WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, September 10, 2019,

Present: Gene Buckner, President

Present: Greg Puckett, Commissioner

Present: Bill Archer, Commissioner

RE: OATH – MERCER COUNTY FIRE SERVICE BOARD

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Appointment and Oath of Office for Kenneth Nunn to serve as Board Member for the Mercer County Fire Service Board. His term will expire June 30, 2022.

RE: OATH – MERCER COUNTY FIRE SERVICE BOARD

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Appointment and Oath of Office for Shawn Vest to serve as Board Member for the Mercer County Fire Service Board. His term will expire June 30, 2022.

RE: REAPPOINTMENT – MERCER COUNTY FIRE SERVICE BOARD

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Reappointment of Skip Crane to serve as Board Member for the Mercer County Fire Service Board. His term will expire June 30, 2022.

RE: SECOND PUBLIC MEETING – BROADBAND DEVELOPMENT FUNDING

This day Jeff Raines, Project Manager for Region 1 Planning & Development appeared before the County Commission to hold the Second Public Meeting for the 2018 CDBG Broadband Development funding. This day on motion by Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Mercer County CDBG Broadband Project application and supporting resolutions.

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

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, 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: PUBLIC HEARING – SECOND READING – ABANDONMENT OF ROADWAY

This day Phillip Ball, Attorney held a public hearing for the Second Reading of the Petition of Paul M. Lawrence, Jr., Michael Streeby, and Deborah Streeby for Abandonment of a Roadway. The property is located at the terminus of Country Side Road in Beaver Pond District. On motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve said petition. Recorded in Deed Book 1081 pages 121-125.

RE: ESTATE – JOHN C. BALL – DECEASED

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

**IN RE: JOHN C. BALL, DECEASED.**

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

On the 10th day of September, 2019, before the Mercer County Commission, came the matter of the Estate of John C. Ball, deceased, upon motion of Deborah S. Bucher, daughter of John C. Ball, deceased, requesting that the estate be reopened for the purpose of administering newly found funds, and that she be allowed to serve as Executrix, C.T.A., D.B.N., without bond.

          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 John C. Ball, deceased, shall be reopened and that Deborah S. Bucher be allowed to qualify as Executrix, C.T.A., D.B.N., as N. Geraldine Ball has since passed away, no bond being required as she is the contingent Executrix.

          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 thisthe10th day of September, 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 – CHARLES MARTIN HARMAN – DECEASED

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

**IN RE: CHARLES MARTIN HARMAN, DECEASED.**

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

On the 10th day of September, 2019, before the Mercer County Commission, came the matter of the Estate of Charles Martin Harman, deceased, upon motion of Verlin T. More, Clerk of the Mercer County Commission, requesting that the Sheriff of Mercer County, T. A. Bailey, be appointed Administrator C.T.A., D.B.N. over the estate of Charles Martin Harman, deceased, in the place and stead of Joyce Brock, Executrix, who passed away on March 11, 2018, with the current bond in the amount of $45,000.00 to remain.

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 Sheriff of Mercer County, T. A. Bailey, shall qualify as Administrator C.T.A., D.B.N. over the estate of Charles Martin Harman, deceased, and the current bond in the amount of $45,000.00 shall 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 thisthe10th day of September, 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 – LEONA KATHRYN SHOWALTER – DECEASED

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

**IN RE: LEONA KATHRYN SHOWALTER, DECEASED.**

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

On the 10th day of September, 2019, before the Mercer County Commission, came the matter of the Estate of Leona Kathryn Showalter, deceased, upon motion of Kenneth Showalter, brother of Leona Kathryn Showalter, deceased, requesting that he be allowed to serve as Administrator D.B.N, with current bond in the amount of $3,000.00, in the place and stead of Patricia D. Markell, Administratrix 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 Kenneth Showalter shall qualify as Administrator, D.B.N., with bond in the amount of $3,000.00 to remain until the closure of the 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 thisthe10th day of September, 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 – MARIE STAMPER – DECEASED

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

**IN RE: MARIE STAMPER, DECEASED.**

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

On the 10th day of September, 2019, before the Mercer County Commission, came the matter of the Estate of Marie Stamper, deceased, upon motion of Gail Lusk, requesting that the estate be reopened for the purpose of settlement of a lawsuit that has been finalized, and that she be allowed to serve as Administratrix, with bond in place.

