

NOTICE OF SPECIAL MEETING

THE MERCER COUNTY COMMISSION WILL MEET IN SPECIAL SESSION ON TUESDAY, JANUARY 3, 2023 AT 10:00 A.M. IN THE COMMISSION COURTROOM LOCATED ON THE 2ND FLOOR OF THE MERCER COUNTY COURTHOUSE. THE PURPOSE OF THE MEETING IS FOR REORGANIZATION.

GENE BUCKNER, PRESIDENT
MERCER COUNTY COMMISSION

RE: PRESIDENT- MERCER COUNTY COMMISSION

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to elect Bill Archer to serve as President of the County Commission for the year 2023.

It is ordered that this Commission be and is hereby adjourned until Tuesday, January 10, 2023.

PRESIDENT

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

AGENDA: OPEN WITH PRAYER
 PLEDGE OF ALLEGIANCE
 MINUTES OF PREVIOUS MEETING

APPOINTMENTS/REAPPOINTMENTS - Mercer County Recycling Program

OATHS OF OFFICE: Employment & Oath of Office

Bradley Tupper,
 FT Recycling Assistant

PRESENTATION OF FLAGS: -
 Bailey

American Legion Post 54-David

Greg Puckett, Commissioner

CONTRACTS/AGREEMENTS/RESOLUTIONS: -
 Month

Resolution-General Hugh Mercer

Kevin Pruitt, Representative

Resolution-J.I. “Junior” Spurrier
 Bill Archer, President

Resolution Recognizing Emergency
 Responders-Auto Accident on Simmons
 River Road – Bill Archer, President

Region One Planning & Development Council
 Adoption of Fair Housing Plan
 Jeff Johnson, Project Manager

American Rescue Plan-Check Pres.
 Projects Approved-December 2022 Meeting
 Mercer County Fellowship Home, Inc.
 Purchase minivan & Upgrade Electric
 Jim McClanahan, Director MC-22-64

S&R Refrigeration
 Proposal for Labor and Material to install
 Water Softener, Chemical Feed Pump,
 Timers and Meter on Steam Boilers in
 Courthouse and Memorial Building
 Travis Odle

FUNDING REQUESTS: -

Keep Mercer Clean Campaign
 Greg Puckett, Commissioner

DISCUSSION: - Brush Creek Watershed Dam Restoration

Engineer for Permitting Process
 Gene Buckner, Commissioner

Real Estate
 Gene Buckner, Commissioner

PUBLIC COMMENTS:

COMMISSION TO APPROVE THE FOLLOWING:

1. Invoices
2. Settlements
3. Exonerations
4. List of Approved Estates for December 2022

RE: OATH – MERCER COUNTY RECYCLING PROGRAM

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the Employment and Oath of Office for Bradley Tupper FT Recycling Assistant.

RE: PRESENTATION OF FLAGS

Presentation of flags to the American Legion Post 54 – David Bailey.

RE: RESOLUTION – GENERAL HUGH MERCER MONTH

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a Resolution observing January 2023 as General Hugh Mercer month.

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

Whereas, the sons of the American Revolution is the leading male lineage society in the United States of America that perpetuates the ideals of the War for Independence from Great Britain; and

Whereas, Hugh Mercer was born January 17, 1726, in Aberdeenshire, Scotland, later joining the Jacobean Army and eventually fled to America after being considered a fugitive in his own homeland; and

Whereas, Hugh Mercer distinguished himself in the course of the American Revolutionary War rising to the rank of General before being mortally wounded during the Battle of Princeton, New Jersey on January 3, 1777 and dying on January 12, 1777, while fighting for America's independence; and

Whereas, one hundred and eighty-three years ago, on March 17, 1837, the Virginia General Assembly entitled an Act creating Mercer County from parts of Giles and Tazewell counties; and

Whereas, Mercer County was named in honor and in memory of General Hugh Mercer of American Revolutionary War fame; and

Whereas, Princeton was also named in honor and in memory of General Hugh Mercer of American Revolutionary War fame as it was during the Battle of Princeton, New Jersey in which he was mortally wounded; and

Now, therefore, we, the Mercer County Commission declare the month of January 2023 as General Hugh Mercer month in Mercer County, West Virginia. We encourage all citizens of Mercer County to observe the month of January 2023 in a manner which brings to mind the memory and honor of General Hugh Mercer.

