

NOTICE OF SPECIAL MEETING

THE MERCER COUNTY COMMISSION WILL MEET IN A SPECIAL SESSION ON TUESDAY, JANUARY 2, 2024 AT 10:00 AM IN THE COUNTY COMMISSION COURTROOM LOCATED ON THE SECOND FLOOR OF THE MERCER COUNTY COURTHOUSE. THE PURPOSE OF THE MEETING IS FOR REORGANIZATION.

BILL ARCHER, PRESIDENT
MERCER COUNTY COMMISSION

WEST VIRGINIA:

At a Special Session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, January 2, 2024.

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

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously for Bill Archer, Commissioner, to remain as President of the Mercer County Commission for the Year 2024.

It is ordered that this Commission be and is hereby adjourned until January 9, 2024.

Bill Archer President

COUNTY COMMISSION MEETING-TUESDAY, JANUARY 9, 2024 –10:00 A.M.

AGENDA:

OPEN WITH PRAYER
 PLEDGE OF ALLEGIANCE
 MINUTES OF PREVIOUS MEETING

APPOINTMENTS/REAPPOINTMENTS/
OATHS OF OFFICE

Mercer County Sheriff's Department
 Employment & Oath of Office
 Anthony Nelson, Deputy
 Trent Sizemore, Deputy
 William Morrow, Deputy

Green Valley-Glenwood PSD
 Reappointment of Mark Jones
 Board Member-Term Ending 10/31/2029

CONTRACTS/AGREEMENTS/RESOLUTIONS : - Mercer County Leash Law Ordinance
 First Reading
 Greg Puckett, Commissioner

Southern Highlands Mental Health Center
 QRT/LEAD Report
 Greg Puckett, Commissioner

Mercer County Emergency Management
 Memorandum of Understanding with
 Bluefield Transit Authority
 Keith Gunnoe, Director

WV Department of Agriculture
 Spay Neuter Grant Application
 Vicky Reed, County Administrator

WV State Auditor's Office
 Contract for Audit Services
 Bill Archer, President

ESTATES:

Elizabeth M. Griffith

FUNDING REQUESTS:

Mercer County Sheriff's Tax Office
 Approval for Overtime Pay
 Alan Christian, Chief Deputy

COPS Crisis Intervention Team Grant
 Purchase Vehicle for Coordinator
 Alan Christian, Chief Deputy

Mercer County Gardner Center
 Proposal from S&R Refrigeration
 Replacement of HVAC Units
 Bill Archer, President

Glenwood Recreation Park
 Replacement of HVAC Unit
 For Dining Hall
 Greg Puckett, Commissioner

Bluestone River Valley Trail
 Proposal to Purchase 7.2 Acres
 Bill Archer, President

DISCUSSION:

Southern Regional Jail
Jonathan Frame, Superintendent

JUUL Lawsuit Settlement
Rusty Webb, Attorney

Opioid Lawsuit Settlement
Greg Puckett, Commissioner

Vaping Ordinance
Greg Puckett, Commissioner

Mercer County Spay Neuter Clinic
Gene Buckner, Commissioner

Brush Creek Sites 14 & 15
Rehabilitation Project
Gene Buckner, Commissioner

Glenwood Park Updates
Projects for 2024
Greg Puckett, Commissioner

Warming Station
Greg Puckett, Commissioner

Patricia Valentine
Request for Funding

PUBLIC COMMENTS:

COMMISSION TO APPROVE THE FOLLOWING:

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

WEST VIRGINIA:

At a Regular Session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, January 9, 2023.

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

RE: OPIOID LAWSUIT SETTLEMENT – CHECK PRESENTATIONS

Attorney Charles “Rusty” Webb presented Princeton Mayor David Graham and City Manager Mike Webb with a check for \$577,832.44 from the Opioid lawsuit settlement money which will be used to address the local addiction crisis.

Attorney Charles “Rusty” Webb presented Bluefield City Board member Peter Taylor, City Manager Cecil Marson and City Treasurer Danny Dillow with a check for \$937,528.74 from the Opioid lawsuit settlement money which will be used to address the local addiction crisis. The checks are the first payments being made to both cities.

RE: EMPLOYMENT & OATH OF OFFICE – ANTHONY NELSON – MERCER COUNTY SHERIFF’S DEPARTMENT

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 Anthony Nelson to serve as Deputy for the Mercer County Sheriff’s Department.

