

## WEST VIRGINIA:

At a special session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Thursday, September 1, 2022

Present:	Gene Buckner,	Commissioner
Present:	Greg Puckett,	Commissioner
Present:	Bill Archer,	Commissioner

THE MERCER COUNTY COMMISSION WILL MEET IN SPECIAL SESSION ON THURSDAY, SEPTEMBER 1, 2022 AT 10:00 A.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. APPOINTMENT OF NEW GLENWOOD PARK SUPERINTENDENT
2. PROPOSAL FOR DEMOLITION OF PROPERTY LOCATED AT 100 MERCER AVENUE IN MATOAKA, WEST VIRGINIA
3. FY 2020/2021 AUDIT EXIT INTERVIEW

**GENE BUCKNER, PRESIDENT  
MERCER COUNTY COMMISSION**

RE: OATH – GLENWOOD RECREATION PARK

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 Gavin Hager to serve as Superintendent for Glenwood Recreation Park.

RE: PROPOSAL – DEMOLITION OF 101 MERCER AVENUE PROPERTY

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept the proposal from Empire Salvage & Recycling, Inc. for demolition of structure located at 101 Mercer Avenue in Matoaka, WV. Funding in the amount of \$18,000 will be taken from the American Rescue Plan Fund or the Dilapidated Structures Demolition Grant.

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: FY 2020-2021 AUDIT EXIT INTERVIEW

Dennis Cook, WV State Auditor's Office was present for the FY 2020-2021 Audit Exit Interview. Gene Buckner, President signed the draft audit report.

It is ordered that this Commission be and is hereby adjourned until Tuesday, September 13, 2022.

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PRESIDENT

COUNTY COMMISSION MEETING – TUESDAY, SEPTEMBER 13, 2022 –10:00 A.M.

AGENDA:

OPEN WITH PRAYER  
 PLEDGE OF ALLEGIANCE  
 MINUTES OF PREVIOUS MEETING

APPOINTMENTS/REAPPOINTMENTS

OATHS OF OFFICE

- Oakvale Road Public Service District  
 Appointment & Oath of Office  
 Gary Woods to fill unexpired term of  
 Stacey Hicks -Term ending: 12/31/2027
- Mercer County Fire Service Board  
 Reappointments: Skip Crane  
 Kenneth Nunn-Terms Ending 6/30/2025
- Glenwood Recreation Park  
 Employment & Oath of Office  
 Amanda Mack, Secretary
- Mercer County Prosecuting Attorney  
 Employment & Oath of Office  
 Braylee Rose, Receptionist  
 Patricia Raiford, Victim’s Advocate

CONTRACTS/AGREEMENTS/RESOLUTIONS :

- Resolution Honoring the Life of Gene Bailey  
 Bill Archer, Commissioner
- Proclamation Recognizing September 2022  
 as National Preparedness Month  
 Keith Gunnoe, OEM Director
- American Rescue Plan-Check Presentations  
 Projects Approved-August 2022 Meeting  
 1. Bluewell Improvement Assoc.-MC-22-41
- American Rescue Plan-New Applications  
 1. Mercer County PSD/MC-22-20  
 Mike Kennett, Chairman  
 2. Recovery Point/MC-22-42  
 Trenton Sturgill  
 3. Pinnacle Pantry/MC-22-43  
 Vanessa Bryant, Director  
 4. Mercer County Health Dept./MC-22-49  
 Bonnie Allen, Administrator  
 5. Princeton Health Care Center/MC-22-50  
 Stefanie Compton, Administrator  
 6. The Wade Center/MC-22-52  
 Betty Brainerd, Executive Director
- American Rescue Plan-Approval of Projects  
 1. Mercer County Clerk’s Office/MC-22-32  
 Verlin Moye, County Clerk/MC-22-51  
 2. Mercer County PSD/MCC-22-40  
 Mike Kennett, Chairman  
 3. City of Princeton/MC-22-45  
 Mike Webb, City Manager
- WV Coalfields Highway Safety Program  
 FY23 Grant Application  
 Lt. Adam Ballard, Project Director
- Region One Planning & Development  
 WV Region One Hazard Mitigation Plan  
 Resolution Approving Adoption of Plan  
 Jason Roberts, Executive Director

