Board of Zoning Appeals because of health reasons. Commissioner Carte recommended that Clifford "Duke" Ramsey fill unexpired term. Commissioner Lopez made motion to accept recommendation of Commissioner Carte to appoint Mr. Ramsey to fill unexpired term of Fred Waugh. Commissioner Witt seconded. All approved.

Ms. Holly informed the Commission that checks have ben ordered from Dayton Legal Blank for the Tax Department, checking account has been set up.

Ms. Holly informed the Commissioners that she had talked with Debbie Berry and Larry Johnson, Chairman, Fayette County Solid Waste Authority regarding check that was sent to the State. Ms. Holly informed the Commission that check cannot be release for thirty years but the Fayette County Solid Waste Authority have started receiving the interest.

The Commissioners received and reviewed memorandum from Western Pocahontas Properties informing that due to the decision by Chief Judge Haden in the mountaintop mining case they believe that most if

not all of the coal which they own in Fayette County is unmineable and should be assessed for property taxes as such. No decision made.

The Commissioners received and reviewed fax from the County Commissioners Association informing there would be a special meeting regarding "Surface Mining Valley Fill" Ruling on Friday, November 5, 1999.

The Commissioners received and reviewed correspondence from Allen, Guthrie and McHugh regarding the McCormick lawsuit.

The Commissioners received and reviewed Audit Report from Armstrong Creek Volunteer Fire Department for fiscal years ending June 30, 1995 and June 30, 1996.

The Commissioners received and reviewed Progress Report from Dave Pollard, Fayette County Community Resource Coordinator.

The Commissioners approved for Ms. Holly to advertise for lease of automatic tabulator equipment for the coming election.

Kelvin Holliday, County Clerk asked the Commission to approve for Linda Johnson to be in charge of cleaning tabulator and votomatic equipment. The Commission approved.

The Commissioners received and reviewed a signed copy of the E911 Billing Contract for the increase in 911 surcharge for the citizens of Fayette County. Copy given to David Neal, E911 Coordinator.

The Commissioners received and reviewed thank you card from the National Association of Counties thanking the Commission for rejoining.

Commissioner Witt informed the Commissioners he received a petition from John F. Clark suggesting that the Commission give thought to the ideal of forming a Fayette or LaFayette day on

February 28 of each year to commemorate the formation of Fayette County on February 28, 1831. The Commissioners suggested considering at a later time.

Ms. Holly informed the Commissioners she had advertised for County Clerk Record Indexing upgrade. Ms. Holly informed she only received one bid from Software systems, Inc. to run on the AS400, entire package is \$17,500 for software and hardware. Commissioner Lopez moved to approve bid from Software Systems, Inc. Commissioner Witt seconded. All approved.

The Commissioners received and reviewed from Sharon Cruikshank, Director, New River Convention and Visitors Bureau a copy each of the West Virginia Heritage Volume.

The Commissioners received and reviewed letter form the Division of Natural Resources giving an update of the progress being done to restore the Paint Creek Watershed and asking for input. Ms. Holly informed that a copy has been forwarded to Steve Cruikshank, OES Director.

Ms. Holly informed the Commissioners that the maintenance do not clean the Extension Office, they only pick up trash. Ms. Holly informed the Commission that she talked with Bob Massie, Maintenance Supervisor about cleaning the office, he informed her that there would be no problem cleaning the office a couple days a week.

Ms. Holly informed the Commission that a representative from MetLife stopped to ask if the Commission would give approval for him to set up a booth in the courthouse or somewhere off the premisses where he could talk with the employees. The Commission approved for the representative to talk with the employees, but would have to set up booth off the premisses.

Commissioner Witt made motion to adopt and add provision to the Inclement Weather Policy. Commissioner Lopez seconded. All approved.

The Commissioners received response from Paul Blake, Prosecuting Attorney to the State Auditor regarding the audit for fiscal year ended June 1998.

The Commissioners received and reviewed memorandum from the Fayette Transition Team informing that Mark Ehrnschwender will fill the one remaining slot on the Fayette Transition Team. The Commission approved.

The Commissioners informed the news media that the Governor would be here on November 15th to present checks from the Legislative Digest.

The Commissioners discussed increasing the Cable Franchise fee. Commissioner Witt and Commissioner Lopez suggested 5% increase. Commissioner Carte suggested no increase. The Commissioners suggested to Ms. Holly to check with other counties to see what they're charging. No decision made.

Earl Pauley, Park Superintendent, Tammy Gill, Peggy Bennett Fayette County Animal Control Center and Danni Nichols, Patty Adkins and Patti Payne members of C-PAC appeared before the Commission to discuss the hiring of a shelter manager and other matters pertaining to the animal shelter.

Mr. Pauley informed the Commission that at this time the Fayette County Animal Center do not need a shelter manager. Mr. Pauley informed the Commission that Larry Parsons and his crew was helping with the removal of the timber.

Patty Adkins presented information to the Commissioners

regarding euthanasia methods for dogs and cats.

Commissioner Carte informed the Commission would continue going to Dr. Swank for euthanizing the animals.

Commissioner Witt made motion to only except priority calls to pick up dogs. Commissioner Witt withdrew motion.

Peggy Bennett informed the Commission of the calls she would receive if they only picked up the priority calls.

The Commissioners decided to keep the shelter open and not to hire shelter manager. Commissioner Lopez suggested getting a Caller ID for shelter.

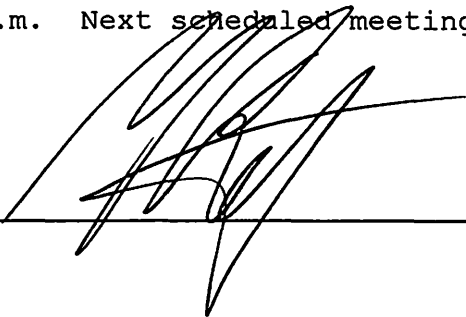
Attorney John Shumate appeared before the Commission with final petition regarding annexation by minor boundary adjustment of a 19.00 acre tract, situate northeasterly from the community of Kilsyth, Plateau District, Fayette County, West Virginia. No opposition. Commissioner Witt moved to approve annexation. Commissioner Lopez seconded. Unanimous.

Attorney Phil Tissue appeared before the Commission to file a petition for annexation by minor boundary adjustment of 12.546 acre area situate in Plateau District, adjoining the City of Oak Hill, Fayette County, West Virginia. No opposition. Commissioner Lopez moved to accept petition, final hearing is set for Wednesday, November 24, 1999 at 10:00 a.m. Commissioner Witt seconded. All approved. Unanimous.

The Commissioners received and reviewed receipt and thank you not from the Fayette County Emergency Food Assistance Center.

Outstanding bills were approved.

The meeting was adjourned at 11:45 a.m. Next scheduled meeting is November 15, 1999.



FAYETTE COUNTY COMMISSION
REGULAR SESSION
NOVEMBER 15, 1999
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, 1999.

Commissioner Carte called meeting to order at 9:35 a.m.

Exonerations were approved and signed.

Patty Adkins, Patti Payne, Danni Nichols, Norma Coles, with C-PAC appeared before the Commission.

Patty Adkins informed the Commission on what their organization is about.

Danni Nichols gave a summary of what C-PAC have done in helping getting the Animal Shelter started. Ms. Nichols discussed with the Commission painting of the shelter, shelter manager and commented about the taking of the adopt-a-pet from C-PAC.

Commissioner Carte informed he had asked Fred Jesser, attorney for the Fayette Humane Society to attend.

The members of C-PAC voiced their opinion on the conditions at the animal shelter, the way the shelter is being run, and why a shelter manager is needed.

Commissioner Lopez informed he would like to talk with Earl Pauley, Park Superintendent before any decisions would be made.

Payroll and outstanding bills were approved.

Commissioner Carte informed the Commission that Bill Caudill, Chairman Fayette County Beautification Committee called to inquire about a permit for a storage building for a trailer. Commissioner Carte asked to get with Mr. Caudill to discuss trailer permits.

The Commissioners signed order appointing Clifford "Duke" Ramsey

a member of the Fayette County Board of Zoning Appeals to replace Fred Waugh. Commissioner Carte asked that a letter of appreciation be sent to Fred Waugh.

The Commissioners approved per request of Kelvin Holliday, County Clerk to transfer \$1,000 from his part time employees account to his travel account.

The Commissioners approved invoice for additional training monies for the Voter's Registration Office from Data Designs, Inc. Secretary of State will reimburse 60% of the cost to the County Clerk's Office.

Ms. Holly informed the Commission that she received bid from Software Systems for Record Index 2000 Upgrade. Ms. Holly informed the Commission that she reviewed bid since hardware is already in place the cost would be \$8,750 for the software.

The Commissioners approved request of Thelma Kincaid, Circuit Clerk to purchase 14 file cabinets for her office and approved request of Kelvin Holliday, County Clerk to purchase 4 or 5 file cabinets.

Discussion was held regarding store space at the courthouse..

Ms. Holly informed the Commissioners she received invoice from Steven R. Malay, Sr. for cinder block structure for the Gauley mount Tower, cost \$3,187.50. The Commissioners approved.

The Commissioners received and reviewed a letter from Delma Spars Keffer regarding bringing public water to the community of Horse Creek in Pax. The commissioners asked that this be referred to Dave Pollard, Fayette County Community Resource Coordinator.

The Commissioners approved proposal from J. Dan Sneed and Associates, Inc. to provide Architectural/Engineering services relating to certain ADA and courthouse security issues for the

Fayette County Courthouse, cost \$4,600.00.

The Commissioners signed a letter to the Criminal Justice and Highway Safety Division informing that based upon the current staffing level of deputy sheriffs of the Fayette County Sheriff's Department that sufficient manpower will be used to operate and manager all equipment and other items requested for the Court Security Fund.

The Commissioners signed invoices to the City of Oak Hill, the Town of Fayetteville and the City of Mount hope for the confinement of inmates at the Southern Regional Jail for the month of October.

The Commissioners approved invoice in the amount of \$5,038.88 from Allen, Guthrie and McHugh in the McCormick lawsuit.

The Commissioners approved for Commissioner Carte and Charlotte Holly, Administrator to attend the Family and Medical Leave Act Seminar on December 14, 1999 at Charleston and how to Draft Employment Documents Seminar on December 17, 1999 at Charleston.

The Commissioners approved invoice to the City of Oak Hill from the Fayette County Animal Control Center, amount \$128.00.

The Commissioners received and reviewed letter from Eastern States oil and Gas, Inc. regarding the Pocahontas Land 46 and 47 Reclamation Notices.

The Commissioners signed state Tax Report for the Fayette County Park for the month of October.

The Commissioner received and reviewed letter from the State Tax Department informing that Thomas Aiello, Assessor has substantially complied with the "Assessor's additional duties" and is entitled to the additional compensation of \$15,000 as provided in West Virginia Code 7-7-6b.

Commissioner Lopez made motion to go into Executive Session to

discuss Animal Shelter with Earl Pauley. Commissioner Witt seconded.
All approved.

Upon reconvening from the Executive Session, Commissioner Lopez informed that the Fayette County Animal Control Center have electricity and gas.

The Commissioners informed they would get Randy Redden to help Mark Campbell, the Dog Warden pick up dogs. Earl Pauley informed the Commission they did not need a shelter manager at this time. After a brief discussion, Commissioner Lopez made motion to approve request and information from Earl Pauley regarding the Fayette County Animal Shelter and to proceed with building of shelter. Commissioner Carte seconded. Commissioner Witt abstained.

