

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

AGENDA:

OPEN WITH PRAYER
 PLEDGE OF ALLEGIANCE
 MINUTES OF PREVIOUS MEETING

APPOINTMENTS/REAPPOINTMENTS: -

Mercer County Clerk's Office
 Employment & Oath of Office
 Laura Poe, Deputy Clerk

Mercer County Circuit Clerk's Office
 Employment & Oaths of Office
 Lisa Young & Miranda Hensley, Deputy
 Clerk

Mercer Board of Health
 Resignation of Stacey Hicks
 Appointment & Oath of Office
 Jason Conner

CONTRACTS/AGREEMENTS/RESOLUTIONS : -

Region One Planning & Development
 2023 Project List

Cintas Service Agreement
 Floor Mats Courthouse/Annex

FUNDING REQUESTS: -

Mid-Ohio Valley Regional Council
 Becky Edwards, Program Director

Shining Light Ministries
 Bethany McClain, Vice President

Mountaineer Food Bank-Extra Mile
 Becky Conrad, Program Director

Project Graduation
 Pikeview High School
 Michelle Coburn, Project Sponsor

Shrewsbury Property Maintenance
 Estimate to Cut Trees at Glenwood Park
 Bill Archer, President

Software Systems, Inc.
 Process 2023 Tax Statements
 Alan Christian, Chief Deputy

DISCUSSION: - Community Connections

COSSUP Grant Opportunity
 Jamie Styons, PhD

Mercer County War Museum
 Tony Whitlow, Director
 Steve Rawlings, WVCORP

Keep Mercer Clean Campaign
 Greg Puckett, Commissioner

AED-Naloxone Boxes
 Mike Crowder/Greg Puckett

Town of Matoaka
 Verlin Moye, County Clerk

United Way of Southern WV
 Trena Dacal, Executive Director

PUBLIC COMMENTS:

COMMISSION TO APPROVE THE FOLLOWING:

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

WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, March 14, 2023,

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

RE: OATH – MERCER COUNTY CLERK’S OFFICE

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 Laura Poe, Deputy Clerk.

RE: OATH – MERCER COUNTY CIRCUIT CLERK’S OFFICE

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Employment and Oath of Office for Lisa Young, Deputy Clerk.

RE: OATH – MERCER COUNTY CIRCUIT CLERK’S OFFICE

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Employment and Oath of Office for Miranda Hensley, Deputy Clerk.

RE: RESIGNATION – STACEY HICKS – MERCER CO. BOARD OF HEALTH

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept the Resignation of Stacey Hicks from the Mercer County Board of Health effective 03/31/2023.

RE: OATH – MERCER COUNTY CIRCUIT CLERK’S OFFICE

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Employment and Oath of Office for Jason Conner, Mercer County Board of Health effective 04/01/2023.

RE: REGION ONE PLANNING & DEVELOPMENT 2023 PROJECT LIST

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the Region One Planning & Development 2023 Project List as follows:

1. Route 19/Nubbins Ridge/Stovall Ridge/Camp Creek Water Project
2. Pinnacle Water Project
3. Brickyard Road Water Project
4. Cornbread Ridge Water Project
5. Browning Lambert Mountain Water Project
6. Oakvale Road PSD Miscellaneous Sewer Extension
7. Bluestone River Trails Restoration Initiative

RE: CINTAS SERVICE AGREEMENT

This matter has been tabled.

RE: FUNDING REQUEST – SHINING LIGHT MINISTRIES

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the funding request from Shining Light Ministries in the amount of \$5000.00 for construction and gravel. Funding in the amount of \$5000.00 will be taken from the Video Lottery fund.

RE: FUNDING REQUEST – MOUNTAINEER FOOD BANK

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the funding request from Mountaineer Food Bank in the amount of \$5000.00 for help with the distribution of food boxes. Funding in the amount of \$5000.00 will be taken from the Video Lottery fund.

RE: FUNDING REQUEST – MID-OHIO VALLEY REGIONAL COUNCIL

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the funding request from Mid-Ohio Valley Regional Council in the amount of \$1000.00 for the Senior Companion Program. Funding in the amount of \$1000.00 will be taken from the Video Lottery fund.