Dated this 10th day of January 2023.

Mercer County Commission:

Bill Archer, President

Gene Buckner, Commissioner

Greg Puckett, Commissioner

RE: RESOLUTION – J.I. “JUNIOR” SPURRIER

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a Resolution to name a bridge over East River over I-77 in honor of J.I. “Junior” Spurrier.

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RESOLUTION HONORING STAFF SGT. JAMES IRA “JUNIOR” SPURRIER

Whereas, the sons and daughters of Mercer County and indeed, all of West Virginia, have a long-standing tradition of answering our nation’s call when the United States is threatened by enemies both foreign and domestic. Those who answer the call along with their families can honestly say that combat in war changes men and women forever. The reality of war is hell for those who serve, and more often than not, the transition into peace in our time proves to be a challenging endeavor; and

Whereas, Staff Sgt. James Ira “Junior” Spurrier was called a “One Man Army” in the days during the Allied forces push through France on their way to Germany and the end of World War II. A Virginian by birth, Sgt. Spurrier’s family was living in Bluefield’s East End when he joined the Army in 1940. He was wounded in combat on both hands on September 21, 1943, during a battle at New Guinea while serving in the Pacific Theater of the war. Spurrier recovered from his wound in New England, and was assigned to the 35th Infantry Division, 134th Infantry Regiment, and was sent to the European Theater of the war; and,

Whereas, on November 13, 1944, Staff Sgt. Spurrier single-handedly attacked the Town of Achain, France, killed one officer and 24 enlisted men, captured two officers and two infantry men while expending all of his own ammunition and using enemy rifles, rockets and hand-guns to secure the enemy-held town. For his efforts, Staff Sgt. Spurrier was awarded the Medal of Honor, our nation’s highest award for gallantry in battle; and,

Whereas, upon his return home, Staff Sgt. Spurrier was honored with a parade in Bluefield that drew a crowd estimated at 30,000 people. Like many of the returning veterans from World War, II, he couldn’t simply “pack up his troubles in his old kit bag and smile.” Instead, the civilian Junior Spurrier fought demons few people other than combat veterans could imagine. Spurrier encountered numerous brushes with the law, and even hocked his Medal of Honor to cover a bar tab in Huntington, according to his friend and co-Medal of Honor recipient, Woody Williams; and

Now, Therefore, Be It Resolved that the Mercer County Commission believes that Staff Sgt. J.I. “Junior” Spurrier’s name should be remembered for his contribution to the worldwide fight against tyranny during a time when global freedom was in peril. Further, this Commission urges to name the bridge over East River on I-77 in honor of Staff Sgt. J.I. “Junior” Spurrier.

Dated this 10th day of January, 2023.

Mercer County Commission:

Bill Archer, President

Gene Buckner, Commissioner

Greg Puckett, Commissioner

RE: RESOLUTION – RECOGNIZING EMERGENCY RESPONDERS

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Resolution recognizing emergency responders to auto accident on Simmons River Road.

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RESOLUTION RECOGNIZING EMERGENCY RESPONDERS TO ACCIDENT ON SIMMONS RIVER ROAD

Whereas, not every heroic action has a happy ending, but on December 3, 2022, in spite of the heroic efforts of a diverse group of Mercer County emergency responders, their work brought closure to families who had lost loved ones in a horrific automobile accident that may have gone unnoticed for an unknown amount of time if not for the efforts of emergency personnel; and,

Whereas, several Mercer County EMS departments responded on December 3, 2022, to a call concerning an overturned vehicle in the Bluestone River on Simmons River Road. Bramwell Fire Department units arrived first, and were soon joined by a unit with the West Virginia Department of Natural Resources. Personnel from both units entered the river and discovered two unresponsive persons inside the vehicle that was resting on the bottom of the river; and

Whereas, the emergency responders extricated the two adult victims from the wreck, took them to the river bank and immediately began CPR (cardiopulmonary resuscitation) in an effort to revive the victims. Additional personnel including another DNR officer, Mercer County EMS director, two units of the Princeton Rescue Squad arrived on the scene. Squad personnel took charge of the CPR efforts, maintained those efforts and prepared the victims for transport to Princeton Community Hospitals in Princeton and Bluefield; and

