

COUNTY COMMISSION MEETING TUESDAY, FEBRUARY 14, 2023 –10:00 A.M.

AGENDA:	<p>OPEN WITH PRAYER PLEDGE OF ALLEGIANCE MINUTES OF PREVIOUS MEETING</p>
APPOINTMENTS/REAPPOINTMENTS:	<p>Cities of Bluefield & Princeton Economic Development Project Appointment of Two Committee Members to Represent Mercer County Commission</p>
CONTRACTS/AGREEMENTS/RESOLUTIONS:	<p>Resolution Honoring the Life of Vain Colby Bill Archer, President</p> <p>Resolution of Support for EMS Retirement System Greg Puckett, Commissioner</p> <p>JUUL Settlement Agreement Greg Puckett, Commissioner</p> <p>Budget Revision #3-General County Verlin Moye, County Clerk</p> <p>Empire Salvage & Recycling, Inc. Contract to Demolish Structures Batch #2 Lori Mills, Dilapidated Structures Officer</p> <p>WV State Treasurer’s Office Board of Treasury Investments</p> <p>Resolution & Application to Invest Verlin Moye, County Clerk</p>
FUNDING REQUESTS:	<p>HopeWords 2023 Travis Lowe, President</p> <p>Bluefield Beautification Commission Gail Satterfield, Chairman</p> <p>Mid-Ohio Valley Regional Council Becky Edwards, Program Direct</p> <p>Project Graduation - Bluefield, Montcalm, Pikeview & Princeton High Schools</p> <p>Oakvale Area Outreach Team Allen Meadows, Member</p> <p>Camp Creek State Park Foundation Josie Lester, Contact Person</p>
DISCUSSION:	<p>Bowen Field/Hunnicutt Stadium Renovations Gene Buckner, Commissioner</p> <p>Mercer County Firemen’s Association Aaron Beeman, President</p> <p>Departmental Reports Steve Cline-Recycling Coordinator Josh Parks-Litter Control Officer</p> <p>“We Need To Talk” Project Lori McKinney, Director</p> <p>Real Estate Gene Buckner, Commissioner</p>

PUBLIC COMMENTS:

COMMISSION TO APPROVE THE FOLLOWING:

1. Invoices
2. Settlements
3. Exonerations
4. List of Approved Estates for January 2023

RE: FUNDING REQUEST – PROJECT GRADUATION - PSHS

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a funding request from Princeton Senior High School for 2023 Project Graduation. Funding in the amount of \$500.00 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – PROJECT GRADUATION – MONTCALM HIGH SCHOOL

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a funding request from Montcalm High School for 2023 Project Graduation. Funding in the amount of \$500.00 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – PROJECT GRADUATION – BLUEFIELD HIGH SCHOOL

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a funding request from Bluefield High School for 2023 Project Graduation. Funding in the amount of \$500.00 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – PROJECT GRADUATION – PIKEVIEW HIGH SCHOOL

This funding request has been tabled.

RE: APPOINTMENT – CITIES OF BLUEFIELD & PRINCETON ECONOMIC
DEVELOPMENT PROJECT

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer,
Commissioner, the Commission voted unanimously to approve the Appointment of Greg Puckett
to serve as committee member to represent Mercer County Commission.

RE: APPOINTMENT – CITIES OF BLUEFIELD & PRINCETON ECONOMIC
DEVELOPMENT PROJECT

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer,
Commissioner, the Commission voted unanimously to approve the Appointment of John O’Neal
to serve as committee member to represent Mercer County Commission.

RE: RESOLUTION HONORING THE LIFE OF VAIN COLBY

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 Vain Colby.

Mercer County Commission

1501 West Main, Suite 210
Princeton, West Virginia 24740

Phone: (304) 487-8306
Fax: (304) 487-8370
Email:
mercercocommission@frontiernet.net

VICKY REED
County Administrator



BILL ARCHER
1322 Woodrow Avenue
BLUEFIELD, WV 24701

GENE BUCKNER
118 Martingale Place
BLUEFIELD, WV 24701

GREG PUCKETT
334 Pine Acres Way
PRINCETON, WV 24739

RESOLUTION HONORING THE LIFE OF VAIN COLBY

Whereas, one of southern West Virginia and Southwestern Virginia's most recognized friendly faces – Vain Jameson Colby, passed away on December 31, 2022, at the home in Bluefield that he shared with his husband Jim Jenks while the two were watching a favorite movie; and,

Whereas, Vain, as he was known to legions of his friends in the two Virginias and beyond, always greeted long-time and brand-new friends with his disarming smile accompanied by some playful words of wisdom. Although he stood more than six-feet tall, his outgoing mannerism routinely revealed his disarmingly encouraging demeanor; and,