RE: FUNDING REQUEST – PROJECT GRADUATION – PIKEVIEW H.S.

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

RE: FUNDING REQUEST – SHREWSBURY PROPERTY MAINTENANCE

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve an estimate from Shrewsbury Property Maintenance to cut trees at Glenwood Park. Funding in the amount of \$7500.00 will be taken from the Hotel Motel Fund.

RE: FUNDING REQUEST – SOFTWARE SYSTEMS, INC.

The matter of 2023 Tax Statements have been tabled.

RE: SOFTWARE SYSTEMS, INC.

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to send a letter to Software Systems, Inc. expressing their dissatisfaction concerning incomplete contract.

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

March 13, 2023

Mike Manley, President
Software Systems, Inc.
23 South University Ave.
Morgantown, WV 26508

Dear Mike,

It is possible that none of us truly understood the broad-reaching impact of a decade or more of mismanagement in our Sheriff's Tax Office, but the resolution is far more complex than Mercer County or Software Solutions could have anticipated. It will likely take months before investigators complete their work, but Mercer County needs assistance to prepare for the ongoing challenge of the never-ending cycle of taxation WITH representation.

The topic of our Tax Office came up on March 9, 2023 during our annual budget meetings. We all appreciate Software System's on-going help to get this year's Sheriff's Settlement finished. However, and this is a big however, our Chief Field Deputy as well as this Commission expressed frustration concerning the prolonged incompleteness of the project as well as our staff – Georgia Bailey and Jessica Tibbs – and their concerns that the training period promised in the contract didn't take place due to the enormous aforementioned tax office quagmire. Tax office staff, administration and commission appreciate Judy Moody and Reva Scoonover's efforts, but the consensus has been that the contract remains far from complete and our clock is ticking.

This Commission understands businesses encounter unanticipated challenges, but this Commission also understands that businesses can take additional steps to meet their contractual obligation. This Commission would like Software Solutions to take immediate steps to meet our expectations of both completing our FY-22 Settlement as well as to provide a concrete date for training on the system to prepare tax office personnel to fully acclimate them in preparation for the FY-23 settlement.

Sincerely,

Bill Archer, President

Gene Buckner, Commissioner

Greg Puckett, Commissioner

RE: DISCUSSION – COMMUNITY CONNECTIONS – COSSUP GRANT
OPPORTUNITY

This discussion has been tabled.

RE: DISCUSSION – MERCER COUNTY WAR MUSEUM

Discussion concerning the liability of operations and insurance coverage for contents if Mercer County Commission was to take over operation of the Mercer County War Museum. This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to elect Bill Archer, Commissioner, to serve as liaison.

RE: DISCUSSION – KEEP MERCER CLEAN CAMPAIGN – GREG PUCKETT

Greg Puckett, Commissioner, discussed Keep Mercer Clean campaign starts March 20th and runs until April 30th. Wrist Bands will be given out to middle schoolers and coloring books will be handed out to elementary age children.

RE: DISCUSSION – AED-NALOXONE BOXES – MIKE CROWDER/GREG PUCKETT

Mike Crowder requested that the Mercer County Commission fund the purchase of AED-Naloxone for several locations at Courthouse/Annex. Estimated cost of each AED is \$1365.00. The cost of boxes will be extra. Commission requested an estimate for AED-Naloxone and boxes to be submitted back to them when available.

RE: TOWN OF MATOAKA – DISSOLVED

As of October 5, 2022, it is recorded that the Town of Matoaka is dissolved.

RE: UNITED WAY OF SOUTHERN WV

This discussion has been tabled.

This day came Benjamin Love, by representative, and moved the Commission to correct the Land Books for 2022, touching the assessment thereon against the said Benjamin Love, on Lot 3 -1 Blk 3 Oakland Ter, #5243, 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 \$87,600 class 3 – should be assessed for \$87,600 class 2. It is therefore ordered that Benjamin Love 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 \$996.89.

