

COUNTY COMMISSION MEETING-TUESDAY, JULY 11, 2023 –10:00 A.M.

AGENDA:

OPEN WITH PRAYER
 PLEDGE OF ALLEGIANCE
 MINUTES OF PREVIOUS MEETING

CONTRACTS/AGREEMENTS/RESOLUTIONS : - Resolution-Retirement of George
 McGonagle from Bluefield Baseball Club
 Bill Archer, President

Mercer County Prosecuting Attorney's Office
 VOCA Grant Application
 Misty Chambers, VOCA Coordinator

American Rescue Plan-Check Presentations

Concord University
 Danial Fitzpatrick (MC-22-68)
Mercer County Public Service District
 Mike Kennett ((MC-22-69)
Bluwell Improvement Association
 Skip Crane (MC-23-3)
Wade Center
 Betty Brainerd (MC-23-5)
Mercer County Communications
 Robert Hoge (MC-23-6)

American Rescue Plan-Vote on Projects

City of Princeton
 Mike Webb (MC-23-4)
Princeton Baseball Association
 Danny Shingleton (MC-23-7)
East River Amateur Radio Club
 Mathew Morris (MC-23-8)
Riff Raff Arts Collective
 Lori McKinney (MC-23-9)

American Rescue Plan-Project Presentation

Mercer County Commission
 Vicky Reed (MC-23-10)
Mercer County Firefighters Association
 Aaron Beeman (MC-23-11)
Bluefield Baseball Club, Inc.
 Rocky Malamisura (MC-23-12)

FY 2024 Budget Revision #1
 Coal Severance
 Verlin Moye, County Clerk

Mercer County Dilapidated Structures
 Approval of Demolition Contracts
 Lori Mills, Dilapidated Structures Officer

ESTATES:

Loretta Goodykoontz Stennett
 A.K.A. Rose Loretta Stennett

Jeryl Bruce Graham

FUNDING REQUESTS:

- Reimbursement to Richard Preservati
Gene Buckner, Commissioner
- Glenwood Recreation Park
Ideal Roofing
Proposal to Construct New Shelter #3
Bill Archer, President
- Mercer County Airport
Dominion Systems Quotation
Desk Top Computer
Bill Archer, President
- Mercer County Litter Control
Trash Trout
Josh Parks, Litter Control Officer
- Mercer County Farm Bureau
Mobile Agriculture Education Science Lab
Dennis Richmond, Board Member
- Greater Princeton Little League
Upgrade Lights-Major League Fields
Tommy Bailey, Sr.

DISCUSSION:

- Mercer County Communications Center
Proposal to Increase 9-1-1 Landline Fees
Robert Hoge, Director
- Mercer County Commission
Increase Authorized Spending Limit
For County Administrator
Greg Puckett, Commissioner
- Glenwood Park Updates
Greg Puckett, Commissioner
- Brush Creek Watershed
Greg Puckett, Commissioner
- Glenwood Park-Lake Dredging Project
Advertisement for Engineering Firms
Bill Archer, President
- Personnel Matter
Bill Archer, President

PUBIC COMMENTS:

COMMISSION TO APPROVE THE FOLLOWING:

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

WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, July 11, 2023.

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

RE: RESOLUTION – RETIREMENT OF GEORGE MCGONAGLE

This day on motion of Bill Archer, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a Resolution honoring the retirement of George McGonagle from the Bluefield Baseball Club.

Mercer County Commission

1501 West Main, Suite 210
Princeton, West Virginia 24740

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mercercocommission@frontiernet.net

VICKY REED
County Administrator



BILL ARCHER
1322 Woodrow Avenue
BLUEFIELD, WV 24701

GENE BUCKNER
118 Martingale Place
BLUEFIELD, WV 24701

GREG PUCKETT
334 Pine Acres Way
PRINCETON, WV 24739

RESOLUTION HONORING GEORGE MCGONAGLE ON HIS RETIREMENT FROM BLUEFIELD BASEBALL CLUB

One of southern West Virginia and Southwest Virginia's most dedicated and loyal proponents of minor league baseball in the region – Mr. George McGonagle – will be stepping down as president of the Bluefield Baseball Club on July 21, 2023. As a young man, George hung out at Bowen Field and watched games through cracks in the outfield wall, but as an adult, he made a great difference in the lives of young baseball players; and

Whereas, Mr. McGonagle enjoyed a professional career with Fairmont Supply in Brushfork, and later opened his own coal mining business, Power Transmissions, located in the Bluefield, Va., Industrial Park. As he solidified his position in the coal industry, George -- through his incredible energies -- made a profound impact on the region through his community service with the Greater Bluefield Chamber of Commerce. Along with serving on several committees, Mr. McGonagle served two years as president of the chamber, and entered the realm of public service as a member of the City of Bluefield Board of Directors; and

