WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, June 8, 2021,

Present: Gene Buckner, President

Present: Greg Puckett, Commissioner

Present: Bill Archer, Commissioner

RE: REAPPOINTMENT – MERCER COUNTY BOARD OF HEALTH

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Reappointment of Stacey Hicks to serve as Board Member for the Mercer County Board of Health. His term will expire June 30, 2026.

RE: CUMBERLAND INDUSTRIAL PARK BROADBAND EXPANSION PROJECT

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept the proposal from Steptoe & Johnson to provide legal services for the Cumberland Industrial Park Broadband Expansion Project.

RE: DRAWDOWN – CUMBERLAND INDUSTRIAL PARK BROADBAND EXPANSION PROJECT

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept Drawdown #3 in the amount of $4,181.18 for the Cumberland Industrial Park Broadband Expansion Project.

RE: GREEN VALLEY-GLENWOOD PSD – SEWER RATE INCREASE

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to schedule a public hearing for July 13, 2021 on the proposed Green Valley-Glenwood Public Service District Sewer Rate Increase.

RE: SELECTION OF CELL PHONE PROVIDER

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to select FirstNet Built with AT&T as cell phone provider.

RE: GRANT CONTRACT – WV COMMUNITY CORRECTIONS GRANT

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the FY 2022 WV Community Corrections Grant Contract for the Mercer Day Report Center in the amount of $287,500.

RE: ADOPTION OF PURCHASING CARD POLICY

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Mercer County Local Government Purchasing Card Policy.

RE: APPROVAL – FY 2021 DELINQUENT TAX LIST

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept the FY 2021 Delinquent Tax List for publication.

RE: ESTATE – KENNETH D. ADAMS – DECEASED

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

**IN RE: KENNETH D. ADAMS, DECEASED.**

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

On the 8th day of June, 2021, before the Mercer County Commission, came the matter of the Estate of Kenneth D. Adams, deceased, upon motion of Tammie Adams, Administratrix, requesting that the estate be reopened for the purpose of investigating a medical malpractice claim and to obtain medical records.

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 Kenneth D. Adams, deceased, shall be reopened, and that Tammie Adams be allowed to serve as Administratrix. Bond to be determined.

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 thisthe8th day of June, 2021.

**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 – SCARLETT BARKER – DECEASED

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

**IN RE: SCARLETT BARKER, DECEASED.**

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

On the 8th day of June, 2021, before the Mercer County Commission, came the matter of the Estate of Scarlett Barker, deceased, upon motion of William H. Sanders, III, Attorney, requesting that the Ryan J. Flanigan, Fiduciary Commissioner, be removed.

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 this matter be tabled until the next meeting scheduled for July 13, 2021.

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 thisthe8th day of June, 2021.

**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 – BOBBY JOE BROOKSHIRE – DECEASED

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

**IN RE: BOBBY JOE BROOKSHIRE, DECEASED.**

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

On the 8th day of June, 2021, before the Mercer County Commission, came the matter of the Estate of Bobby Joe Brookshire, deceased, upon motion of Robin D. Morrison, Executrix, requesting that a copy of the Last Will and Testament of said estate be accepted for recordation.

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 this matter be tabled until the next meeting scheduled for July 13, 2021.

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 thisthe8thth day of June, 2021.

**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 – JAMES F. MAYO – DECEASED

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

**IN RE: JAMES F. MAYO, DECEASED.**

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

On the 8th day of June, 2021, before the Mercer County Commission, came the matter of the Estate of James F. Mayo, deceased, upon request of Ryan J. Flanigan, Fiduciary Commissioner, requesting that the Sheriff of Mercer County, T. A. Bailey, be appointed Administrator DBN of said estate, and that the Co-Executrix, Teresa Baldino, and Co-Executor, James Mayo, Jr., be removed for failure to complete the duties 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 the Sheriff of Mercer County, T. A. Bailey, shall qualify as Administrator DBN over the estate of James F. Mayo, deceased. 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 thisthe8th day of June, 2021.

**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 – DONALD LEE WALLS – DECEASED

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

**IN RE: DONALD LEE WALLS, DECEASED.**

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

On the 8th day of June, 2021, before the Mercer County Commission, came the matter of the Estate of Donald Lee Walls, deceased, upon request of Charles W. Pace, Fiduciary Commissioner, requesting that the Sheriff of Mercer County, T. A. Bailey, be appointed Administrator DBN of said estate, and that the Administratrix, Laura W. Walls, be removed for failure to complete her duties as Administratrix.

