WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, February 9, 2021,

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

RE: RESOLUTION HONORING THE LIFE OF TIM FARLEY

This day on motion of Bill Archer, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve a Resolution Honoring the Life of Tim Farley, Mercer County Emergency Management Director/ Flood Plain Manager.

RESOLUTION HONORING
THE LIFE OF TIM FARLEY

Whereas, Timothy Wayne "Tim" Farley, a Spanishburg native, founding Chief of the Bluestone Valley Volunteer Fire Department and 16-year veteran Mercer County Emergency Management Director and Flood Plain Manager died suddenly and unexpectedly on January 23, 2021 at the age of 64; and

Whereas, Tim was a devoted community servant with a lifelong commitment to service that shown brightly during his teenage years when he led the Spanishburg High School Wildcats to an undefeated 20-0 season in 1974 and earned All-Area Team honors. He continued that commitment to excellence in college where he played basketball for the Bluefield State Big Blues -- earning All-West Virginia Conference Honorable Mention honors in 1976 – and later graduated with a dual degree in electrical engineering and business administration; and

Whereas, Tim and his childhood sweetheart, Debbie (Henry) Farley, lived and worked in the Spanishburg area. While Tim worked various jobs including truck driver, he and his wife owned and operated the Valley General store across US Route 19 from the high school. The Farley's dedicated their lives to raising their son, Matthew and serving their community. Tim took a leadership role in the effort to establish the Bluestone Valley Volunteer Fire Department and became the department's first chief – a role he still held at the time of his death; and,

Whereas, in 2005, Tim was appointed to serve as Mercer County Emergency Services Director/Flood Plain Manager. His education, life experiences, dedication to helping others and willingness to meet intense challenges during times of trouble combined to earn him the highest level of respect locally, statewide and regionally in emergency service circles. His calm demeanor and clarity of focus were called to the forefront during the period of local, regional, national and international emergency … the COVID-19 Pandemic. Tim's steadfast heart and unyielding focus gave guidance and comfort to all those he worked tirelessly to help during this time of uncertainty. A Christian soldier at heart, Tim's life of service appeared to be driven by the words in Isaiah 6:8 – "Then I heard the voice of the Lord saying, 'Whom shall I Send?' And I said, 'Here am I. Send me!'"

Now Therefore, Be It Resolved that the Mercer County Commission would like to extend its deepest sympathies to the entire Farley family … to Debbie, their son, Lt. Col. Matthew Tad Farley, US Air Force, his wife Rebecca and their three children – Tim & Debbie's grandsons – Brady, Andrew and Michael – as well as all those who worked with, knew and loved Tim. Mercer County extends its thanks to Tim Farley for his life of service.

Dated this 9th day of February, 2021.

MERCER COUNTY COMMISSION:

/s/ Gene Buckner
Gene Buckner, President

/s/ Greg Puckett
Greg Puckett, Commissioner

/s/ Bill Archer
Bill Archer, Commissioner

RE: RESOLUTION RECOGNIZING DR. DANIEL WELLS

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a Resolution Recognizing Dr. Daniel Wells.

RESOLUTION RECOGNIZING DR. DANIEL WELLS

Whereas, when Carter G. Woodson proposed the study of Negro History Week 95 years ago in February 1926, his intent was to do more than simply initiate a week's worth of attention to the accomplishments of black Americans. Rather, Woodson and other early 20th Century African American leaders in the struggle for equality sought to increase America's general appreciation for the role that slaves, former slaves and generations of their descendants have played in, and continue to play in the history of these United States; and

Whereas, the vestiges of human slavery in the Americas continues to shackle progress toward the goal of the true equality promised in the Declaration of Independence and US Constitution even though efforts like Dr. Woodson's "Negro History Week" nearly a century ago continues to face troubling hurdles in what an earlier generation of black folks referred to simply as: "The Struggle;" and