Whereas, in 1986, he became president of the Bluefield Baseball Club. The club has maintained Bowen Field, home of, first, the "Baby Birds" a Minor League affiliate of the Baltimore Orioles, then later as home to the "Baby Blue Jays" a minor league affiliate of the Toronto Blue Jays franchise and most recently the affiliate of the Appalachian League Ridge Runners; and

Whereas, George McGonagle earned multiple accolades during his half-century-plus period of service to baseball. In 2012, George was named "King of Baseball" in Minor League Baseball and in 2020, he was honored by being selected to the Appalachian League Hall of Fame; and

Whereas, George learned some of his minor league baseball management skills from the legendary George Fanning who taught at Bluefield's Fairview Junior High School during the school year and groomed the Bowen Field grounds when the Birds of Summer made their annual return to Bluefield. At age 81, George Fanning was featured in the April 1991 edition of *National Geographic*, as a general manager who only promised "a good evening of baseball." George McGonagle continued that tradition.

Now, Therefore, Be It Resolved that the Mercer County Commission expresses its heartfelt thanks to George McGonagle for his steadfast efforts on behalf of Minor League Baseball as well as his dedication to the community he has served with distinction. While he may be known in baseball circles as the "King of Baseball," Mercer County knows him as a "Prince of Community Service."

Dated this 11th day of July, 2023.

Mercer County Commission:

Bill Archer, President

Gene Buckner, Commissioner

Greg Puckett, Commissioner

RE: MERCER COUNTY PROSECUTING ATTORNEY'S OFFICE – VOCA GRANT

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a VOCA Grant Application in the amount of \$70,644.

AMERICAN RESCUE PLAN – CHECK PRESENTATIONS

- ❖ Concord University – MC-22-68 - \$50,000
- ❖ Mercer County Public Service District – MC-22-69 - \$572,312
- ❖ Bluewell Improvement Association – MC-23-3 - \$16,000
- ❖ Wade Center – MC-23-5 - \$16,799
- ❖ Mercer County Communications – MC-23-6 - \$50,000

RE: AMERICAN RESCUE PLAN – CITY OF PRINCETON – MC-23-4

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve \$25,000 to the City of Princeton from the ARP. This is application MC-23-4 from Mike Webb and funds will be used for an ADA Bathroom.

RE: AMERICAN RESCUE PLAN – PRINCETON BASEBALL ASSOCIATION –
MC-23-7

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve \$50,000 to the Princeton Baseball Association from the ARP. This is application MC-23-7 from Danny Singleton and funds will be used for upgrades to the stadium.

RE: AMERICAN RESCUE PLAN – EAST RIVER AMATEUR RADIO CLUB –
MC-23-8

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve \$5,100 to the East River Amateur Radio Club from the ARP. This is application MC-23-8 from Matthew Morris and funds will be used for solar generator for radio communications.

RE: AMERICAN RESCUE PLAN – RIFF RAFF ARTS COLLECTIVE – MC 23-9

This matter has been tabled.

❖ **AMERICAN RESCUE PLAN PRESENTATIONS**

RE: AMERICAN RESCUE PLAN – MERCER COUNTY COMMISSION

Mercer County Commission Project Presentation requesting \$219,800 for playground equipment for Glenwood Park. MC-23-10

RE: AMERICAN RESCUE PLAN - MERCER COUNTY FIREFIGHTERS
ASSOCIATION – MC-23-11

Mercer County Firefighters Association Project Presentation requesting \$450,000 for the Volunteer Fire Departments to purchase equipment. MC-23-11

RE: AMERICAN RESCUE PLAN - BLUEFIELD BASEBALL CLUB, INC.
MC-23-12

Bluefield Baseball Club, Inc. Project Presentation requesting \$100,000 for ADA compliant accessibilities. MC-23-12

RE: MERCER COUNTY CLERK – BUDGET REVISION #1 - COAL SEVERANCE

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a FY 2024 Budget Revision #1 – Coal Severance, from Verlin Moye, County Clerk.

RE: MERCER COUNTY DILAPIDATED STRUCTURES – LORI MILLS

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve demolition contracts from Empire Salvage & Recycling, Inc. in the amount of \$619,528 and Virginian Asphalt Paving, LLC in the amount of \$79,300.

RE: ESTATE – LORETTA GODDYKOONTZ STENNETT AKA ROSE LORETTA
STENNETT – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: Loretta Goodykoontz AKA Rose Loretta Stennett, DECEASED.

O-R-D-E-R

On the 11th day of July, 2023, before the Mercer County Commission, came the matter of the Estate of Rose Loretta Stennett, deceased, upon motion of Leroy Beckner, Executor, requesting that a copy of the Last Will and Testament of said estate be accepted for recordation.

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 copy of the Last Will and Testament of Rose Loretta Stennett, deceased, be admitted to record.

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 11th day of July, 2023.