The Commissioners received and reviewed a letter from Lillian Goodson requesting financial assistance to develop a public recreational facility at Cannelton, West Virginia.

The Commissioners received and reviewed a copy of a letter from Monongalia County Commission to Governor Cecil Underwood requesting his assistance in working with the legislature to strengthen the anti-pornography laws within West Virginia.

The Commissioners received and reviewed minutes from Salem-Gatewood Public Service District for the month of October.

The Commissioners received and reviewed canceled Certificate of Liability Insurance from TWFanch-one Company.

The Commissioners received and reviewed check from Citizens TeleCommunication Company for 911 fee fro the month of October.

The Commissioners received and reviewed Audit Report from Nuttall Volunteer Fire Department for fiscal year ending June 30, 1999.

The Commissioners received and reviewed fax from the West

Virginia Association of Counties informing them of a workshop on "The Role of West Virginia Coal" being held December 3, 1999 at 9:30 a.m. at the University of Charleston.

The Commissioners received and reviewed from the unemployment Compensation Division a claim for Pamela J. McKinney. Original forwarded to Earl Pauley, Park Superintendent.

The Commissioners received and reviewed a letter from the Charter Communication informing that Paul G. Allen, owner has recently decided to offer non-controlling stock in charter to the public.

The Commissioners received and reviewed Medical Leave of Absence form for the month of October and November, 1999 for Heather Hambrick.

The Commissioners received and reviewed a letter from Geometra Pneumatic Energy Recovery Systems, Inc. (GPERS, Inc.) informing of a project related to municipal wastewater treatment and solid waste management issues.

The Commissioners received and reviewed agenda of Board meeting being held Tuesday, November 16, 1999 at 5:00 and a copy of the October minutes from Multi-Cap Incorporated.

The Commissioners received and reviewed a list of "Subscribers Refusing to pay the Emergency Telephone System Fee" for the months of August and September, 1999.

The Commissioners received and reviewed memorandum from the County Commissioners Association regarding several newspaper articles to review.

The Commissioners received and reviewed memorandum from the State Emergency Response Commission informing that the SERC meeting has been changed from Friday, November 12th to Friday, November 19,

1999 at 11:00 a.m.

The Commissioners received and reviewed memorandum from the West Virginia Association of Counties informing of public hearings being held to take comments on the 2001 financial plan for PEIA.

The Commissioners received and reviewed notice of flu shots being given at the Fayette County Health Department.

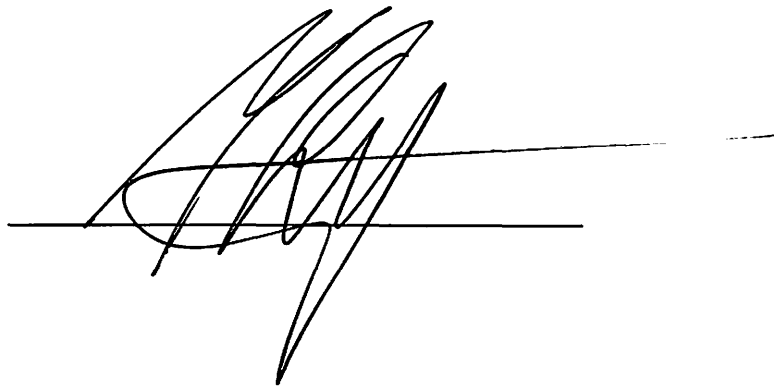
The Commissioners received and reviewed a letter from the Fayette County Energy express Program asking the Commission to join the Fayette County Community Collaborative for Energy Express meeting is scheduled for November 30, 1999 at the West Virginia University Extension Office at 1:30 p.m.

The Commissioners received and reviewed franchise tax fees for the period July 1, 1999 through September 30, 1999 from Interlink Communication Partners, LLC and Bradley's, Inc.

Ms. Holly informed the Commissioners she had contacted Raleigh County, Mercer County and Nichols County to inquire about the percentage they charge for franchise fee; Raleigh County charge 5% and Mercer and Nichols Counties do not charge.

Ms. Holly informed the Commissioners that Wednesday she had a doctor's appointment and will be taking some vacation days next week but will be here for the November 24th meeting.

The meeting was adjourned at 12:10. Next scheduled meeting is November 24, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
NOVEMBER 24, 1999
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, 1999.

The meeting was called to order at 9:45 a.m.

Exonerations were approved and signed.

Commissioner Witt informed the Commission that he received from Betty Steen, Treasurer, Fayette County Emergency Food Assistance Center application for a Governor's Community Partnership Grant that need to be signed by the Commission. The Commissioners signed application.

Outstanding bills and payroll approved. The Commissioners approved to release payroll today.

Commissioner Witt suggested purchasing plaques for George Proskin and Ellis H. Alley for their many years of service as employees of the Fayette County Commission. Commissioner Witt informed their dedication has been an asset to the County.

Kelvin Holliday, County Clerk informed the Commission that the numbers on the bottom of locks used on the doors that store the election equipment should filed off per representative from R. J. Locksmith Company.

Mr. Holliday informed the Commissioners that he had spoke with the Prosecuting Attorney Office regarding the excessive use of sick leave being used in his office. Mr. Holliday informed the Commission that the sick leave policy should be addressed.

Commissioner Witt suggested getting a copy of the Prosecuting Attorney's Office policy to review.

The Commissioners approved to cancel last meeting in December.

The Commission approved and signed several request to combine or divide and segregate land as submitted by the Assessor's Office.

Ms. Holly informed the Commissioners she received a letter from a taxpayer; incorrect class should be in Class 2 instead of Class 3. Ms. Holly informed the Commission she would prepare order.

The Commissioners signed legal holiday list for the coming year 2000 to all Elected Officials and Employees.

The Commissioners signed appreciation letter to Fred Waugh for his 22 years of service to the citizens of Fayette County as a member of the Fayette County Board of Zoning Appeals.

The Commissioners signed letter to Penelope Crandall, Director, Family Law Masters requesting reimbursement for rent in the amount of \$2,400.00 for the months of November and December.

The Commissioner received and reviewed letter from J. Dan Snead and Associates, Inc. regarding proposal to provide a design study to provide ADA accessibility to the courthouse and to address miscellaneous other improvements.

The commissioners received and reviewed letter from the New River Convention and Visitors Bureau requesting permission to use the courthouse lawn on June 17, 2000, for the first annual "Taste of Fayette County" to be held in conjunction with Captain Thurmond's Challenge. The Commission approved request with the conditions that no vehicles are permitted on Courthouse lawn for any purpose including unloading and that no amplification is allowed. Same rules as before.

The Commissioners received and reviewed Workers' Compensation letters.

The Commissioners received and reviewed order from the Division

of Highways ordering Lawhorn Road (Midway Area) and Foster Hill Road (Lookout) to the Home Access Road Program (HARP).

The Commissioners received and reviewed Unemployment Compensation claims for Dee A. Dotson, John C. Campbell and Linda m. Bailes.

The Commissioners received and reviewed letter from David Neal, E911 Coordinator informing that Kim Velie has requested to change from Full-time Communications Specialist to Part-time Communications Specialist. Mr. Neal also informed the Commission he will begin training two new part-time employees to fill the vacant position.

The Commissioners received and reviewed correspondence in the Carey Vickers law suit, the attorney will be getting back with an answer.

The Commissioners received and reviewed Certificate of Coverage from the Workers' Compensation Division for the period October 1, 1999 to February 29, 2000.

The Commissioners received and reviewed letter from Lucent Technology informing they are Year 2000 compliance.

The Commissioners received and reviewed correspondence from Allen, Guthrie and McHugh regarding the McCormick lawsuit.

The Commissioners received and reviewed letter from Salem-Gatewood Public Service District informing that due to the death of Marvin Dangerfield they would like to appoint Loren Fox, Jr. as a member of the Salem-Gatewood Public Service District. The Commission approved, order signed.

The Commissioners received and reviewed invitation from Upper Kanawha valley Economic Development Association meeting being held November 29, 1999.

The Commissioners received and reviewed reimbursement check from

the Legislative Digest Grant for Sheriff's Accounting System.

Ms. Holly informed the Commission that the Tax Department will be closed December 1 through December 7, 1999.

Gary Harding, Zoning Officer presented to the Commission the following case for a disposition: Z-479-99-1: Request of Mary Withers Abbot and Bridget Legg, owners, for a change in land classification from RR-1, Agricultural and Rural Residence District, to B-2, General Business District, on 2.01 acres, part of Bradford, located on High Street at Route 19, near the Fayetteville Fire Station, New Haven District.

Gary Harding, Zoning Officer was present and informed the County Commission that this was a request that they had sent back in October for further review by the Planning Commission and that the Planning Commission did by a vote of 7 to 1 reaffirm their decision of the last meeting to recommend that this request be approved to B-2 because they felt that the best use of the property was commercial. Mr. Harding informed the Commission that nothing definite was planned for the site. Kirk Wallace was present and spoke against the request citing additionally that the property was surrounded on three sides by wetlands.

After a general discussion a motion was made by Commissioner Lopez that this be approved to B-2 as recommended by the Planning Commission. Motion was seconded by Commissioner Carte and passed by a vote of 2 to 1 with Commissioner Witt voting against the motion.

Attorney Phil Tissue appeared before the Commission with final petition for annexation by minor boundary adjustment of 12.546 acre area situated in Plateau District, adjoining the City of Oak Hill, Fayette County, West Virginia. There were no opposition. Order signed.

The Commissioners received and reviewed two accidents reports on cruisers from the Sheriff's Office.

Ms. Holly reminded the Commission that the Courthouse would be closed Thursday and Friday in observance for the Thanksgiving holiday.

Ms. Holly informed the Commission that Jerry Synder has requested Leave of Absence.

The Commissioners approved ringing of the courthouse bell at 5:55 p.m. on December 18th in observance of Lighting of the Town of Fayetteville for the Christmas season. Maintenance has been informed.

The Commissioners received and reviewed message informing that the Fayette In Motion would be using the courthouse lawn to take pictures.

The Commissioners received and reviewed fully executed copy from the Legislative Digest for Generator for the Gauley Mountain Tower.

The Commissioners received Recount Manual for West Virginia Elections from Kelvin Holliday, County Clerk.

The Commissioners received letter form the Women's Resource Center requesting contribution for fiscal year 1999-2000. The Commissioners approved.

The Commissioners received and reviewed letter from Steptoe and Johnson informing that the Frederick Shawnee Carter (Civil Action #5:96-0436) lawsuit was dismissed.

The Commissioners received and reviewed Audit Reports from the Meadow Bridge Volunteer Fire Department for fiscal years ending June 30 1993 through 1999.

The Commissioners received and reviewed proposed budget for Arbuckle Public Service District Sewer System for fiscal year

beginning July 1, 2000 thru June 03, 2001.

Ms. Holly informed the Commissioners that Bob Massey, Maintenance Supervisor informed her that the Christmas wreath for the front of the courthouse need to be replaced. Ms. Holly informed the Commission that Ms. Massey is taking care of this.

The Commissioners called public hearing to order; the purpose of the public hearing is to review public comment on the cable television rate increase to be effective January 1, 2000 proposed by TWFanch-one Company. Arthur Riley, General Manager for TWFanch-One Company was present to answer any comments. No one appeared and no comments received from public.