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 Marie Stamper, deceased, shall be reopened and that Gail Lusk be allowed to qualify as Administratrix, with 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 thisthe10th day of September, 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 10th day of September, 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, requesting that the estate be reopened for the purpose of administering newly found funds.

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 Frank James Upright, deceased, be tabled until the next County Commission tentatively scheduled for October 8, 2019.

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 thisthe10th day of September, 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 REQUESTS

This day funding requests were presented by Lindsay Strader, Director of events, Chamber of Commerce of the Two Virginias for the 14th Annual Princeton Autumnfest and Joanne Boileau, Executive Director, Children’s Home Society for the 12th Annual Ghost Walk. The Commission will discuss these requests during Executive Session.

RE: FUNDING REQUEST – MERCER COUNTY DEVELOPMENT AUTHORITY

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table a funding request from John O’Neal for the Development Authority.

RE: DISCUSSIONS

This day discussions were held regarding Gold Star Families Memorial Fundraisers, update on removal of the Clay Statue, update on proposal to sell machine gun and the Excess School Levy for Mercer County Schools.

PUBLIC ANNOUNCEMENTS: Public Meeting-Camp Creek State Park

September 23, 2019 @ 5:00pm

Bluefield Coal Show-Brushfork Armory

September 11-13, 2019

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: FUNDING REQUEST – CHAMBER OF COMMERCE OF THE TWO VIRGINIAS

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett Commissioner, the Commission voted unanimously to approve a funding request from the Chamber of Commerce of the Two Virginias for the 14th Annual Princeton Autumnfest. Funding in the amount of $1,500 will be taken from the Hotel Motel fund.

RE: FUNDING REQUEST – CHILDREN’S HOME SOCIETY

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a funding request from the Children’s Home Society for the 12th Annual Ghost Walk. Funding in the amount of $1,000 will be taken from the Hotel Motel fund. Bill Archer recused from voting.

This day came Comcast of the South (Bluefield), by representative, and moved the Commission to correct the Personal Property Books for 2019, touching the assessment thereon against the said Comcast of the South (Bluefield) on Personal Property, Bluefield 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 3 vehicles assessed for $22,275 class 4 that was not owned 7/1/18. It is therefore ordered that Comcast of the South (Bluefield) 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 $618.35

This day came Lamar Advertising of Bluefield, by representative, and moved the Commission to correct the Personal Property Books for 2019, touching the assessment thereon against the said Lamar Advertising of Bluefield 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 on 4 vehicles total assessedvalue$28,935 class 3 – did not own 7/1/18. It is therefore ordered that Lamar Advertising of Bluefield 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 $658.56

This day came Cecil W. Campbell, by representative, and moved the Commission to correct the Land Books for 2018, touching the assessment thereon against the said Cecil W. Campbell, on 1 Ac Piney Grove, Plymouth 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 $11,940 class 2 – should be assessed for $11,940 class 2 with the $20,000 homestead exemption applied to the property. It is therefore ordered that Cecil W. Campbell 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 $135.88

This day came Cecil W. Campbell, by representative, and moved the Commission to correct the Land Books for 2019, touching the assessment thereon against the said Cecil W. Campbell, on 1 Ac Piney Grove, Plymouth 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 $12,120 class 2 – should be assessed for $12,120 class 2 with the $20,000 homestead exemption applied to the property. It is therefore ordered that Cecil W. Campbell 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 $137.88

This day came John Gordon Casali Trustee & Thomas Bryant, by representative, and moved the Commission to correct the Land Books for 2018, touching the assessment thereon against the said John Gordon Casali Trustee & Thomas Bryant, on Min 165.60 Mtn Ck Tr 3 Pcl 6 Lilly, Jumping Branch 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 mineral value assessed for $18,830 class 3 – should be assessed for $1,600 class 3. It is therefore ordered that John Gordon Casali Trustee & Thomas Bryant 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 $392.15