ENTER:

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

ATTEST:

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

RE: ESTATE – JERYL BRUCE GRAHAM

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: JERYL BRUCE GRAHAM, DECEASED.

O-R-D-E-R

On the 11th day of July, 2023, before the Mercer County Commission, came the matter of the Estate of Jeryl Bruce Graham, deceased, upon petition of Wayne Stonestreet, one of the Fiduciary Commissioners of said county, requesting that the current Executrix, Ashley D. Graham-Barker, be removed for failure to complete her duties regarding the administration of the estate as required by law, and the Sheriff of Mercer County, T.A. Bailey, be appointed as Administrator D.B.N. C.T.A. of said estate.

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 Sheriff of Mercer County, T.A. Bailey, be appointed as Administrator D.B.N. C.T.A., of the estate of Jeryl Bruce Graham, deceased, and personal representative be removed.

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 11th day of July, 2023.

ENTER:

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

ATTEST:

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

RE: FUNDING REQUEST – RICHARD PRESERVATI REIMBURSEMENT

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to reimburse Richard Preservati for money paid down for the purchase of property deeded to the Mercer County Commission. Funding in the amount of \$35,000 will be taken from Financial Stabilization Fund.

RE: FUNDING REQUEST – IDEAL ROOFING – GLENWOOD RECREATION PARK

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a proposal from Ideal Roofing for the construction of a new shelter #3. Funding up to \$9,500 was approved and will be taken from Hotel/Motel.

RE: FUNDING REQUEST – MERCER COUNTY AIRPORT

This matter has been tabled.

RE: FUNDING REQUEST – MERCER COUNTY LITTER CONTROL

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve funding request from Mercer County Litter Control, Josh Parks, Litter Control Officer, for the purchase of a Trash Trout, Funding in the amount of \$7,500 will be taken from Video/Lottery.

RE: FUNDING REQUEST – MERCER COUNTY FARM BUREAU

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a funding request from Mercer County Farm Bureau for the Mobile Agriculture Education Science Lab to come to Spanishburg School for five days in April 2024. Funding in the amount of \$2,000 will be taken from Video/Lottery.

RE: FUNDING REQUEST – GREATER PRINCETON LITTLE LEAGUE

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve funding request from Greater Princeton Little League, Tommy Baily, Sr., to upgrade lights. Funding up to the amount of \$20,000 was approved and will be taken from Video Lottery.

DISCUSSION:

RE: MERCER COUNTY COMMUNICATIONS CENTER

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept proposal to increase 911 landline fees. Mercer County Communications Center is looking to increase residential customers current \$3.00 fee by \$.75 a year for five years. Business customers would have a one time increase from \$3.00 to \$8.00.

RE: MERCER COUNTY COMMISSION

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve an increase to authorized spending limit for County Administrator from \$2500 to \$5000.

DISCUSSION:

Glenwood Park Updates: Lake Algae
Brush Creek Watershed: Dam rehabilitation to start in 60-90 days
Glenwood Park – Lake Dredging Project – Algae

PUBLIC COMMENTS:

Dan Hale
AEP – Public Hearing – July 12, 2023

RE: EXONERATION OF TAXES – PROFESSIONAL ASPHALT SERVICES

This day came Professional Asphalt Services, by representative, and moved the Commission to correct the Personal Property Books for 2022, touching the assessment thereon against the said Professional Asphalt Services, on Personal Property, 2003 International, ticket #30000651. Bluefield District, 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 \$7,365. Taxpayer did not own property 7/1/2021. It is therefore ordered that Professional Asphalt Services 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 \$204.45

RE: EXONERATION OF TAXES – LUSK DISPOSAL SERVICE INC.

This day came Lusk Disposal Service, Inc., by representative, and moved the Commission to correct the Personal Property Books for 2021, touching the assessment thereon against the said Lusk Disposal Service, Inc., on Personal Property, 2019 GMC, ticket #200000845. Beaver Pond District, 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 \$23,310. Taxpayer paid taxes twice on 2019 GMC. It is therefore ordered that Lusk Disposal Service, Inc. be exonerated from the payment of taxes, or if the taxes have been paid, shall be refunded by the Sheriff of Mercer County on such erroneous assessment.