The Commissioners informed the rates are reasonable with Federal Communications Commission guidelines. The Commission approved rate increase.

The Commissioners received and reviewed letter from G. Joseph Crittenden, Designer with Haworth, Meyer and Boleyn, Inc. regarding a Transportation Need analysis and Design Study for upgrading US 19 from the WV 16 interchange south of Bradley in Raleigh County to the intersection of US 19 and WV 16 near Greentown.

The commission asked Ms. Holly to draft a letter recommending the study be expanded to include the entire portion of US 19 within Fayette County.

The Commissioners received and reviewed letter from Bell Atlantic informing the Commission of two changes in the company; (1) a new CEO Ted Raffetto and (2) that Bell Atlantic Network Integration has been combined with several other leading-edge Bell Atlantic units to create a new company - The Bell Atlantic Data Solutions Group (DSG).

The Commissioners received and reviewed letter form the Sun

Trust Leasing Corporation requesting to be placed on bid list.

The Commissioners received and reviewed questionnaire from the Putnam County Commission regarding reviewing methods to better serve the ambulance needs of their county.

The Commissioners received questionnaire from Putnam County Commission regarding evaluation form for employees.

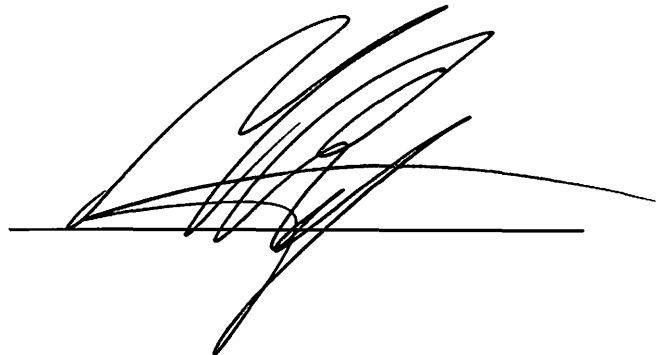
The Commissioners received and reviewed form from the Public Service Commission regarding creating a new database for all water and wastewater utilities.

The Commissioners received and reviewed letter from the Office of Emergency Services informing they are accepting pre-application forms for the Flood Mitigation Assistance Program funding. Copy forwarded to Steve Cruikshank, OES Director.

The Commissioners received and reviewed minutes from Page-Kincaid Public Service District for the month of November.

The Commissioners signed letter to Larry L. Rowe, Midland Trail Scenic Highway Association informing the Commission support the plans to extend the Midland Trail from Charleston to the Kentucky border.

The meeting was adjourned at 11:40 a.m. Next scheduled meeting is December 8, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
OCTOBER 6, 1999
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, 1999.

The meeting was called to order at 9:35 a.m.

Exonerations were approved and signed.

Ms. Holly informed the Commissioners that Barbara Brown made inquiry about her tax refund again. Ms. Holly informed the Commissioners that she received a letter from the Prosecuting Attorney's Office informing that there were no statutory provisions to give a cash refund if the taxpayer doesn't own any real or personal property. The Prosecuting Attorney's Office suggested to the Commission to address a letter to the West Virginia Department of Tax and Revenue asking them to advise in writing of the statutory provisions to follow in rendering a decision pursuant to such circumstances. Letter signed.

The Commissioners reviewed shelter manager job description. Commissioner Witt made motion to advertise for shelter manager. Commissioner Lopez seconded. All approved. Salary to be discussed later. Commissioner Witt suggested salary negotiable with experience, applications are due on October 15th.

Ms. Holly informed the Commissioners that Drema Perdue had called to question if she could serve as a member of the Civil Service Commission since she is already on the Republication Executive Committee Board appointed by the Commission. The

Commission asked Ms. Holly to check the West Virginia Code.

The Commissioners approved to issue a check in the amount of \$150.00 each to Patty Adkins and Patti Payne for their assistance in helping with the housing of stray dogs.

Ms. Holly informed the Commissioners that the court facility questionnaire is completed. Copies were sent to the Elected Officials. Letter signed. Ms. Holly reminded the Commissioners that the West Virginia Legislature Select Committee to Study Court facilities will visit the courthouse at 10:00 a.m. on Thursday, November 4, 1999 to review the courthouse complex facilities.

Ms. Holly informed the Commissioners she did review the telephone bids. Ms. Holly informed the Commission she talked with Lucent was informed that the cost to upgrade the System 25 to be Y2K compliance would be \$765.00 and that the Audex Voice Mail would have to be replaced at a cost of \$14,070.11. Commissioner Witt made motion not to update telephone system and suggested holding for decision until November 15th.

The Commissioners approved that any information Ms. Holly receive before the 15th to go ahead and act on.

Ms. Holly informed the Commissioners she received a call from Betty Steen with the Fayette County Emergency Food Assistance Center requesting that the Commissioners send a letter of support of their application for a grant in the amount of \$25,000 from the Governor's Community Partnership Fund for the purchase of a building. The Commissioners signed letter of support to the Governor and to Senator Shirley Love.

The Commissioners received and reviewed copy of a letter to Ray S. McClung from the National Park Services regarding Mr. McClung

request to change the name of the Kaymoor Trail to "Garten/McClung Kaymoor Trail". The National park Services informed Mr. McClung that since the Kaymoor Trail has been known by this name for a number of years, they feel it would be confusing to change the name.

The Commissioners received and reviewed a letter from the State Auditor's Office giving its plan of action to correct rate error. Ms. Holly informed the Commission that the tax office would have to be closed for a week.

John Doyle, AmeriCorp appeared before the Commission to give progress report of projects. Selena Vickers appeared before the Commission to request that the Commission continue to fund Mr. Doyle's position. No decision made.

Sharon Cruikshank, Director of the New River Convention and Visitors Bureau appeared before the Commission to thank the Commission for their continued support. Mr. Cruikshank presented to the Commission copies of the advertising used for Fayette County for the year.

Discussion was held regarding the Inclement Weather Policy. Commissioner Witt made motion that no overtime would be issued to any employees who are not affected by the emergency. Commissioner Lopez seconded. All approved.

Attorney James Blankenship appeared before the Commission to inform the Commission that subsequent to the filing of the Petition of Franklin D. Shuck and Sandy Marie Martin Shuck, Carla J. Gilkeson Adkins, and Kenneth Gene Goddard, to abandon Old Baggage Road, New Haven District an unused roadway, additional research was performed to determine the original source of what the petition's believe to be a public road. Attorney Blankenship informed the Commission that

after additional research he would like to withdraw the petition. Order signed by the Commission to withdraw Petition. Several residents appeared before the Commission to oppose the petition.

Attorney John Shumate appeared before the Commission to present application for annexation by minor boundary adjustment of a 19 acre tract situate northeasterly from the Community of Kilsyth, Plateau District, Fayette County. Final hearing is scheduled for November 3, 1999 at 11:00 a.m.

The Commissioners received and reviewed a letter from Gary Harding, Zoning Officer informing that the Board of Zoning Appeals had tabled the request of the Fayette County Commission to operate an animal shelter at the Fayette County Park in Beckwith. Mr. Harding informed that opposition was present at the meeting and no one was present that could address the concerns of the neighbors. The meeting is rescheduled for Monday, November 1, 1999 at 5:00 p.m.

The Commissioners signed agreement with Bell Atlantic-WV, Inc. formerly The Chesapeake and Potomac Telephone Company of WV. Ms. Holly informed the Commission that she was told it would require 90 days to put into system.

The Commissioners approved request of Judge John Hatcher to add another telephone line to the Law Clerk's Office.

The Commissioners received and reviewed letter from Carl Harris, Assistant Prosecuting Attorney informing that standard timber is considered to be a part of the real estate, once it has been severed, it is treated as personal property, but that in either event it must be sold at a public auction. Ms. Holly informed the Commission it would have to be advertised.

The Commissioners received and reviewed memorandum from Sheriff

Larry Dotson informing that Nancy Massie's annual and sick leave is depleted.

The Commissioners received and reviewed memorandum from Sheriff Larry Dotson informing that effective October 11, 1999, Kendall Baker has resigned from the Fayette County Sheriff's Department.

The Commissioners signed Fayette County Fire Levy Pumper Replacement Agreements from Armstrong Creek Volunteer Fire Department, Fayetteville Volunteer Fire Department, Gauley River Volunteer Fire Department for the period July 1, 1999 to June 30, 2000.

The Commissioners approved to release check to Beards Fork Community Organization for fiscal year 1999-2000.

Ms. Holly informed the Commissioners that David Neal, E911 Coordinator had received an estimate from Electro-Tech services on a used generator but had no warranty information at this time. The Commissioners informed they would go with used generator subject to a warranty.

The Commissioners received and reviewed monthly Spay Report from Patti Payne for the month of September.

The Commissioners received and reviewed a letter from the West Virginia Division of Environmental Protection appointing Tim Hannah a member to the Board of Directors of the Fayette County solid Waste Authority.

The Commissioners received and reviewed Assessor's Certificate of Compliance from the Department of Agriculture informing that Thomas Aiello has completed the Farm census of 1999 and is eligible to receive compensation from the County Court according to chapter 7, Article 7, Section 6c of the New Code of West Virginia. The

Commissioners approved.

The Commissioners received and reviewed Certificate of Insurance for Charter Communications, Inc.

The Commissioners received and reviewed invitation from the Upshur County Commission to the 100th birthday celebration of the Upshur County Courthouse being held October 7, 1999 from 1:00 p.m. to 2:00 p.m.

The Commissioners received and reviewed fax from West Virginia Association of Counties regarding design-build construction project.

The Commissioners received and reviewed a copy of a memo to the members of the Fayette County Deputy Sheriff's Civil Service Commission regarding request for examination and appointment of Deputy Sheriff.

The Commissioners signed Enhanced 911 Billing Contract with Citizens Telecommunications Company of West Virginia d/b/a Citizen Communications Company of WV.

The Commissioners received and reviewed from TWFanch-one Company updated maximum rate services.

The Commissioners received and reviewed information from the Census Bureau regarding the U. S. Census Monitoring Board.

The Commissioners received and reviewed Section 504 Transitional Plan Assessment for Accessibility (excerpt).

The Commissioners received and reviewed authorization from Thelma Kincaid, Circuit Clerk for Software Systems to convert Jury Management System Programs and date to Y2K format and train on any additional function changes/enhancements.

The Commissioners approved for the WV Extension Office to purchase zip disk.

The Commissioners received and reviewed a letter from Allen, Guthrie and McHugh regarding the McCormick's law suit.

The Commissioners received and reviewed a letter from data Designs, Inc. requesting that a new modem line be installed in the Voter's Registration Office. The Commissioners asked Ms. Holly to check to see if new line is necessary.

The Commissioners approved for Earl Paul, Park Superintendent to have an adopt-a-kitten to the area nursing homes.

Outstanding bills were approved.

The meeting was adjourned at 12:00. Next scheduled meeting is October 15, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
OCTOBER 15, 1999
COURTHOUSE

FAYETTEVILLE, WV 25840

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

The Fayette County Commission met in regular session on this 15th day of October, 1999.

The Commissioners signed order subject to the approval of the Assessor, that Arliss E. and Emma Lou Smith be afforded tax relief for tax years 1995, 1996, 1997, and 1998 in the amount of \$1,049.28 in the form of a credit against taxes owing for the following year or years with said tax relief being spread over the year or years until the debt is paid.