- Ricoh Proposal for Copy/Scanner/Printers  
Mercer County Commission Office  
Mercer County Office of Emergency Mgt.  
Greg Everett, Account Manager
  - Otis Elevator Company  
Proposal for Annex Elevator Maintenance  
Lauren Vittorio, Business Development Rep.
- ESTATES:
- Brenda Gail Christian Lambert
- FUNDING REQUESTS:
- Hatfield-McCoy Ridin 4 A Cure  
Ryan Parks, Contact Person
  - Chamber of Commerce/Two Virginias  
Bluefield Coal Show  
Jeff Disibbio, President & CEO
  - Greater Princeton Little League  
Replace Top Dugout & Backstop  
Tommy Bailey, Sr.
  - The Wade Center  
Facility Improvements  
Betty Brainerd, Director
  - S&R Refrigeration  
Proposal to Remove & Replace  
20 Ton Courthouse Rooftop A/C Unit  
Travis Odle, Representative
  - Mercer County Courthouse Maintenance  
Evergreen Power & Equipment  
Purchase CUB Cadet Lawn Mower  
with Snow Blade
  - OILPAINTINGS.COM  
The Baptism of Pocahontas  
Bill Archer, Commissioner
- DISCUSSION:
- Board of Assessment Appeals  
October 2022  
Bill Archer, Commissioner
  - Bluestone River Trails  
Legal Services-Bill Winfrey, Attorney  
Anna Ziegler, Attorney  
Bill Archer, Commissioner
  - Mercer County PSD  
Set Annual Budget  
Greg Puckett, Commissioner
  - NACO Operation Green Light  
Greg Puckett, Commissioner
  - Real Estate  
Gene Buckner, President
- PUBLIC COMMENTS:
- COMMISSION TO APPROVE THE FOLLOWING:
1. Invoices
  2. Settlements
  3. Exonerations
  4. List of Approved Estates for August 2022

## WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, September 13, 2022,

Present:	Gene Buckner,	President
Present:	Greg Puckett,	Commissioner
Present:	Bill Archer,	Commissioner

## RE: APPOINTMENT – OAKVALE ROAD PUBLIC SERVICE DISTRICT

This day, the Commission tabled the Appointment of Gary Woods to fill the unexpired term of Stacey Hicks to serve as Board Member for the Oakvale Road Public Service District.

## RE: REAPPOINTMENT – MERCER COUNTY FIRE SERVICE BOARD

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Reappointments of Skip Crane and Kenneth Nunn to serve as Board Members for the Mercer County Fire Service Board. Their term will expire June 30, 2025.

## RE: OATH – GLENWOOD RECREATION PARK

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Employment and Oath of Office for Amanda Mack to serve as Secretary for Glenwood Recreation Park.

## RE: OATH – MERCER COUNTY PROSECUTING ATTORNEY’S OFFICE

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 Braylee Rose to serve as Receptionist for the Mercer County Prosecuting Attorney’s Office.

## RE: OATH – MERCER COUNTY PROSECUTING ATTORNEY’S OFFICE

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 Patricia Raiford to serve as Victim’s Advocate for the Mercer County Prosecuting Attorney’s Office.

RE: RESOLUTION HONORING THE LIFE OF GENE BAILEY

This day on motion of Bill Archer, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a Resolution Honoring the Life of Gene Bailey.

**RESOLUTION HONORING THE LIFE OF  
GILBERT E. “GENE” BAILEY**

**Whereas**, one of Mercer County’s best known and much-loved native sons, Gilbert E. “Gene” Bailey died Thursday, Sept. 8, 2022 at the age of 89, with his eldest daughter and pastor by his bedside. Gene, as he was known to his many friends throughout the region, was preceded in death by his wife, Elizabeth “Betty” Bailey; and,

**Whereas**, Mr. Bailey was educated in Mercer County and was a graduate of Concord (now) University. At about the age of 15, Mr. Bailey discovered a passion for agriculture in 1948 when he started working at Holly Hill Nursery. During his 20-year tenure as an ornamental horticulture and social studies teacher in Mercer County Schools, Mr. Bailey shared his love of plant and animal husbandry with his students, and eventually – in 1964 --developed the Bluestone Nursery and Christmas Tree Farm that he operated until his passing; and,