Amount of Exoneration \$589.23

RE: EXONERATION OF TAXES – TRIPLE L RENTALS & SALES LLC

This day came Triple L Rentals & Sales LLC, by representative, and moved the Commission to correct the Personal Property Books for 2021, touching the assessment thereon against the said Triple L Rentals & Sales LLC, on Personal Property, 2020 Chevrolet, ticket #2000002778, Beaver Pond District, 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 \$38,310. Taxpayer paid taxes twice on 2020 Chevrolet. It is therefore ordered that Triple L Rentals & Sales 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 \$1035.40

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES
DATE 07/05/2023

Tax Year 2022
Bluefield

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
300000571	Veronica D. McMillan	Had regular ticket and supplement ticket made	\$ 44.96

Tax Year 2022
Princeton

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
1000000371	Joseph E. Saunders	Error on supplement	\$ 326.04

Tax Year 2022
Beaver Pond

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
200001024	Jerry W. Moore, Sr	Error on supplement Should be Jr.	\$ 381.68

Mobile Homes

Tax Year 2016 - 2022
ER - BP

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
302929	Ashley Neal	Did not own MH 7/1/2021	\$ 74.08
309575	Hubert Smith	Moved to VA	\$ 70.34
309731	Hubert Smith	Moved to VA	\$ 70.34
303630	June L. Scott	Deceased	\$ 52.72

<u>TICKET #</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
303673	June L. Scott	Deceased	\$ 52.72
903739	June L. Scott	Deceased	\$ 51.28
803762	June L. Scott	Deceased	\$ 49.50
303000	Pam Neel	Deceased	\$ 75.72
303014	Pam Neel	Deceased	\$ 78.74
309314	Lisa A Rose	MH Double Assessed	\$ 70.34
309080	Lisa A Rose	MH Double Assessed	\$ 74.08
608870	Karen B Lambert	MH Double Assessed	\$ 76.34
708718	Karen B Lambert	MH Double Assessed	\$ 75.38
808649	Karen B Lambert	MH Double Assessed	\$ 74.36
908579	Karen B Lambert	MH Double Assessed	\$ 77.02
308460	Karen B Lambert	MH Double Assessed	\$ 79.14
308334	Karen B Lambert	MH Double Assessed	\$ 79.14
308143	Karen B Lambert	MH Double Assessed	\$ 83.38
309354	Hubert Smith	Moved to VA	\$ 74.08
301525	Melissa S Forbes	Did not own MH 7/1/2021	\$ 184.36
302947	Pam Neel	Deceased	\$ 79.76
303576	June L Scott	Deceased	\$ 55.52

Checks – June 2023

GENERAL COUNTY	- Check #77493 - 77607	Void – 77493, 77553
COAL SEVERANCE	- Check #4303 – 4328	Void - 4321
JUSTICE FINES	- Check #5374 - 5375	
MAGISTRATE COURT	- Check #5381	
HOME CONFINEMENT	- Check #2616 - 2622	
HOTEL MOTEL	- Check #4558 - 4582	
COURTHOUSE EQUIPMENT	- Check #863 - 865	
COURTHOUSE ANNEX	- Check #1910 - 1923	
VIDEO LOTTERY	- Check #1563 – 1570	
MCDRC FEES	- Check #5896 - 5919	
ASSESSOR REAPPRAISAL	- Check #6773 - 6800	
FINANCIAL STABILIZATION	- Check #1052	
AMERICAN RESCUE PLAN	- Check #1043	
DEPUTY SHERIFF RETIREMENT	- Check #317	

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 Bill Archer, Commissioner, the Commission voted unanimously to come out of executive session and go back into regular session.

RE: RAISES FOR COUNTY EMPLOYEES

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to give 5% budget increase to department heads to distribute among employees.

It is ordered that this Commission be and is hereby adjourned until July 25, 2023.

President

Bill Archer

NOTICE OF SPECIAL MEETING

THE MERCER COUNTY COMMISSION WILL MEET IN A SPECIAL SESSION ON THURSDAY, JULY 13, 2023, AT 2:00 PM IN THE COUNTY COMMISSION COURTROOM. THE PURPOSE OF THE MEETING IS TO DISCUSS A LOW COST SPAY NEUTER CLINIC FOR MERCER COUNTY.

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 Thursday July 13, 2023.

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

RE: LOW COST SPAY & NEUTER CLINIC - SPEAKERS

1. Kathy Tabor
2. Elizabeth McDonald
3. Jessica Turner
4. Rachael Sawyers
5. Deb McCarthy
6. Sandra Dorsey
7. Danny Dillow
8. Susan Umberg
9. Rhonda Williams
10. Dee Braun
11. Vicky Hall
12. Stacy Harmon
13. Mildred Boothe
14. Michele Cole
15. Patty Owens
16. Kathy Tabor
17. Sandra Dorsey
18. Lisa Williams
19. Annette Brichford

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.

RE: TASK FORCE

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to create a Task Force for the creation of a low cost spay and neuter clinic. Task Force consists of:

Spay Neuter Task Force

Gene Buckner
Barry White
Mike Webb
Danny Dillow
Elizabeth McDonald
Rachel Sawyers
Stacey Harman
Kathy Tabor
Michelle Cole

It is ordered that this Commission be and is hereby adjourned until July 18, 2023.