This day came John Gordon Casali Trustee & Thomas Bryant, by representative, and moved the Commission to correct the Land Books for 2019, touching the assessment thereon against the said John Gordon Casali Trustee & Thomas Bryant, on Min 34 Ac Camp Ck (1 Lilly) Tr 4 Straley 9, Jumping Branch 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 mineral value assessed for $430 class 3 – should be assessed for $300 class 3. It is therefore ordered that John Gordon Casali Trustee & Thomas Bryant 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 $2.96

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES

DATE 9/3/2019

Tax Year 2018

East River District

TICKET # NAME REASON AMOUNT

20475 Judith Cecil Back tax in error. $ 529.04

Tax Year 2019

Bluefield District

TICKET # NAME REASON AMOUNT

905575 Barbara J. Jeffrey Turned in leased vehicle. $ 33.74

905697 Bruno A. Lijoi Turned in wrong vehicle. 638.34

Tax Year 2019

Rock District

TICKET # NAME REASON AMOUNT

914953 Danny R. Peake Wrong value on vehicle. $ 555.46

Tax Year 2019

East River District

TICKET # NAME REASON AMOUNT

910461 Diana M. Whitt Turned in wrong vehicle. $ 182.66

909761 Derek T. Shrader Military, tax exempt. 256.74

906848 William T. Bennett, Jr. Did not own MH 7/1/18. 77.02

Tax Year 2019

Jumping Branch District

TICKET # NAME REASON AMOUNT

910675 Summer Blankenship Double assessed on MH. $ 238.98

Tax Year 2019

Princeton District

TICKET # NAME REASON AMOUNT

913313 Randomworld LTD Not in business 7/1/18. $ 301.78

MOBILE HOMES

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES

DATE 9/1/2019

Tax Year 2019

TICKET # NAME REASON AMOUNT

901125 William Coppola Double assessed on MH. $ 102.56

901124 William Coppola Double assessed on MH. 136.84

901123 William Coppola Double assessed on MH. 134.24

901122 William Coppola Double assessed on MH. 139.56

901121 William Coppola Double assessed on MH. 136.84

901120 William Coppola Double assessed on MH. 123.32

901118 William Coppola Double assessed on MH. 150.08

901117 William Coppola Double assessed on MH. 61.74

901116 William Coppola Double assessed on MH. 102.56

901115 William Coppola Double assessed on MH. 136.84

901114 William Coppola Double assessed on MH. 123.32

901113 William Coppola Double assessed on MH. 92.46

901112 William Coppola Double assessed on MH. 92.46

901111 William Coppola Double assessed on MH. 108.70

901110 William Coppola Double assessed on MH. 90.54

901109 William Coppola Double assessed on MH. 92.46

901108 William Coppola Double assessed on MH. 102.56

901107 William Coppola Double assessed on MH. 117.86

901106 William Coppola Double assessed on MH. 139.56

901105 William Coppola Double assessed on MH. 53.54

901104 William Coppola Double assessed on MH. 160.74

901103 William Coppola Double assessed on MH. 92.46

901102 William Coppola Double assessed on MH. 92.46

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 #72160-72254 Void #72224

COAL SEVERANCE - Check #3619-3627

JUSTICE FINES - Check #5338

HOME CONFINEMENT - Check #2442-2443

HOTEL MOTEL - Check #3916-3933

K-9 FUND - Check #1516

COURTHOUSE EQUIPMENT - Check #781-782

COURTHOUSE ANNEX - Check #1599-1603

VIDEO LOTTERY - Check #1368-1372

MCDRC FEES - Check #5064-5083

ASSESSOR REAPPRAISAL - Check #6285-6296

FINANCIAL STABILIZATION - Check #1033

DRUG FORFEITURE - Check #224-225

SHERIFF DRUG FUND - Check #1083

TEEN COURT - Check #214

RECYCLING GRANT - Check #1027

DEPUTY SHERIFF RETIREMENT - Check #271

It is ordered that this Commission be and is hereby adjourned until Tuesday, October 8, 2019.

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