Whereas, emergency responders soon learned of a possible third victim and initiated a secondary search. An additional DNR officer as well as the Montcalm and Green Valley fire departments arrived on the scene. Along with renewing the search at the crash site, emergency responders search both banks of the river downstream. Personnel would later informed that the possible third victim – an infant – was not with the two adult victims when the crash occurred; and,

Whereas, prior to the call for help, several of the responding units had participated in Christmas parades in Bramwell and Montcalm. DNR officers responding included: Gabe Woods, Jonathan Gill and William McGuire; Mercer County Sheriff's Deputies M.C. Altice, D.A. Calloway and M.J. Mason; Bramwell FD: Justin Dunford, Aaron Simpkins, Ben Auton and James Cleary Mercer County EMS Director Keith Gunnoe, members of the Montcalm and Green Valley volunteer fire departments along with members of the Princeton and Bluefield rescue squads.

Now, Therefore, Be It Resolved that the Mercer County Commission commends these emergency responders for their combined efforts on December 3, 2022. Their response during inclement weather conditions and near frigid river temperatures stands as a testament to the dedication and bravery of the men and women who serve in Mercer County's emergency services. This commission thanks you for your service.

Dated this 10th day of January, 2023.

Mercer County Commission:

Bill Archer, President

Gene Buckner, Commissioner

Greg Puckett, Commissioner

RE: REGION ONE PLANNING & DEVELOPMENT COUNCIL

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to adopt the Fair Housing Action Plan submitted by Jeff Johnson, Project Manager.

RE: AMERICAN RESCUE PLAN - CHECK PRESENTATION

Mercer County Fellowship home, Inc. MC-22-64 Jim McClanahan, Director

RE: S&R REFRIGERATION – CONTRACT AGREEMENT

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve an agreement with S&R Refrigeration to install water softener, chemical feed pump, timers and meters on steam boilers in Courthouse and Memorial Building. The amount for the Courthouse is \$4803.65 and the Memorial Building is \$4768.65 for a total of \$9572.30. The funding will be taken from video/lottery fund.

RE: FUNDING REQUEST – KEEP MERCER CLEAN CAMPAIGN

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer, Commissioner, the commission voted unanimously to approve a funding request from Greg Puckett, Commissioner. Funding in the amount of \$2500.00 will be taken from the Hotel/Motel fund.

RE: BRUSH CREEK WATERSHED DAM RESTORATION - ENGINEER

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the commission voted unanimously to join forces with Green Valley Public Service District and E. L. Robinson as engineer for permitting process.

RE: EXECUTIVE SESSION

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to go into executive session. On motion of Greg Puckett, 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.

It is ordered that this Commission be and is hereby adjourned until January 24, 2023.

Bill Archer PRESIDENT

MERCER COUTY COMMISSION MEETING

THE MERCER COUNTY COMMISSION WILL MEET ON TUESDAY, JANUARY 24, 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. Employment & Oath of Office
Prosecuting Attorney's Office
Robin Kane, Legal Assistant
2. Employment & Oath of Office
Mercer County Animal Shelter
Josie Mills, Part-Time Kennel Technician
3. Resolution Honoring the Life of Jack Stafford
Bill Archer, President
4. Cities of Bluefield & Princeton-Request for Funding for Economic Development Project
Jim Spencer, BEDA Economic Director & Mike Webb, Princeton City Manager
5. American Rescue Plan-Check Presentation-Development Authority of Mercer County
John O'Neal, Executive Director
6. Formal Hearing for the Structures 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
Kenneth Woody	Sherman Oaks Road	Trailer	Map 20, Parcel 11
Parks on East Union LLC	706 Union Street Ext.	Trailer	Map 32E, Parcel 50

PUBLIC COMMENTS:

BILL ARCHER, PRESIDENT
MERCER COUNTY COMMISSION

RE: OATH – PROSECUTING ATTORNEY’S OFFICE

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Employment and Oath of Office for Robin Cane, Legal Assistant.

RE: OATH – MERCER COUNTY ANIMAL SHELTER

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Employment and Oath of Office for Josie Mills, Part Time Kennel Technician.