RE: EMPLOYMENT & OATH OF OFFICE – TRENT SIZEMORE – MERCER COUNTY SHERIFF’S DEPARTMENT

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 Trent Sizemore to serve as Deputy for the Mercer County Sheriff’s Department.

RE: EMPLOYMENT & OATH OF OFFICE – WILLIAM MORROW – MERCER COUNTY SHERIFF'S DEPARTMENT

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 William Morrow to serve as Deputy for the Mercer County Sheriff's Department.

RE: JUUL LAWSUIT SETTLEMENT – RUSTY WEBB, ATTORNEY

Settlement amount confidential.

RE: SOUTHERN REGIONAL JAIL

Jonathan Frame introduced himself and his team, Deputy Superintendent Sherry Davis and Major Hudson. He offered to give Commissioners a tour of the facility. Bill Archer commented on Mercer County trying to keep bill under \$100,00.00. Greg Puckett commented on working with Mental Health programs instead of incarceration.

RE: REAPPOINTMENT – MARK JONES – GREEN VALLEY-GLENWOOD PSD

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the Reappointment of Mark Jones to serve as Board Member for the Green Valley-Glenwood PSD. Term ending 10/31/2029.

RE: SOUTHERN HIGHLANDS MENTAL HEALTH CENTER QRT/LEAD REPORT

CEO – Southern Highlands, Lisa Jones, commented about 570 overdoses on the books in 2023, around 8000 doses of Narcan given out, working with Law Enforcement to get people help instead of incarceration which helps keep Jail bill lower.

RE: MERCER COUNTY LEASH LAW – GREG PUCKETT

This matter has been tabled for a 60-day continuance to be re-addressed on March 12, 2024.

RE: MOU – MERCER COUNTY EMERGENCY MANAGEMENT – BLUEFIELD
TRANSIT AUTHORITY

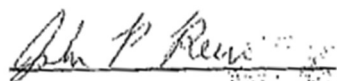
This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the re-signing of the Memorandum of Understanding with the Bluefield Transit Authority.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is being established in support of the Mercer County Emergency Operation Plan and the Mercer County Office of Emergency Management.

Purpose:

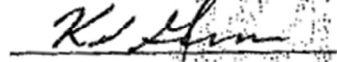
To establish a Mutual Agreement between Mercer County Office of Emergency Management and Bluefield Area Transit. Specifically, in the event of a disaster within Mercer County requiring the need to assist with transport of area residence to Emergency Evacuation Shelters. Bluefield Area Transit agrees once contacted by Mercer County Emergency Management or the Mercer County 911 Center to provide a bus or buses for the purpose of assisting with local transport from areas of disaster such as Flooding events, Major Power Outages, Earthquakes, or any disaster requiring homeowners to be relocated from their homes and moved to area Emergency Evacuation Shelters on a mass scale. This MOU will require emergency contact numbers to be on file so that your agency can be contacted 24/7 should an event occur.



Bluefield Area Transit

Date 12/19/2023

John Reeves General Manager



Mercer County Office of Emergency Management

Date 12/19/2023

Kelth Gunnoe Director

RE: WV DEPARTMENT OF AGRICULTURE – SPAY NEUTER GRANT
APPLICATION

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Grant Application for Spay Neuter Grant, WV Department of Agriculture, amount up to \$25,000 from Vicky Reed, County Administrator. The grant would pay for the spaying or neutering vouchers for 125 dogs and 125 cats.

RE: WV STATE AUDITORS OFFICE

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the Contract for Audit Services for the WV State Auditor's Office, Bill Archer, President. Funding in the amount of \$35,000 will be taken from General Fund.

RE ESTATE – ELIZABETH M. GRIFFITH

WEST VIRGINIA:

At an adjourned session of the County Commission continued and held for the County of Mercer, at the Courthouse thereof, on January 9, 2024.

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

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA
IN RE: ELIZABETH M. GRIFFITH, DECEASED.

O-R-D-E-R

On the 9th day of January, 2024, before the Mercer County Commission, came the matter of the Estate of Elizabeth M. Griffith, deceased, upon motion of Fiduciary Commissioner, Ryan Flanigan, requesting that the Sheriff of Mercer County, T. A. Bailey, be appointed Administrator D.B.N., in the place and stead of Frank Chernutan, Executor, who passed away on September 18, 2023, no bond being required.

After discussion and review of this matter by the Commission, upon proper motion and second, and it appearing proper to do so, the Commission **ORDERS** that the Sheriff of Mercer County, T. A. Bailey, shall qualify as Administrator D.B.N. over the estate of Elizabeth M. Griffith, deceased, no bond being required.

