WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, February 12, 2019,

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

RE: RESOLUTION HONORING SGT. M.D. "MELISSA" CLEMONS

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Resolution Honoring Sgt. M.D. "Melissa" Clemons on her Retirement from the West Virginia State Police.

RESOLUTION HONORING
SGT. M.D. "MELISSA" CLEMONS

Whereas, Sgt. M.D. "Melissa" Clemons retired from the West Virginia State Police in January 2019, after serving the people of Mercer County and the State of West Virginia with distinction for a quarter of a century; and

Whereas, Sgt. Clemons grew up in Mercer County, graduated from Princeton Senior High School in 1989, and entered Bluefield State College where she studied criminal justice and graduated in 1991. While considering a profession to enter her professor, Col. William Aldridge, encouraged her to apply to an upcoming cadet class at the State Police Academy in Institute, WV; and

Whereas, Sgt. Clemons entered the State Police Academy at Institute, WV, in January of 1994 and graduated in June 1994. Her first assignment as a trooper was at the State Police Raleigh County Detachment in Beckley at the start of her career. In 1998, Sgt. Clemons transferred to the Mercer County Detachment in Princeton where she became assistant detachment commander and served as the State Police representative on the Mercer County Multi-Disciplinary Investigative Team; and

Whereas, Sgt. Clemons soon found her niche in law enforcement through her service to children and families. A mother herself, Sgt. Clemons developed strengths of interviewing children who suffer from abuse, neglect and crime. She also perfected her investigative techniques that provide valuable insights for prosecutors to present evidence at trial. Through the years, the cases Sgt. Clemons developed traditionally resulted in convictions; and

Whereas, Sgt. Clemons brought her considerable skills to the West Virginia State Police's Crimes Against Children Unit, and in 2010, she joined Child Protect of Mercer County Inc., to enhance the agency's mission of service to children throughout the region. Sgt. Clemons continuously demonstrated the strength and her ability to preserve in the face of situations that most people could never imagine. All of those who have worked with Sgt. Clemons through her 25-year career with the West Virginia State Police have long admired her professionalism and her passion for serving children and families.

Now, Therefore, Be It Resolved that the Mercer County Commission extends its thanks and appreciation to Sgt. Melissa Clemons for a job well done and for making a difference in the lives of all those she has served.

Dated this 12th day of February, 2019.

/s/ Gene Buckner
Gene Buckner, President

/s/ Greg Puckett
Greg Puckett, Commissioner

/s/ Bill Archer
Bill Archer, Commissioner

RE: PUBLIC HEARING - FIRST READING – ABANDONMENT OF ROADWAY

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept the First Reading of the Petition of Jimmy R. McLaughlin, Michael D. McLaughlin, and WV American Water Company for Abandonment of Roadway presented by Phillip Ball, Attorney. The property is located near John Nash Boulevard in Beaver Pond District. Second Reading March 12, 2019

RE: PUBLIC HEARING – FIRST READING – PETITION FOR ANNEXATION

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table the Petition for Annexation as presented by Colin Cline, Attorney for the City of Bluefield.

RE: APPOINTMENT – MERCER COUNTY HEALTH DEPARTMENT

This day on motion of Bill Archer, Commissioner, seconded by Gene Buckner, Commissioner, the Commission made the motion to approve the Appointment and Oath of Office of Stacy Hicks as Board Member for the Mercer County Health Department. Term - February 2019 to February 2024. Greg Puckett opposed the motion.

RE: REAPPOINTMENT – PUBLIC DEFENDER CORPORATION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission made the motion to approve the Reappointment of Kim Bowman and David Johnson as Board Members for the Public Defender Corporation. Term - March 8, 2019 to March 8, 2022.

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 Heather Clyburn to serve as Legal Assistant for the Prosecuting Attorney's Office.

RE: OATH – MERCER COUNTY CLERK'S OFFICE

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 Ashlee Testerman to serve as Deputy Clerk for the County Clerk's Office.

RE: OATH – MERCER COUNTY ANIMAL SHELTER

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 Cordell Waulk, II to serve as part-time Kennel Technician for the Animal Shelter.

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 Kevin Dials to serve as Superintendent for Glenwood Recreation Park.

RE: GENERAL FUND BUDGET REVISION

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve Budget Revision No. 2 for FY 2018/2019 in the amount of $488,697 for the General Fund.

RE: CELL PHONE SERVICE PROVIDER

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the commission voted unanimously to accept the Service Agreement from U.S. Cellular for cell phone service.

RE: WV STATE AUDITOR & CHIEF INSPECTOR ENGAGEMENT LETTER

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept the West Virginia State Auditor & Chief Inspector Engagement Letter to perform the FY 2017/2018 audit for Mercer County in the amount of $35,260.

RE: ESTATE – GEORGE HENDRICKSON – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: GEORGE HENDRICKSON, DECEASED.