Whereas, Vain grew up in a section of McDowell County that many locals call, "The Patch," a section that stretches from Maybury through Northfork. While some might consider the term pejorative, the truth was just the opposite. During segregation, African-American students of that section attended the Elkhorn Elks High School in Powhatan while white students attended Elkhorn High School in Switchback. Both schools produced high achievers in all walks of life. With integration, the students of Elkhorn and Elkhorn Elks high schools attended Northfork High School – itself, a legend in West Virginia; and

Whereas, Vain grew up in the company of extraordinary individuals and graduated from Northfork High School in 1983, at a time when athletes including: WVU greats including David "Duck" Riley, NHS (1974), Russell Todd (NHS 1979) were local celebrities. After serving in the US Army, Vain returned to Mercer County and entered Concord University where he majored in Communications and Theater. Upon graduation, he took a job in the production department at WVVA-TV and rose quickly to become Assignments Editor. From there, he joined the Grants Supermarkets family in a leadership role; and,

Whereas, during his 15-plus year stint with WVVA, Vain honed his talents as a television personality and as an actor/playwright, becoming a founding partner of "4PALS Productions." While with 4PALS, he penned several plays that tackled serious issues with a refreshingly tongue-in-cheek satirical style that stripped traditional mores and opened audiences to an entertainingly provocative journey. Through his artistic prose, Vain introduced audiences to the joys and sorrows of life in the kaleidoscope world of all races and in so doing, captured the essential human spirit. Vain lived his life as an open book. He never met a stranger and tackled any and all adversities with a smile. His contribution to the dramatic arts will remain as a testament to his love of life and his love for all people.

Now, Therefore, Be It Resolved that the Mercer County Commission expresses its heartfelt sympathy to the family and countless others who knew and loved Vain Colby. The message he so soulfully presented through his plays and performances will resonate through those West Virginia hills that he knew and loved so much.

Dated this 14th day of February, 2023.

Mercer County Commission:

Bill Archer, President

Gene Buckner, Commissioner

Greg Puckett, Commissioner

RE: RESOLUTION – SUPPORT FOR EMS RETIREMENT SYSTEM

This matter had been tabled.

RE: JUUL SETTLEMENT AGREEMENT –

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to accept settlement agreement from JUUL. Amount not disclosed at this time.

RE: BUDGET REVISION #3 – GENERAL COUNTY

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept a funding request from Verlin Moye in the amount of \$346,714.00 for budget revision.

RE: CONTRACT APPROVAL - EMPIRE SALVAGE & RECYCLING, INC.

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve contract from Empire Salvage & Recycling in the amount of \$216,000.00 requested by Lori Mills, Dilapidated Structures Officer to demolish dilapidated building structures batch #2.

RE: WV STATE TREASURERS OFFICE – BOARD OF TREASURY

INVESTMENTS – Resolution and Application to invest. Executive Session

RE: FUNDING REQUEST – HOPEWORDS

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the commission voted unanimously to approve a funding request from Travis Lowe, President, to help sponsor the HopeWords Writers' Conference. Funding in the amount of \$2500.00 will be taken from the Hotel Motel fund.

RE: FUNDING REQUEST – BLUEFIELD BEAUTIFICATION COMMISSION

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the commission voted unanimously to approve a funding request from Gail Satterfield, Chairman, for 3 events in 2023, Winter Warmer, Garden Tour and Oktoberfest. Funding in the amount of \$10,000.00 will be taken from the Hotel Motel fund.

RE: FUNDING REQUEST – OAKVALE AREA OUTREACH TEAM

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the commission voted unanimously to approve a funding request from Allen Meadows, Member, for the purchase of 2 printers and 2 computers. Funding in the amount of \$1018.00 will be taken from the Video/Lottery fund.

RE: FUNDING REQUEST – CAMP CREEK STATE PARK FOUNDATION

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the commission voted unanimously to approve a funding request from Josie Lester, Contact Person, for special events in 2023, Lumberjack Competition, Ramp Dinner, local music, flea market and craft show. Funding in the amount of \$5000.00 will be taken from the Hotel Motel fund.