Whereas, in the fall of 2020, the Mercer County Board of Health made an historic appointment when the board acted on a recommendation by the City of Bluefield that was supported by this Commission to appoint Dr. Daniel Wells to serve on the Board of Health. The past 12 months have been a tumultuous time for people throughout the world, and Dr. Wells – a well-known Mercer County business owner with Southside Pharmacy in Bluewell and the Pita Pit in Princeton – instantly helped increase public confidence in the direction of the board; and

Whereas, too often, board appointments are, by state code, dictated by the political party in control of a particular district. Dr. Wells is black, but that was not the criteria for his appointment. Rather, he was well known in Mercer County, the youngest son of Harold and Alcesta Wells – who are both good citizens and respected business people. Dr. Wells graduated from Bluefield High School and played on a state championship Beaver football team in 2004. Dr. Wells earned a scholarship to Marshall University, and while he didn't light up the scoreboards during his career, he consistently earned Conference USA Commissioner's Honor Roll achievements for academic excellence. He graduated from MU in 2009 and earned his Doctor of Pharmacy degree from the University of Charleston in 2015; and

Whereas, as a young man, before he moved to varsity football, Dr. Wells traveled with the Scott Street Baptist Church Youth Group to honor African-American Union Army soldiers who were massacred following the Battle of Saltville, Va., Oct. 2, 1864. The youth lit luminaries and set American flags to honor an estimated 150 soldiers of the 5th and 6th US Colored Calvary who were killed in field hospitals or after surrendering for the crime of having black skin. Dr. Wells performed "Taps" on his trumpet at the first and later annual remembrance services.

Now, Therefore, Be It Resolved that the Mercer County Commission would like to express thanks to Dr. Daniel Wells for agreeing to serve an important role on the Mercer County Board of Health during this most challenging moment in history. Further this Commission would like to thank the entire Wells family for all they do for Mercer County, our state and nation every day.

Dated this 9th day of February, 2020.

Mercer County Commission:

/s/ Gene Buckner	/s/ Greg Puckett	/s/ Bill Archer
Gene Buckner, President	**Greg Puckett, Commissioner**	**Bill Archer, Commissioner**

RE: RESOLUTION RECOGNIZING THE 150TH BIRTHDAY OF SUMMERS COUNTY

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Resolution Recognizing the 150th Birthday of Summers County, West Virginia.

RESOLUTION RECOGNIZING THE 150TH BIRTHDAY OF SUMMERS COUNTY, WEST VIRGINIA

Whereas, on February 27, 1871, the West Virginia State Legislature established Summers County from parts of Mercer, Monroe, Greenbrier and Fayette Counties as the Mountain State's 54th county. West Virginia had 50 counties when it achieved statehood as the 35th state on June 20, 1863. The state created five new counties after the American Civil War including: Grant and Mineral counties in 1866, Lincoln County in 1867, Summers County in 1871 and Mingo County in 1895; and

Whereas, Summers County was named for US District Judge George Summers, who served in Congress and the Virginia General Assembly and was a member of the February 4, 1861 Peace Conference that met in Washington, DC in an effort to prevent the Civil War. Judge Summers represented western Virginia in Richmond, Va., when the General Assembly voted to succeed from the Union. Following the vote, Judge Summers retired from public life and returned home to Charleston, Kanawha County, then Virginia. Mercer, Monroe, Greenbrier and Fayette counties all gave land to form what is now Summers County; and

Whereas, through the years, Mercer and Summers counties have enjoyed close ties in terms of our rural agrarian-hunting-mountaineering heritage, the significance of our shared waterways and our similar coal mining and railroading history including the Chesapeake & Ohio (now CSX) in Summers and the Norfolk & Western and Virginian railways (now NS) in Mercer County; and

Whereas, in recent years, the Mercer-Summers Water Project has resulted in a steady flow of plentiful clean public water to residents of both counties. Both counties enjoy the blessing of Pipestem State Park, while outdoor enthusiasts are currently working to connect Camp Creek, Pipestem and Bluestone State Parks in a network of non-motorized kayak, canoe and hiking trails as well as the possibility of an equestrian trail between Hinton and Camp Creek over Ellison Ridge and Raleigh County.