The Commissioners signed order subject to the approval of the Assessor, that Danny Eugene Webb be afforded tax relief for tax years 1994, 1995, 1996, 1997, and 1998 in the total amount of \$1,698.05 in the form of a credit against taxes owing for the following year or years with said tax relief being spread over the year or years until the debt is paid.

Ms. Holly informed the Commissioners that she received the Coal Severance allotment and presented to the Commission a report of the amount of decrease for the 4th quarter.

The Commissioners approved and signed several request to combine or divide and segregate land as submitted by the Assessor's Office.

The Commissioners received and reviewed minutes from Salem-Gatewood Public Service District for the month of September.

The Commissioners received and reviewed Audit Report from White Oak Public Service District for fiscal year ended June 30, 1999.

The Commissioners approved to pay annual equipment invoice for the 911 Center. The Commissioners approved to pay out of the General County Fund, can reimburse from funds from the 911 fee increase.

Discussion was held regarding signing the Agreement between the Fayette County Commission and Bell Atlantic-WV, Inc. formerly The Chesapeake and Potomac Telephone Company of WV. After brief discussion, the Commissioners signed under protest pursuant to their order entered on September 29, 1999 they ad forwarded previously.

Ms. Holly informed the Commission that the Telephone System upgrade would cost \$1,200, order placed last week this upgrade will carry through the year 2001.

The Commissioners signed zoning minutes of the meeting held September 29, 1999.

Ms. Holly informed the Commission that the vendor who proposed used generator will not give a 30-day warranty. Ms. Holly asked the Commission if they wanted her to advertise for a new generator. The Commission asked Ms. Holly to hold until the next meeting, October 27, 1999.

Ms. Holly informed the Commissioners that she advertised for bids for courthouse scraping and painting, but only received one bid from Commercial and Hi-Rise Window Cleaners, inc. (\$13,875.00). The Commissioners asked Ms. Holly to readvertise in the spring.

Ms. Holly informed the Commission that she advertised for a shelter manager. Ms. Holly presented applications to the Commission. No action on shelter manager.

The Commissioners signed Sales Tax Report for the Fayette County Park for the month of September.

The Commissioners signed Fayette County Fire Levy Pumper

Replacement Agreement for Mount hope Volunteer Fire Department, Oak Hill Volunteer Fire Department, Meadow Bridge Volunteer Fire Department and Danese Volunteer Fire Department for the period July 1, 1999 to June 30, 2000.

Ms. Holly informed the Commission that since Drema Perdue is serving on a committee for the Commission she cannot serve as a member of the Civil Service Commission.

The Commissioners approved Eugene E. Hogan to serve on the Fayette County Civil Service Commission. Order signed.

John David, Vicki Smith and Kathryn south appeared before the Commission.

Mr. David presented to the Commissioners material on Group Workcamps Foundation; Mr. David informed the Commission that this is a week long home repair project involving church youth groups. Mr. David expressed to the Commission that this would be an idea program for housing renovation in the Valley area. Mr. David informed the Commission that funding for the project would be \$15,000. No decision made.

Attorney Tom Fast appeared before the Commission with a request to appoint a Fiduciary Commissioner in the Robert E. Kelly, Jr. Estate. Attorney Fred Jesser was present to object to the appointment. After a brief discussion the Commission moved to appoint Carl Harris as a Special Fiduciary to handle matter.

Commissioner Witt moved to write a letter to the Public Service Commission opposing the moving of the Appalachian Electric Power in Oak Hill.

The Commissioners voted not to pay invoice ticket #128486 and #128607 in the amount of \$26.00 for the Fayette Humane Society. The

Commissioners asked Ms. Holly to forward tickets back to the Fayette Humane Society. The Commission asked Ms. Holly to have Earl Pauley, Park Superintendent to get account changed to the Fayette County Animal Control Center.

The Commissioners received and reviewed 911 calls for the month of September, 1999.

Ms. Holly reminded the Commission of the Y2K Seminar being held by the Office of Emergency Service on October 18, 1999 at 7:00 p.m. at the Fayetteville High School.

Ms. Holly informed the Commissioners she received from Steve Cruikshank, OES Director a breakdown on checks to be written from the Fire levy account in reference to the Environmental Protection Agency for cleanup at the Shaffer Site in Minden.

The Commissioners received and reviewed a letter from David Neal, E911 Coordinator asking to change James E. Koone from Part-time Communications Specialist status to Full-time effective October 15, 1999 salary \$7.26 an hour, he is replacing Frank Cafego.

The Commissioners received and reviewed a copy of a letter from Delegate William Laird to John Homburg, Director Legislative Service Division regarding a request to draft a bill regarding WV Code 11-3-27 (granting tax relief to a taxpayer).

The Commissioners received and reviewed a letter from the West Virginia Legislature regarding courthouse facility visitations scheduled for Thursday, November 4, 1999 at 10:00 a.m.

The Commissioners received and reviewed letters from Workers' Compensation Division (claimant Barbara Hull).

Ms. Holly informed the Commissioners she received a letter from the State Tax Department informing that on November 10th from 1:00

p.m. to 5:00 p.m a seminar has been scheduled regarding changing the way the financial statement should be presented.

The Commissioners signed letter to Eugene Tuckweller, Assistant District Administrator with the Division of Highways requesting the use of a grader with an operator for use on county-owned property located at the Boomer ballfield. Cost would be approximately \$142.45.

The Commissioners received and reviewed check in the amount of \$7,833.61 representing a disbursement of Wireless E-911 subscribers fees for the month of April, May, June, 1999.

Ms. Holly informed the Commissioners that the West Virginia Association of Counties had contacted her and want to know if the Commission wanted to change the picture in the West Virginia Association of Counties directory. The Commission asked that the Association use same picture.

Earl Pauley, Park Superintendent appeared before the Commission to recommend hiring Billy J. Bennett as a part-time equipment operator due to the injure to his back. Discussion was held, Commissioner Witt objected to hiring of a family member. Commissioner Carte and Commissioner Lopez approved hiring Billy Bennett as a part-time equipment operator at \$6.00 an hour.

The Commissioners approved for Earl Pauley to lease uniforms for the Fayette County Park from Coyne textile Services

Commissioner Witt suggested to Mr. Pauley not to pick up animals if they don't have the room.

Payroll and outstanding bills were approved.

No action was taken on hiring a shelter manager.

Ms. Holly informed the Commission that the Auditor presented to

her letters that needed to be signed while she is conducting the audit for fiscal year ended June 30, 1998.

The Commissioners signed letter to Lisa Thornburg, Director, Department of Tax and Revenue confirming that as of October 15, 1999 and to the best of their knowledge and belief representations made during the audit.

The Commissioners signed a letter to Paul M. Blake, Jr., Prosecuting Attorney informing that the State Auditor's Office are conducting an audit of our financial statements of June 30, 19998 and for the year then ended and asked that he furnish a description of all material pending or threatened litigations, claims and assessments.

The Commissioners signed a letter to Thomas Aiello, Assessor asking that he confirm to the State Auditors's Office all major taxpayers who assessed value equal 10% or more of total assessed based.

The Commissioners received and reviewed a letter from the West Virginia Development Office acknowledging receipt of the Small Cities Block grant application requesting \$262,356 for the fire equipment improvements project.

The Commissioners signed Zoning minutes for meeting heldd on September 29, 1999.

Ms. Holly presented License Agreement from Public Land Corporation for the Commission to sign.

Commissioner Gene Carte, Jr. made motion to accept License Agreement by and between the Public Land Corporation and the Fayette County Commission giving permission to construct, replace, cover, repair, operate, maintain, use, and remove a three-quarter 3/4")

plastic water pipeline across and over Laurel Creek of the New River in New Haven District. Commissioner John Lopez seconded. All approved. Vote passed 3-0.

Commissioner Lopez made motion to advertise for the indexing Y2K Upgrade in the County Clerk's Office. Commissioner Witt seconded. All approved.

Ms. Holly informed the Commissioners that she had talked with the State Office regarding adding to the Inclement Weather Policy. Ms. Holly informed the Commissioner that the State recommended not adding to the policy.

The Commissioners approved giving vacation back to the employees who were on vacation during the water problem.

The Commissioners received and reviewed thank you letter from Larry L. Rowe for their support for Yeager Airport.

The Commissioners received and reviewed letter from Warren Richards.

The meeting was adjourned at 12:16. Next scheduled meeting is October 27, 1999.

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FAYETTE COUNTY COMMISSION

REGULAR SESSION

OCTOBER 27, 1999

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, 1999.

The meeting was called to order at 9:32 a.m.

Exonerations were approved and signed.

Bill Caudill, Chairman, Fayette County Beautification Committee updated the Commission on the progress the Committee has done in cleaning up and tearing down of old dilapidated houses. Commissioner Witt asked about the liability for the Committee. Ms. Holly informed the Commission that any Board or Committee that the Commission appointed is covered under the counties blanket insurance.

The Commissioners approved to purchase three badges for the Beautification Committee.

Commissioner Witt informed the Commission he would like all county vehicles (Law Enforcement not included) labeled. The Commission approved to go with decals.

Commissioner Lopez informed he had been asked if the County would sell to the City of Smithers and to the Town of Ansted county-owned used vehicles. The Commissioners approved to sell vehicles to the City of Smithers and the Town of Ansted for \$500.00.

Commissioner Lopez moved to go into Executive Session with Paul Blake, Prosecuting Attorney to discuss pending lawsuit. Commissioner Witt seconded.

Upon reconvening from Executive Session, the Commission informed that no decision was made.

Gary Harding, Zoning Officer presented to the Commission the following case for a disposition: Z-474-99-1: Request of Mary Withers Abbot and Bridget Legg, owners, for a change in land classification from RR-1, Agricultural and Rural Residence District, to B-2, General Business District, on 2.01 acres, part of Bradford, located on High Street at Route 19, near the Fayetteville Fire Station, New Haven District.

Mr. Harding informed the Commission that the Planning Commission did at their meeting on October 25, 1999, recommend by a vote of 9-0 that this request be approved to a B-2 classification. Kirk Wallace and Mack Canterbury were present to voice their opposition to this proposal. After a brief discussion a motion was made by Commissioner Witt to deny this request. After a brief a brief discussion and there being no second to the motion Commissioner Witt withdrew his motion to deny. Commissioner Lopez made a motion to send it back to the Planning Commission for further review. Motion was seconded by Commissioner Witt and passed by a unanimous vote.

Rod Lang, Region 4 Planning and Development Council presented to the Commission final drawdown request for payment regarding the Fayette County Commission/New Haven Public Service District Water Extension project, 1997 Small Cities Block Grant B-97-DC-54-00001, amount \$62,454.18. Commissioner Lopez moved to adopt resolution, approved and authorized the payment for services. Commissioner Witt seconded. Unanimous.

Chuck Talley, American Electric Power appeared before the Commission to discuss the closing of the Oak Hill Office.

The Commissioners signed invoices for the confinement of inmates at the Southern Regional jail for the City of Mount Hope, and the

Town of Fayetteville for the month of September.

The Commissioners signed order to remove administratrix in the Estate of Steven W. Womer partial final settlement to be filed in County Clerk's Office today.

The Commissioners signed Legislative Agreement Form of the Office of Emergency Medical Services for payment of \$8,000 for purchase of equipment.

