WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Wednesday, May 11, 2022,

Present: Gene Buckner, President

Present: Greg Puckett, Commissioner

Present: Bill Archer, Commissioner

RE: OATH – MERCER COUNTY RECYCLING PROGRAM

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Employment and Oath of Office for Brian Lowe to serve as Full-Time Recycling Assistant for the Mercer County Recycling Program.

RE: APPROVAL – FY 2022 DELINQUENT TAX LIST

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept the FY 2022 Delinquent Tax List for publication.

RE: GRANT AGREEMENT – WV DEPT OF AGRICULTURE – SPAY/NEUTER

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Grant Agreement between the WV Department of Agriculture and Mercer County Commission in the amount of $10,000.

RE: MEMORANDUM OF UNDERSTANDING – BRUSH CREEK WATERSHED REHABILITATION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept the Memorandums of Understanding between the U.S. Department of Agriculture, Natural Resources Conservation Service and the Green Valley Glenwood PSD, Southern Conservation District, Mercer County Commission, and the State Conservation Committee for the Brush Creek Site 9, 14, and 15 Dam Rehabilitation Project.

RE: RESOLUTION RECOGNIZING THE 70TH ANNIVERSARY OF EAST RIVER RURITAN CLUB

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Resolution Recognizing the 70th Anniversary of East River Ruritan Club.

**RESOLUTION RECOGNIZING THE 70TH ANNIVERSARY**

**OF EAST RIVER RURITAN CLUB**

**Whereas**, Ruritan National has been serving small communities throughout the United States since the first club was established in Holland, Virginia on May 21, 1928. Holland itself is now part of Suffolk, Va., but the founding principles of “Fellowship, Goodwill and Community Service,” continue to stand as the guiding light of Ruritan clubs nationwide; and,

**Whereas**, the East River Ruritan Club was established on February 20, 1952, and from that time forward, the club has been a benefit to Mercer County, the Town of Oakvale and surrounding communities in the greater East River region; and;

**Whereas**, East River Ruritan has supported activities to benefit students of Oakvale School since the club was established. In addition, East River Ruritan supports local churches by enabling churches to raise funds by providing meals for club meetings. The 33-member strong Ruritan Club also hosts annual fundraisers, parades and other activities to benefit the community; and

**Whereas**, the East River Ruritan Club celebrated its 70th anniversary on Sunday, May 1, 2022, at its headquarters in Oakvale. The event attracted national, statewide and regional Ruritan guests, but all eyes were on Randolph Honaker as he shared his story of joining the East River Ruritan as a 19-year-old in 1952. Mr. Honaker is the lone surviving charter member of the club.

**Now, Therefore, Be It Resolved** that the Mercer County Commission expresses its heartfelt congratulations to the East River Ruritan Club on attaining this 70th year anniversary. In addition, this commission extends its thanks to all the East River Ruritan members for the 70-plus years of service the club has provided to Mercer County, our state and nation.

**Dated this 11th day of May, 2022.**

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

**GENE BUCKNER, PRESIDENT**

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

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

**BILL ARCHER, COMMISSIONER**

RE: LETTER OF OPPOSITION – APPALACHIAN POWER RATE INCREASE

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve sending a letter to the West Virginia Public Service Commission in opposition of the Appalachian Power Rate Increase.

May 9, 2022

West Virginia Public Service Commission

201 Brooks Street

Charleston, WV 25301

To the Members of the Public Service Commission;

For the past several months, our commission has been receiving expressions of concern from many citizens who say they cannot afford any higher prices for utilities. In early December last year, the West Virginia Public Service Commission was in Mercer County to listen to people who expressed their thoughts on a proposed rate increase by West Virginia American Water. While few, if any, complained about the quality of the water or problems related to access, many citizens stated that their families couldn’t endure an increase of any kind.

Recently, since news emerged that Appalachian Power is seeking a rate increase, all three Mercer County Commissioners have been approached by citizens who state that their families can’t absorb another rate increase. There’s a tone of desperation in nearly every dissenting voice our commission has heard individually and collectively. That desperation extends beyond the APCO proposed rate increase, but manifests itself in the increasing price of fuel at the pump and the increasing cost of food at the grocery store. Household budgets are collapsing under the weight of vital goods and services, with no appreciable light at the end of the tunnel in sight.

Appalachian Power is -- and always has been – an important partner in the quality of life in Mercer County. This commission recognizes that APCO’s cost of doing business and providing excellent services to folks in Mercer County has most likely increased. However, this commission hopes the WV Public Service Commission will consider the hardships and desperation many Mercer Countians are enduring right now, and seek out a compromise in any approved APCO rate increase that reflects the challenges that our people are currently facing.

Sincerely,

/s/ Gene Buckner

President

RE: MERCER COUNTY LOCAL EMERGENCY PLANNING COMMITTEE BYLAWS

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept the Mercer County Local Emergency Planning Committee Bylaws.

RE: ESTATE – LEONA MAE ABSHIRE – DECEASED

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

**IN RE: LEONA MAE ABSHIRE, DECEASED.**

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

On the 11th day of May, 2022, before the Mercer County Commission, came the matter of the Estate of Leona Mae Abshire, deceased, upon motion of Allen Cuccaro, Executor, 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 the copy of the Last Will and Testament of Leona Mae Abshire, deceased, be admitted to record.

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 thisthe11thth day of May, 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 – DANA RAY WOLFORD – DECEASED

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

**IN RE: DANA RAY WOLFORD, DECEASED.**

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

On the 11th day of May, 2022, before the Mercer County Commission, came the matter of the Estate of Dana Ray Wolford, deceased, upon motion of Laura Dunn, Granddaughter, 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 the copy of the Last Will and Testament of Dana Ray Wolford, deceased, be admitted to record.