This day came Mark and Tina Pennington, by representative, and moved the Commission to correct the Personal Property for 2022, touching the assessment thereon against the said Mark and Tina Pennington, on #900000122, 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 there was an Error in supplement, overcharged \$3,450 assessed value on vehicles. It is therefore ordered that Mark and Tina Pennington 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 Virginia Dillon, by representative, and moved the Commission to correct the Land Books for 2021, touching the assessment thereon against the said Virginia Dillon, on Lot 1 Sec 929 Union, #11939, Bluefield, 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 \$19,200 class 4 – should be assessed for \$19,200 class 2. It is therefore ordered that Virginia Dillon 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 \$266.50.

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES
DATE 03/14/2023

Tax Year 2019
Beaver Pond District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
80000190	Lusk Disposal Service	Double Taxed on supplement	\$464.30

Tax Year 2022
Beaver Pond District

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
200000368	David R. Smith	Error on supplement ticket	\$387.80

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:

MONTH OF FEBRUARY 2023:

GENERAL COUNTY	- Check #77010 - 77094
COAL SEVERANCE	- Check #4257 - 4260
HOME CONFINEMENT	- Check #2597 - 2599
HOTEL MOTEL	- Check #4485 - 4502
COURTHOUSE EQUIPMENT	- Check #851 - 853
COURTHOUSE ANNEX	- Check #1876 - 1883
VIDEO LOTTERY	- Check #1542 - 1546
MCDRC FEES	- Check #5820 - 5836
ASSESSOR REAPPRAISAL	- Check #6722 - 6726
SHERIFF DRUG FUND	- Check #1102
RECYCLING GRANT	- Check #1050 -1051
DEPUTY SHERIFF RETIREMENT	- Check #522

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

PRESIDENT, Bill Archer

**MERCER COUNTY COMMISSION EMERGENCY MEETING
MARCH 21, 2023**

ON MARCH 21, 2023, AT 11:17 AM, THE MERCER COUNTY COMMISSION HAD AN EMERGENCY MEETING TO DISCUSS A PERSONNEL MATTER. COMMISSIONER GREG PUCKETT MADE A MOTION TO ENTER INTO EXECUTIVE SESSION. COMMISSIONER BILL ARCHER SECONDED. MOTION CARRIED.

AFTER A 45 MINUTE DISCUSSION, COMMISSIONER PUCKETT MADE A MOTION TO COME OUT OF EXECUTIVE SESSION. COMMISSIONER ARCHER SECONDED.

COMMISSIONER PUCKETT MADE A MOTION TO ACCEPT THE ADVICE OF LEGAL COUNSEL, WHO WILL PROVIDE A LETTER AND THE COMMISSION WILL PROCEED ACCORDINGLY. COMMISSIONER BUCKNER SECONDED. MOTION CARRIED.

MEETING ADJOURNED AT 12:02 PM

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

PRESIDENT, Bill Archer

MERCER COUNTY COMMISSION MEETING

THE MERCER COUNTY COMMISSION WILL MEET ON TUESDAY, MARCH 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. MERCER COUNTY COMMUNICATIONS CENTER-APPOINTMENT OF MIKE WEBB, PRINCETON CITY MANAGER AS NEW MUNICIPAL REPRESENTATIVE
2. RESOLUTION HONORING JOHNATHON ROBINETTE, HOMETOWN HERO
3. MERCER COUNTY PROSECUTING ATTORNEY
BUDGET-LINE ITEM TRANSFERS
4. EMPIRE SALVAGE & RECYCLING, INC.-DEMOLITION INVOICES
5. MERCER CHRISTIAN ACADEMY-PROJECT GRADUATION-JESSICA BASHAM
6. UNITED WAY OF SOUTHERN WEST VIRGINIA FUNDING REQUEST
TRENA DACAL, DIRECTOR
7. MERCER COUNTY AIRPORT FUNDING REQUEST
GROUNDWATER GAUGING, REPLACE SIDEWALK
8. FUNDING REQUESTS-BLUEWELL IMPROVEMENT ASSOCIATION, PINNACLE PANTRY, BRAMWELL THEATER CORPORATION, BRAMWELL FOUNDATION
BLUEWELL LIONS CLUB---SKIP CRANE
9. MAIN STREET BUILDERS-AMPHITHEATER PROJECT
PAY APPLICATIONS 1 & 2
10. MERCER COUNTY BUILDINGS-PURCHASE OF AEDS AND MOUNTING CABINETS –
KEITH GUNNOE, OEM
11. DISCUSSION-FLOOD APPEALS BOARD MEMBERS—KEITH GUNNOE, OEM
12. CAMP MARIPOSA-GREENHOUSE—EDEN SCRUGGS, DIRECTOR
13. GLENWOOD PARK CARETAKER COTTAGE-REPLACEMENT OF PORCHES
GREG PUCKETT, COMMISSIONER
14. STATE OF WEST VIRGINIA-INVESTMENT INTO CONSOLIDATED FUND