The Commissioners received and reviewed response from the State Tax department regarding relief for taxpayers that do not have taxable property to which a credit can be applied. The State Tax Department suggest to the Commissioners to bring this matter to the attention of their legislative representatives to have a bill proposed.

The Commissioners received and reviewed check in the amount of \$46.06 from Citizens Communications for 911 fees for the month of September.

The Commissioners approved to pay invoice to the County Commissioners' Association of West Virginia a one-time special dues assessment of \$1,840.00.

The Commissioners received and reviewed letter from Kelvin Holliday, County Clerk with a proposal from Thomas V. Malone for repairing record books in his office. Discussion was held, the proposed amount is over \$5,000, the Commission would have to advertise. Commissioner Carte made motion to advertise for repair of record books. Commissioner Witt seconded. All approved.

Ms. Holly informed the Commission that bids are due on November 3, 1999 at 10:00 a.m. for County Clerk's Office Indexing upgrade.

The Commissioners signed medical eave application for Joetta

Armstrong.

The Commissioners received and reviewed requisition from Yvonne Harp for a desk. The Commission asked Ms. Holly to have to schedule Ms. Harp to come to next meeting.

Commissioner Lopez made motion that subject to the approval of the State Auditor as ex officio chief inspector of public offices that Budget Revision #2 for the General County Fund and the Coal Severance Fund for Fiscal Year 1999-2000 be approved. Commissioner Witt seconded. All approved.

Ms. Holly informed the Commission that Everette Steele, Chief Deputy informed her that the guards fro the cruisers was charged to the Law Enforcement account. Ms. Holly informed the Commissioners that this has been corrected the guards have been charged to the vehicle/maintenance repair account.

The Commissioners approved corrections to the minutes.

The Commissioners approved for Ms. Holly to call Nancy Massie regarding applying for Medical Leave of Absence.

Larry Johnson, Chairman, Fayette County Solid Waste Authority and Don Plumley, Tim Hannah members appeared before the Commission to present Make it Shine certificates to Bruce Vira, Cranberry Hardwoods, Inc., Bill Preast, Kanawha Falls Public Service District, Carlos Taylor, Loup Creek Volunteer Fire Department, Robert Zimmerman, Arbuckle Public Service District, Priscilla Asbury, Loup Creek Water Shed, Elmer Hess, Jr., Division of Highways, Ray Toney, Rivers, Inc., Maddy Kincaid, Mountain Rivers Tours, Jimmy Hall, Amusement ARCA, Vickie Mullins, AmeriCorp Vista.

Mr. Johnson thanked everyone for their efforts in making West Virginia one of the cleanest states in the nation.

The Commissioners opened bids for the generator for the Gauley Mountain Tower site. Received bid from Electro-Tech Services, Inc. for \$11,750.00. Commissioner Witt moved to approve bid subject to the approval of the 911. Commissioner Lopez seconded. All approved.

Ms. Holly informed the Commissioners that the 911 equipment invoice was paid out of the General County Fund.

Ms. Holly informed the Commissioners she received a call from Pam Price, Maternal Child and Health Services Pincrest in Beckley wanting to know if county have any office space available. The Commission asked Ms. Holly to inform Ms. Price that they do not have any space available.

The Commissioners received and reviewed franchise fee check from TWFranch-One Company for the period July 1, 1999 through September 30, 1999, amount \$6,644.37.

The Commission received questionnaire from the West Virginia Association of Counties regarding updating the Year 2000 directory and picture. The Commissioner asked Ms. Holly to inform the West Virginia Association of Counties to use same picture in the Year 2000 directory.

The Commissioners received and reviewed letter from Meadow River Coal Company informing of their intent to permanently layoff all employees from the Meadow River Mine and Preparation Plant located near Lookout during a 14-day period beginning on December 22, 1999.

The Commissioners received and reviewed letter from Resource Technologies Corporation regarding digital mapping that will become available to the tax departments and to county offices.

Ms. Holly informed the Commission that the Tax Department is working on the tax refund situation; Ms. Holly informed the

Commission that the November 1st will not be met, looking at December 1st will confirm, Tom Woodrum, Chief Tax Deputy is talking with vendors.

The Commissioners approved Thelma Kincaid's request to add shelving in the Evidence Room.

The Commissioners received and reviewed Annual Water and Sewer Audit for the fiscal year ending June 30, 1999 and minutes of monthly meetings from January 1999 to September, 1999 from Page Kincaid Public Service District.

The Commissioners received and reviewed Audit Report from Pax Volunteer Fire Department for the years ended 1995, 1996, 1997, and December 31, 1998.

The Commissioners received and reviewed Audit Report from Loup Creek Volunteer Fire Department for the year ended December 31, 1998.

The Commissioners received and reviewed Audit Report from Armstrong Creek Volunteer Fire Department for fiscal year ending June 30, 1997, 1998, and 1999.

The Commissioners received and reviewed Audit Report from Gauley River Volunteer Fire Department for fiscal year ending June 30, 1999.

The Commissioners received letter from the County Commissioners Association informing that plans for this year's 10 regional meetings to be held across the state during the next few weeks. Commissioner Witt informed he would be attending the meeting at the Clay County Courthouse being held on November 12, 1999.

The Commissioners received and reviewed Application for Employment from Rebecca Clara Spangler.

The Commissioners received and reviewed invitation from Southern Appalachian Labor Schools inviting them to attend the dedication of

the Thanksgiving Houses in the New Page Housing Project, Friday, November 5, 1999 from 2:00 - 4:00 p.m.

The Commissioners received and reviewed letter of thanks from the Southern Appalachian Labor School for their support for the Youth Build proposal.

The Commissioners received and reviewed a check in the amount of \$30,312.88 for the Emergency Telephone System Fee for the month of September, 1999.

The Commissioners received and reviewed Employer Loss Activity Statement from the Workers' Compensation Division.

Outstanding bills and payroll were approved.

Ms. Holly informed the Commissioners that the payment to the New River Convention and Visitors Bureau for July thru September hotel occupancy tax is included in the outstanding bills to be paid, amount \$6,117.43.

The Commissioners received and reviewed Park expenditures as of September, 1999.

The Commissioners received and reviewed letter from the Division of Criminal Justice Services informing they have not received the required Financial and Progress Reports for the quarter of June 1, 1999 through August 31, 1999 from the Local Law Enforcement Block Grant 98-LL-24. Copy of letter forwarded to Everette Steele, Chief Deputy.

The Commissioners received and reviewed minutes from Page-Kincaid Public Service District for the month of October.

Discussion was held regarding the hiring of Mark Campbell as Dog Warden. No decision made.

The Commissioners received and reviewed letter from Governor

Cecil Underwood regarding having the Human Resource Investment Council (HRIC) to coordinate a series of regional planning forums to lay the foundation for the new workforce development system. The Commissioners suggested having Dave Pollard, Community Resource Coordinator attend.

Ms. Holly informed the Commission that the telephone representative will be here next Wednesday to bring our telephone Y2K ready.

The Commissioners received and reviewed from the West Virginia Association of Counties Protocal List.

Ms. Holly informed the Commission that she have heard no response from Carl Harris, Assistant Prosecuting Attorney regarding the Inclement Weather Policy.

The Commissioners received and reviewed invoice from Sauder Manufacturing Company for chairs purchased for the County Commission meeting room.

The Commissioners received and reviewed fax from ben Newhouse, Upper Kanawha Valley Economic Company informing that a Service Provider Forum is scheduled for November 18, 1999 at 5:00 p.m. at the Town Hall in Chesapeake. Commissioner Lopez asked that David Pollard attend.

Commissioner Witt signed letter to Keith Young, Executive Director, Fayette County Head Start declining invitation to become a member of the Program Planning Committee for the Fayette County Child Development, Inc.

The Commissioners received and reviewed a copy of a letter to John Hornburg, Director, Legislative Services Division from John Pino, Delegate informing he support any legislation drafted

correcting the glitch in the status regarding reimbursing taxpayers due to an erroneous assessment.

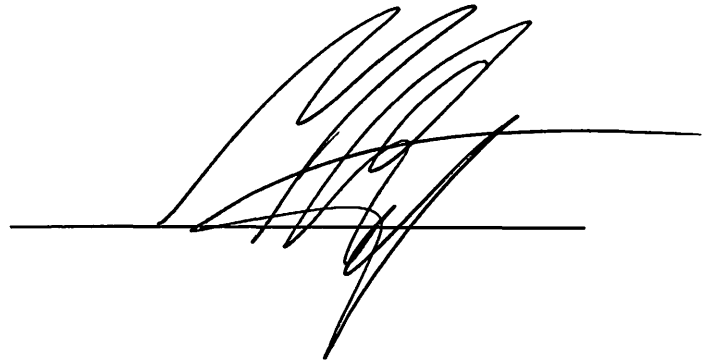
Ms. Holly informed the Commission that the PEIA premium increase is for State Agencies only per Debbie Aliff, Payroll Clerk.

The Commissioners received and reviewed letter from the Solid Waste Management Board informing that on November 9, 1999 at 11:00 a.m. a satellite forum entitled Buying Recycled: The Real Story about Cost, Availability, and Quality will be broadcast live throughout the county.

Ms. Holly informed the Commissioners she received a call from Earl Pauley, Park Superintendent informing that a tractor trailer delivering cages tore down phone line, will not have phone service today, if you need to call, call 911 they will get in touch with him.

Danni Nichols a member of C-Pac asked the Commissioners if they were going to hire a shelter manager. Commissioners suggested asking Earl Pauley to come in to discuss.

The meeting was adjourned at 12:20. Next scheduled meeting is November 3, 1999.

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FAYETTE COUNTY COMMISSION
REGULAR SESSION
SEPTEMBER 8, 1999
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 September, 1999.

The meeting was called to order.

Exonerations were approved and signed.

The Commissioners announced that the Board of Zoning Appeals meeting that was scheduled for Monday had been rescheduled for October 4, 1999.

The Commissioners met with Earl Pauley, Park Superintendent. Mr. Pauley informed that a decision needed to be made on charges for dogs. Mr. Pauley informed the Commission that there is a \$15.00 fee for putting dogs to sleep from the Animal Hospital. Discussions were held concerning the need to set cost for worming, vet charge, rabbi shots, etc. Peggy Bennett, Renee Daniel, Patty Adkins, and Patti Payne were in attendance for the animal shelter.

Ms. Bennett reported she is taking calls for animals.

Mr. Pauley reported of the need for equipment, food and food pans. Commissioner Witt requested that Mr. Pauley, (ladies in attendance for shelter) get together and come up with charges and report this to the Commission at the September 15, 1999 meeting.

Administrator Charlotte Holly informed of the need to develop some time of report form to show donations, adoptions, etc. for Dog Tax Fund for reporting for Tom Woodrum in the Tax Department.

Mr. Pauley questioned if they are allowed to issue tags.

Commissioner Gene Carte reported he felt they are allowed and informed them to get information from Tom Woodrum. Mr. Pauley informed the Commissioners he feel he should be appointed as Humane Officer and should carry some type of identification if they want him to go on property. Mr. Pauley also reported to the Commission that they do need the deputies assistance.

Commissioner Carte informed the Commission it is okay to appoint Humane Officers and requested an order be prepared. The Commissioners approved for Earl Pauley, Tammy Gill, Peggy Bennett, Daniel Pauley and Randy Redden be appointed as Humane Officers.