President

Bill Archer

NOTICE OF SPECIAL MEETING

THE MERCER COUNTY COMMISSION WILL MEET IN SPECIAL SESSION ON TUESDAY, JULY 18, 2023, AT 11:00 AM IN THE COUNTY COMMISSION COURTROOM. THE PURPOSE OF THE MEETING IS FOR CONSIDERATION OF THE PURCHASE OF SIX POLICE VEHICLES AND EQUIPMENT FOR THE MERCER COUNTY SHERIFF'S DEPARTMENT.

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, July 18, 2023.

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

RE: FUNDING REQUEST - MERCER COUNTY SHERIFF'S DEPARTMENT

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the funding request from the Mercer County Sheriff's Department for the purchase of six police vehicles and equipment. Funding in the amount of \$303,012 will be taken from Budget Stabilization for the purchase of six new police vehicles. Funding in the amount of \$40,642 will be taken from Budget Stabilization for the purchase of equipment. Total amount \$343,654

It is ordered that this Commission be and is hereby adjourned until July 25, 2023.

President
Bill Archer

COUNTY COMMISSION MEETING-TUESDAY, JULY 25, 2023 –3:30 P.M.

AGENDA:

OPEN WITH PRAYER
 PLEDGE OF ALLEGIANCE
 MINUTES OF PREVIOUS MEETING

CONTRACTS/AGREEMENTS/RESOLUTIONS : - FY 2024 Budget Revision #2
 Coal Severance
 Verlin Moye, County Clerk

FY 2024 Budget Revision #1
 General County
 Verlin Moye, County Clerk

ESTATES: - No Estates

FUNDING REQUESTS: - Main Street Builders
 Amphitheater Project
 Pay Application #5

DISCUSSION: - Mercer County Convention & Visitors
 Bureau-Annual Report
 Jamie Null, Executive Director

Mercer County Communications Center
 Proposal to Increase 9-1-1 Landline Fees
 Public Hearing Schedule

Glenwood Park Updates
 Greg Puckett, Commissioner

Brush Creek Watershed
 Greg Puckett, Commissioner

PUBLIC COMMENTS:

**MERCER COUNTY DILAPIDATED STRUCTURES
 FORMAL HEARINGS**

<u>Name</u>	<u>Address</u>	<u>Type of Structure</u>	<u>Map/Parcel</u>
James Thornton	307 Bane	Trailer	Map 8R, Parcel 131
April Trump	149 Yates	House/Trailer	Map 50M, Parcel 10
John Geotes	1274 Beckley Rd	Car Wash	Map 16, Parcel 13
Bonnie McCarty	1451 Old Athens Rd	Double Wide	Map 17, Parcel 24.21
Kevin Grubb	One Hollow Road	Trailers	Map 9, Parcel 14.4
Mary Johnson	3524 Beckley Rd.	Trailer	Map 39, Parcel 94
Larry Young	Matoaka Road	Trailer (Lake Bottom)	Map 39, Parcel 28

WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, July 25, 2023.

Present:	Bill Archer	President
Present: (Zoom)	Greg Puckett,	Commissioner
Present:	Gene Buckner,	Commissioner

RE: MERCER COUNTY CLERK – BUDGET REVISION #2 - COAL SEVERANCE

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a FY 2024 Budget Revision #2 – Coal Severance, from Verlin Moye, County Clerk.

RE: MERCER COUNTY CLERK – BUDGET REVISION #1 – GENERAL COUNTY

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a FY 2024 Budget Revision #1 – General County, from Verlin Moye, County Clerk.

RE: FUNDING REQUEST – MAIN STREET BUILDERS – AMPHITHEATER #5

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a funding request from Main Street Builders, Pay Application #5. Funding in the amount of \$22,108.50 will be taken from American Rescue Plan.

❖ **DISCUSSION**

- Mercer County Convention Center – Tourism Updates
- Mercer County Communications Center 911 Rate Increase Public Meeting
 - Residential** - \$.75 per month, once a year for 5 years
 - Commercial** – Increase from \$3.00 to \$8.00 per month first 8 lines then \$1.00 per line
- July 31, 2023 6:00 P.M. Spanishburg VFD
- August 8, 2023 6:00 P.M. East River Ruritan Club
- August 17, 2023 6:00 P.M. Karen Preservati Center
- August 24, 2023 6:00 P.M. Bluewell VFD7
- August 31, 2023 6:00 P.M. Green Valley/Glenwood VFD
- Glenwood Park Update – Algae
- Brush Creek Watershed – Dam Restoration

❖ **DILAPIDATED STRUCTURES**

RE: DILAPIDATED STRUCTURES – JAMES THORNTON – 307 BANE AVE

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 trailer owned by James Thornton located at 307 Bane Ave, Map 8R, Parcel 131.

RE: DILAPIDATED STRUCTURES – LARRY YOUNG – MATOAKA ROAD

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to issue a standard order of demolition for the trailers owned by Larry Young located on Matoaka Rd (Lake Bottom), Map 39, Parcel 28. Land is owned by Glenda Lawson and Karma Lawson.