**Whereas**, after leaving the teaching profession, Gene continued his dedication to Mercer County Public Schools as a member of the Mercer County Board of Education, and the County Extension Service Board. He also served as a member of the board of directors of the National Christmas Tree Association and edited a newsletter for the West Virginia Christmas Tree Industry from 1963 until the present; and,

**Whereas**, Gene also served as a delegate in the state legislature during the 1980s and early ‘90s. While in office, Delegate Bailey chaired the Higher Education Subcommittee, served on the Finance Committee, the College Budget Subcommittee and served as vice-chair of the Agricultural Committee. In addition to his service to the state legislature, he also served on the Mercer County Board of Health as well as Princeton City Council, where he was twice selected to serve as Mayor; and,

**Whereas**, in addition to his work in public service, Gene worked tirelessly on behalf of his community through Melrose Community Church as well as the Spanishburg Ruritan Club. While he was an ardent Democrat in his political beliefs, he was also close friends with many Republicans if they sincerely shared his love of community and public service.

**Now, Therefore, Be It Resolved** that the Mercer County Commission expresses its heartfelt thanks for the life of service to Mercer County, our state and nation exemplified by Gilbert E. “Gene” Bailey. This commission also extends its most sincere condolences to the entire Bailey family, as well as the many friends of the late Gene Bailey during this time.

**Dated this 13<sup>th</sup> day of September, 2022.**

/s/ Gene Buckner  
**Gene Buckner, President**

/s/ Greg Puckett  
**Greg Puckett, Commissioner**

/s/ Bill Archer  
**Bill Archer, Commissioner**

RE: PROCLAMATION – NATIONAL PREPAREDNESS MONTH

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Proclamation Recognizing September 2022 as National Preparedness Month.

**NATIONAL PREPAREDNESS MONTH  
SEPTEMBER 2022**

**WHEREAS**, “National Preparedness Month” creates an important opportunity for every resident of Mercer County to prepare their homes, businesses, and communities for any type of emergency including natural disasters and potential terrorist attacks; and

**WHEREAS**, investing in the preparedness of ourselves, our families, businesses, and communities can reduce fatalities and economic devastation in our communities and in our nation; and

**WHEREAS**, the Federal Emergency Management Agency’s *Ready* Campaign and other federal, state, local, tribal, territorial, private, and volunteer agencies are working to increase public activities in preparing for emergencies and to educate individuals on how to take action; and

**WHEREAS**, emergency preparedness is the responsibility of every citizen of Mercer County and all citizens are urged to make preparedness a priority and work together, as a team, to ensure that individuals, families, and communities are prepared for disasters and emergencies of any type; and

**WHEREAS**, all citizens of Mercer County are encouraged to participate in citizen preparedness activities and become more prepared.

**NOW, THEREFORE, BE IT RESOLVED** that the Mercer County Commission hereby proclaims September 2022 as National Preparedness Month and encourages all citizens to develop their own emergency preparedness plan and work together toward creating a more prepared society.

**DATED THIS 13<sup>TH</sup> DAY OF SEPTEMBER, 2022.**

**MERCER COUNTY COMMISSION:**

/s/ Gene Buckner

**GENE BUCKNER, PRESIDENT**

/s/ Greg Puckett

**GREG PUCKETT, COMMISSIONER**

/s/ Bill Archer

**BILL ARCHER, COMMISSIONER**

RE: AMERICAN RESCUE PLAN – MERCER COUNTY CLERK’S OFFICE

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve \$180,122.80 to the Mercer County Clerk’s Office. This is application MC-22-51 from Verlin Moye and funds will be used to purchase new election voting machines and system.

RE: AMERICAN RESCUE PLAN – MERCER COUNTY PSD

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve \$71,250 to the Mercer County Public Service District. This is application MC-22-40 from Mike Kennett and funds will be used to pay preliminary engineering invoice to E.L. Robinson for the Matoaka Sewer Project.

RE: AMERICAN RESCUE PLAN – CITY OF PRINCETON

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve \$38,465 to the City of Princeton. This is application MC-22-45 from Mike Webb and funds will be used to purchase HAZMAT needed equipment for the Regional Hazardous Materials Response Trailer.

RE: GRANT – WV COALFIELDS HIGHWAY SAFETY PROGRAM GRANT APPLICATION & RESOLUTION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the FY23 WV Governor’s Highway Safety Program Grant Application and Resolution for the Mercer County Sheriff’s Department in the amount of up to \$500,000.