Now Therefore, Be It Resolved that the Mercer County Commission extends its congratulations to the Summers County Commission and the citizens of Summers County for this milestone moment. Further, the Mercer County Commission hopes the spirit of Summers-Mercer County cooperation continues through the next sesquicentennial and beyond.

Dated this 9th day of February, 2020.

MERCER COUNTY COMMISSION:

/s/ Gene Buckner
Gene Buckner, President

/s/ Greg Puckett
Greg Puckett, Commissioner

/s/ Bill Archer
Bill Archer, Commissioner

RE: DRAWDOWN – CUMBERLAND INDUSTRIAL PARK BROADBAND EXPANSION PROJECT

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept Drawdown #2 in the amount of $3,150 for the Cumberland Industrial Park Broadband Expansion Project.

RE: APPROVAL – GENERAL COUNTY BUDGET REVISION

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve Budget Revision No. 4 for FY 2020/2021 for the General Fund in the amount of $1,721,969.

RE: GRANT – USDA RURAL DEVELOPMENT GRANT APPLICATION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the USDA Rural Development Grant Application in the amount of $50,000 for a feasibility study for proposed convention center.

RE: ESTATE – ALLEN LEE ARCHER – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: ALLEN LEE ARCHER, DECEASED.

O-R-D-E-R

On the 9th day of February, 2021, before the Mercer County Commission, came the matter of the Estate of Allen Lee Archer, deceased, upon motion of Karen S. Thorn, Administratrix, requesting that the Sheriff of Mercer County, T. A. Bailey, be appointed Administrator DBN of said estate, and that she be removed as Administratrix.

After a 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 DBN over the estate of Allen Lee Archer, deceased. Bond in the amount of $3,000.00 to 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 9th day of February, 2021.

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 – FRED M. CANADAY – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: FRED M. CANADAY, DECEASED.

O-R-D-E-R

On the 9th day of February, 2021, before the Mercer County Commission, came the matter of the Estate of Fred M. Canaday, deceased, upon motion of Sherry Harold, requesting that she be allowed to serve as Administratrix CTA, in the place and stead of Lakie Clower, Executrix of said estate, who has since passed away.

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 Sherry Harold shall qualify as Administratrix CTA of the estate of Fred M. Canaday, deceased, with bond in the amount of $1,000.00.

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 February, 2021.

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 – TERRY HEATH – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: TERRY HEATH, DECEASED.

O-R-D-E-R

On the 9th day of February, 2021, before the Mercer County Commission, came the matter of the Estate of Terry Heath, deceased, upon motion of Jennifer Dempsey Meeteer, Attorney, requesting that Carolyn Heath be allowed to serve as Administratrix, in the place and stead of Lawrence Heath, Administrator of said estate, who has since passed away.

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 Carolyn Heath shall qualify as Administratrix of the estate of Terry Heath, deceased. Bond in the amount of $12,000.00 to 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 9th day of February, 2021.

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 – MARC O. PLUMMER – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: MARC O. PLUMMER, DECEASED.

O-R-D-E-R

On the 9th day of February, 2021, before the Mercer County Commission, came the matter of the Estate of Marc O. Plummer, deceased, upon motion of Wayne S. Stonestreet, Fiduciary Commissioner, requesting that Eric Plummer be appointed as Administrator for the purpose of filing the Appraisement and closing the estate, and the Sheriff of Mercer County, T. A. Bailey, be removed as Administrator CTA DBN.

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 Eric Plummer be appointed Administrator over the estate of Marc O. Plummer, deceased, until the closure of said estate. Bond in the amount of $50,000.00 to 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 9th day of February 9, 2021.

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 – DOROTHY FAYE STEELE – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: DOROTHY FAYE STEELE, DECEASED.

