WEST VIRGINIA:

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

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

RE: RESOLUTION HONORING MERCER CHRISTIAN ACADEMY

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Resolution Honoring Mercer Christian Academy Boys Varsity Basketball Team, Girls Varsity Team, Middle School Boys Basketball Team, and Cheerleaders.

RESOLUTION HONORING
MERCER CHRISTIAN ACADEMY

Whereas, on February 23, 2019, the Mercer Christian Academy men's varsity basketball Cavaliers successfully defended their West Virginia Church Education Association basketball state championship with a 67-17 victory over Seneca Trail, capping off a 26-7 season. The men's team was not alone in achieving success this year as the MCA Lady Cavaliers also won its state championship and earned the right to compete in the National Christian School Athletic Association tournament this March in Ohio where they made it to the finals; and

Whereas, the men's and women's varsity round-ballers were not the school's only success story this year. The MCA cheerleading squad took top honors at the tournament and MCA's Middle School basketball boys' team earned its fifth consecutive state title, according to varsity men's basketball Coach Jeff Boothe; and

Whereas, since 1980, Maranatha Baptist Church on Old Oakvale Road and Johnston's Chapel Baptist Church on Halls Ridge Road have operated the private, non-profit Christian school for students in grades K3-12 with elementary classes at Maranatha and middle and high school classes at Johnston Chapel; and

Whereas, in addition to classroom preparation for their post-secondary education or other career of lifetime goals, MCA students are encouraged to participate in a variety of school clubs, student activities and service projects. In addition, MCA offers interscholastic basketball, volleyball, soccer and track programs; and

Whereas, the intrinsic values of participation in athletics, service projects and academic activities transcend any level of success an individual student or team can achieve by giving students the opportunity to learn valuable lessons of fair play, teamwork and honorable competition that will benefit them for years to come. These values have no doubt contributed to MCA's top five ranking among "The Best Private Schools in West Virginia;" and

Now, Therefore, Be It Resolved that the Mercer County Commission extends its congratulations to the administration, faculty, staff, students and parents of Mercer County Christian School for success on the courts, in the classroom and in our county.

Dated this 12th day of March, 2019.

Mercer County Commission:

/s/ Gene Buckner
Gene Buckner, President

/s/ Greg Puckett
Greg Puckett, Commissioner

/s/ Bill Archer
Bill Archer, Commissioner

RE: RESOLUTION FOR ALL TOGETHER ARTS WEEK IN MERCER COUNTY

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Resolution for All Together Arts Week April 27th to May 4th, 2019.

RESOLUTION FOR
ALL TOGETHER ARTS WEEK IN MERCER COUNTY
APRIL 27th to MAY 4, 2019

WHEREAS, The Mercer County Commission recognizes the importance of the arts to economic development, educational quality, and civic involvement; and

WHEREAS, The Mercer County Commission acknowledges the thriving arts community in Mercer County and appreciates the benefits of said community; and

WHEREAS, The Mercer County Commission recognizes the great potential of collaboration and cooperation among artists and arts groups; and

WHEREAS, The Mercer County Commission notes the positive effects this cooperation could have on our community at large.

NOW, THEREFORE BE IT RESOLVED that the Mercer County Commission declares April 27-May 4, 2019 as "**ALL TOGETHER ARTS WEEK"** across Mercer County and calls upon artists, arts organizations, arts patrons, enthusiasts and educators to join in the celebration.

DATED THIS 12TH DAY OF MARCH, 2019.

Mercer County Commission:

/s/ Gene Buckner
Gene Buckner, President

/s/ Greg Puckett
Greg Puckett, Commissioner

/s/ Bill Archer
Bill Archer, Commissioner

RE: CITY OF BLUEFIELD - PETITION FOR ANNEXATION - TABLED

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

RE: MERCER CO. PUBLIC SERVICE DIST. FORMATION – PUBLIC HEARING

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to establish a New Public Service District, which said new public service district shall be known as "Mercer County Public Service District."

RE: FIREWORKS DISCHARGE RESTRICTION ORDINANCE – FIRST READING

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the First Reading of the proposed Fireworks Discharge Restriction Ordinance. Ordinance read by Greg Puckett, next reading April 9, 2019.

RE: MERCER COUNTY SPAY NEUTER ORDINANCE - DRAFT

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept the draft of a Mercer County Spay Neuter Ordinance presented by Kathy Tabor and send to the Prosecuting Attorney for review.

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 Jessica Williams 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 Jessica Brown 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 Cory Himes to serve as part-time Kennel Technician for the Animal Shelter.

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 Destiny Muncy to serve as part-time Kennel Technician for the Animal Shelter.

RE: OATH – WVU EXTENSION SERVICE - TABLED

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to table the Employment and Oath of Office for Joni Veneri to serve as temporary part-time secretary for the WVU Extension Service.

RE: RESOLUTION – REGION I 2019 ANNUAL PROJECT PRIORITIZATION LIST

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Region I Planning & Development Council 2019 Annual Project Prioritization list as follows: 1. Route 19-Nubbins/Stovall Ridge Flat Top/Camp Creek/Dunns Water Extension 2. Airport Road Water & Sewer Project 3. Matoaka Sewer Project 4. Pinnacle Water Project 5. Browning Lambert Mountain Water 6. Oakvale Road Miscellaneous Sewer Extensions 7. Bluestone River Trail Rails to Trails 8. Broadband for Mercer County.