RE: ACCEPT – WEST VIRGINIA REGION I HAZARD MITIGATION PLAN

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept the West Virginia Region I Hazard Mitigation Plan.



RE: RESOLUTION – WEST VIRGINIA REGION I HAZARD MITIGATION PLAN

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept the Resolution Approving the Adoption of the West Virginia Region I Hazard Mitigation Plan.

**RESOLUTION APPROVING THE ADOPTION OF THE  
WEST VIRGINIA REGION I HAZARD MITIGATION PLAN**

**WHEREAS**, the Mercer County Commission recognizes the threat that natural hazards pose to people and property within Mercer County; and

**WHEREAS**, West Virginia Region I Planning and Development Council has prepared a regional multi-hazard mitigation plan, hereby known as the West Virginia Region I Hazard Mitigation Plan, in accordance with the Disaster Mitigation Act of 2000; and

**WHEREAS**, the West Virginia Region I Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people in Mercer County from the impacts of future hazards and disasters; and

**WHEREAS**, adoption by the Mercer County Commission demonstrates their commitment to the hazard mitigation and achieving the goals outlined in the West Virginia Region I Hazard Mitigation Plan dated July 2022.

**NOW, THEREFORE, BE IT RESOLVED** that the Mercer County Commission adopts the West Virginia Region I Hazard Mitigation Plan dated July 2022.

**ADOPTED THIS 13<sup>TH</sup> DAY OF SEPTEMBER, 2022.**

**MERCER COUNTY COMMISSION:**

/s/ Gene Buckner

**GENE BUCKNER, PRESIDENT**

/s/ Greg Puckett

**GREG PUCKETT, COMMISSIONER**

/s/ Bill Archer

**BILL ARCHER, COMMISSIONER**

**Attest:**

/s/ Verlin Moye

**VERLIN MOYE, COUNTY CLERK**

RE: PROPOSAL – MERCER COUNTY COMMISSION AND OFFICE OF  
EMERGENCY MANAGEMENT

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table a proposal from Ricoh to purchase two copier/scanner/printers for the County Commission Office and the Office of Emergency Management.

RE: PROPOSAL – OTIS ELEVATOR COMPANY

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table a proposal from Otis Elevator Company for elevator maintenance at the Courthouse Annex.

RE: ESTATE – G. MICHAEL STAFFORD – DECEASED

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

**IN RE: BRENDA GAIL CHRISTIAN LAMBERT, DECEASED.**

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

On the 13<sup>th</sup> day of September, 2022, before the Mercer County Commission, came the petitioner Christy D. Kennedy, in person, pursuant to the notice of hearing duly published as provided by 44-9 of West Virginia code.

Evidence was presented by Mercer County Sheriff's Department and Mercer County Clerk on behalf of the Petitioner. From said evidence the Commission finds as a matter of fact, the following:

1. Petitioner is Christy D. Kennedy, the sister of Brenda Gail Christian Lambert.
2. Brenda Gail Christian Lambert and Raymond Lambert were married and had two children, Krista Dawn Lambert, date of birth October 25, 1986, and Raymond Lee Lambert, Jr., date of birth, July 26, 1991.
3. Raymond Lambert and Brenda Gail Christian Lambert were divorced on April 7, 1994. The decree stated that her whereabouts had been unknown since September 1992.

It is ordered and so held that for a period of more than Seven (7) successive years, 30 to be exact, Brenda Gail Christian Lambert has been absent from her last domicile in the State of West Virginia, and from such period of absence unheard of by any family member.

It is further ordered there being no evidence to rebut the presumption of death Brenda Gail Christian Lambert be presumed and treated as deceased.

It is further ordered that Christy Kennedy be issued Letters of Administration as Administratrix of the estate of Brenda Gail Christian Lambert and her bond be One Thousand Dollars (\$1,000.00).

It is further ordered that the Clerk of this Court approve surety on said bond and issue the Letters of Administration.

It is further ordered the Clerk of this Court forward to the State Registrar of Vital Statistics this order and such other information from the records to enable said Registrar to issue a death certificate.

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 this the 13<sup>th</sup> day of September, 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 – HATFIELD-MCCOY RIDIN 4 A CURE

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table a funding request from Hatfield McCoy Ridin 4 a Cure.

