WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, November 12, 2019,

Present: Gene Buckner, President

Present: Greg Puckett, Commissioner

Present: Bill Archer, Commissioner

RE: PUBLIC HEARINGS – THIRD READING – CITY OF BLUEFIELD ANNEXATION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to table the Third Reading of the Petition of the City of Bluefield, West Virginia to Annex City Owned Property and a portion of U.S. Route 52 into the City of Bluefield by Minor Boundary Adjustment and a Petition of the City of Bluefield, West Virginia to Annex Certain City Owned Property into the City of Bluefield by Minor Boundary Adjustment.

RE: RESOLUTION HONORING ROBERT E. “BOB” HOLROYD

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner,

the Commission voted unanimously to approve a Resolution Honoring Robert E. “Bob” Holroyd.

**RESOLUTION HONORING**

**ROBERT E. “BOB” HOLROYD**

**Whereas**, one of Mercer County’s foremost barristers, Robert E. “Bob” Holroyd, passed away on October 27, 2019 at 88 years of age. As a young man growing up in Mercer County, Bob and his twin brother Fred Holroyd, enjoyed many youthful adventures traveling throughout the county. But it was the criminal trials in the Mercer County Courthouse that captured his interest, and led him into a legal career that spanned more than six decades; and

**Whereas**, after graduating from Princeton High School and West Virginia University, Mr. Holroyd entered the US Marine Corps during the Korean War. He moved quickly through the ranks and advanced to the rank of sergeant … the rank he held at the time he met and – not long after – married Emilie (Adams) Holroyd who predeceased him 10 years before his death; and

**Whereas**, after receiving U.S. Marine Corps Reserve status, Bob, Emilie and their family moved to Morgantown where he continued his education and earned his Doctorate of Jurisprudence. After working briefly as an intern with the National Labor Relations Board, Mr. Holroyd and his family moved to Princeton where he joined Princeton attorney Broughton Johnston in his Mercer County-based law firm; and;

**Whereas**, in addition to a challenging legal practice, Mr. Holroyd was active in Democratic Party politics on the local, state and national level. During President John F. Kennedy’s successful run for the White House in 1960, Mr. Holroyd served as southern West Virginia chair of his Democratic primary campaign. The Kennedy and Holroyd families became close friends during that time, and Emilie and Bob were frequent visitors to the White House following JKF’s election. Those close ties also benefitted Mercer County and West Virginia as President Kennedy worked to help people of the Appalachian states address the lingering impact of generational poverty; and

**Whereas**, Mr. Holroyd served as a Mercer County Prosecuting Attorney, and served as the county’s Fiduciary Commissioner for 37 years. He helped lawyers – both in Mercer County and statewide -- throughout his 61-year legal career, but also assisted all of the constitutional offices in the county to understand their responsibilities and help them better serve the public.

**Now, Therefore, Be It Resolved,** that the Mercer County Commission commends the lifelong commitment to public service of the late Robert E. “Bob” Holroyd. Although Mercer County will miss his steadfast presence at the courthouse and throughout our county, his legacy will live on in the hearts and minds of all those he inspired through his many years of community and public service.

**DATED THIS 12th DAY OF NOVEMBER 2019.**

**Mercer County Commission:** /s/ Gene Buckner\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Gene Buckner, President**

/s/ Greg Puckett\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Greg Puckett, Commissioner**

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

**Bill Archer, Commissioner**

RE: RESOLUTION RECOGNIZING 911 TELECOMMUNICATORS AS “FIRST RESPONDERS”

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner,

the Commission voted unanimously to approve a Resolution Recognizing 911 Telecommunicators as “First Responders”.