RE: E.L. ROBINSON ENGINEERING – BLUESTONE RIVER TRAIL

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept the Professional Services Proposal for the Bluestone Valley Trails Feasibility Study from E.L. Robinson Engineering.

RE: STAFFORD CONSULTANTS, INC. – THOMPSON & LITTON, INC.

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve the presentation of the existing Open-End Agreement & Project Scope Statements changing the assignment to Thompson & Litton, Inc. due to their recent acquisition of Stafford Consultants, Inc.

RE: FINK ENGINEERING & LAND SURVEYING, LLC - CONTRACT

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a contract with Fink Engineering & Land Surveying, LLC for flood study services for the FEMA non-compliant section of Christian Fork.

RE: ESTATE – SHELIA L. BELCHER – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: SHELIA L. BELCHER, DECEASED

O-R-D-E-R

On the 12th day of March, 2019, before the Mercer County Commission, came the matter of the Estate of Sheila L. Belcher, upon motion of Charles W. Pace, Fiduciary Commissioner of Mercer County, requesting that the Administrator, David Belcher, be removed for failure to perform his duties as required by law and to have the Sheriff of Mercer County, T. A. Bailey, appointed as Administrator D.B.N.

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 Administrator, David Belcher, be removed and that the Sheriff of Mercer County, T. A. Bailey, be appointed Administrator D.B.N. over the estate of Sheila L. Belcher.

It is further ORDERED that the current bond of $5,000.00 shall remain.

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 March, 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 – PROJECT GRADUATION

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve funding requests from Bluefield High School, Mercer Christian Academy, Montcalm High School, Pikeview High School, and Princeton High School. Funding in the amount of $500 for each school will be taken from the Video Lottery Fund for 2019 Project Graduation.

RE: FUNDING REQUEST – UNITED WAY OF SOUTHERN WEST VIRGINIA

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a funding request from United Way of Southern West Virginia. Funding in the amount of $1,314.62 will be taken from the Video Lottery Fund to support the 2-1-1 Information and Referral Hotline.

RE: FUNDING REQUEST – TERZETTO CREATIVE LLC

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from Terzetto Creative LLC. Funding in the amount of $2,500 for initial set up then $250/per year will be taken from the General Fund for an Animal Shelter Website.

RE: FUNDING REQUEST – SOUTHERN HIGHLANDS CMHC, INC.

This day on motion of Bill Archer, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a funding request from Southern Highlands CMHC, Inc. Funding in the amount of $5,000 will be taken from the Hotel Motel Fund for a Ferris Wheel for Celebrate Princeton Street Fair. Greg Puckett abstained from voting.

RE: FUNDING REQUEST – CAMP CREEK STATE PARK FOUNDATION - TABLED

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to table a funding request from Camp Creek State Park Foundation.

RE: STATE BUILDING CODE DILAPIDATED STRUCTURES ORDINANCE

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to create a State Building Code Dilapidated Structures Ordinance from sample of another county then send to Prosecuting Attorney for review.

RE: YOUTH ADVISORY COMMISSION DISCUSSION - TABLED

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to table the Youth Advisory Commission discussion.

RE: KEEP MERCER CLEAN CAMPAIGN

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request to cover additional expense on coloring books and badges for the Keep Mercer Clean Campaign. Funding in the amount of $1,350 will be taken from the Video Lottery Fund.

RE: PUBLIC HEARING – SECOND READING - ABANDONMENT OF ROADWAY

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept the Second 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.

RE: EXECUTIVE SESSION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, 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.

This day came William A. Farley et al, by representative, and moved the Commission to correct the Land Books for 2018, touching the assessment thereon against the said William A. Farley et al, on Lot 2A Woodcrest Add & Row, East River District, County of Mercer, State of West Virginia. Prosecuting Attorney waiving notice thereto.

After hearing all the evidence in the case and it appearing to the Commission that the property assessed for $49,920 class 3 – should be assessed for $49,920 class 2. One of the et al lives on property. It is therefore ordered that William A. Farley et al 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 $568.08

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 #71480-71577	
COAL SEVERANCE	- Check #3596-3598	
JUSTICE FINES	- Check #5331-5332	
MAGISTRATE COURT	- Check #5363	
HOME CONFINEMENT	- Check #2419-2422	
HOTEL MOTEL	- Check #3843-3856	
K-9 FUND	- Check #1510	
COURTHOUSE EQUIPMENT	- Check #772-773	
COURTHOUSE ANNEX	- Check #1560-1567	
VIDEO LOTTERY	- Check #1321-1330	
COAL REALLOCATION	- Check #1019	
MCDRC FEES	- Check #4925-4948	
ASSESSOR REAPPRAISAL	- Check #6190-6213	
FINANCIAL STABILIZATION	- Check #1029-1030	Void #1029
DRUG FORFEITURE	- Check #220	
SHERIFF DRUG FUND	- Check #1076	
HMPG FEMA BUYOUT #1	- Check #1014	
HMPG FEMA BUYOUT #2	- Check #1003	
RECYCLING GRANT	- Check #1023	
ANIMAL SHELTER DONATION	- Check #1021	
DEPUTY SHERIFF RETIREMENT	- Check #265	

It is ordered that this Commission be and is hereby adjourned until Tuesday, April 9, 2019.

_____PRESIDENT