RE: DILAPIDATED STRUCTURES – APRIL TRUMP – 149 YATES

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to issue a standard order of demolition for the house/trailer owned by April Trump located at 149 Yates, Map 50M, Parcel 10.

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 30-day continuance for the car wash owned by John Geotes located at 1274 Beckley Road. Map 16, Parcel 13.

RE: DILAPIDATED STRUCTURES – BONNIE MCCARTY – 1481 OLD ATHENS RD

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, 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 STRUCTURES – KEVIN GRUBB – OUR HOLLOW RD

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to issue a standard order of demolition for the trailers owned by Kevin Grubb located at Our Hollow Rd, Map 9, Parcel 14.4.

RE: DILAPIDATED STRUCTURES – MARY JOHNSON – 3524 BECKLEY RD

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to issue a 60-day continuance for the trailer owned by Mary Johnson located at 3524 Beckley Road. Map 39, Parcel 94.

It is ordered that this Commission be and is hereby adjourned until August 8, 2023.

President

Bill Archer

NOTICE OF SPECIAL MEETING

THE MERCER COUNTY COMMISSION WILL MEET IN SPECIAL SESSION ON WEDNESDAY, JULY 26, 2023, AT 6:00 PM 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. To conduct a public hearing regarding (i) the proposed creation of a new Economic Opportunity Development District in Mercer County to be called "The Ridges Economic Opportunity Development District" (the "Excise Tax District"); (ii) the proposed development of certain site, infrastructure, and other capital improvements within, or for the benefit of, the Excise Tax District (the "EODD Project"), as more particularly as set forth in the Economic Opportunity Development District Application (the "EODD Application") for the EODD Project submitted by the Development Authority of Mercer County; and (iii) the proposed financing of the EODD Project by the issuance of bonds or notes ("EODD Obligations") pursuant to Chapter 7, Article 22 of the Code of West Virginia, 1931, as amended.
2. To conduct a public hearing regarding (i) the proposed creation of a new development district in Mercer County to be called "The County Commission of Mercer County Development District No. 1" (the "TIF District"); (ii) the proposed development of certain site, infrastructure, and other capital improvements within, or for the benefit of, the TIF District by the approval of a development project plan to be known as "The Ridges Project No.1" (the "Project Plan"), as more particularly as set forth in the Tax Increment Financing Application (the "TIF Application") for the TIF District and the Project Plan submitted by the Development Authority of Mercer County; and (iii) the proposed financing of the projects included in the Project Plan by the issuance of bonds or notes (the "TIF Obligations") pursuant to Chapter 7, Article 11B of the Code of West Virginia, 1931, as amended.
3. To consider and act upon a proposed Resolution regarding approval of (i) the EODD Application; (ii) submission of the EODD Application to the West Virginia Department of Economic Development; and (iii) approval of other items in connection therewith.
4. To consider and act upon a proposed Resolution regarding approval of (i) the TIF Application; (ii) submission of the TIF Application to the West Virginia Department of Economic Development; and (iii) approval of other items in connection therewith.

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 Wednesday, July 26, 2023.

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

RE: THE RIDGES – ECONOMIC OPPORTUNITY DEVELOPMENT

The Ridges Economic Opportunity Development District meeting open for public comments. Speakers in meeting include:

- ❖ Ms. Arnold – Concern of noise near Green Acres Subdivision
- ❖ Mr. Fink – Concern of labor force needs, concern for noise Halls Ridge
- ❖ Mr. Chandler Swope – Senator in support
- ❖ Gary Meadows – Umpire, Referee in support
- ❖ Todd Boggess – In support
- ❖ Jamie Null – In support

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to close the speaker's portion of the meeting.

RE: THE RIDGES – SPEAKER KEVIN DOWNER

The County Commission of Mercer County Development District No. 1 Public Hearing open for comments.

- ❖ Kevin Downer – Director of Sports – Bluefield State – Discussed the need for infrastructure to support the development

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to close this speaker's portion of the meeting.

RE: RESOLUTION – EXCISE TAX APPLICATION

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the Resolution Submitting Excise Tax Application.

RE: RESOLUTION – TIF DISTRICT APPLICATION

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve Resolution Submitting TIF District Application.