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 9th day of January, 2024.

ENTER:

/s/ Bill Archer
BILL ARCHER, PRESIDENT
MERCER COUNTY COMMISSION

ATTEST:

/s/ Verlin T. Moye
VERLIN T. MOYE, CLERK
MERCER COUNTY CLERK

RE: FUNDING REQUEST – MERCER COUNTY SHERIFF’S TAX OFFICE

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the Overtime pay requested by Alan Christian, Chief Deputy, for the Mercer County Sheriff’s Tax Office. Funding in the amount of \$7158.00 will be taken from the Contingency Fund.

RE: FUNDING REQUEST - COPS CRISIS INTERVENTION TEAM GRANT

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the COPS Crisis Intervention Team Grant for the purchase of Toyota Highlander for the Coordinator. Reimbursable funding in the amount of \$37,275.94 will be taken from Coal Severance.

RE: FUNDING REQUEST - MERCER COUNTY GARDENER CENTER

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the funding request proposal from S&R Refrigeration for the Mercer County Gardener Center, Bill Archer, President, for the replacement of an HVAC Unit. Funding in the amount of \$9,122.75 will be taken from Coal Severance.

RE: FUNDING REQUEST – GLENWOOD RECREATION PARK – HVAC

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the funding request proposal from S&R Refrigeration for the replacement of HVAC Units for the Kitchen and Dining Hall at Glenwood Recreation Park, Greg Puckett, Commissioner. Funding in the amount of \$14,750 (Kitchen) and \$12,850 (Dining Hall) will be taken from Hotel/Motel.

RE: BLUESTONE RIVER VALLEY TRAIL – EXECUTIVE SESSION

❖ **DISCUSSION:**

Vaping Ordinance – No zoning laws in the County now

Mercer County Spay Neuter Clinic – Name of clinic will be Furever Fixed, Board Members have been selected: Bluefield City Treasurer, Danny Dillow, Princeton City Manager, Mike Webb, Perry Stafford, Mercer County Humane Society, Barry White and Gene Buckner, Commissioner. Still waiting on bids from Contractors. Derrick Lefler has agree to take care of Legal Paperwork

Brush Creek Sites 14 (Glenwood Park) & 15 (Dan Hale) – Site 14 ready to go, site 15 funding has caused timeline to increase.

Glenwood Park Updates – Bathroom needing updated, possible lighting for the pickleball courts

Warming Station – Volunteers are needed, possible partnerships with area churches

Patricia Valentine – Requesting funding (\$16,000+) for new roof for business on Bland St., recommended to contact Economic Development Authority.

RE: INVOICES, SETTLEMENTS, EXONERATIONS & APPROVED ESTATES

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the following Invoices, Settlement and Exonerations.

Gary M. & Sherry Lusk – Ticket #308271 – 05 East River – Personal Property 2022 – Taxpayer turned in and paid on a 2017 Kia assessed for \$5,295 – should have paid on a 2021 Kia, made supplement. Exoneration recommended to correct on 2017 Kia.

Amount of Exoneration - \$120.51

James & Sandra Trent – Ticket #8413 – 02 Beaver Pond – Map 13 Parcel 343 - Real Estate 2023 - Lot 8 (0.26 Ac) Elkview S/D Glenwood Surface – Property assessed for \$37,140 class 3 – should be assessed for \$37,140 class 2. Exoneration recommended to correct.

Amount of Exoneration - \$422.28

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES

Tax Year 2021

Plymouth

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
900000639	Matthew Lester	Keyed 2021 supplement, Should have been 2022.	\$ 147.14

Tax Year 2022

Princeton

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
1000000821	Yolanda Williams	Error on supplement	\$ 4,125.70

Tax Year 2022

Rock

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
1100001236	Mickey Hurst	Error on supplement	\$ 119.14

MONTH OF DECEMBER 2023:

GENERAL COUNTY	- Check #78184 - 78290	VOID #78258, 78268
COAL SEVERANCE	- Check #4374 – 4380	
HOME CONFINEMENT	- Check #2648 - 2651	
HOTEL MOTEL	- Check #4672 - 4689	
COURTHOUSE EQUIPMENT	- Check #892 - 894	
COURTHOUSE ANNEX	- Check #1959 – 1965	
VIDEO LOTTERY	- Check #1594 – 1600	
MCDRC FEES	- Check #6001 - 6021	
ASSESSOR REAPPRAISAL	- Check #6873 - 6879	
DRUG FORFEITURE	- Check #239	
TEEN COURT	- Check #236 – 237	
DEPUTY SHERIFF RETIREMENT	- Check #324	

RE: EXECUTIVE SESSION

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to go into executive session. On motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to come out of executive session and go back into regular session. **No Action Taken.**

It is ordered that this Commission be and is hereby adjourned until January 23, 2024.