RE: FUNDING REQUEST – CHAMBER OF COMMERCE/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 Chamber of Commerce/Two Virginias for the Bluefield Coal Show. Funding in the amount of \$10,000 will be taken from the Hotel Motel Fund.

RE: FUNDING REQUEST – GREATER PRINCETON LITTLE LEAGUE

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from the Greater Princeton Little League to replace the top dugout and backstop. Funding in the amount of \$5,000 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – THE WADE CENTER

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from the Wade Center for facility improvements. Funding in the amount of \$2,000 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – S&R REFRIGERATION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a funding request from S&R Refrigeration to remove and replace a twenty-ton rooftop A/C unit at the Annex building. Funding in the amount of \$24,139.75 and up to \$30,000 (to include crane service) will be taken from the Annex Fund.

RE: FUNDING REQUEST – MERCER COUNTY COURTHOUSE MAINTENANCE

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a funding request from Mercer County Courthouse Maintenance to purchase a CUB Cadet Lawn Mower with snow blade. Funding in the amount of \$2,768 will be taken from the Coal Severance Fund.

RE: FUNDING REQUEST – OILPAINTINGS.COM

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from the oilpaintings.com for the purchase of “The Baptism of Pocahontas.” Funding in the amount of \$674 will be taken from the Video Lottery Fund.

RE: MERCER COUNTY PSD

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept the annual budget for Mercer County PSD. Funding in the amount of \$15,000 per quarter will be taken from the Coal Reallocation Fund

This day came Kathleen Borland, by representative, and moved the Commission to correct the Land Books for 2022, touching the assessment thereon against the said Kathleen Borland, on Pt Tr 72 Cumb Hts, 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 the property assessed for \$15,240 class 4 – should be assessed for \$15,240 class 2. It is therefore ordered that Kathleen Borland 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 \$211.53

This day came John D. & Cynthia Yates, by representative, and moved the Commission to correct the Land Books for 2022, touching the assessment thereon against the said John D. & Cynthia Yates, on .58 Wts Bluestone, 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 assessed for \$9,120 class 2 – should be assessed for \$2,040 class 2. It is therefore ordered that John D. & Cynthia Yates 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 \$80.57

This day came Alma H. Comer, by representative, and moved the Commission to correct the Land Books for 2022, touching the assessment thereon against the said Alma H. Comer, on 1.69 Ac Five Mile Fk, 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 homestead was left off when deed & parcel was corrected. It is therefore ordered that Alma H. Comer 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 \$227.60

This day came Adel Adalrahman & Ahmed Abdelwahed, by representative, and moved the Commission to correct the Land Books for 2022, touching the assessment thereon against the said Adel Adalrahman & Ahmed Abdelwahed, on Pt Lot 9 -9Park Plat #2690, 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 \$64,680 class 2 – should be assessed for \$55,620 class 2. It is therefore ordered that Adel Adalrahman & Ahmed Abdelwahed 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 \$125.75

This day came Twelve Oaks Investments, by representative, and moved the Commission to correct the Land Books for 2022, touching the assessment thereon against the said Twelve Oaks Investments, on 0.27 Ac Brush Ck Plat #17003 & 16380, 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 the property was double assessed – property was included with 2-20-12.11. It is therefore ordered that Twelve Oaks Investments 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 \$46.43

This day came 20/20 Properties, by representative, and moved the Commission to correct the Land Books for 2022, touching the assessment thereon against the said 20/20 Properties, on Pt Lot 31 & Pt Lot 18-A Sec 1624 (0.20) Beacon/DW, 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 the property assessed for \$18,420 class 4 – should be assessed for \$18,420 class 2. It is therefore ordered that 20/20 Properties 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 \$255.67

This day came Stafford Abigail, by representative, and moved the Commission to correct the Land Books for 2022, touching the assessment thereon against the said Stafford Abigail, on .96 Ac Hale Ave, 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 was appraised incorrectly, home was in unlivable state. It is therefore ordered that Stafford Abigail 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 \$574.63

This day came Twelve Oak Investments, by representative, and moved the Commission to correct the Land Books for 2022, touching the assessment thereon against the said Twelve Oak Investments, on Lts 10 & 11 Horton Add Sherman Oaks Rd #16380 0.45 HT, 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 the property assessed for \$18,360 class 3 – should be assessed for \$18,360 class 2. It is therefore ordered that Twelve Oak Investments 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 \$208.94

