WEST VIRGINIA:

At a regular session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Tuesday, February 8, 2022,

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

RE: OATH – MERCER COUNTY ANIMAL SHELTER

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Employment and Oath of Office for Ciara McKee to serve as Part-Time Kennel Technician for the Mercer County Animal Shelter.

RE: OATH – MERCER COUNTY ANIMAL SHELTER

This day on motion of Gene Buckner, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Employment and Oath of Office for Corey Lambert to serve as Part-Time Kennel Technician for the Mercer County Animal Shelter.

RE: REAPPOINTMENT – PUBLIC DEFENDER CORPORATION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Reappointment of Kim Bowman to serve as Board Member for the Public Defender Corporation. Term: March 8, 2022 to March 8, 2025

RE: REAPPOINTMENT – PUBLIC DEFENDER CORPORATION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve the Reappointment of David Johnson to serve as Board Member for the Public Defender Corporation. Term: March 8, 2022 to March 8, 2025

RE: RESOLUTION HONORING THE LIFE OF HAROLD B. WOLFE, III

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Resolution Honoring the Life of Harold B. Wolfe, III.

RESOLUTION HONORING THE LIFE OF HAROLD B. WOLFE, III

Whereas; one of Mercer County's most highly respected attorneys, Harold Boyd Wolfe, III, passed away at age 55 on January 26, 2022, following a brief illness. During his career as a Mercer County lawyer that spanned more than three decades, Harold earned a reputation of being an excellent litigator who had a great understanding of jurisprudence as well as someone who could effectively communicate with everyone who sought out his counsel; and,

Whereas, in addition to maintaining a busy law practice, Mr. Wolfe served as a public servant through his positions as a Southern Highlands Mental Hygiene Commissioner, the Sheriff's Administrator DBN in estate matters, served as attorney for the City of Princeton, the Southern Soil Conservation District, the West Virginia Department of Highways among others and;

Whereas, Mr. Wolfe approached his profession as a community services in many instances. He often shared his expertise – whether legal or simply commonsense – freely with folks who just needed advice. In addition, Harold helped worthy local and regional causes without fanfare or seeking notoriety for himself. In short, he was a community servant; and,

Whereas, Mr. Wolfe graduated from Princeton Senior High School, Concord (then) College and earned his Juris Doctorate from the West Virginia College of Law in 1991. He was devoted to his family, but he was equally devoted to the practice of law and contract resolution in disputes between friends or foe. His friendly demeanor, smile and reassuring tone could diffuse even the most heated disputes.

Now, Therefore, Be It Resolved that the Mercer County Commission extends its heartfelt condolences to the family and friends of Harold B. Wolfe, III, Esquire and urges the community to join in offering condolences to the family of this friend of Mercer County who lived a servant's life and served Mercer County well.

Dated the 8th day of February, 2022.

Mercer County Commission:

/s/ Gene Buckner
GENE BUCKNER, PRESIDENT

/s/ Greg Puckett
GREG PUCKETT, COMMISSIONER

/s/ Bill Archer
BILL ARCHER, COMMISSIONER

RE: RESOLUTION HONORING THE LIFE OF DARRELL C. BELCHER, M.D.

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Resolution Honoring the Life of Darrell C. Belcher, M.D.

RESOLUTION HONORING THE LIFE OF DARRELL C. BELCHER, M.D.

Whereas; Mercer County and residents of the entire region were saddened after learning of the passing of Darrell C. Belcher, MD on January 19, 2022 at age 81. Dr. Belcher was a longtime mainstay in the Mercer County medical community – beloved by his patients, admired by his peers and a credit to his profession. A man of humble origins in Monroe County, WV, Dr. Belcher graduated from Greenville High School and was accepted to the prestigious Berea College in Kentucky in 1958 where he studied Scientific Agriculture. While at Berea, he shifted his academic in pre-med and earned both undergraduate and graduate degrees prior to entering Medical School at West Virginia University; and,

Whereas, soon after finishing medical school, he entered the U.S. Army, and served as a captain in country during the Vietnam War. He received a Bronze Star medal for performing surgery under fire in active combat. He honed his skills as a surgeon at several locations in the U.S., before completing his residency in orthopedics at the Mayo Clinic in Rochester, Minnesota from 1971-'75; and,

Whereas, Dr. Belcher started his medical practice in Princeton in 1976 and remained active in that practice until his retirement in 2019. As his 43-year practice grew, he became associated with Doctors Phillip Branson, Joe Crow, and James Powers, but was also close with medical professionals in orthopedics as well as many other disciplines. His surgical skills, diverse appreciation for a myriad of scholarly pursuits and friendly bedside manor combined a true Renaissance man; and,

Whereas, a memorial celebration of Dr. Belcher's life will be held later this spring, but his family has encouraged those who wish to make a memorial gift in his honor to donate to Berea College.

