WEST VIRGINIA:

At a special session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Thursday, December 1, 2016.

Present: Mike Vinciguerra, President

Present: Gene Buckner, Commissioner

Present: Greg Puckett, Commissioner

**NOTICE OF SPECIAL MEETING**

THE MERCER COUNTY COMMISSION WILL MEET IN A SPECIAL SESSION ON THURSDAY, DECEMBER 1, 2016 AT 10:00 A.M. IN THE COUNTY COMMISSION COURTROOM. THE PURPOSE OF THE MEETING IS FOR CONSIDERATION OF THE FOLLOWING:

1. APPROVAL OF 2017 REAP RECYCLING ASSISTANCE

GRANT CONTRACT FROM WV DEPARTMENT OF

ENVIRONMENTAL PROTECTION

MIKE VINCIGUERRA, PRESIDENT

MERCER COUNTY COMMISSION

RE: GRANT – WV DEPARTMENT OF ENVIRONMENTAL PROTECTION – REAP RECYCLING ASSISTANCE GRANT PROGRAM

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the FY17 WV Department of Environmental Protection REAP Recycling Assistance Program Grant Contract for the Mercer County Commission in the amount of $97,588.

It is ordered that this Commission be and is hereby adjourned until Tuesday, December 13, 2016.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_PRESIDENT

WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, December 13, 2016,

Present: Mike Vinciguerra, President

Present: Gene Buckner, Commissioner

Present: Greg Puckett, Commissioner

RE: OATH – MERCER COUNTY ANIMAL SHELTER

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Appointment and Oath of Office for Dwight Kimble to serve as Director for the Mercer County Animal Shelter.

RE: OATH – MERCER COUNTY PROSECUTING ATTORNEY’S OFFICE

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the Appointment and Oath of Office for Lydia Comer to serve as a Part-Time Deputy Clerk for the Mercer County Prosecuting Attorney’s Office.

RE: OATH – MERCER DAY REPORT CENTER

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Appointment and Oath of Office for Jeremy Moore to serve as a Part-Time Community Service Officer for the Mercer Day Report Center.

RE: OATH – MERCER DAY REPORT CENTER

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Appointment and Oath of Office for Amy Dent to serve as a Part-Time Substance Abuse Counselor for the Mercer Day Report Center.

RE: OATH – BRAMWELL PUBLIC SERVICE DISTRICT

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the Appointment and Oath of Office for Harold Brown to serve as a Board Member for the Bramwell Public Service District. His term will expire on June 13, 2017.

RE: APPOINTMENT – STARS & STRIPES ADVISOR

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the Appointment of Jimmy Compton to serve as the Stars & Stripes Advisor for the County. His responsibility will be to make sure the flags are flying at the appropriate levels within the county and the flag is being respected in the highest regard.

RE: PETITION – MINOR BOUNDARY ADJUSTMENT – CITY OF BLUEFIELD

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept a Petition of the City of Bluefield to Annex City Owned Property into the City by Minor Boundary Adjustment presented by Brian Cochran, Attorney on behalf of the City of Bluefield. This property consists of two tracts of real estate described as 51.35 and 7.8 acres on John Nash Boulevard. Two public hearings will be scheduled in the future.

RE: DRAWDOWN – MERCER/SUMMERS IV-B ELGOOD WATER PROJECT

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve Drawdown #18 in the amount of $4,982.72 for the Mercer/Summers IV-B Elgood Water Line Extension Project.

RE: ADJUSTMENT – MERCER/SUMMERS IV-B ELGOOD WATER PROJECT

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve Budget Amendment #6 in the amount of $712.83 for the Mercer/Summers IV-B Elgood Water Line Extension Project. Funds will be added to the Accounting Line Item and subtracted from the Land Acquisition Line Item.