Resolution Submitting Excise Tax Application**RESOLUTION AND ORDER**

WHEREAS, The County Commission of Mercer County, West Virginia (the "County Commission") is authorized by the County Economic Opportunity Development District Act, Chapter 7, Article 22 of the Code of West Virginia, 1931, as amended (the "Act"), to create Economic Opportunity Development Districts, to approve Economic Opportunity Development District projects, to issue bonds or notes to finance development expenditures and other costs permitted by the Act and to take other actions as are necessary or desirable to stimulate the construction, supplementation, reconstruction and repair of structures and facilities in undeveloped, underdeveloped or seriously deteriorated areas within Mercer County, West Virginia (the "County"), which will serve a public purpose and promote the health, safety, prosperity, security and general welfare of all citizens in the County and State of West Virginia (the "State") all as more fully set forth in the Act;

WHEREAS, the County Commission has received and reviewed an application dated June 13, 2023 (the "Application") prepared by the Development Authority of Mercer County (the "Developer") relating to the proposed creation of an Economic Opportunity Development District in Mercer County, designated "The Ridges Economic Opportunity Development District" (the "Excise Tax District");

WHEREAS, the County Commission did, on July 26, 2023, following proper notice thereof, hold a public hearing with respect to the proposed creation of the Excise Tax District wherein any owner of real property situated in the proposed Excise Tax District and any resident of Mercer County were afforded a reasonable opportunity to express their views on the proposed creation of the Excise Tax District and its proposed boundaries;

WHEREAS, the County Commission has, following such public hearing, found and determined that the submission of the Application to the West Virginia Department of Economic Development ("WVDED") will promote the establishment and vitality of significant business opportunities within the County and serve as an effective means for developing or restoring and promoting retail and other business activity within the Excise Tax District, which will stimulate economic growth and job creation in the County thereby serving a public purpose and promoting the health, safety, prosperity, security and general welfare of all citizens in the County and State all as more fully set forth in the Act; and

WHEREAS, the County Commission now desires to submit the Application to the WVDED for consideration for approval, subject to approval by the West Virginia Legislature.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA, AS FOLLOWS:

1. It is hereby found and determined following the public hearings thereon that the Application, as submitted to the County Commission and subsequently amended and supplemented by the County Commission, is approved, and the submission to the WVDED for its consideration for approval, subject to approval by the West Virginia Legislature, is hereby approved, ordered and directed.

2. It is hereby found and determined that the approval of the Application and the submission of the Application to the WVDED and the West Virginia Legislature for consideration for approval will promote the establishment and vitality of significant business opportunities within the County and serve as an effective means for developing or restoring and promoting retail and other business activity within the Excise Tax District, which will stimulate economic growth and job creation in the County thereby

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serving a public purpose and promoting the health, safety, prosperity and general welfare of all citizens in the County and State all as more fully set forth in the Act.

3. It is hereby authorized and ordered that the President of the County Commission cause the Application and all other necessary documentation to be submitted to the WVDED, together with a request for approval thereof.

4. The President and Members of the County Commission and other officials and employees of the County Commission are hereby authorized and directed to take such actions as they shall deem appropriate in facilitating the approval of the Application by the WVDED and the West Virginia Legislature.

5. This Resolution and Order shall become effective immediately upon adoption.

[Signature Page Follows]

Adopted this 26th day of July, 2023.

THE COUNTY COMMISSION OF MERCER COUNTY,
WEST VIRGINIA

By: _____
Name: Bill Archer
Title: President

CERTIFICATION

The undersigned, being the duly qualified, elected and acting Clerk of the County Commission of Mercer County, West Virginia (the "County Commission"), does hereby certify that the foregoing Resolution was duly adopted by the County Commission at a special meeting duly held, pursuant to proper notice thereof, on July 26, 2023, a quorum being present and acting throughout, and which Resolution has not been modified, amended or revoked and is a true, correct and complete copy thereof as of this 26th day of July, 2023.

By: _____
Name: Verlin Moyer
Title: County Clerk

Resolution Submitting TIF ApplicationRESOLUTION

WHEREAS, the County Commission of Mercer County, West Virginia (the "County Commission") is authorized by the West Virginia Tax Increment Financing Act, Chapter 7, Article 11B of the Code of West Virginia, 1931, as amended (the "Act"), to create development or redevelopment districts, cause project plans to be prepared, approve project plans, issue tax increment financing obligations and take other actions to facilitate the orderly development and economic stability of Mercer County, West Virginia (the "County"), all as more fully set forth in the Act;

WHEREAS, the Development Authority of Mercer County (the "Developer") has requested that the County Commission consider the creation and establishment of a development district to be known and designated as "The County Commission of Mercer County Development District No. 1" (the "TIF District"), and the approval of a development project plan to be known as "The Ridges Project No.1" (the "Project Plan"), consisting specifically of the design, permitting, acquisition, construction, renovation, and equipping of site, infrastructure, and other capital improvements that will facilitate development within, or for the benefit of, the TIF District, including, without limitation, site acquisition, remediation, site preparation, cut and fill, site infrastructure, earthwork, new roads and improvement and relocation of existing roads, including without limitation, intersection improvements, curbing, bridges, traffic control, and lighting, and other related infrastructure, water lines, water works facilities, sanitary sewer lines, sewerage facilities, stormwater facilities, wetlands mitigation, electric, natural gas, telecommunications, cable, fiber optics, and other utility improvements and utility relocations, demolition, community facilities, streetscaping, including but not limited to intersection improvements, sidewalks, curbing and guttering, street lighting and traffic signals, other improvements to infrastructure, and the costs of planning, acquiring, constructing and equipping certain athletic facilities, including without limitation, outdoor recreation facilities, fields, parks, and/or stadiums, and all necessary appurtenances and amenities within or benefitting the proposed TIF District (collectively, the "TIF Project");

