WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, July 12, 2022,

Present: Gene Buckner, President

Present: Greg Puckett, Commissioner

Present: Bill Archer, Commissioner

RE: OATH – GLENWOOD RECREATION PARK

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Employment and Oaths of Office for Elizabeth Wilson, Isaac Sharp, Bradley Brim, and Ross Clough to serve as Part-Time Seasonal Park Attendants for Glenwood Recreation Park.

RE: OATH – MERCER COUNTY SHERIFF’S TAX OFFICE

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Employment and Oaths of Office for Marta Sargent, Kelly Mitchelson, and Valerie Hendricks to serve as Tax Deputies for the Sheriff’s Tax Office.

RE: OATH – MERCER COUNTY ASSESSOR’S OFFICE

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Employment and Oath of Office for Gregory Sutphin to serve as Part-Time Deputy Clerk for the Assessor’s Office.

RE: RESOLUTION HONORING THE LIFE OF JOE THOMAS

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Resolution Honoring the Life of Joe Thomas.

**RESOLUTION HONORING**

**THE LIFE OF JOE THOMAS**

**Whereas**, Joseph Wayne Thomas of Princeton died on June 10, 2022 with his wife of 45 years Beverly, and several immediate and extended family members at his side. Joe, as his many friends called him, was a hardworking man who loved his family, his neighbors, friends, his nation and his community throughout his 66 years of living; and

**Whereas**, in 1980, at the age of 24, Joe entered the ranks of the Green Valley Volunteer Fire Department and dedicated his time and energies to protecting the lives of his friends and neighbors as well as people of all works of life who might have befallen a tragic emergency while passing through his department’s service area; and

**Whereas**, as it is their tradition, the paid and volunteer firefighters of the region gathered together for Joe’s funeral. The East River Volunteer Fire Department and Princeton Fire Departments used their respective ladder trucks to display a dual American Flag arch with their extension ladders. The wind was too strong on June 14, 2022, and the departments couldn’t display the flags, but the funeral procession proceeded as planned; and

**Whereas**, David Thompson, Chief of the Glenwood Volunteer Fire Department expressed his appreciation for his dedicated service while his health permitted, and also lamented that fewer volunteers are coming forward to fill the ranks of local volunteer fire departments. He added that Firefighter Thomas’s number in the department was “610,” and the date of his passing was 6/10, 2022 a coincidence that most firefighters would note.

**Now, Therefore, Be It Resolved** that the Mercer County Commission expresses heartfelt thanks to the family of Joseph Wayne Thomas for his dedication to serving the people of Mercer County and beyond and asks the community he served to join this commission in extending their condolences to his family.

**Dated this 12th day of July, 2022.**

**MERCER COUNTY COMMISSION:**  /s/ Gene Buckner\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**GENE BUCKNER, PRESIDENT**

/s/ Greg Puckett\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **GREG PUCKETT, COMMISSIONER**

/s/ Bill Archer \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**BILL ARCHER, COMMISSIONER**

RE: APPROVAL – COAL SEVERANCE BUDGET REVISION

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve Budget Revision No. 1 for FY 2022/2023 for the Coal Severance Fund.

RE: APPROVAL – MERCER COUNTY WRECKER POLICY

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously at approve the Mercer County Wrecker Policy as presented by Robert Hoge, 911 Director. No changes were made to the policy.

RE: ESTATE – ROBERT ALEXANDER REDD – DECEASED

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

**IN RE: ROBERT ALEXANDER REDD, DECEASED.**

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

On the 12th day of July, 2022, before the Mercer County Commission, came the matter of the Estate of Robert Alexander Redd, deceased, upon petition of Charles W. Pace, one of the Fiduciary Commissioners of said County, requesting that the current Administrator, David Jennings, be removed for failure to complete his duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, T. A. Bailey, be appointed as Administrator D.B.N. 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, T. A. Bailey, be appointed as Administrator D.B.N., of the estate of Robert Alexander Redd, deceased, and the personal representative be removed. No bond being required.

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 thisthe12th day of July, 2022.

**ENTER:**

/s/A. Gene Buckner\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**A. GENE BUCKNER, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

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

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – KATIE MAE SANDERS – DECEASED

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

**IN RE: KATIE MAE SANDERS, DECEASED.**

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

On the 12th day of July, 2022, before the Mercer County Commission, came the matter of the Estate of Katie Mae Sanders, deceased, upon petition of Ryan Flanigan, one of the Fiduciary Commissioners of said County, requesting that the current Executrix, Cynthia J. Stone, be removed for failure to complete her duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, T. A. Bailey, be appointed as Administrator D.B.N. 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, T. A. Bailey, be appointed as Administrator D.B.N., of the estate of Katie Mae Sanders, deceased, and the personal representative be removed. No bond being required.

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 thisthe12th day of July, 2022.

**ENTER:**

/s/A. Gene Buckner\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**A. GENE BUCKNER, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

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

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: ESTATE – EVELENA WHITE – DECEASED

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

**IN RE: EVELENA WHITE, DECEASED.**

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

On the 12th day of July, 2022, before the Mercer County Commission, came the matter of the Estate of Evelena White, deceased, upon motion of Linda White, Administratrix, requesting that the estate be reopened, and that she be appointed as Administratrix, to record an Amended List of Heirs and disburse monies from the sale of the real estate.

After 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 Evelena White, deceased, shall be reopened, and that Linda White be allowed to serve as Administratrix, with bond in the amount of $5,000.00.

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 thisthe12th day of July, 2022.