RE: PRESENTATION – MERCER CO. CONVENTION & VISITOR’S BUREAU

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to accept the Mercer County Convention & Visitors Bureau FY 2016 Annual Lodging Tax Report presented by Jamie Null, Executive Director.

RE: PROPOSAL – MERCER COUNTY SPAY ASSOCIATION

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table a Proposal to construct a shelter for Feral cats running loose at the Mercer County Animal Shelter.

RE: RESOLUTION – GENERAL HUGH MERCER MONTH

This day on motion of Mike Vinciguerra, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table a Resolution Designating January 2017 as General Hugh Mercer Month in Mercer County.

RE: APPROVAL – GENERAL COUNTY BUDGET REVISION

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve Budget Revision No. 3 for FY 2016/2017 in the amount of $11,285 for the General County Fund.

RE: ESTATE – TERRY DIANE CALDWELL – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: TERRY DIANE CALDWELL, DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of Terry Diane Caldwell, upon petition of Wayne Stonestreet, one of the Fiduciary Commissioners of said County requesting that the current Administrator, William Caldwell, be removed for failure to complete his duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, Don B. Meadows, be appointed as Administrator of said estate.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that Sheriff of Mercer County, Don B. Meadows be appointed as Administrator of the estate of Terry Diane Caldwell, deceased, and personal representative be removed.

The Commission further **ORDERS** the bond in the amount of $1,000.00 remain in effect.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – ANNA STILL CARDWELL – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: ANNA STILL CARDWELL, DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of Anna Still Cardwell, upon petition of Robert E. Holroyd, one of the Fiduciary Commissioners of said County requesting that the current Administratrix cum testamento annexo, Elizabeth A. Taylor, be removed for failure to complete her duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, Don B. Meadows, be appointed as Administrator cum testamento annexo of said estate.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that Sheriff of Mercer County, Don B. Meadows be appointed as Administrator cum testamento annexo of the estate of Anna Still Cardwell, deceased, and personal representative be removed.

The Commission further ORDERS the bond in the amount of $1,000.00 is to remain in effect.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – ROGER KESSINGER – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: ROGER KESSINGER, DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of Roger Kessinger, for follow up of previous hearing on November 9, 2016. A request has been received from Paige Flanigan, Attorney for Savannah Pearson and Lee Pearson, heirs of estate requesting that this matter be tabled for an additional thirty (30) days to try to receive some additional information from Wells Fargo prior to proceeding and also table the matter as she is unavailable to be present at this meeting.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that the matter of the Estate of Roger Kessinger be tabled until the next County Commission meeting tentatively scheduled for January 10, 2017.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – ROGER LEE KING – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: ROGER LEE KING, DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of Roger Lee King, upon petition of Robert E. Holroyd, one of the Fiduciary Commissioners of said County requesting that the current Executrix, Carolyn H. King, be removed for failure to complete her duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, Don B. Meadows, be appointed as Administrator cum testamento annexo of said estate.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that Sheriff of Mercer County, Don B. Meadows be appointed as Administrator cum testamento annexo of the estate of Roger Lee King, deceased, and personal representative be removed.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – VIRGIL T. MEADOWS – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: VIRGIL T. MEADOWS, DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of Virgil T. Meadows, upon request of Brenda Meadows, the previous Administratrix of the estate requesting that the estate be reopened in order to settle Asbestos claims being paid to the estate. A bond is in place for this estate.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that the estate of Virgil T. Meadows, deceased, be reopened.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – JAMES EUGENE NEELY – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: JAMES EUGENE NEELY, DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of James Eugene Neely, upon petition of Wayne Stonestreet, one of the Fiduciary Commissioners of said County requesting that the current Administratrix, Rene Gail Neely, be removed for failure to complete her duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, Don B. Meadows, be appointed as Administrator of said estate.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that Sheriff of Mercer County, Don B. Meadows be appointed as Administrator of the estate of James Eugene Neely, deceased, and personal representative be removed.