This day came Susan B. Groseclose, by representative, and moved the Commission to correct the Land Books for 2021, touching the assessment thereon against the said Susan B. Groseclose, on Lot 1 Sec 4 Southwest Add Cert State 2014/susp 2015, Matoaka 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 should be in Peggy J. Bailey name, mistake made when it was reported that a different Peggy J. Bailey died. She was homestead exempt. It is therefore ordered that Susan B. Groseclose 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 \$0.00

This day came Susan B. Groseclose, by representative, and moved the Commission to correct the Land Books for 2021, touching the assessment thereon against the said Susan B. Groseclose, on Lot 2 Sec 4 Southwest Add Cert State 2014/susp 2015, Matoaka 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 should be in Peggy J. Bailey name, mistake made when it was reported that a different Peggy J. Bailey died. She was homestead exempt. It is therefore ordered that Susan B. Groseclose 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 \$0.00



This day came Dunwood LLC, by representative, and moved the Commission to correct the Land Books for 2021, touching the assessment thereon against the said Dunwood LLC, on Lot 3 Sec 4 Southwest Add Cert 2019, Matoaka 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 should be in Peggy J. Bailey name, mistake made when it was reported that a different Peggy J. Bailey died. She was homestead exempt. It is therefore ordered that Dunwood LLC 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 \$0.00

This day came Timothy W. Neely, by representative, and moved the Commission to correct the Land Books for 2022, touching the assessment thereon against the said Timothy W. Neely, on 0.44 Ac Pctn Blfd Rd #14648, 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 the property taxes were paid on property assessed for \$21,420 class 2, transferred to wrong name. It is therefore ordered that Timothy W. Neely 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 \$237.66

This day came Jelec Holding LLC, by representative, and moved the Commission to correct the Personal Property Books for 2022, touching the assessment thereon against the said Jelec Holding LLC on Business Personal Property - Aircraft, 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 Aircraft should have been appraised as salvage value. Uses aircraft as private carrier. It is therefore ordered that Jelec Holding LLC 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 \$28,216.71

This day came Bluflyt, by representative, and moved the Commission to correct the Personal Property Books for 2022, touching the assessment thereon against the said Bluflyt on Business Personal Property - Aircraft, 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 Aircraft was assessed at regular rate, this was private carrier. Should be listed as salvage value. It is therefore ordered that Bluflyt 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 \$998.25

This day came Kristal Lester, by representative, and moved the Commission to correct the Personal Property Books for 2021, touching the assessment thereon against the said Kristal Lester 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 parents and daughter both paid taxes on a 2016 Toyota assessed for \$7,455. It is therefore ordered that Kristal Lester 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 \$187.47

This day came Sharon Mounts, by representative, and moved the Commission to correct the Personal Property Books for 2021, touching the assessment thereon against the said Sharon Mounts 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 had paid 2021 taxes in McDowell County and a 2021 supplement ticket was made in Mercer County on a 2001 Ford assessed for \$1,095 and paid. It is therefore ordered that Sharon Mounts 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 \$33.34

This day came Robert J. Hendricks, by representative, and moved the Commission to correct the Personal Property Books for 2021, touching the assessment thereon against the said Robert J. Hendricks 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 had paid taxes on a 2019 Ford pickup assessed for \$17,325. Should not have paid taxes, active military – tax exempt. It is therefore ordered that Robert J. Hendricks 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 \$538.65

This day came Robert J. Hendricks, by representative, and moved the Commission to correct the Personal Property Books for 2020, touching the assessment thereon against the said Robert J. Hendricks 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 had paid taxes on a 2018 Ford pickup assessed for \$15,690. Should not have paid taxes, active military – tax exempt. It is therefore ordered that Robert J. Hendricks 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 \$527.01

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES  
DATE 8/3/2021

Tax Year 2022  
East River District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
308436	John W. Meachum	Taxpayer turned in wrong Vehicles.	\$ 1,411.98
308749	Pattison Sign Group	Double assessed.	719.38
309724	VCFS Auto Leasing Company	Keying error on regular ticket.	2,544.24

Tax Year 2021  
East River District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
500001695	Samuel E. Blankenship	Keyed wrong value on	\$ 249.20

Tax Year 2020  
East River District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
500001064	Robert K. Thomason	Wrong value on supplement.	\$ 131.08
500001089	Justin L. Hill	Error in supplement ticket.	209.26