***Resolution***

**WHEREAS,** because 911 Public Safety Telecommunicators serve 24 hours a day, seven days a week, just the same as firefighters, law enforcement officers, and emergency medical service workers; and

**WHEREAS,** 911 Public Safety Telecommunicators make the same sacrifices in their personal lives as firefighters, law enforcement officers, and emergency medical service workers by leaving their families, friends, and the safety of their surroundings to handle the emergency 911 calls that save the lives, protect the property, and ensure the safety of our community during weather, chemical, and other emergency events; and

**WHEREAS,** 911 Public Safety Telecommunicators heroically answer 911 emergency calls around-the-clock whereby they give medical guidance, instruct callers on staying safe in difficult situations, and help callers to safety during disasters, all while promptly dispatching field first responders to said emergency situations for the callers; and

**WHEREAS,** 911 Public Safety Telecommunicators must handle the stress of answering tens of thousands of calls each year – one call after another, daily – often being the voice on the other end of the call as citizens experience the worst day of their lives. They hear the cries of devastation, listen to the screams for help, and are the support as citizens cope with the loss of a loved one. Public Safety Telecommunicators handle all of this at the very same time that they keep their fellow emergency responders in the field safe; and

**WHEREAS,** to honor the men and women who serve in this crucial position, we recognize these individuals throughout Mercer County by proclaiming to consider them true “First Responders.”

**NOW, THEREFORE, BE IT RESOLVED THAT** the Mercer County Commission hereby proclaims that this Resolution goes into effect immediately upon adoption.

**DATED THIS 12TH DAY OF NOVEMBER, 2019.**

**Mercer County Commission:** /s/ Gene Buckner\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Gene Buckner, President**

/s/ Greg Puckett\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Greg Puckett, Commissioner**

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

**Bill Archer, Commissioner**

RE: MAIN STREET BUILDERS – CHANGE ORDER #1

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept change order #1 from Main Street Builders for the Courthouse ADA Ramp and Sidewalks. Funding in the amount of $1,520 will be taken from the Financial Stabilization fund for additional gravel under the step area.

RE: GRANT – VICTIM ASSISTANCE GRANT PROGRAM CONTRACT

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Victim of Crime Act (VOCA) Victim Assistance Grant Program Contract and Resolution for the Mercer County Prosecuting Attorney’s Office in the amount of $210,838.

RE: ESTATE – HELEN L. CROCKETT – DECEASED

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

**IN RE: HELEN L. CROCKETT, DECEASED**

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

On the 12th day of November, 2019, before the Mercer County Commission, came the matter of the Estate of Helen L. Crockett, deceased, upon motion of Robert D. Crockett, Executor, requesting that the estate be reopened for the purpose of administering newly found funds.

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 Helen L. Crockett, deceased, shall be reopened, and that Robert D. Crockett be allowed to serve as Executor, without bond.

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 November, 2019.

**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 – DORIS JUNE PIGG – DECEASED

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

**IN RE: DORIS JUNE PIGG, DECEASED**

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

On the 12th day of November, 2019, before the Mercer County Commission, came the matter of the Estate of Doris June Pigg, deceased, upon motion of Brondley Joe Pigg, Executor, requesting that a copy of the Last Will and Testament of Doris June Pigg, deceased, 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 dated July 28, 2010, of Doris June Pigg, 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 thisthe12th day of November, 2019.

**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 – MARY V. HARRIS – DECEASED

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

**IN RE: MARY V. HARRIS, DECEASED**

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

On the 12th day of November, 2019, before the Mercer County Commission, came the matter of the Estate of Mary V. Harris, deceased, upon motion of Virgilia S. Keaton, Executrix, requesting that a copy of the Last Will and Testament of Mary V. Harris, deceased, 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 dated December 4, 2008, of Mary V. Harris, 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 thisthe12th day of November, 2019.

**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 – FRANK JAMES UPRIGHT – DECEASED

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

**IN RE: FRANK JAMES UPRIGHT, DECEASED**

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

On the 12th day of November, 2019, before the Mercer County Commission, came the matter of the Estate of Frank James Upright, deceased, upon motion of Harold B. Wolfe, III, Attorney for the Sheriff of Mercer County, T. A. Bailey, requesting that the estate be reopened for the purpose of administering newly found funds.

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 Frank James Upright, deceased, shall be reopened, and that Harold B. Wolfe, III, Attorney for the Sheriff of Mercer County, T. A. Bailey, be allowed to serve as Administrator, without bond.

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 November, 2019.

**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 – LEWIS GLASSER PLLC

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve an invoice from Lewis Glasser PLLC for delinquent tax collections. Funding in the amount of $4,712.85 will be taken from the Budget Stabilization fund.