The Commission further ORDERS the bond in the amount of $20,000.00 is to remain in effect.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – WALTER W. PRICE – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: WALTER W. PRICE, DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of Walter W. Price, upon petition of Robert E. Holroyd, one of the Fiduciary Commissioners of said County requesting that the current Executrix, Theresa Cline, be removed for failure to complete her duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, Don B. Meadows, be appointed as Administrator cum testamento annexo of said estate.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that Sheriff of Mercer County, Don B. Meadows be appointed as Administrator cum testamento annexo of the estate of Walter W. Price, deceased, and personal representative be removed.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – DORIS RAE PROFFITT – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: DORIS RAE PROFFITT, DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of Doris Rae Proffitt, upon petition of Robert E. Holroyd, one of the Fiduciary Commissioners of said County requesting that the current Executrix, Theresa Cline, be removed for failure to complete her duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, Don B. Meadows, be appointed as Administrator cum testamento annexo of said estate.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that Sheriff of Mercer County, Don B. Meadows be appointed as Administrator cum testamento annexo of the estate of Doris Rae Proffitt, deceased, and personal representative be removed.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – HAZEL CAROL REYNOLDS – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: HAZEL CAROL REYNOLDS, DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of Hazel Carol Reynolds upon petition of Wayne Stonestreet, one of the Fiduciary Commissioners of said County requesting that the current Administrator, Raymond Reynolds, be removed for failure to complete his duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, Don B. Meadows, be appointed as Administrator of said estate.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that Sheriff of Mercer County, Don B. Meadows be appointed as Administrator of the estate of Hazel Carol Reynolds, deceased, and personal representative be removed.

The Commission further **ORDERS** the bond in the amount of $50,000.00 remain in effect.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – SHANNON L. RIEDEL – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: SHANNON L. RIEDEL, DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of Shannon L. Riedel upon petition of Robert E. Holroyd, one of the Fiduciary Commissioners of said County requesting that the current Executor, Donald Bobbitt, be removed for failure to complete his duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, Don B. Meadows, be appointed as Administrator cum testamento annexo of said estate.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that Sheriff of Mercer County, Don B. Meadows be appointed as Administrator cum testamento annexo of the estate of Shannon L. Riedel, deceased, and personal representative be removed.

The Commission further **ORDERS** the bond in the amount of $1,000.00 is to remain in effect.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – JOHN D. THOMAS – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: JOHN D. THOMAS, DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of John D. Thomas upon petition of Robert E. Holroyd, one of the Fiduciary Commissioners of said County requesting that the current Administrator, John D. Thomas, II, be removed for failure to complete his duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, Don B. Meadows, be appointed as Administrator of said estate.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that Sheriff of Mercer County, Don B. Meadows be appointed as Administrator of the estate of John D. Thomas, deceased, and personal representative be removed.

The Commission further **ORDERS** the bond in the amount of $1,000.00 remain in effect.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – OTIE MARIE WILEY – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: OTIE MARIE WILEY, DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of Otie Marie Wiley upon petition of Robert E. Holroyd, one of the Fiduciary Commissioners of said County requesting that the current Executrix, Debra Darline Morton, be removed for failure to complete her duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, Don B. Meadows, be appointed as Administrator cum testamento annexo of said estate.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that Sheriff of Mercer County, Don B. Meadows be appointed as Administrator cum testamento annexo of the estate of Otie Marie Wiley, deceased, and personal representative be removed.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – JEANNE C. LANGHAM AKA NORMA J. WIMMER – DECEASED

***BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA***

**IN RE: JEANNE C. LANGHAM AKA NORMA J. WIMMER , DECEASED.**

**O-R-D-E-R**

On the 13th day of December, 2016, before the Mercer County Commission, came the matter of the Estate of Jeanne C. Langham aka Norma J. Wimmer regarding the recording of a new will presented for probate and the appointment of an Administrator cum testamento annexo.