Tax Year 2022  
Bluefield District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
304626	Baldwin Law Office PLLC	Out of business 7/1/21.	\$ 45.58
306052	U.S. Bank National Assoc.	Keying error.	24.98
305057	First Data Merchant Services	Error in ticket.	797.58
305519	Medela LLC	Keying error.	28.84

Tax Year 2021  
Bluefield District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
304693	Baldwin Law Office PLLC	Out of business 7/1/2020	\$ 41.46

Tax Year 2022  
Plymouth District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
32782	Stafford Farms LLC Facilities MNGMT LLC	Property not owned by Stafford Farms should be in Town of Athens, tax exempt.	\$ 48.14
310472	Shannon L. Bailey	Taxpayer turned in info and Moved to Summers County and is paying there.	1,225.98
311279	Clarence Roberts	Error in ticket.	271.76

Tax Year 2022  
Princeton District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
311606	American Medical Facilities MNGMT LLC	Double assessed.	\$ 289.26
311738	Branson Family Dentistry & Orthodontics	Double assessed.	1,673.94

Tax Year 2021  
Princeton District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
1000000474	William E. Fain	Wrong district.	\$ 586.68
311974	Richard A. Bay	Double assessed.	237.36
1000000435	Jacqueline Thomas	Error in supplement ticket, Reconstructed vehicle.	96.60

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES  
DATE 8/3/2021

Tax Year 2022  
Beaver Pond District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
301362	Echosphere LLC	Error in ticket.	\$ 1,675.96
302675	Larry W. McPherson	Keying error.	887.80
200000096	Echosphere LLC	Error in supplement ticket, Interest was charged.	1,155.02

MOBILE HOMES  
PETITION FOR CANCELLATION OF ERRONEOUS CHARGES  
DATE 8/22/2022

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
301219	Ralph S. Davis	Did not own MH 7/1/21.	\$ 125.02
302373	Wendy Lambert	Double assessed on MH.	74.08
302414	Wendy Lambert	Double assessed on MH.	70.34
302430	Wendy Lambert	Double assessed on MH.	70.34
902483	Wendy Lambert	Double assessed on MH.	68.42
802510	Wendy Lambert	Double assessed on MH.	66.04
702550	Wendy Lambert	Double assessed on MH.	64.18
602602	Wendy Lambert	Double assessed on MH.	62.28

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 #76302-76387
COAL SEVERANCE	- Check #4225-4231
JUSTICE FINES	- Check #5369
HOME CONFINEMENT	- Check #2575-2577
HOTEL MOTEL	- Check #4412-4428
COURTHOUSE EQUIPMENT	- Check #841
COURTHOUSE ANNEX	- Check #1846-1850
VIDEO LOTTERY	- Check #1524-1527
MCDRC FEES	- Check #5735-5752
ASSESSOR REAPPRAISAL	- Check #6672-6684
RECYCLING GRANT	- Check #1040-1041
ANIMAL SHELTER EST. DONATION	- Check #1049
DEPUTY SHERIFF RETIREMENT	- Check #308

It is ordered that this Commission be and is hereby adjourned until Tuesday, October 11, 2022.

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PRESIDENT

## WEST VIRGINIA:

At a special session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, September 27, 2022

Present: Gene Buckner, Commissioner  
 Present: Greg Puckett, Commissioner  
 Present: Bill Archer, Commissioner

**NOTICE OF SPECIAL MEETING**

THE MERCER COUNTY COMMISSION WILL MEET IN SPECIAL SESSION ON TUESDAY, SEPTEMBER 27, 2022 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. Hatfield McCoy Ridin-4-A-Cure-Funding Request, Ryan Parks, Project Sponsor
2. HA VA Grant Approval, Verlin Moye, County Clerk
3. Poll-Worker List for November 8, 2022 Election, Verlin Moye, County Clerk
4. Thompson & Litton-Agreement for Engineering Services for Sidewalk Project Vicky Reed, County Administrator
5. Frontier Communications-Agreement to Provide Business Fiber Internet Vicky Reed, County Administrator
6. Kelly's Tank Bridge Repair  
Bill Archer, Commissioner
7. Ricoh Contract for Two Copy Machines, Greg Everett, Account Manager
8. Formal Hearing for the Structures Listed Below:

Owner	Location	Structure	Map/Parcel
Brentmoore, LLC	Beeson Rd. Old Ruritan	Building	Map 31, Parcel 39
Appalachian Housing	425 City Vw. Hghts	House	Map 23F, Parcel 45
James/Joyce Pennington	422 Athens Road	Building	Map 29, Parcel 29
M2M Properties	2403 Grassy Br. Rd.	Building	Map 26, Parcel 174.2
Dale Canterbury	515 Pearl Street (removing consent)	House	Map 8R, Parcel 27
Buffalo Trails	Coal Heritage Road Golden Skillet Building	Building	Map 17, Parcel 33

GENE BUCKNER, PRESIDENT MERCER COUNTY COMMISSION

RE: FUNDING REQUEST – HATFIELD MCCOY RIDIN-4-A-CURE

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted to approve a funding request from Hatfield Mccoy Ridin-4-A-Cure. Funding in the amount of \$5,000 will be taken from the Hotel Motel fund.

RE: GRANT APPROVAL –HAVA GRANT APPROVAL

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted to approve the HAVA Grant. Funding in the amount of 450,307 was approved for the purchase of voting machines for the Mercer County Clerk’s Office.

RE: POLL WORKER LIST FOR NOVEMBER 8, 2022 ELECTION

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted to approve the poll worker list for the November 8, 2022 election.

RE: FUNDING REQUEST – THOMPSON & LITTON AGREEMENT FOR ENGINEERING SERVICES FOR SIDEWALK PROJECT

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner Commissioner, the Commission voted to approve a funding request from Thompson & Litton to upgrade the women’s restroom at Glenwood Park. Funding in the amount of \$2,800 will be taken from the Video Lottery Fund.

RE: AGREEMENT- FRONTIER COMMUNICATIONS-AGREEMENT TO PROVIDE BUSINESS FIBER INTERNET

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted to approve an Agreement with Frontier Communications to provide Business Fiber Internet to the Bluefield Tax office. The amount for this service will be \$114.99 per month.

RE: FUNDING REQUEST – KELLY’S TANK BRIDGE REPAIR

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table a funding request for the repair of Kelly’s Tank Bridge Repair.

RE: CONTRACT- RICOH CONTRACT FOR TWO COPY MACHINES

This day on motion of, Greg Puckett Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted to approve a Ricoh Contract for two copy machines for the Emergency Management, Dilapidated Structures Department.

RE: DILAPIDATED PROPERTY – BRENTMOORE, LLC

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted to dismiss this item as the building previously owned by Brentmoore, LLC located on Beeson Road, Map 31 Parcel 39, has been sold.

RE: DILAPIDATED PROPERTY – APPALACHIAN HOUSING

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted to issue a Standard Order of Demolition with a 30-day delay for the house owned by Appalachian Housing located at 1656 Lorton Lick Road, Map 23F, Parcel 45. This Delay is to allow time for Dilapidated Structures officer Lori Mills to access the property to determine if it is dilapidated. Bill Archer, Commissioner obtains.

RE: DILAPIDATED PROPERTY – JAMES/JOYCE PENNINGTON

This day on motion of Gregg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted to issue a Standard Order of Demolition for the house owned by James and Joyce Pennington at 422 Athens Road, Map 29, Parcel 174.2, giving the property owners 30 days to demolish on their own.



RE: DILAPIDATED PROPERTY – M2M PROPERTIES

This day on motion of Gene Buckner, Commissioner, seconded by Gregg Puckett, Commissioner, the Commission voted to issue a Standard Order of Demolition for the building owned by M2M Properties located at 2403 Grassy Branch Road, Map 25, Parcel 174.2.

RE: DILAPIDATED PROPERTY – DALE CANTERBURY

This day on motion of Gregg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted to issue a Standard Order of Demolition for the building owned by Dale Canterbury at 515 Pearl Street, Map 8R, Parcel 27. Paperwork has been filed for a grant in this matter.

RE: DILAPIDATED PROPERTY – BUFFALO TRAILS

This day on motion of Gregg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted to continue the project owned by Buffalo trails for 30 days for the building located on Coal Heritage Road, Map 17, Parcel 33.

It is ordered that this Commission be and is hereby adjourned until Tuesday, October 11, 2022.

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PRESIDENT