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 thisthe11thth day of May, 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 – MERCER COUNTY FAIR

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from Steve Johnson, Project Sponsor of the Mercer County Fair. Funding in the amount of $15,000 will be taken from the Hotel Motel Fund for a performance by Darryl Worley on August 6, 2022.

RE: AMERICAN RESCUE PLAN – BRUSHFORK SEWER PROJECT

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve $260,000 to the Bluefield Sanitary Board. This is application MC-22-2 from Shannon Bailey and funds will be used for the Brushfork sewer project.

RE: AMERICAN RESCUE PLAN – RESURFACE TENNIS COURTS

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve $60,000 to resurface the tennis courts in Glenwood Park. This is application MC-22-23 from Kevin Dials.

RE: AMERICAN RESCUE PLAN – BRAMWELL VISITOR CENTER RENOVATIONS

This day Bill Archer, Commissioner, and Gene Buckner, Commissioner, voted to approve $115,000 to the National Coal Heritage Area Authority. This is application MC-22-13 from Christy Bailey and funds will be used for renovations to the Bramwell Train Depot Visitor Center. Greg Puckett, Commissioner voted in opposition.

RE: AMERICAN RESCUE PLAN – ADVANCED LIFE SUPPORT AMBULANCES

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve $214,108 to the Princeton Rescue Squad. This is application MC-22-26 from Stacey Hicks and funds will be used as a 50% match to purchase 2 Advanced Life Support ambulances. One for Bluefield Rescue Squad and one for Princeton Rescue Squad.

RE: AMERICAN RESCUE PLAN – GLENWOOD PARK EXPANSION

This day Bill Archer, Commissioner, and Gene Buckner, Commissioner, voted to approve $280,000 to purchase 3 parcels of land adjacent to Glenwood Park. This is application MC-22-31. Greg Puckett, Commissioner voted in opposition.

RE: AMERICAN RESCUE PLAN – ATHENS PARK RENOVATIONS

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve $25,000 to the Town of Athens. This is application MC-22-34 from Timothy Pike and funds will be used for renovating existing structures at Athens Park.

RE: FUNDING REQUEST – DISC GOLF PROJECT

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve an estimate from Greg Bishop to install a disc golf course at the Gardner Center. Funding in the amount of $8,000 will be taken from the Hotel Motel Fund.

RE: FUNDING REQUEST – ATHENS VOLUNTEER FIRE DEPARTMENT

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a funding request from the Athens Volunteer Fire Department for Athens-Concord Fire School. Funding in the amount of $5,000 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – SOFTWARE SYSTEMS, INC.

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a proposal from the Software Systems, Inc. for printing and mailing the 2022 tax statements. Funding in the (estimated) amount of $33,018.51 will be taken from the General Fund .

RE: FUNDING REQUEST – MERCER COUNTY ANIMAL SHELTER

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the estimate from Jet Cat Construction to purchase a storage building for the Animal Shelter. Funding in the amount of $4,5000 will be taken from the Video Lottery 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 Gene Buckner, 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: PERSONNEL MATTER – SHERIFF’S TAX OFFICE

This day on motion of Bill Archer, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a request from Chief Deputy A.P. Christian to hire an additional staff member in the Sheriff’s Tax Office. Funding in this fiscal year will be taken from the General Fund and next fiscal year will be taken from Coal Severance.

This day came Robert E. or Christine Hall, by representative, and moved the Commission to correct the Personal Property Books for 2021, touching the assessment thereon against the said Robert E. or Christine Hall 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 taxes on a 2011 Nissan assessed for $4,020, did not own 7/1/20. It is therefore ordered that Robert E. or Christina Hall 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 $91.50

This day came Eric & Melissa Bowling, by representative, and moved the Commission to correct the Personal Property Books for 2021, touching the assessment thereon against the said Eric & Melissa Bowling on Personal Property, 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 taxpayer was assessed for a 2015 Indian motorcycle assessed for $5,649, did not own 7/1/2020. It is therefore ordered that Eric & Melissa Bowling 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 $128.57

This day came Joshua Lambert, by representative, and moved the Commission to correct the Personal Property Books for 2020, touching the assessment thereon against the said Joshua Lambert on Personal Property, 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 taxpayer was charged for a 1988 Ford assessed for $600, did not own 7/1/2019. It is therefore ordered that Joshua Lambert 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 $13.66

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES

DATE 5/3/2022

Tax Year 2021

Rock District

TICKET # NAME REASON AMOUNT

314682 Donna Short Double assessed on MH. $ 157.04

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 #75618-75958 Void #75856

COAL SEVERANCE - Check #4177-4186

JUSTICE FINES - Check #5367

EMERGENCY 911 - Check #4283-4284

HOME CONFINEMENT - Check #2553-2556

HOTEL MOTEL - Check #4341-4352

COURTHOUSE EQUIPMENT - Check #832-833

COURTHOUSE ANNEX - Check #1808-1813

VIDEO LOTTERY - Check #1499-1506

COAL REALLOCATION - Check #1042

MCDRC FEES - Check #5644-5663

ASSESSOR REAPPRAISAL - Check #6615-6623

TEEN COURT - Check #228-229

AMERICAN RESCUE PLAN - Check #1000-1003

DEPUTY SHERIFF RETIREMENT - Check #304

It is ordered that this Commission be and is hereby adjourned until Tuesday, June 14, 2022.

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