The Commissioners discussed application for employment of Roger Perdue. The Commissioners informed this will be considered for employment in the future.

The Commissioners approved for Constance Daniel to attend a euthanasia class, cost \$250.00. The Commission approved to pay for mileage and meals while attending this class.

The Commission approved for Earl Pauley, Park Superintendent to buy trapping cages.

Discussion was held concerning materials the County had purchased in the past for the Dog Warden.

Commissioner Carte requested that they check with surplus property for material needed for animal shelter.

Commissioner Lopez requested that Earl Pauley Check with Mark Campbell to see what is needed. The Commissioners gave Earl Pauley authority to start charging fees and to present figures at their next meeting.

Earl Pauley reported to the Commission a situation with a dog with seven pups. Mr. Pauley informed the Commission that he had some

problems with the Dog Warden in some cases. Commissioner Carte reported that the Commission will support Mr. Pauley with his decisions concerning supervision of the Dog Warden.

Earl Pauley informed the Commission that the cost to move trailer would be \$1,000.00.

Patty Payne reported that she and Patti Adkins plan to do Adopt a Pet Segment on WOAY on Fridays.

The Commissioners authorized Mr. Pauley to charge \$25.00 to adopt a pet.

Ms. Holly presented invoices for Fayette Spay Program in the amount of \$1,696.00; Ms. Holly informed the Commission they had discussed paying for half of the cost. Commissioner Lopez offered motion to pay half. Commissioner Witt seconded. All approved. Check in the amount of \$848.00 was issued.

Ms. Holly presented an invoice from the Oak Hill Animal Hospital in the amount of \$30.00. Commissioner Witt offered a motion to approve. Commissioner Lopez seconded. All approved.

Commissioner Witt informed the Commission that there are a shortage of the Route 19 Comprehensive Plan Zoning Ordinance. Commissioner Witt suggested checking with Gary Harding, Zoning Officer and Dave Pollard, Community Resource Coordinator to see how many are needed.

Minutes from previous meeting were signed.

Ms. Holly reminded the Commission that the E911 Fee increase public hearing is scheduled for September 15, 1999.

Earl Pauley, Park Superintendent made a request to the Commissioners about selling timber on County-owned real estate.

Ms. Holly informed the Commission that they should check with

the Prosecuting Attorney's Office. Commissioner Witt informed the Commission that he feel their should be no problem, but to get permission from the Prosecuting Attorney's Office.

Commissioner Lopez made motion to deny paying request of the Fayette Humane Society for the period July 1 through July 16, 1999. Commissioner Witt seconded. All approved.

Commissioner Witt asked about the equipment at the Fayette Humane Society that belonged to the County and if the County could purchase any other equipment.

The Commissioners sent letter of support to Central West Virginia Regional Airport Authority of their master plan for Yeager Airport, and encourage them to move forward with their efforts to look at the feasibility of expanding the current facilities at Yeager Airport which currently serves our community.

Commissioner Witt requested drafting a letter to the Fayette Humane Society denying their request for payment for the period July 1, 1999 to July 16, 1999 and request that the Fayette Humane Society return no later than September 15, 1999 any and all equipment purchased for the Fayette County Dog Warden including traps, cages, porter, etc.

Harold Bragg questioned the Commission regarding putting an ad in the Fayette Tribune stating the Fayette County Commission no longer is a part of the Fayette Humane Society.

Commissioner Witt made motion to allow Ms. Holly to draft letter and prepare legal subject to the approval of the Prosecuting Attorney to the Fayette Humane Society and inform them that the County Commission no longer is affiliated with the Fayette Humane Society.

Ms. Holly reminded the Commission that she had given them copies

of the Supreme Court Open Meetings Law.

Ms. Holly informed the Commissioners that the Annual Financial Statement is complete. Copies were given to the Commissioners.

Ms. Holly informed the Commissioners that the contractor with the lowest bid would not be able to do the siding and windows for the WVU Extension Office until spring 2000.

Commissioner Witt informed okay to wait until spring, would like to get local people to do job.

After a brief discussion, Commissioner Lopez informed its okay to open bids again, if this would save the county money it would be better to readvertise. Commissioner Lopez suggested putting on back burner until spring and readvertise. Approved.

The Commissioners called public hearing to order; the purpose of the public hearing is to consider and to receive written and oral public comment of 4 applications for assignment of franchise of two cable television franchises in unincorporated areas of Fayette County. No one appeared in opposition to the transfers.

Art Riley, District Manager was present.

Commissioner Witt made motion to approve assignment of franchise from (1.1) TWfanch-One Company, d/b/a CableCom (formerly Cable Franchises, Inc.) to Fanch Cablevision of Indiana, L. P. then from (1.2) Fanch Cablevision of Indiana, L. P. (formerly Cable Franchises, Inc.) to Charter Communications, VI, LLC. (2.1) TWfanch-One Company, d/b/a CableCom (formerly Cedar Grove Cablevision Associates, LTD) to Fanch Cablevision of Indiana, L. P. then from (2.2) Fanch Cablevision of Indiana, L. P. (formerly Cedar Grove Cablevision Associates, LTD) to Charter Communications VI, LLC. Commissioner Lopez seconded. Unanimous.

Katie Bohn appeared before the Commission to give her recommendation regarding the old records in the basement.

Ms. Bohn recommend that the railroad blueprints and other documents be stored upstairs on the third floor of the jail and that some documents be destroyed.

Ms. Holly informed the Commissioners that to destroy any documents it should be under the supervision of some one from each elected officials office that have documents to be destroyed.

Ms. Bohn recommended destroying microfilm, insurance claims, dog licenses and General County Fund vouchers. Ms. Holly informed that this would be up to the County Clerk.

Commissioner Carte suggested taking microfilm to the Landfill.

Commissioner Lopez informed he see no reason to keep old records.

Commissioner Witt suggested destroying by fire, no reason to take to Landfill.

Commissioner Lopez authorized Bob Massey, Maintenance/Supervisor to burn old records. Each office is to give approval of what to burn.

Ms. Holly informed the Commission that Barbara Brown stopped by office to check on the status of her tax relief refund for the years 1996 and 1997. Ms. Holly informed the Commission that she had forwarded a copy of the minutes to Carl Harris, Assistant Prosecuting Attorney. The Commission asked Ms. Holly to follow-up on.

Ms. Holly informed the Commission that she had received another request from a tax payer regarding Homestead Exemption. Ms. Holly informed the Commission she would forward to the Prosecuting Attorney's Office.

Sheriff Larry Dotson appeared before the Commission to remind them that William Jayne passed away and the Commission need to appoint someone to fill his unexpired term. Sheriff Dotson informed he has requested a new test.

Sheriff Dotson informed the Commission that last spring in his budget request he had requested a Family Law Master Bailiff. Sheriff Dotson informed he would like to renew his request to fill position to staff the Family Law Master Judge Court with a bailiff.

Commissioner Lopez informed he had no problem with filling the position. Sheriff Dotson informed the Commission he would be paid out of the Law Enforcement Fund.

Sheriff Dotson informed the Commission that a candidate that left to work for the Town of Fayetteville has sent letter informing that he is willing to return as a Deputy Sheriff. Sheriff Dotson informed the Commission that he would be placed at the bottom of the list.

Commissioner Witt questioned about the new law for the Family Law Master.

Sheriff Dotson informed the Commission that the new law is that the Sheriff shall staff with a uniform Deputy. The Commission approved.

Lisa Goode, Meadow Bridge Town Council appeared before the Commission to ask for assistance in purchasing 300 meters at \$30 each total \$9,000 and purchasing a generator estimated cost \$15,000.

Ms. Holly informed Ms. Goode that the Public Service Commission has some funds for Y2K.

Commissioner Witt suggested to Ms. Goode to talk with Dave Pollard our Community Resource Coordinator.

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

The Commissioners received letter from the Prosecuting Attorney's office informing they have reviewed the bid proposal from Premier Computer Service and their proposal meets their specifications and request that the Commission place the order for their network system. The Commission approved.

Ms. Holly informed the Commission that she would have to readvertise for the Temporary Position for the WVU Extension Office. Ms. Holly informed the Commission that the temporary that was hired resigned as of August 30th.

Ms. Holly informed the Commissioners she received a notice from the Legislative Digest that \$8,000 is available for the 911 Center. Ms. Holly informed the Commissioners that she would check with David Neal, E911 Coordinator and Steve Cruikshank, OES Director to see how to apply and find out what is needed.

Ms. Holly informed the Commissioners that she have to complete several information sheets from the grants the County has received.

Dave Pollard, Community Resource Coordinator appeared before the Commission with Tim Carrol with the West Virginia Water Association to ask the Commission if they want to participate in the Water Resource Plans for various counties. Mr. Carroll presented to the Commission information regarding the plans.

After a brief discussion, Commissioner Witt made a motion to draft letter informing that the County has done extensive water, sewer, erosion studies and that the county do not need services at this time. Commissioner Lopez seconded. Unanimous.

Mr. Carroll informed the Commission that they are having a

conference this weekend at Canaan Resort.

Commissioner Lopez asked if the group would come in and do a study on consolidating the Public Service Districts.

Mr. Carroll informed the Commission that they are not an Engineering Firm only offer Technical Services.

Frank Morris with White Oak Public Service District appeared before the Commission to inform the Commission that before they can receive money from the Legislative Digest for their Wastewater Utility Facility Plan they would need a commitment from the Commission. Commissioner Lopez informed Mr. Morris that the Commission has committed \$5,000 in the contingency fund.

The Commissioners suggested to Mr. Morris that they write letters to WV Tech, Congressman Rahall, and Senator Rockefeller. The Commissioners signed letter certifying they have approved \$5,000 toward the Wastewater Utility Facility Plan.

Attorney James Blankenship appeared before the Commission with petition and application of Franklin D. Shuck and Sandy Marie Martin Shuck, Carla J. Gilkeson Adkins, and Kenneth Gene Goddard to abandon old Baggage Road, New Haven District, Fayette County, West Virginia an unused roadway. The Commissioners set public hearing for October 6, 1999 at 11:00 a.m.

Commissioner Witt informed the Commission that the 911 Two-Way Radio tower site on Gauley Mountain needed three or four days labor to help with construction of a building in exchange for free tower space suggested Bob Massey assist with labor. Commissioner Lopez suggested talking with Larry Parsons to see if his crew would assist.

Commissioner Witt informed the Commission that he had received a call from Andy Hambrick recommending Robert E. Massey for the maintenance/janitor position. Commissioner Lopez suggested hiring

Robert Massey as of September 16, 1999.

The Commissioners received and reviewed Dog Warden Report for the month of August, 1999.

The Commissioners signed zoning minutes for hearing held August 25, 1999.

The Commissioners received and reviewed a letter from Judge John Hatcher, Jr. with a request for a bookcase to be placed in the law Clerk's Office. Ms .holly informed the commission that Sheriff Larry Dotson has a bookcase the Law Clerk could use. The Commission approved.

Commissioner Lopez made motion to approve additional invoice from Data Design, Inc. for uninterruptable power supply/surge suppressor for Voter's Registration Office. Commissioner Witt seconded. All approved.

The Commissioners approved payment of \$2,348.00 for installation of computer/printer in the Voter's Registration Office.

The Commissioners received and reviewed Workers' Compensation claim for Fred Sizemore.

Ms. Holly reminded the Commissioners of the invitation to the Raleigh County Solid Waste Authority note burning being held September 8, 1999 at noon.