RE: FUNDING REQUEST–MERCER CO. ECONOMIC DEVELOPMENT AUTHORITY

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to authorize $20,000 be paid to Mercer County Economic Development Authority for land clearing and geotechnical studies at Cumberland Industrial Park. Funding in the amount of $20,000 will be taken from the Hotel Motel fund as quarterly installments starting January 1, 2020. The Commission requested John O’Neal attend the next meeting for further discussion.

RE: FUNDING REQUESTS

This day funding requests were presented by Bill Blankenship, Committee Member, Gold Star Families Memorial, Lisa Jones, Chief Executive Officer, Southern Highlands Community Mental Health Center and Dreama Denver, The Denver Foundation. The Commission will discuss these requests during Executive Session.

RE: FUNDING REQUEST – S&R REFRIGERATION

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a proposal from S&R Refrigeration to install a new steam boiler in the Memorial Building. Funding in the amount of $24,975 will be taken from the Financial Stabilization fund.

RE: DISCUSSION–ENGINEERING FIRM FOR BROADBAND EXPANSION PROJECT

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

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 Greg Puckett, Commissioner, seconded by Bill Archer, 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: FUNDING REQUEST – GOLD STAR FAMILIES MEMORIAL

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a funding request from Bill Blankenship for the Gold Star Families Memorial. Funding in the amount of $5,000 will be taken from the Video Lottery fund. Bill Archer recused from voting.

RE: FUNDING REQUEST – SOUTHERN HIGHLANDS

This day on motion of Bill Archer, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to table a funding request Southern Highlands Community Mental Health Center.

RE: FUNDING REQUEST – 7TH ANNUAL DOWNTOWN COUNTDOWN

This day on motion of Bill Blankenship, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a funding request from Dreama Denver for the 7th Annual Downtown Countdown. Funding in the amount of $2,500 will be taken from the Hotel Motel fund.

This day came Christopher Shawn Young, by representative, and moved the Commission to correct the Land Books for 2019, touching the assessment thereon against the said Christopher Shawn Young, on Pt Lot 1 Sec 9 RH Add, Princeton 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 $14,580 class 4 – should be assessed for $4,500 class 4. It is therefore ordered that Christopher Shawn Young 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 $279.82

This day came John & Rosalie & Jeremy Peck, by representative, and moved the Commission to correct the Land Books for 2019, touching the assessment thereon against the said John & Rosalie & Jeremy Peck, on Pt Lt 2 State St, Athens 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 $133,500 class 4 in Athens – should be assessed for $133,500 class 3 in Plymouth. It is therefore ordered that John & Rosalie & Jeremy Peck 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 $667.50

This day came John & Rosalie & Jeremy Peck, by representative, and moved the Commission to correct the Land Books for 2019, touching the assessment thereon against the said John & Rosalie & Jeremy Peck, on Lot 25 x 185 Athens, Athens 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 $6,720 class 4 in Athens – should be assessed for $6,720 class 3 in Plymouth. It is therefore ordered that John & Rosalie & Jeremy Peck 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 $33.61

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES

DATE 11/5/2019

Tax Year 2016

East River District

TICKET # NAME REASON AMOUNT

610244 Chad Spicer Taxpayer paid supplement $ 296.50

Ticket instead of regular ticket.

Tax Year 2017

East River District

TICKET # NAME REASON AMOUNT

710054 Chad Spicer Taxpayer paid supplement $ 286.60

Ticket instead of regular ticket.

Tax Year 2019

East River District

TICKET # NAME REASON AMOUNT

908758 Jeremy B. Marshall Did not own MH 7/1/18. $ 72.46

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 #72364-72424

COAL SEVERANCE - Check #3646-3918

JUSTICE FINES - Check #5340

EMERGENCY 911 - Check #4270

HOME CONFINEMENT - Check #2445-2446

HOTEL MOTEL - Check #3947-3958

COURTHOUSE EQUIPMENT - Check #785-786

COURTHOUSE ANNEX - Check #1612-1613

VIDEO LOTTERY - Check #1375-1377

MCDRC FEES - Check #5108-5122

ASSESSOR REAPPRAISAL - Check #6308-6317 Void #6315

FINANCIAL STABILIZATION - Check #1035

DRUG FORFEITURE - Check #226

DEPUTY SHERIFF RETIREMENT - Check #273

It is ordered that this Commission be and is hereby adjourned until Tuesday, December 10, 2019.

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