

**COUNTY COMMISSION  
FAYETTE COUNTY, WEST VIRGINIA**

**RESOLUTION NO. 2018- 005**

**MAKING TEMPORARY APPOINTMENTS TO  
THE FAYETTE COUNTY CODE ENFORCEMENT  
AGENCY**

**WHEREAS**, pursuant to West Virginia Code, Section 7-1-3ff, the General Laws of the State of West Virginia have granted to the **Fayette County Commission** plenary authority to adopt ordinances regulating the removal and clean-up of any accumulation of refuse or debris, overgrown vegetation or toxic spillage or toxic seepage located on private lands which is determined to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect; and

**WHEREAS**, pursuant to West Virginia Code, Section 7-1-3kk the General Laws of the State of West Virginia have authorized the **Fayette County Commission** to enact ordinances, issue orders and take other appropriate and necessary actions for the elimination of hazards to public health and safety in Fayette County, and to abate or cause to be abated anything which the Fayette County Commission determines to be a public nuisance in or affecting Fayette County; and

**WHEREAS**, pursuant to the authority granted to the Fayette County Commission by the General Laws of the State of West Virginia, after public notice and two public hearings, on August 17, 2018, the Fayette County Commission adopted an ordinance titled the Fayette County Comprehensive Public Nuisance Abatement Ordinance; and

**WHEREAS**, as required by West Virginia State law, the Fayette County Comprehensive Public Nuisance Abatement Ordinance creates the Fayette County Code Enforcement Agency which will have the expertise and jurisdiction to investigate and lawfully respond to hazards to public health, welfare, and the environment within Fayette County; and

**WHEREAS**, the Fayette County Comprehensive Public Nuisance Abatement Ordinance establishes that the Code Enforcement Agency shall be composed of a designated Administrator of Fayette County, technically qualified consulting engineer designated by the County Commission, the County Health Officer or his or her designee, a fire chief from a county fire

company, the county litter control officer, the Director of the Fayette County Solid Waste Authority, and two (2) at large member appointed by the Fayette County Commission for two (2) year terms. Pursuant to Section VII(a) of the Fayette County Comprehensive Public Nuisance Abatement Ordinance, one (1) of the two (2) at large members first appointed the Code Enforcement Agency shall be appointed to an initial term of one (1) year, and, thereafter, any person appointed to that position shall be appointed for a two (2) year term. A Fayette County Administrator or Assistant County Administrator appointed by the Fayette County Commission shall serve as Chairperson of the Fayette County Code Enforcement Agency but shall have no vote on any matter coming before the Fayette County Code Enforcement Agency except if the other members entitled to vote on any matter be equally divided.

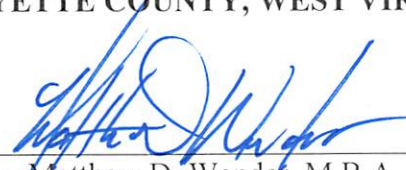
**NOW, THEREFORE, BE IT RESOLVED** by majority vote of the Fayette County Commission that Fayette County, West Virginia hereby appoints the following individuals to the Fayette County Code Enforcement Agency, on a temporary basis, until such time as the Fayette County Commission takes applications from members of the public wishing to serve and takes final action at publicly noticed meeting of the Fayette County Commission making permanent appointments for those positions:

- ✓ County Administrator Chair: Deborah Berry ✓
- ✓ Professional Engineer Designee: Katie E. Chandillo, P.E. ✓ →
- ✓ County Health Officer Designate: Teri Harlan ✓
- ✓ Fire Chief: Shannon Estep ✓
- ✓ County Litter Control Officer: Tommy Harris ✓
- ✓ Director of Fayette County Solid Waste Authority: Aletha Stolar ✓
- 2 ✓ { At Large Member 1: Gene Kistler ✓
- At Large Member 2: Jeffrey Proctor. ✓

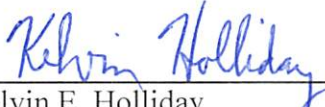
**BE IT ALSO FURTHER RESOLVED** by majority vote of the Fayette County Commission that it is the unanimous sense of the County Commission of Fayette County that the Fayette County Code Enforcement Agency, notwithstanding its obligations to respond appropriately to any endangerments to the Public Health, Safety, Welfare or the Environment within or adversely affecting Fayette County, should proceed, in full communication and cooperation with the Environmental and Public Health Protection Unit of the Fayette County Prosecuting Attorneys Office, expeditiously to investigate and respond appropriately to the four (4) priority sites/matters addressed by the Formal Resolution of the Fayette County Commission adopted on October 13, 2017.

**IT IS SO RESOLVED, ORDERED, AND DONE** with the majority vote of the Fayette County Commission, by the County Commission of Fayette County, West Virginia this 17th day of August 2018.

COUNTY COMMISSION  
FAYETTE COUNTY, WEST VIRGINIA

By:   
Hon. Matthew D. Wendel, M.B.A.  
Its President

ATTEST:

  
Kelvin E. Holliday  
County Clerk, Fayette County, West Virginia

FILED IN MY OFFICE  
FEB 22 2019  
Teste: Kelvin Holliday  
County Clerk



Fayette County  
Kelvin E. Holliday, Clerk  
Instrument 201900002767  
02/22/2019 @ 01:04:51 PM  
MISCELLANEOUS NO FEE  
Book 9 @ Page 86  
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