BILL ARCHER, PRESIDENT
MERCER COUNTY COMMISSION

WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, March 28, 2023,

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

RE: APPT. AND OATH – MERCER COUNTY COMMUNICATIONS CENTER –
MIKE WEBB

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Appointment and Oath of Office for Mike Webb, Princeton City Manager, to serve as New Municipal Representative for Mercer County Communications Center.

RE: RESOLUTION – JOHNATHAN ROBINETTE

This matter has been tabled.

RE: LINE-ITEM TRANSFER – PROSECUTING ATTORNEY’S OFFICE

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a request from the Prosecuting Attorney’s Office for a budget line-item transfer.

RE: EMPIRE SALVAGE & RECYCLING – INVOICES FOR DEMOLITION

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve invoices from Empire Salvage & Recycling for demolition. Three invoices submitted \$15,500, \$48,000 and \$40,500 totaling \$104,000.00. Funds will be taken from Coal Severance.

RE: MERCER CHRISTIAN ACADEMY – PROJECT GRADUATION

This matter has been tabled.

RE: FUNDING REQUEST – UNITED WAY OF SOUTHERN WEST VIRGINIA

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a funding request from Trena Dacal, Director of the United Way of Southern West Virginia to support the 211 Information and Referral Hotline. Funding in the amount of \$2500.00 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – MERCER COUNTY AIRPORT

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from the Mercer County Airport to replace sidewalk. Funding in the amount of \$5425.00 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – MERCER COUNTY AIRPORT

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from the Mercer County Airport for groundwater gauging. Funding in the amount of \$5600.00 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – BLUEWELL IMPROVEMENT ASSOCIATION

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a funding request from Skip Crane for the Bluewell Improvement Association to purchase a water tank, twelve galvanized littering signs and twenty electrical drops. Funding in the amount of \$4000.00 will be taken from the Hotel Motel Fund.

RE: FUNDING REQUEST – PINNACLE PANTRY

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from the Pinnacle Pantry for the purchase of a laptop and tables. Funding in the amount of \$1500.00 will be taken from the Video Lottery Fund.

RE: FUNDING REQUEST – BRAMWELL THEATER CORPORATION

This matter has been tabled until estimates have been submitted and pending more discussion.

RE: FUNDING REQUEST – BRAMWELL FOUNDATION

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from the Bramwell Foundation for Treasury match funds. Funds will be used for preservations and restorations. Funding in the amount of \$5000.00 will be taken from the Hotel Motel Fund.

RE: FUNDING REQUEST – BLUEWELL LIONS CLUB

No funding was requested at this time.

RE: MAIN STREET BUILDERS – AMPHITHEATER PROJECT – PAY APPLICATIONS

This matter has been tabled.

RE: M.C. BUILDINGS – PURCHASE AEDS AND MOUNTING CABINETS

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a funding request from Keith Gunnoe, OEM, to purchase 12 AEDS and mounting cabinets. Funding in the amount of \$14,954.00 will be taken from the Video Lottery Fund.

AEDS will be placed at the following locations:

Courthouse – 3
Annex – 2
Day Report – 1
Memorial Building – 2
Animal Shelter – 1
Gardner Center – 1
Glenwood Park – 2

RE: DISCUSSION:

- Flood Appeals Board Members
- Camp Mariposa – Eden Scruggs, Director, asked MCC for permission to erect a temporary greenhouse to grow vegetable and Monarch Butterflies.
- Glenwood Park Caretaker Cottage – Get estimates for the replacement of porches
- State of West Virginia – Investment into consolidated fund – Discussion of amount to invest to be determined.

It is ordered that this Commission be and is hereby adjourned until April 11, 2023.

PRESIDENT, Bill Archer