O-R-D-E-R

On the 9th day of February, 2021, before the Mercer County Commission, came the matter of the Estate of Dorothy Faye Steele, deceased, upon motion of Paige Flanigan, Executrix, requesting that this estate be reopened for the purpose of filing an addendum to the Final Settlement and to disburse further funds received for this 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 the estate of Dorothy Faye Steele, deceased, be reopened.

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 February, 2021.

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 – HENRY W. WEBSTER – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: HENRY W. WEBSTER, DECEASED.

O-R-D-E-R

On the 9th day of February, 2021, before the Mercer County Commission, came the matter of the Estate of Henry W. Webster, deceased, upon motion of Michael Webster, Executor, requesting that a copy of the Last Will and Testament of Henry W. Webster, deceased, 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 Henry W. Webster, 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 9th day of February, 2021.

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 – M. D. WHITE – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: M. D. WHITE, DECEASED.

O-R-D-E-R

On the 9th day of February, 2021, before the Mercer County Commission, came the matter of the Estate of M. D. White, deceased, upon request of Wayne S. Stonestreet, Fiduciary Commissioner, requesting that the Sheriff of Mercer County, T. A. Bailey, be appointed Administrator DBN of said estate, and that the Administratrix, Karen Denise White Stein, be removed for failure to complete her duties as Administratrix.

After a 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 DBN over the estate of M. D. white, deceased. Bond in the amount of $25,000.00 to 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 9th day of February, 2021.

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 – BEULAH YOPP – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: BEULAH YOPP, DECEASED.

O-R-D-E-R

On the 9th day of February, 2021, before the Mercer County Commission, came the matter of the Estate of Beulah Yopp, deceased, upon request of Wayne S. Stonestreet, Fiduciary Commissioner, requesting that the Sheriff of Mercer County, T. A. Bailey, be appointed Administrator DBN of said estate, and that the Administratrix, Macie June Doucette, be removed for failure to complete her duties as Administratrix.

After a 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 DBN over the estate of Beulah Hopp, deceased. Bond in the amount of $20,000.00 to 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 9th day of February, 2021.

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 – LASHMEET PUBLIC SERVICE DISTRICT

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to deny a funding request from Lashmeet Public Service District for reimbursement of computer and printer.

RE: FUNDING REQUEST – BLUESTONE WATER TRAIL PROJECT

This day on motion of Gene Buckner, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from the WVDOH Planning Division for the Bluestone Water Trail Project. Funding in the amount of $10,000 will be taken from the Hotel Motel fund. Bill Archer recused from vote.

RE: FUNDING REQUEST – DOMINION SYSTEMS

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table a proposal from Dominion Systems for work at the Gardner Center.

RE: FUNDING REQUEST – SCHINDLER ELEVATOR COMPANY

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a funding request from Schindler Elevator Company for IDD door drive upgrades for two elevators in the Courthouse Annex. Funding in the amount of $9,795 per elevator will be taken from the Annex fund.

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 Bill Archer, Commissioner, seconded by Greg Puckett, 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.

Tax Year 2020
East River District

TICKET #	NAME	REASON		AMOUNT
307299	Willa J. Cooper	Double assessed on MH.	$	74.50

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 #74270-74328 Void #74290, 74296, 74312, 74315
COAL SEVERANCE	- Check #4053-4059
MAGISTRATE COURT	- Check #5368-5369
HOME CONFINEMENT	- Check #2492-2495
HOTEL MOTEL	- Check #4162-4167
COURTHOUSE ANNEX	- Check #1707-1712
VIDEO LOTTERY	- Check #1427-1430
MCDRC FEES	- Check #5380-5395
ASSESSOR REAPPRAISAL	- Check #6447-6456
DEPUTY SHERIFF RETIREMENT	- Check #289

It is ordered that this Commission be and is hereby adjourned until Tuesday, March 9, 2021.

/s/ Gene Buckner_____ PRESIDENT