RE: DISCUSSION:

Bowen Field/Hunnicutt Stadium Renovations – Funding

Mercer County Fireman’s Association – Funding for Volunteer Fire Departments

Departmental Reports – Steve Cline – Recycling Coordinator, Josh Parks – Litter Control

Real Estate – Glenwood Park Amphitheater, New Playground and Bathroom Renovations

New Metal Building for Clerks Offices – Storage

This day came Bryan k. and Rebecca Powers, by representative, and moved the Commission to correct the Personal Property Books for 2020, touching the assessment thereon against Bryan K. and Rebecca Powers, 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 taxpayer doubled paid, 2 supplements, assessed value \$17,130.00. One ticket had an error on it and was sent through to be canceled, both were paid. It is therefore ordered that David K and Rebecca Powers 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 \$589.62

This day came Jessie and Patricia Vest, by representative, and moved the Commission to correct the Personal Property Books for 2022, touching the assessment thereon against the said Jessie and Patricia Vest, Rock 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 was double assessed on mobile home for \$22,224 class 2. Paid on personal property and on real estate. It is therefore ordered that Jessie and Patricia Vest 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 \$250.71

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES
DATE 02/07/2023

Tax Year 2018
Plymouth District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
80012244	Timothy L. Jenkins	Double Assessed	\$ 20.14

Tax Year 2019 - 2021
Beaver Pond District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
915368	Jessie Vest	Double Assessed on MH	\$ 233.60
315098	Jessie Vest	Double Assessed on MH	\$ 240.00
314889	Jessie Vest	Double Assessed on MH	\$ 240.00

Tax Year 2021
Beaver Pond District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
200002205	Anthony J. Hoston	Made supplemental ticket on Toyota, was on regular ticket	\$ 795.48

Tax Year 2020
Bluefield

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
300000703	Kenneth R. Hager, Jr.	Double assessed on 2007 Ford	\$ 142.40

Tax Year 2022
Rock

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
313941	Thomas J. Martin	Due to Domestic Violence	\$ 73.06

RE: EXECUTIVE SESSION

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer, 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. Commission voted unanimously to accept the WV State Treasurer's Office Board of Treasury Investments Resolution & Application to Invest from Verlin Moye, County Clerk.

It is ordered that this Commission be and is hereby adjourned until Tuesday, February 28, 2023.

PRESIDENT

Bill Archer

NOTICE OF COUNTY COMMISSION MEETING

THE MERCER COUNTY COMMISSION WILL MEET ON TUESDAY, FEBRUARY 28, 2023 AT 3:30 P.M. IN THE COUNTY COMMISSION COURTROOM LOCATED ON THE SECOND FLOOR OF THE MERCER COUNTY COURTHOUSE. THE PURPOSE OF THE MEETING IS FOR CONSIDERATION OF THE FOLLOWING:

1. FIRST ANNUAL GEORGE HALL AWARD
2. COMMUNITY CORRECTIONS GRANT APPLICATION & MOU
MERCER DAY REPORT CENTER- BILL JESSE, DIRECTOR
3. PIKEVIEW HIGH SCHOOL – PROJECT GRADUATION
MICHELLE COBURN, SPONSOR
4. MOUNTAINEER FOOD BANK – BECKY CONRAD
5. AMENDED RESOLUTION – MCCOMAS WATERLINE EXT. PROJECT
6. GLENWOOD PARK – ESTIMATES FOR CONSTRUCTION OF
PICNIC SHELTERS # 4 AND # 9
7. COMMUNITY CONNECTIONS – FY 2023 COMPREHENSIVE OPIOID,
STIMULANT, AND SUBSTANCE USE SITE-BASED PROGRAM GRANT
JAMIE STYONS, DIRECTOR COMMUNITY AND JUSTICE PROGRAMS
8. UNITED WAY OF SOUTHERN WEST VIRGINIA
TRENA DACAL, EXECUTIVE DIRECTOR
9. ANTHONY SCYPHERS – KEATLEY ROAD, ATHENS WV
10. SHERIFF'S TAX OFFICE – SOFTWARE SYSTEMS INC. ESTIMATE
ALAN CHRISTIAN, CHIEF DEPUTY
11. FORMAL HEARING FOR STRUCTURE/S LISTED BELOW:

<u>Owner</u>	<u>Location</u>	<u>Structure</u>	<u>Map/Parcel</u>
Twelve Oaks Investments	2310 Grassy Branch Road	House	Map 32F, Parcel 9

BILL ARCHER, PRESIDENT
MERCER COUNTY COMMISSION

RE: FIRST ANNUAL GEORGE HALL AWARD – JOSHUA L. BOLDEN

This day on motion of Bill Archer, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to present the 2023 Annual George Hall award to Joshua L. Bolden.

Mercer County Commission

1501 West Main, Suite 210
Princeton, West Virginia 24740

Phone: (304) 487-8306
Fax: (304) 487-8370
Email:
merceroocommission@frontiernet.net

VICKY REED
County Administrator



BILL ARCHER
1322 Woodrow Avenue
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**George M. Hall Award
Honoring Service to Mercer County
Presented annually in observance of Black History Month**

George M. Hall was born into slavery at Dublin, Virginia. He was living in Princeton during the outbreak of the American Civil War during the time of the Battle of Princeton in May 1862. Confederate forces that held Princeton at the time, torched homes in the town, and set fire to the Mercer County Courthouse on May 15, 1862. George Hall, 19 years old at the time, entered the burning building and removed the county court records. Mr. Hall suffered severe burns and could not speak above a whisper for weeks after his selfless act. Upon his recovery, he remained in Princeton and became a shoemaker and was part of the Princeton business community until his death.