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 Sheriff of Mercer County, T. A. Bailey, shall qualify as Administrator DBN over the estate of Donald Lee Walls, deceased. Bond in the amount of $50,000.00 to remain.

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 thisthe8th day of June, 2021.

**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 – ROSE MARIE WILLIAMSON – DECEASED

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

**IN RE: ROSE MARIE WILLIAMSON, DECEASED.**

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

On the 8th day of June, 2021, before the Mercer County Commission, came the matter of the Estate of Rose Marie Williamson, deceased, upon motion of Yvonne Williamson, requesting that she be allowed to serve as Administratrix CTA, with bond in the amount of $38,000.00, in the place and stead of Dale Williamson, Executor of said estate, who has since passed away.

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 Yvonne Williamson shall qualify as Administrator CTA of the estate of Rose Marie Williamson, deceased, with bond in the amount of $38,000.00 until the closure of said estate.

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 thisthe8th day of June, 2021.

**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 – THOMPSON & LITTON

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to increase the estimated ceiling amount to $20,000 for engineering services by Thompson & Litton for the Glenwood Park Amphitheater Project No. 15492-00.

RE: FUNDING REQUEST – MOUNTAIN MEMORIES VETERANS RETREAT, INC.

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously approve a funding request from Mountain Memories Veterans Retreat, Inc. to build a pavilion at the Freedom Flag location at Flat Top, WV. Funding in the amount of $2,500 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – PRINCETON RESCUE SQUAD INC.

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously approve a funding request from Princeton Rescue Squad Inc. for the Mercer County Fourth Celebration. Funding in the amount of $3,000 will be taken from the Hotel Motel Fund.

RE: FUNDING REQUEST – DOWNSTREAM STRATEGIES

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously approve the first invoice from Downstream Strategies for the Convention Center Feasibility Study. Funding in the amount of $6,916 will be taken from the Hotel Motel Fund.

RE: EXECUTIVE SESSION

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, 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: DILAPIDATED BUILDINGS COMMITTEE MEMBERS

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to choose Linda Augustosky, Virgil Caldwell, Shawn Vest, Josh Parks, Carl Carter (resigned from Board of Health therefore, Matt Bragg will replace him) and Kenneth Crowe to serve on Dilapidated Buildings Committee.

This day came Hylton’s Electrical Connection, by representative, and moved the Commission to correct the Personal Property Books for 2020, touching the assessment thereon against the said Hylton’s Electrical Connection 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 was taxed on a 2008 Nissan assessed for $4,725 – did not own vehicle 7/1/19. It is therefore ordered that Hylton’s Electrical Connection 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 $107.54

This day came Janice Hicks, by representative, and moved the Commission to correct the Land Books for 2020, touching the assessment thereon against the said Janice Hicks, on Unit 59 Quail Vly Manor TH #10711, East River 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 property assessed for $100,980 class 2 – should be assessed for $100,980 class 2 with the $20,000 homestead exemption applied. It is therefore ordered that Janice Hicks 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 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 #74589-74763 Void #74619, 74719

COAL SEVERANCE - Check #4086-4101

JUSTICE FINES - Check #5358

MAGISTRATE COURT - Check #5371

HOME CONFINEMENT - Check #2509-2513

HOTEL MOTEL - Check #4198-4221 Void #4215

K-9 UNIT - Check #1521

COURTHOUSE EQUIPMENT - Check #801-803

COURTHOUSE ANNEX - Check #1735-1747

VIDEO LOTTERY - Check #1444-1448

MCDRC FEES - Check #5445-5470

ASSESSOR REAPPRAISAL - Check #6496-6523 Void # 6500, 6521

FINANCIAL STABILIZATION - Check #1045

SHERIFF DRUG FUND - Check #1097-1099

TEENAGE PROGRAM - Check #225

ANIMAL SHELTER ESTATE DONATIONS - Check #1038-1040

DEPUTY SHERIFF RETIREMENT - Check #293

It is ordered that this Commission be and is hereby adjourned until Tuesday, July 13, 2021.

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