After a discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that this matter be tabled until the next County Commission meeting tentatively scheduled for January 10, 2017 so that all interested parties may be notified.

All of which was accordingly **ADJUDGED** and **ORDERED.** The Clerk of this Commission is **DIRECTED** to take whatever actions he deems necessary to effectuate this Order**.**

Dated thisthe13th day of December 2016.

**ENTER:**

/s/ Mike Vinciguerra\_\_\_\_\_\_\_\_\_\_\_

**MIKE VINCIGUERRA, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

/s/ Verlin T. Moye\_\_\_\_\_\_\_\_\_\_\_

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: FUNDING REQUEST – BRAMWELL PUBLIC SERVICE DISTRICT

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request in the amount of $9,045 to pay for five Environmental One Grinder Pumps for the Bramwell sewage system. Funding will be taken from the Coal Reallocation fund.

RE: FUNDING REQUEST – MERCER COUNTY COMMISSION

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the purchase and installation of a 50ft flag pole from New Image Signs, Inc. Funding in the amount of $5,416.41 will be taken from the Video Lottery fund.

RE: FUNDING REQUEST – MERCER COUNTY ASSESSOR’S OFFICE

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the purchase of a Ricoh MP 3554 Multifunction printer from Ricoh for the Assessor’s. Funding in the amount of $4,200 will be taken from the Courthouse Equipment fund.

RE: FUNDING REQUEST – GREATER PRINCETON LITTLE LEAGUE

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table the funding request from Greater Princeton Little League.

RE: EXECUTIVE SESSION

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to go into executive session. At 11:41 a.m. on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to come out of executive session and go back into regular session. No votes were taken during the executive session.

RE: RAISES FOR MAINTENANCE EMPLOYEES

On motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve $1.00 per hour raise per employee in the maintenance department which include Donnie Bailey, Scott Brookman, Robert Lambert, Dan Keatley, and James Hughes. This is credit for doing an amazing job over the last few months trying to get everything ready and looking forward to more going forward.

RE: MOVE TWO EMPLOYEES FROM PART-TIME TO FULL-TIME

On motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to move Marcella Crutchfield and Sherri Howard from part-time to full-time so we can get them up to par where they need to be.

RE: GRANT COMMISSION PAYMENT FOR VICKY REED

On motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously pay Vicky Reed the percentage that she so deserves on the grants that she has written and the time she spent doing that.

RE: RAISE FOR ELIZABETH MOREHEAD

On motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted to re-adjust the salary of Elizabeth Morehead to $12.00 per hour as per an agreement set forth by Michelle Muncy back in August that she was to be made Assistant Director at the time and that was a 90-day probationary period. Her pay is to be made retroactive back to November 9th. She will remain under the direction of the new director. She will also remain as the Assistant Director for a period of 6 months at which time she will be re-evaluated on that position and she will continue to serve as Senior Animal Control Officer as well.

RE: DEPOSIT AT INTEREST – SINKING BOND FUND

As provided by section five, article six, chapter seven of the West Virginia State Code, One thousand nine hundred thirty-one, the county treasurer is authorized to establish with county depositories two accounts, one to be designated “demand deposit account” and the other to be designated “time deposit account”.

THEREFORE, it appears that the SINKING BOND deposit in the demand deposit account exceed the current requirements or demands, the treasurer of Mercer County is directed to transfer the sum of TEN THOUSAND DOLLARS & no/100 ($10,000.00) Dollars to said TIME DEPOSIT account, which will earn interest thereon, for a period of thirty (30) days.

This to be effective June 18, 2017.

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This day came Joseph A. & Larry W. Nunn, by representative, and moved the Commission to correct the Land Books for 2016, touching the assessment thereon against the said Joseph A. & Larry W. Nunn on Pt Tr 10 (Pt 5.87 Ac+-) Brush Creek, Beaver Pond District, County of Mercer, State of West Virginia. Prosecuting Attorney waiving notice thereto.