The recipient of the 2023 George M. Hall Award is an individual who spends more time in the background – helping others achieve their goals through steadfast support and exceptional guidance. This individual is highly educated and has worked in diverse fields, but remains humble, unassuming and genuinely sincere in all dealings with everyone. This individual would likely think they would be the last person to receive this honor, but was the first person this Commission unanimously selected for the honor.

The 2023 George Hall Award is presented to:

Joshua L. Bolden. February 28, 2023

Bill Archer, President

Gene Buckner, Commissioner

Greg Puckett, Commissioner

RE: GRANT CONTRACT – WV COMMUNITY CORRECTIONS GRANT – MERCER DAY REPORT CENTER MCDRC

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the WV Community Corrections Grant Contract for the Mercer Day Report Center in the amount of \$306,618.

RE: FUNDING REQUEST – PROJECT GRADUATION – PIKEVIEW HIGH SCHOOL

This funding request has been tabled.

RE: FUNDING REQUEST – MOUNTAINEER FOOD BANK

This funding request has been tabled.

RE: RESOLUTION (AMENDED) – MCCOMAS WATERLINE EXT. PROJECT

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve an amended Resolution for the McComas Waterline Ext. Project.

Mercer County Commission

1501 West Main, Suite 210
Princeton, West Virginia 24740
Phone: (304) 487-8306
Fax: (304) 487-8370
Email:
mercercocommission@frontiernet.net
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AMENDED RESOLUTION

WHEREAS, the Mercer County Commission wishes to submit an application to the State of West Virginia HUD Community Development Block Grant Program to request funding for a McComas Waterline Extension Project.

WHEREAS, the Mercer County Commission must give assurances that the HUD Community Development Block Grant and Program Regulations related to grant administration, civil rights and other applicable State and Federal Laws will be followed, and;

WHEREAS, the Mercer County Commission must designate an official representative to act in connection with the application and execute all necessary program documents:

Now, Therefore, Be It Resolved That:

1. The Mercer County Commission authorized the submission of an application with the State of West Virginia HUD Community Development Block Grant Program for a McComas Waterline Extension Project.
2. The Mercer County Commission will comply with all laws and regulations pertaining to the program.
3. Bill Archer, President, is designated as the authorized official to act in connection with the application.

Bill Archer, President

I, Verlin Moye, County Clerk for Mercer County, certify that the above is a true copy of a Resolution adopted on the 28th day of February, 2023 at a meeting of the Mercer County Commission. I further certify that a quorum was present and a majority of its members voted affirmatively for this Resolution.

Verlin Moye, County Clerk



RE: FUNDING REQUEST – GLENWOOD PARK PICNIC SHELTER #4

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept the bid from Ideal Roofing in the amount of \$7250.00 to construct picnic shelter. Funding in the amount of \$7250.00 will be taken from the Hotel Motel fund.

RE: FUNDING REQUEST – GLENWOOD PARK PICNIC SHELTER #9

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept the bid from Ideal Roofing in the amount of \$12,500.00 to construct picnic shelter. Funding in the amount of \$12,500.00 will be taken from the Hotel Motel fund.

RE: FUNDING REQUEST – COMMUNITY CONNECTIONS – FY 2023
COMPREHENSIVE OPIOID, STIMULANT, AND SUBSTANCE USE SITE-BASED
PROGRAM GRANT

This funding request has been tabled.

RE: FUNDING REQUEST – UNITED WAY OF SOUTHERN WEST VIRGINIA

This funding request has been tabled.

RE: KEATLEY ROAD, ATHENS WV – DISCUSSION – ANTHONY SCYPHERS

Anthony Scyphers came before the County Commission to address issues on a piece of property on Keatley Road bordering his property. He requested the County Commission to help with cleaning up excessive trash, trailers and septic.

RE: FUNDING REQUEST – SHERIFF’S TAX OFFICE – SOFTWARE SYSTEMS
INC.

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to accept the funding request in the amount of \$10,464.96 for Property Tax reminder notices and postage. Funding in the amount of \$10,464.96 will be taken from the Courthouse Equipment fund.

RE: DILAPIDATED PROPERTY – TWELVE OAKS INVESTMENTS

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to give a continuance to Twelve Oaks Investments on property located at 2310 Grassy Branch Road. This matter has been put on hold for 90 days pending legal issues and contract on property.

It is ordered that this Commission be and is hereby adjourned until March 14, 2023.

PRESIDENT, Bill Archer