**ENTER:**

/s/A. Gene Buckner\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**A. GENE BUCKNER, PRESIDENT**

**MERCER COUNTY COMMISSION**

**ATTEST:**

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

**VERLIN T. MOYE, CLERK**

**MERCER COUNTY COMMISSION**

RE: FUNDING REQUEST – CLAUDE ERPS CONSTRUCTION, INC.

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve an invoice from Claude Erps Construction, Inc. for the Courthouse Window Restoration Project. Funding in the amount of $87,000 will be taken from the Budget Stabilization Fund.

RE: AMERICAN RESCUE PLAN – MERCER COUNTY PSD

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table the American Rescue Plan grant application MC-22-4 from Mercer County PSD for the McComas/Pinnacle Water Project.

RE: AMERICAN RESCUE PLAN – CHILD PROTECT OF MERCER COUNTY, INC.

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve $125,000 to Child protect of Mercer County. This is application MC-22-35 from Shiloh Woodard and funds will be used to expand the facility to provide a permanent meeting space for the Mercer County Multidisciplinary Investigative Team and a suite of office spaces for on-site mental health counseling services resulting from the negative impact of COVID-19.

RE: AMERICAN RESCUE PLAN – GREEN VALLEY-GLENWOOD VFD

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve $350,000 to Green Valley-Glenwood Volunteer Fire Department. This is application MC-22-36 from David Thompson and funds will be used to assist with the purchase of a new pumper/tanker fire truck.

RE: AMERICAN RESCUE PLAN – CHILDREN’S HOME SOCIETY

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted to approve $176,072 to Children’s Home Society. This is application MC-22-37 from Joanne Boileau and funds will be used to recruit, train, and certify foster parents and mentors. Bill Archer recused from vote; he is a board member.

RE: AMERICAN RESCUE PLAN – BLUESTONE VALLEY VFD

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve $40,742 to Bluestone Valley Volunteer Fire Department. This is application MC-22-38 from John Scott and funds will be used purchase an emergency generator system for the community center and fire department building.

RE: AMERICAN RESCUE PLAN – BLUEWELL PUBLIC SERVICE DISTRICT

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve $200,000 to Bluewell Public Service District. This is application MC-22-39 from Bryan Rotenberry and funds will be used for construction cost of removing and restoring dams #1 and #2.

RE: FUNDING REQUEST – FIRST PRESBYTERIAN CHURCH

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table a funding request from First Presbyterian Church for Addiction Recovery and Prevention Programs.

RE: FUNDING REQUEST – CUTLIP’S LANDSCAPING

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a proposal from Cutlip’s Landscaping for Courthouse landscaping. Funding in the amount of $9,659.02 will be taken from the Coal Severance Fund.

RE: FUNDING REQUEST – GENERAL HUGH MERCER CHAPTER, SAR

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to table a funding request from General Hugh Mercer Chapter of the Sons of the American Revolution.

RE: FUNDING REQUEST – FREEDOM FLAG PROJECT

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a funding request from Dayton Meadows for the Freedom Flag Project. Funding in the amount of $5,000 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – SIGMA, SIGMA, SIGMA SORORITY

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from Kelly Hanson to contract with an engineer to see what steps need to be taken to restore the Sigma, Sigma, Sigma, Sorority lodge. Funding in the amount of $5,000 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – CHUCK MATHENA CENTER

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to table a funding request from the Chuck Mathena Center.

RE: AMERICAN RESCUE PLAN NEW APPLICATION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to table application MC-22-40 from Mercer County PSD for Regional Wastewater Feasibility Study.

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. 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. No votes were taken during the executive session.

RE: RAISES FOR COUNTY EMPLOYEES

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to give elected officials the authority to administer a 5% across the board raise for our employees and this will be managed independently within those agencies.

This day came Christopher H. Canterbury, by representative, and moved the Commission to correct the Personal Property Books for 2021, touching the assessment thereon against the said Christopher H. Canterbury on Personal Property, 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 taxpayer paid 2021 tax ticket on vehicles, ticket was keyed as a 2020 ticket. Vehicles were assessed for $22,620 class 3 – should have been assessed for $20,730 class 3. It is therefore ordered that Christopher H. Canterbury 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 $43.02

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES

DATE 7/5/2022

Tax Year 2021

East River District

TICKET # NAME REASON AMOUNT

500000934 Carrie A. Cordill Supplement ticket was keyed $ 130.06

as a 2021 ticket, should have

been a 2020 supplement.

Tax Year 2020

Beaver District

TICKET # NAME REASON AMOUNT

301820 Jesse James Hale Taxpayer paid supplement $ 226.02

ticket instead of regular ticket

Tax Year 2021

Rock District

TICKET # NAME REASON AMOUNT

314390 Joseph C. Miller, Sr. Deceased, mobile home ticket. $ 86.78

This day the following 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 #76131-76200

COAL SEVERANCE - Check #4207-4212

MAGISTRATE COURT - Check #5376

HOME CONFINEMENT - Check #2566-2568

HOTEL MOTEL - Check #4382-4392

COURTHOUSE EQUIPMENT - Check #837

COURTHOUSE ANNEX - Check #1832-1834

VIDEO LOTTERY - Check #1517-1519

COAL REALLOCATION - Check #1044

MCDRC FEES - Check #5692-5712

ASSESSOR REAPPRAISAL - Check #6649-6651

FINANCIAL STABILIZATION - Check #1050

DRUG FORFEITURE - Check #238

TEEN COURT - Check #231

RECYCLING GRANT - Check #1035-1036

ANIMAL SHELTER EST. DONATION - Check #1046-1048

AMERICAN RESCUE PLAN - Check #1009-1010

DEPUTY SHERIFF RETIREMENT - Check #306

It is ordered that this Commission be and is hereby adjourned until Tuesday, August 9, 2022.

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