After hearing all the evidence in the case and it appearing to the Commission that there was an error in assessment, property assessed for $4,140 class 3 – should be assessed for $4,140 class 2. It is therefore ordered that Joseph A. & Larry W. Nunn be exonerated from the payment of taxes, or if the taxes have been paid, shall be refunded by the Sheriff of Mercer County on such erroneous assessment.

Amount of Exoneration $47.12.

This day came Walter L. & Debra West, by representative, and moved the Commission to correct the Land Books for 2016, touching the assessment thereon against the said Walter L. & Debra West on 41.66 Ac Nubbins Rdg Plat #13173 Surface, Rock District, County of Mercer, State of West Virginia. Prosecuting Attorney waiving notice thereto.

After hearing all the evidence in the case and it appearing to the Commission that there was an error in assessment, property assessed for $106,800 class 2 – should be assessed for $106,800 class 2 with homestead exemption applied to the property. It is therefore ordered that Walter L. & Debra West be exonerated from the payment of taxes, or if the taxes have been paid, shall be refunded by the Sheriff of Mercer County on such erroneous assessment.

Amount of Exoneration $227.60.

This day came Rodney S. Rhodes, by representative, and moved the Commission to correct the Personal Property Books for 2016, touching the assessment thereon against the said Rodney S. Rhodes on a Mobile Home, Rock District, County of Mercer, State of West Virginia. Prosecuting Attorney waiving notice thereto.

After hearing all the evidence in the case and it appearing to the Commission that the taxpayer is on disability exemption on mobile home and a supplement ticket was made and paid. Assessed value $20,448 class2. It is therefore ordered that Rodney S. Rhodes be exonerated from the payment of taxes, or if the taxes have been paid, shall be refunded by the Sheriff of Mercer County on such erroneous assessment.

Amount of Exoneration $243.75.

## Tax Year 2016

District East River

24673 SBA Towers II LLC Transfer error. $ 383.74

23756 Mullican B A Lumber & Should be exempt. 230.34

Manuf Co

23755 Mullican B A Lumber & Should be exempt. 309.54

Manuf Co

23757 Mullican B A Lumber & Should be exempt. 499.36

Manuf Co

This day the flowing accounts were presented against the County of Mercer, and the Commission having examined each and all of them, doth allow payment from the different accounts, check numbers listed below:

GENERAL COUNTY - Check #67889-67983

JUSTICE FINES - Check #5301-5302

MAGISTRATE COURT - Check #5347-5349

HOME CONFINEMENT - Check #2218-2224

HOTEL MOTEL - Check #3491-3502

K-9 UNIT - Check #1465

COURTHOUSE EQUIPMENT - Check #711-712

COURTHOUSE ANNEX - Check #1380-1383

VIDEO LOTTERY - Check #1219-1220

COAL REALLOCATION SEV. TAX - Check #1002

MCDRC FEES - Check #4408-4421 Void #4411

ASSESSOR REAPPRAISAL - Check #5866-5870

FINANCIAL STABILIZATION - Check #1011

DRUG FORFEITURE - Check #165 Void #163

SHERIFF DRUG FUND - Check #1036

TEEN COURT - Check #192

DRUG COURT - Check #1140

DEPUTY SHERIFF RETIREMENT - Check #236

It is ordered that this Commission be and is hereby adjourned until Tuesday, January 10, 2017.

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WEST VIRGINIA:

At a special session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Monday, December 19, 2016.