The Commissioners received and reviewed letter from the Public Service Commission informing of the collections and payments they're received as of August 23, 1999 from the Wireless E911 Subscribers Fees.

The Commissioners received and reviewed copy of a letter from the Town of Pax regarding water services extension.

The Commissioners received and reviewed thank you letter from

the citizens of the Community of Nottingham Village.

The Commissioners received and reviewed a letter from the West Virginia Development Office asking for a letter of commitment from the Commission regarding the Clean Cities MOU Renewal Process for continued support for our alternate fuel initiatives. The Commission voted no to sending letter.

The Commissioners received and reviewed check in the amount of \$30,427.44 for the Emergency Telephone System Fee for the month of July, 1999.

The Commissioners received and reviewed a accident report from the Sheriff's Department for Deputy Kendall Baker. Ms. Holy informed the Commission that she faxed a copy to Jim Lively Insurance.

The Commissioners received and reviewed from the West Virginia Public Employees Retirement System Actuarial Valuation as of July 1, 1998.

The Commissioners received and reviewed audit report from the Fayetteville Fire Department for fiscal years 1990, 1991, 1992, 1993, 1994, 1995, and 1996.

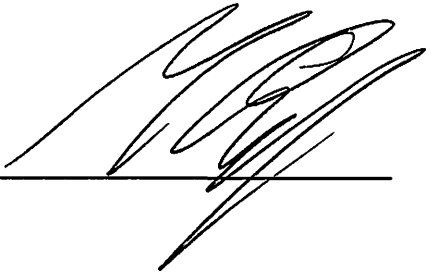
The Commissioners received and reviewed Analysis of fixed Assets for fiscal year June 30, 1999.

The Commissioners completed survey from Nicholas County Commission regarding Fayette County 1990 Census Population.

Ms. Holly informed the Commissioners that she did not receive any bids for our telephone system and informed the Commission that she may need to readvertise and set a new date. The Commission asked Ms. Holly to readvertise.

Commissioner Witt informed the Commission that he would not be at the September 15, 1999 meeting.

The meeting was adjourned at 11:58 a.m. Next scheduled meeting is September 15, 1999.



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9/8/99

FCC

DANN DAYNE

Patty Adkins

Animal Shelter

~~HAROLD D. BRAGG~~

RENÉE Daniel

Earl Pawley

Deborah Bennett

Animal shelter

FAYETTE COUNTY COMMISSION
REGULAR SESSION
SEPTEMBER 15, 1999
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 September, 1999.

The meeting was called to order at 9:31 a.m.

Exonerations were approved and signed.

The Commissioners approved to pay invoice from the Raleigh County Landfill for the Fayette Humane Society for the month of August.

The Commissioners received and reviewed a letter from Ray S. McClung requesting that the Commission change the name of the Kaymoor Trail in the New River Gorge to the "Garten/McClung Kaymoor Trail".

The Commissioners signed letter to the National Park Service informing they endorse Mr. McClung request and ask for their appropriate consideration to rename the trail "Garten/McClung Kaymoor Trail".

The Commissioners received and reviewed a letter from the members of the Armstrong Public Service District and the Deepwater Public Service District regarding the consolidation of the two districts into one district to be known as Armstrong Deepwater Public Service District.

The Commissioners asked Ms. Holly to prepare a letter informing that in order for the Commission to proceed and to schedule a hearing to have their attorney(s) prepare a petition proposing the consolidation of said Public Service Districts, setting forth a

description of the consolidated district, including metes and bounds, a map of the consolidated Public Service District, the name of the proposed district etc. as set forth in the West Virginia Code 16-13A-2.

Outstanding bills and payroll were approved. Payroll released.

Commissioner Lopez made motion to appoint Drema Perdue to fill the unexpired term of William Jayne (deceased) as a member of the Fayette County Civil Service Commission. Commissioner Carte seconded. Unanimous. Order signed.

The Commissioners approved and signed several request to combine or divide and segregate land as submitted by the Assessor's Office.

The Commissioners received and reviewed minutes and Financial Report from the Fayette County Solid Waste Authority for the month of June.

The Commissioners signed a letter to the West Virginia Make It Shine endorsing the recommendations of the Fayette County Solid Waste Authority for the Make It Shine Awards.

The Commissioners received and reviewed thank you letter from the Town of Gauley Bridge for their contribution for the fiscal year 1999-2000.

The Commissioners signed Sales Tax Report for the Fayette County Park for the month of August.

The Commissioners signed revised Leash Ordinance.

The Commissioners received and reviewed minutes from Salem-Gatewood Public Service District for the month of August.

The Commissioners received and reviewed a list of "Subscribers Refusing to Pay the Emergency Telephone System Fee" for the month of July, 1999.

The Commissioners signed letter to Kelvin Holliday, County Clerk informing that effective September 16, 1999 the annual salary to be paid to Robert E. Massey, Courthouse Maintenance/Janitor is \$12,000.00 plus benefits from the General County Fund.

Ms. Holly informed the Commission that she had to readvertise for the telephone system bids, bids are due by September 29, 1999.

Ms. Holly informed the Commission that she advertised for scraping and painting all exterior woodwork at the Fayette County Courthouse; bids are due by September 29, 1999.

The Commissioners signed agreement with the American Red Cross to use the Soldiers and Sailors Memorial Building for emergency services in behalf of individuals and families who are victims of a disaster.

Ms. Holly informed the Commission they received check from the Division of Environmental Protection for the clean-up of the Shaffer equipment site. Ms. Holly informed the Commission that Steve Cruikshank, OES Director to let her know how money should be disbursed.

The Commissioners received and reviewed a letter from the State Tax Department informing that the Property Tax Division will not provide local support for the new computer system in the Assessor's Office at this time.

The Commissioners received and reviewed a letter from the Supreme Court of Appeals regarding the revised standards for Family Law Master Facilities.

The Commissioners received and reviewed an order from the Division of Highways, ordering the addition of the following orphan road on Left Derryhale Hill Road (Derryhale area) to the Home Access

Road Program (HARP).

The Commissioners received and reviewed a letter from the West Virginia Development Office informing that the 1998 Consolidated Annual Performing and Evaluation Review is available for the Commission to review is at the Region 4 Planning and Development Council Office. Comments on the report will be received until 5:00 p.m. on September 28, 1999.

Ms. Holly informed the Commissioners that she sent a letter to Paul Blake, Prosecuting Attorney asking that he advise us of the statutory and contractual procedures to follow in order to sell standing timber on County-owned real estate, and to review letter sent to the Fayette Humane Society, but she has not heard anything.

The Commissioners received and reviewed a thank you letter from the Southern Appalachian Labor School thanking the Commission for their support for fiscal year 1999-2000.

Commissioner Lopez made motion to approve and authorize the adoption of Resolutions for the Governors Community Partnership Grant Program funds for Gauneka Ruritans Building Upgrade, Marquis de LaFayette Statue, Weatherization, White Oak Public Service District Utility Facility Plan, Minden, Russell Matthews Park, Boomer Ballfield, Upper Kanawha Valley Community Center, Sewage Treatment Plan, Sheriff's Department, and James H. Miller Community Center Capital Improvements. Commissioner Carte seconded. All approved. Resolutions signed.

Ms. Holly presented to the Commissioners applications for employment for the temporary position at the WVU Extension Office.

Ben Newhouse, Executive Director, Upper Kanawha Valley Enterprise Community presented to the Commission a SCBG application

and resolution for Fire Equipment.

Commissioner Lopez made motion to approve and authorize the adoption of the Resolution for the Small Cities Block Grant. Commissioner Carte seconded. All approved. Resolution and application signed.

The Commissioners received and reviewed an update concerning the grant applications that have been filed for the Upper Kanawha Valley Enterprise Community.

Commissioner Lopez made motion to hire Danita Young, temporary secretary for the WVU Extension Office. Commissioner Carte seconded.

The Commissioners held a public hearing to increase the E911 fees. Thomas Bragg was present to protest the increase. Mr. Bragg asked the Commission not to increase the fee and questioned the Commission as to what Enhanced mean.

David Neal, E911 Coordinator informed Mr. Bragg that enhanced is when a emergency call is made the dispatcher automatically get the address, location and telephone number of the caller.

After a brief discussion Commissioner carte informed that he would leave hearing open until September 29, 1999 at 10:00 a.m. at that time the Commission will vote on increase.

Rod Lang, Region 4 Planning and Development Council presented to the Commission a drawdown request for payment regarding the Fayette County Commission/New Haven Public Service District Water Extension project, 1997 Small Cities Block Grant B-97-DC-54-00001, amount \$15,653.57. Commissioner Lopez moved to adopt resolution, approved and authorized the payment for services. Commissioner Carte seconded. Unanimous.

The Commissioner approved pumper replacement for Armstrong Creek

Fire Department, Danese Fire Department, Fayetteville Fire Department, Gauley Bridge Fire Department, Gauley River Fire Department, Loup Creek Fire Department, Meadow Bridge Fire Department, Mount Hope Fire Department, Oak Hill Fire Department, and Rainelle Fire Department.

The Commissioners received and reviewed accident report of Deputy Sheriff cruiser.

The Commissioners received and reviewed a letter from the West Virginia Power informing that the UtiliCorp United, Inc., West Virginia Power's parent company has agreed to sale all electric and gas distribution assets of its West Virginia Power Division to Allegheny Energy, Inc.

The Commissioners received and reviewed Detail Loss Exhibit from the Hartford Insurance Group for July 1, 1998 to July 1, 1999.

The Commissioners received and reviewed Public Notice from the West Virginia Division of Labor concerning a prevailing wage rate survey being conducted.

The meeting was adjourned at 11:05 a.m. Next scheduled meeting is September 29, 1999.



Public Hearing
E911

09-15-99

Thomas S. Bragg

David R. Neal 911 Center

Wesley Ferrell 911

Becky Pellastrini 911 center

Harry Dotson - Sheriff - Chair of Advisory Bd.

Tim Hannon Advisory Board

Stephen M. Cruikshank Advisory Board

Harold D. Bragg

FAYETTE COUNTY COMMISSION
SPECIAL SESSION
SEPTEMBER 22, 1999
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 September, 1999.

The meeting was called to order at 10:00 a.m.

The Commissioners met with Earl Pauley and volunteers from the Fayette County Animal Control Center to discuss the distension at the shelter.

Commissioner Witt asked Mr. Pauley to bring the Commission up to date on the shelter.

Mr. Pauley informed the Commission that the shelter would be under roof in January, septic tanks are in place and ready.

Bob Korn informed the Commission that things are much better and commended Mr. Pauley on the good job he has done.

The Commission approved to pay invoice from the West Virginia State Agency for Surplus Property for \$650.00 for house trailer for the Fayette County Animal Control Center.

Commissioner Witt informed the Commission he had talked with Dr. Swank regarding fee service discount, Dr. Swank to work up discount.

Discussion was held regarding hiring Roger Goins as Shelter Manager. No decision made.

Commissioner Lopez made motion to go into Executive Session. Upon reconvening the Commission informed no decision was made.

The meeting was adjourned at 10:40 a.m. Next scheduled meeting is September 29, 1999.



Special Hearing
Held Sept. 23, 1999

Patty Adams

PATTI PAVINE

BOB KORN

Peggy Bennett

Jimmy Gill

Carl Parley

FAYETTE COUNTY COMMISSION
REGULAR SESSION
SEPTEMBER 29, 1999
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 29th day of September, 1999.