WHEREAS, the County Commission has received and reviewed the Tax Increment Financing Application dated June 13, 2023 (the "Application") relating to the proposed creation of the TIF District and the approval of the Project Plan;

WHEREAS, the County Commission did, on July 26, 2023, following proper notice thereof, hold a public hearing with respect to the Application wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of the TIF District and its proposed boundaries and the proposed approval of the Project Plan;

WHEREAS, the County Commission has, following such public hearing, found and determined that the approval of the Application will benefit the County and its residents by facilitating the orderly development and economic stability of the County, and that development therein will encourage investing in job-producing, private development and expand the public tax base of the County, that future capital improvements will result in the increase in the value of property located in the TIF District and will encourage increased employment and business activity within such area and will serve a public purpose of the County Commission; and

WHEREAS, the County Commission now desires to submit the Application to the West Virginia Department of Economic Development ("WVDED") for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA, AS FOLLOWS:

1. It is hereby found and determined following the public hearing thereon that the Application, as submitted to the County Commission, is approved and is in form and substance suitable for submission to WVDED for its consideration of approval.

2. It is hereby found and determined that the projects described in the Project Plan are not reasonably expected to occur without the use of tax increment financing.

3. It is hereby found and determined that the development as set forth in the Application will not be solely used for development of commercial businesses that will unfairly compete in the local economy and that development or redevelopment is in the public interest because it will (i) discourage commerce, industry or manufacturing from moving their operating to another state; (ii) result in increased employment in the County; or (iii) result in preservation or enhancement of the tax base of the County.

4. It is hereby authorized and ordered that the President of the County Commission cause the Application and all other necessary documentation to be submitted to the West Virginia Development Office, together with a request for approval thereof.

5. The Memorandum of Understanding regarding public bidding of design and/or construction of the TIF Project in the form presented to this meeting (the "MOU") is hereby approved and the President of the County Commission is hereby authorized and ordered to execute the MOU with such changes as may be approved by the President, such execution to be conclusive evidence of any such approval.

6. The President and Members of the County Commission and other officials and employees of the County Commission are hereby authorized and directed to take such actions as they shall deem appropriate in facilitating the approval of the Application.

7. This Resolution shall become effective immediately upon adoption.

[Signature Page Follows]

Adopted this 26th day of July, 2023.

THE COUNTY COMMISSION OF MERCER COUNTY,
WEST VIRGINIA

By: _____
Name: Bill Archer
Title: President

CERTIFICATION

The undersigned, being the duly qualified, elected and acting Clerk of the County Commission of Mercer County, West Virginia (the "County Commission"), does hereby certify that the foregoing Resolution was duly adopted by the County Commission at a special meeting duly held, pursuant to proper notice thereof, on July 26, 2023, a quorum being present and acting throughout, and which Resolution has not been modified, amended or revoked and is a true, correct and complete copy thereof as of this 26th day of July, 2023.

By: _____
Name: Verlin Moyer
Title: County Clerk

It is ordered that this Commission be and is hereby adjourned until August 8, 2023.

Bill Archer President

NOTICE OF PUBLIC HEARINGS

THE MERCER COUNTY COMMISSION HAS SCHEDULED PUBLIC HEARINGS FOR THE FOLLOWING DATES TO GET PUBLIC INPUT ON A PROPOSED 9-1-1 FEE INCREASE FOR LANDLINE PHONES IN MERCER COUNTY:

ALL PUBLIC HEARINGS WILL BEGIN AT 6:00 PM

JULY 31, 2023 SPANISHBURG VOLUNTEER FIRE DEPARTMENT
 AUGUST 8, 2023 EAST RIVER RURITAN BUILDING, OAKVALE
 AUGUST 17, 2023 KAREN PRESERVATI CENTER, PRINCETON
 AUGUST 24, 2023 BLUEWELL VOLUNTEER FIRE DEPARTMENT
 AUGUST 31, 2023 GREEN VALLEY-GLENWOOD VFD

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 Monday, July 31, 2023.

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

RE: E911 – RATE INCREASE PUBLIC MEETING #1 – SPANISHBURG VFD

Residential - \$.75 per month, once a year for 5 years
Commercial – Increase from \$3.00 to \$8.00 per month first 8 lines then \$1.00 per line

6:00 – Meeting called to order, no one there to speak publicly

6:02 – Motion to adjourn, Gene Buckner, Commissioner, seconded, Greg Puckett,
 Commissioner

It is ordered that this Commission be and is hereby adjourned until August 8, 2023.

 Bill Archer President