RE: RESOLUTION HONORING THE LIFE OF JACK STAFFORD

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a Resolution honoring the life of Jack Stafford.

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RESOLUTION HONORING THE LIFE OF JACK D. STAFFORD

Whereas, one of Mercer County's most successful and dedicated business, public and community servants, Jack D. Stafford, died on January 11, 2023 surrounded by his family. He was born on April 19, 1936, graduated from Princeton High School in 1954, earned an undergraduate degree in mathematics and physics from Concord (now) University, and a graduate degree in engineering from North Carolina State University; and,

Whereas, Mr. Stafford entered the southern West Virginia/Southwestern Virginia workforce as a research and development engineer for Celanese Corporation, later served as Chief of Quality Assurance & Engineering at North American Aviation, and served as Assistant Commissioner West Virginia State Road Commission. In 1972, during his tenure with the State Road Commission, Stafford Drive in Princeton was named in his honor; and,

Whereas, after leaving the State Road Commission, Jack served as vice president of Gates Engineering Co., in Beckley. He founded Stafford Consultants Inc., of Princeton and served as Chairman, President and CEO of the company until his retirement in 2004. He was a lifelong member of First United Methodist Church in Princeton, served as Princeton Rotary Club and was president in 1988-89, was Rotarian of the Year and was a Paul Harris Fellow. He was on the advisory boards of Concord University, Bluefield State University and the WVU School of Engineering. He was serving as a member of the Mercer County Commission's Building Commission at the time of his death; and

Now, Therefore, Be It Resolved that the Mercer County Commission expresses its most sincere condolences to the family and friends of the late Jack Stafford. As a private, public and community servant, Jack Stafford served with steadfast honesty and integrity.

Dated this 24th day of January, 2023.

Mercer County Commission:

Bill Archer, President

Gene Buckner, Commissioner

Greg Puckett, Commissioner

AMENDMENT TO THE AGENDA

RE: APPOINTMENT – BLUEWELL PUBLIC SERVICE DISTRICT

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Appointment and Oath of Office for Cletus D. McKinney as Board Member.

RE: FUNDING REQUEST – CITIES OF BLUEFIELD & PRINCETON

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer, Commissioner, the commission voted unanimously to approve a funding request from the cities of Bluefield and Princeton, Jim Spencer, BEDA Economic Director and Mike Webb, Princeton City Manager, for a funding request for the Economic Development Project. Funding in the amount of \$10,000.00 will be taken from the Hotel/Motel fund.

RE: AMERICAN RESCUE PLAN - CHECK PRESENTATION

Development Authority of Mercer County John O’Neal, Executive Director.
\$1,000,000.00 – Gas project John Nash Blvd.

RE: DILAPIDATED PROPERTY – PARKS ON EAST UNION LLC

Parks on East Union LLC – NO ACTION TAKEN

RE: DILAPIDATED PROPERTY – KENNETH WOODY

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to issue Standard Order of Demolition for Sherman Oaks Road, Map 20 Parcel 11.

RE: DILAPIDATED PROPERTY – TWELVE OAKS ROAD

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to issue Standard Order of Demolition for Twelve Oaks Investments, 2310 Grassy Branch Road, Map 32F, Parcel 9.

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 #776906 - 77009	Void #76964
COAL SEVERANCE	- Check #4247 - 4256	
JUSTICE FINES	- Check #5372	
EMERGENCY 911	-Check #4287	
HOME CONFINEMENT	- Check #2590 – 2596	Void #2591
HOTEL MOTEL	- Check #4476 - 4484	
COURTHOUSE EQUIPMENT	- Check #849 - 850	
COURTHOUSE ANNEX	- Check #1871 - 1875	
VIDEO LOTTERY	- Check #1538 - 1541	
COAL REALLOCATION	- Check #1051 - 1053	
MCDRC FEES	- Check #5803 - 5819	
ASSESSOR REAPPRAISAL	- Check #6715 - 6721	
RECYCLING GRANT	- Check #1048 -1049	
AMERICAN RESCUE PLAN	- Check #1034 – 1037	
DEPUTY SHERIFF RETIREMENT	- Check #312	

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

PRESIDENT, Bill Archer