O-R-D-E-R

On the 12th day of February, 2019, before the Mercer County Commission, came the matter of the Estate of George E. Hendrickson, upon motion of George L. Hendrickson, former Executor, requesting that the estate be reopened for the purpose of distributing newly found funds/assets.

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 estate of George E. Hendrickson shall be reopened and that George L. Hendrickson be allowed to qualify as Executor without bond.

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 12th day of February, 2019.

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: ESTATE – ALMA YON MURPHY – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: ALMA YON MURPHY, DECEASED.

O-R-D-E-R

On the 12th day of February, 2019, before the Mercer County Commission, came the matter of the Estate of Alma Yon Murphy, upon motion of Gregory Edward Murphy, sole heir of Alma Yon Murphy, requesting that a copy of the Last Will and Testament of Alma Yon Murphy be accepted for recordation and/or probate inasmuch as the original Will cannot be located.

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 a copy of the Last Will and Testament of Alma Yon Murphy be accepted for recordation and/or probate.

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 12th day of February, 2019.

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 – MERCER COUNTY RECYCLING PROGRAM

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the contract with Star 95 for advertising. Funding in the amount of $500 will be taken from 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 proposal from S&R Refrigeration to replace 2 HVAC Units for Judge Sadler's Office. Funding in the amount of $7,875 will be taken from Financial Stabilization Fund.

RE: FUNDING REQUEST – BLUEFIELD BEAUTIFICATION COMMISSION

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from Gail Satterfield, Chairman for the Bluefield Beautification Commission. Funding in the amount of $2,000 will be taken from the Hotel Motel fund for the Winter Warmer.

RE: FUNDING REQUEST – WVU EXTENSION SERVICE

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a temporary secretary for approximately 7 weeks at the WVU Extension Service. Funding will be taken from the 412 Budget in the General Fund.

RE: FUNDING REQUEST – STAFFORD CONSULTANTS, INC.

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to increase the estimated ceiling amount to $30,000 for engineering services by Stafford Consultants for Courthouse ADA Ramp Project. Funding will be taken from Video Lottery.

RE: DISCUSSION – ADOPTION OF STATE BUILDING CODE DILAPIDATED STRUCTURES ORDINANCE

This day Greg Puckett, Commissioner, discussed the adoption of State Building Code Dilapidated Structures Ordinance. Public comments were received from Carol Riffe, Debra McCarthy, and John Johnson.

RE: FIREWORKS ORDINANCE

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept the Fireworks Ordinance presented by the Planning Commission and schedule the first reading for March 12, 2019.

RE: BLUEFIELD TRANSIT AUTHORITY LETTER

This day the Commission discussed a letter Gene Buckner sent to the Bluefield Transit Area Authority concerning safety issues at the Memorial Building bus stop.

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 Greg Puckett, Commissioner, seconded by Bill Archer, 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: MERCER COUNTY PUBLIC SERVICE DISTRICT

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the creation of a Mercer County Public Service District and approve an invoice from William S. Winfrey, II for professional services regarding the formation of new Public Service District.

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES
DATE 2/5/2019

Tax Year 2016
Jumping Branch District

TICKET #	NAME	REASON		AMOUNT
27880	Lonnie Milam Etal Life then to Ida & Chris Canfield	No appraised values.	$	6.84

Tax Year 2017
Jumping Branch District

TICKET #	NAME	REASON		AMOUNT
27947	Lonnie Milam Etal Life then to Ida & Chris Canfield	No appraised values.	$	6.84

Tax Year 2018
Jumping Branch District

TICKET #	NAME	REASON		AMOUNT
28025	Lonnie Milam Etal Life then to Ida & Chris Canfield	No appraised values.	$	6.84
27899	Roy A. Lilly	No appraised values.		6.84

Tax Year 2018
Rock District

TICKET #	NAME	REASON		AMOUNT
43744	West Creek Properties LLC	No appraised values.	$	6.84

Tax Year 2018
Bluefield District

TICKET #	NAME	REASON		AMOUNT
16229	Farron Vanaller	Back tax created in error.	$	8.84
16231	Farron Vanaller	Back tax created in error.		8.84

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 #71399-71479
COAL SEVERANCE	- Check #3594-3595
JUSTICE FINES	- Check #5330
MAGISTRATE COURT	- Check #5362
HOME CONFINEMENT	- Check #2415-2418
HOTEL MOTEL	- Check #3833-3842
ANIMAL SHELTER CONTRIBUTION	- Check #1000
COURTHOUSE ANNEX	- Check #1555-1559
VIDEO LOTTERY	- Check #1320
COAL REALLOCATION	- Check #1018
MCDRC FEES	- Check #4902-4924
ASSESSOR REAPPRAISAL	- Check #6184-6189
DRUG FORFEITURE	- Check #217-219
SHERIFF DRUG FUND	- Check #1075
DEPUTY SHERIFF RETIREMENT	- Check #264

It is ordered that this Commission be and is hereby adjourned until Tuesday, March 12, 2019.

_____PRESIDENT