Present: Mike Vinciguerra, President

Present: Gene Buckner, Commissioner

Present: Greg Puckett, Commissioner

**NOTICE OF SPECIAL MEETING**

THE MERCER COUNTY COMMISSION WILL MEET IN A SPECIAL SESSION ON MONDAY, DECEMBER 19, 2016 AT 10:00 A.M. IN THE COUNTY COMMISSION COURTROOM. THE PURPOSE OF THE MEETING IS FOR CONSIDERATION OF THE FOLLOWING:

1. APPROVAL OF CONTRACTOR TO PERFORM PLASTER

WORK IN THE COURTHOUSE

1. APPROVAL TO PURCHASE STORAGE BUILDING FOR

THE SHERIFF’S DEPARTMENT

1. APPROVAL TO PURCHASE A COMMERCIAL GRADE

SHREDDER FOR THE SHERIFF’S DEPARTMENT

1. APPROVAL OF ANNUAL MAINTENANCE CONTRACT

FOR X-RAY SCANNERS IN COURTHOUSE AND ANNEX

1. APPROVAL FOR SHERIFF TO KEEP HIS SERVICE

WEAPON UPON RETIREMENT

MIKE VINCIGUERRA, PRESIDENT

MERCER COUNTY COMMISSION

RE: APPROVAL – CONTRACT TO PERFORM PLASTER WORK

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table the approval of a contractor to perform plaster work in the courthouse.

RE: FUNDING REQUEST – SHERIFF’S DEPARTMENT

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to table a funding request to purchase a storage building for the Sheriff’s Department.

RE: FUNDING REQUEST – SHERIFF’S DEPARTMENT

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the purchase of a commercial grade shredder from Allegheny Systems for the Sheriff’s Department. Funding in the amount of $4,600 will be taken from the Courthouse Equipment Fund.

RE: CONTRACT – AUTOCLEAR, LLC

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve an annual maintenance contract between the Mercer County Commission and Autoclear, LLC for x-ray scanners in Courthouse and Annex. Funding in the amount of $11,200 will be taken from the Courthouse Annex and Video Lottery Funds.

RE: APPROVAL – SHERIFF DON MEADOWS

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve for Sheriff Don Meadows to keep his service weapon upon retirement.

RE: ANNOUNCEMENT – MERCER COUNTY COMMISSION

Governor Earl Ray Tomblin announced half-day off for state employees on Friday, December 23, 2016. The Commission has agreed to allow County Offices to close at 12:00 p.m.

It is ordered that this Commission be and is hereby adjourned until Tuesday, January 10, 2017.

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WEST VIRGINIA:

At a special session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, January 3, 2017.

Present: Gene Buckner, President

Present: Greg Puckett, Commissioner

Present: Bill Archer, Commissioner

**NOTICE OF SPECIAL MEETING**

THE MERCER COUNTY COMMISSION WILL MEET IN A SPECIAL SESSION ON TUESDAY, JANUARY 3, 2017 AT 10:00 A.M. IN THE COUNTY COMMISSION COURTROOM. THE PURPOSE OF THE MEETING IS FOR CONSIDERATION OF THE FOLLOWING:

1. REORGANIZATION
2. REQUEST FROM VERLIN MOYE, COUNTY CLERK

TO TRANSFER FUNDS AMONG LINE ITEMS IN HIS

BUDGET

GENE BUCKNER, PRESIDENT

MERCER COUNTY COMMISSION

RE: PRESIDENT- MERCER COUNTY COMMISSION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to appoint Gene Buckner to serve as President of the County Commission for the next year.

RE: EXECUTIVE SESSION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to go into executive session. At 11:15 a.m. on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to come out of executive session and go back into regular session.

RE: REQUEST FROM VERLIN MOYE, COUNTY CLERK TO TRANSFER FUNDS AMONG LINE ITEMS IN HIS BUDGET

On motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a budget line item transfer in the amount of $6,116 from line item 109 to line items 103 and 106 as requested by Verlin Moye, County Clerk. This revision will facilitate adjusting salaries of five employees: Jessica Dixon, Debbie Dick, Vickie Ruble, Michelle Bragg and Paula Woods. The adjustments are for merit and assuming considerable extra duties and responsibilities.

It is ordered that this Commission be and is hereby adjourned until Tuesday, January 10, 2017.

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