President

Bill Archer

COUNTY COMMISSION MEETING-TUESDAY, JANUARY 23, 2024 – 3:30 P.M.

AGENDA:

OPEN WITH PRAYER
PLEDGE OF ALLEGIANCE
MINUTES OF PREVIOUS MEETING

CONTRACTS/AGREEMENTS/RESOLUTIONS :

Mercer County Board of Education
Request for Levy Election to be on
May 14, 2024, Primary Election Ballot
Edward Toman, Superintendent
Verlin Moye, County Clerk

FUNDING REQUESTS:

Mercer County Emergency Management
Update & Request for Funding to
purchase Supplies for Warming Stations
Keith Gunnoe, Director

DISCUSSION:

Hurricane Ridge
Request for Access Control
A.J. Burnopp

PUBLIC COMMENTS:

**MERCER COUNTY DILAPIDATED STRUCTURES
FORMAL HEARINGS**

<u>Name</u>	<u>Address</u>	<u>Type of Structure</u>	<u>Map/Parcel</u>
Lee Blankenship	Northview Ave	House	Map 17L, Parcel 18
Thomas Shephard	104 Barger Street	Apt Building	Map 1, Parcel 177
Colonna Properties	Fairview Street	Collapsed House	Map 1, Parcel 32
John Geotes	1274 Beckley Road	Car Wash	Map 16, Parcel 13
Vivian Snyder	Old Bramwell Road	Trailer	Map 30G, Parcel 12
Bonnie McCarty	1481 Old Athens Rd	Trailer	Map 17, Parcel 24.21

WEST VIRGINIA:

At a Regular Session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, January 23, 2023.

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

RE: MERCER COUNTY BOARD OF EDUCATION – REQUEST FOR LEVY TO BE PUT ON BALLOT

This matter has been tabled.

RE: FUNDING REQUEST – MERCER COUNTY EMERGENCY MANAGEMENT

No longer requesting funding for supplies for warming stations.

DISCUSSION:

Hurricane Ridge request for access control due to illegal activity such as drug use, poaching and target practicing. A.J. Burnopp

PUBLIC COMMENTS:

Gene Buckner congratulated Angela Walters on her appointment of as a Family Court Judge in the Twelfth Family Court Circuit, which serves Mercer County and McDowell County. Governor Jim Justice appointed Walters to fill a vacancy left by the Oct. 31 retirement of Judge Mary Ellen Griffith.

MERCER COUNTY DILAPIDATED STRUCTURES FORMAL HEARINGS

RE: DILAPIDATED STRUCTURE - BONNIE MCCARTY – 1481 OLD ATHENS RD

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to issue a 30-day continuance for the doublewide owned by Bonnie McCarty located at 1481 Old Athens Rd, Map 17, Parcel 24.21.

RE: DILAPIDATED STRUCTURE - LEE BLANKENSHIP – NORTHVIEW AVENUE

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to give a 30-day extension for the house owned by Lee Blankenship on Northview Avenue, Map 17L, Parcel 18.

RE: DILAPIDATED STRUCTURES - THOMAS SHEPHEARD – 104 BARGER STREET

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to give a 90-day extension for the apartment building owned by Thomas Shephard, Map 1, Parcel 177. Extension given because he is currently in jail

RE: DILAPIDATED STRUCTURES – COLONNA PROPERTIES – FAIRVIEW STREET

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to issue a 60-day continuance for the collapsed house owned by Colonna Properties located Fairview Street, Map 1, Parcel 32.

RE: DILAPIDATED STRUCTURES – JOHN GEOTES – 1274 BECKLEY ROAD

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to issue a 90-day continuance for the car wash owned by John Geotes located at 1274 Beckley Road. Map 16, Parcel 13.

RE: DILAPIDATED STRUCTURES – VIVIAN SNYDER

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to remove from Dilapidated Structure list the two trailers owned by Vivian Snyder located on Old Bramwell Road, Map 30G, Parcel 12.

It is ordered that this Commission be and is hereby adjourned until February 13, 2024.

President

Bill Archer