The meeting was called to order at 9:30 a.m.

Exonerations were approved and signed.

Sheriff Larry Dotson presented to the Commission a digest project for the Sheriff's Department from the Community Partnership Program during fiscal year 1999-2000 for \$10,000. Sheriff Dotson informed the Commission that \$1,500 would be used for repairs to the bridge at the Fayette County Park. Commissioner Lopez made motion to approve application and adopt resolution. Commissioner Carte seconded. All approved.

The Commissioners received and reviewed from the West Virginia Development Office a Governor's Community Partnership Grant application in respond to the letter sent by the Commission concerning the need for funding assistance for the Town of Meadow Bridge for the purchase of water meters and a generator for the town's water plant. The Commission asked Ms. Holly to forward application to the Town of Meadow Bridge.

Commissioner Witt informed the Commission that the flags should be moved. Commissioner Witt presented information from Harold Bragg on the proper way the flags should stand.

The Commissioner received and reviewed letter from the Beards Fork Community Organization requesting the \$2,000 allotment for

fiscal year 1999-2000. The Commissioners approved to release.

Mr. Floyd McKnight appeared before the Commission to request that the \$2,000 allotment be used to sponsor a Christmas carnival with the understanding that these funds would be replaced by the Beards Fork Community Organization. The Commissioners approved and asked Mr. McKnight to put request in writing.

The Commissioners received and reviewed a check in the amount of \$30,280.03 for the Emergency Telephone System Fee for the month of August, 1999.

The Commissioners received and reviewed a copy of a letter from the Public Service Commission to Lena Smith regarding being connected for sewer with the City of Oak Hill has been referred to the Water and Wastewater Division for response.

The Commissioners approved and signed several request to combine or divide and segregate land as submitted by the Assessor's Office.

Ms. Holly informed the Commission she received fax from Allen, Guthrie and McHugh regarding the McCormick law suit. Discussion was held, Paul Blake, Prosecuting Attorney questioned about who authorized the law firm to put offer back on the table. The Commission decided to let the Prosecuting Attorney use his digression concerning the law suit.

The Commissioners received and reviewed Audit Report from the Boomer Volunteer Fire Department, Inc. for fiscal year ending June 30, 1999.

The Commissioners received and reviewed Certificate of Liability Insurance from TWFanch-one Company.

The Commissioners received and reviewed continuation for Medical Leave of Absence from Heather Hambrick.

Outstanding bills and payroll were approved.

The Commissioners received and reviewed notice of a West Virginia ADA Coalition meeting being held October 1, 1999 at 10:30 in Sutton, West Virginia.

The Commissioners received and reviewed Workers' Compensation letter regarding Robert Godsey, Jr.

The Commissioners received and reviewed letter from Carl Harris, Assistant Prosecuting Attorney informing that regarding old records in basement he see no reason for any official to sign a release for Ms. Katie Bohn or those individuals helping her; Mr. Harris asked the Commission to caution Ms. Bohn to make sure that she has the direction from each officeholder as to what documents are to be destroyed.

The Commissioners signed invoices for the confinement of inmates at the Southern Regional Jail for the City of Mount Hope, Town of Fayetteville and the City of Oak Hill for the month of August.

The Commissioners received and reviewed Annual Report from Page Kincaid Public Service District for the year ended June 30, 1999.

The Commissioners received and reviewed letter from Sheriff Larry Dotson informing that effective September 27, 1999 Velma Foster would be hired as part-time in the Tax Department at \$6.00 per hour.

Ms. Holly informed the Commission she received a survey form the West Virginia Association of Counties regarding Dental/Vision Benefit Plan for various counties.

The Commissioners received and reviewed (2) orders from the Division of Highways, ordering the addition of the following orphan roads on Pugh Lane (Layland Heights area) and Montgomery Heights Church Road (Montgomery Heights area) to the Home Access Road Program

(HARP).

Ms. Holly informed the Commissioners she received a letter back in July from a taxpayer regarding being exempt for Homestead Tax. Ms. Holly informed the Commission that she had forwarded a copy of the letter to Tom Aiello, Assessor and Carl Harris, Assistant Prosecuting Attorney for them to review.

David Neal, E911 Coordinator and Steve Cruikshank, OES Director appeared before the Commission to get the Commission's decision on whether or not to increase the 911 fee as recommended by the E911 Advisory Board. Discussion held, no opposition; Commissioner Lopez moved to accept the recommendation of the E911 Advisory Board to increase the 911 fee from \$1.48 to \$2.00. Commissioner Witt seconded. All approved. Unanimous.

Ms. Holly informed the Commissioners about the equipment payment for the 911 Center is in arrears.

Ms. Holly asked Steve Cruikshank, OES Director if he had received the cost for the Y2K upgrade. Mr. Cruikshank informed he had not received a bill for the upgrade.

Ms. Holly informed the Commissioners that the Commissioner had received \$8,00 from the Legislative Digest to purchase a used generator for the Gauley Mountain Tower site. Discussion was held, Commissioner Witt moved to advertise for the generator. Commissioner Lopez seconded. All approved.

Ms. Holly reminded the Commission that the Y2K Forum is scheduled for Monday, October 18, 1999 at 7:00 p.m. at the Fayetteville High School.

Gary Harding, Zoning Officer, presented the following case for a disposition: Z-473-99-1: Request of James and Barbara J. O'Dell,

owner, for a change in land classification from R-1, Residence District to B-2, General Business District, on 3.825 acres, located on Fayette Mine Road behind the Canyon Rim Gift Shop, New Haven District.

Mr. O'Dell was present and explained to the Commissioners where the property was located. Mr. Harding informed the Commissioners that the Planning Commission did on Monday recommend that this request be approved to B-2 by a vote of 8 - 0. There were no opposition.

After a brief discussion a motion was made by Commissioner Lopez to uphold the Planning Commission recommendation., Commissioner Witt seconded. Vote passed 3 - 0.

Earl Pauley, Park Superintendent gave an update to the Commissioners regarding the work at the shelter; Mr. Pauley informed the Commissioners that the septic tank is in place, heater and fan timers are in place, should have power around the third week in October, trailer would be moved the lateral part of next week.

Mr. Pauley informed the Commissioners that the employers at the shelter needed some type of identification badges, hat and jackets. The Commissioners approved for Mr. Pauley to purchase.

Mr. Pauley informed the Commissioners that for the Christmas season they had 23 new pieces to place at the park. Mr. Pauley told the Commissioners that Vo-Tech would be doing all the welding and cutting the wood. The estimated cost to buy the material is \$1,500. Commissioner Lopez moved to purchase the material. Commissioner Witt seconded. All approved.

Commissioner Witt made motion to advertise for shelter manager. Commissioner Lopez seconded. The Commissioners asked Ms. Holly to

get job description from Raleigh County.

Danni Nichols questioned the Commission about breaking ground for the animal shelter.

Ms. Holly informed the Commissioners they would have to dispose of the timber the same way as property.

Attorney James Blankenship appeared before the Commission with a petition for Mike Hunt to abandon an alley. Mr. Blankenship informed the Commission that the proper publication had been made.

Commissioner Witt moved to approve to abandon alley. Commissioner Lopez seconded. Unanimous. Order to be filed in County Clerk's Office.

The Commissioners approved for Ms. Holly to readvertise in the Fayette Tribune, Beckley Herald and Charleston Gazette for the siding/painting windows for the WVU Extension Office.

Ms. Holly informed the Commissioners she received two bids on the Telephone System bid (Lucent Technology and Joe Shelton). The Commissioners accepted bids will make decision later.

Attorney James Billings appeared before the Commission with a motion to remove administrator in the Estate of Steven W. Womer. There were no opposition. The Commissioners approved. Bond would be \$500.00. Mr. Billings to prepare order to be signed.

The Commissioner signed letter waiving rental fee of the Fayette County Memorial Building on Saturday, December 11, 1999 for the Fayette Fine Arts Council.

The Commissioners signed order subject to the approval of the Assessor, that Clark W. and Donna D. Tesky be afforded tax relief for tax year 1998 in the total amount of \$537.76 in the form of a credit against taxes owing for the following year or years with said tax

relief being spread over the year or years until the debt is paid.

The Commissioners signed letter to Penelope Crandall, Director, Family Law Masters requesting reimbursement for rent in the amount of \$1,200.00 for the month of October, 1999.

The Commissioners received and reviewed correspondence from Multi-Cap, Inc. regarding sending copies of their monthly board meeting minutes.

The Commissioners received and reviewed thank you letter from Page-Kincaid Public Service District for releasing seed funds for the wastewater expansion phase in the vicinity of Ingram Branch.

The Commissioners received and reviewed from the Workers' Compensation Division the decision of Administrative Law Judge regarding Barbara Hull.

The Commissioners received and reviewed Audit Report of Salem-Gatewood Public Service District for the fiscal year ended June 30, 1999.

The Commissioners received and reviewed a letter from Senator John D. Rockefeller informing he is in support of the Juvenile Justice bill.

Ms. Holly informed the Commissioners she received a call from an employee questioning when the Courthouse was closed due to the water problem he was on vacation, want to know if he get back the days.

Ms. Holly informed the Commission they are bound by their Sick Leave Policy.

The Commissioners informed they would review policy and make decision later. The Commissioners asked Ms. Holly to make copies of the policy so they could review at next meeting (October 6, 1999).

The Commissioners approved to pay an extra one time special dues

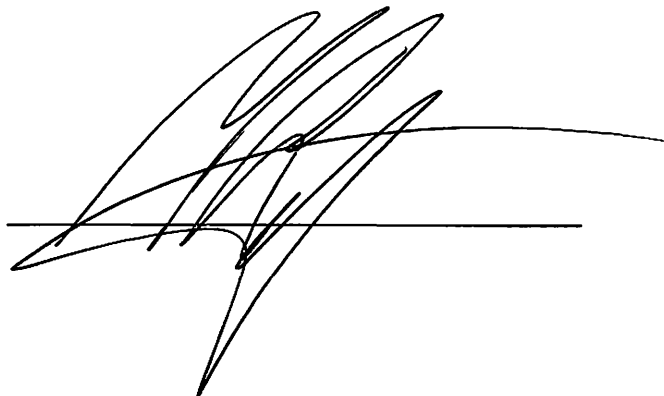
assessment in an amount equal to our current annual dues to the County Commissioners' Association for the purchase of property for County Commissioners Association headquarters.

The Commissioners received and reviewed fax from the West Virginia State Agency for Surplus Property authorizing employees and/or representatives of Fayette County Commission to pick up mobile home trailer.

The Commissioners received and reviewed fax from the Clarion Hotel and Conference Center confirming reservation of Paul Blake, Carl Harris, Tom Steele would be attending the Prosecuting Attorney's Fall Seminar.

The Commissioners received and reviewed letter from Carl Harris, Assistant Prosecuting Attorney regarding the Estate of Leonard Estep informing that he find no provision under the West Virginia statues which permit changing tax assessments or refunding money for taxes paid, as a result of the failure of the taxpayer to promptly apply for the homestead exemption as provided by the statues, when this occurred from 1972 to 1995. The Commissioners signed letter to Drema Estep informing her of their decision.

Meeting was adjourned at 12:10. Next scheduled meeting is October 6, 1999.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right, positioned below the text of the meeting adjournment.