Now, Therefore, Be It Resolved that the Mercer County Commission wishes to express its heartfelt appreciation for Dr. Darrell Belcher's life of service to Mercer County , the state of West Virginia, our nation and the world we live in for his tireless commitment to all he helped as a physician, mentor, friend and devoted family member.

Dated this 8th day of February, 2022.

Mercer County Commission:

/s/ Gene Buckner
GENE BUCKNER, PRESIDENT

/s/ Greg Puckett
GREG PUCKETT, COMMISSIONER

/s/ Bill Archer
BILL ARCHER, COMMISSIONER

RE: RESOLUTION HONORING THE LIFE OF JUNIOR FRANKLIN BILLINGS

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Resolution Honoring the Life of Junior Franklin Billings.

RESOLUTION HONORING THE LIFE OF JUNIOR FRANKLIN BILLINGS

Whereas; one of the region's most beloved and revered Bluegrass music promoters, Junior Franklin Billings, passed away on January 24, 2022, at age 86. A Mercer County native born in Dott, West Virginia, Junior joined the U.S. Navy early in life, learned the welding trade and during his career was ranked among the top 84 master welders nationally. Although he had to leave the workforce due to a work-related disability, he devoted his later years to helping people through Bluegrass music; and,

Whereas, Junior acquired a small building on the Falls Mills Road that he transformed into a haven for top ranked Bluegrass entertainers and the fans who loved them. Junior's "Blue Top Bluegrass" venue routinely attracted nationally known Bluegrass performers. Mercer County natives like Ray and Melvin Goins – the Goins Brothers – Dickenson County, Virginia native Ralph Stanley and the Clinch Mountain Boys, and many others could find time to visit with Junior and help him raise funds for his cause of the day. Those causes ranged from helping families who lost their home in a fire, lost a loved one in the mines or suffered nearly any kind of family tragedy; and,

Whereas, Junior worked tirelessly to help fledgling or well-established regional Bluegrass bands find venues where they could perform. Junior was a constant figure at many performances and his ever-present smile spoke volumes about his love for Bluegrass music as well as his love for helping people; and,

Whereas, Junior and his long-time friend, the late Joe Lively, shared their love of the Bluegrass/Old Time Music genre through the Sunday evening radio program, "J&J Bluegrass Classics" on WHIS-AM Radio from about 2005 to 2015. In addition to sharing songs from their huge collection of records, Junior and Joe brought guests on their live show like Stanley, the Goins Brothers as well as Clear Creek (Raleigh County) natives Bea and Everett Lilly – The Lilly Mountaineers; and,

Whereas, Junior found a way of sharing his love of Bluegrass music and his friendships with many of the performers who made the artform popular as a vessel to extend a helping hand to families who needed a little help.

Now, Therefore, Be It Resolved that the Mercer County Commission extends its heartfelt condolences to the family and friends of Junior Billings and recognizes the contributions to performers and fans of Bluegrass and the untold number of families he helped through his years of service to Mercer County and this region.

Dated this 8th day of February, 2022.

Mercer County Commission:

/s/ Gene Buckner
GENE BUCKNER, PRESIDENT

/s/ Greg Puckett
GREG PUCKETT, COMMISSIONER

/s/ Bill Archer
BILL ARCHER, COMMISSIONER

RE: RESOLUTION RECOGNIZING FEBRUARY 2022 AS BLACK HISTORY MONTH

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a Resolution Recognizing February 2022 as Black History Month.

RESOLUTION RECOGNIZING FEBRUARY 2022 AS BLACK HISTORY MONTH

The triumph and tragedy of Dr. Carter G. Woodson's Ph.D. observance of February as what is now Black History Month continues to seek true common ground in a culture that loves its history, but doesn't understand the complexity of individuals regardless of skin pigmentation or continent of origin. That it took 850 years from the signing of The U.S. Declaration of Independence to Woodson's Black History Month proposal on February 7, 1926, stands as one of the most tragic omissions of American history: and,

Whereas, slavery of one kind or another existed earlier then the dawn of written history. In fact, the slave trade between Africa and North America was well established before the first native Africans were brought to North America in chains. Families were often torn apart without a chance of reuniting. While some persons of African descent became free men or free women, the vast majority did not. That truth remains a dark cloud over U.S. history; and

Whereas, some persons of African descent survived the odds against them, and earned some level of respect and admiration. Frederick Douglas, whose debates with Abraham Lincoln put both he and a future President of the United States on the vanguard of the abolition of slavery, did not get the opportunity to finish the job. As most historians know, Lincoln was felled by an assassin's bullet on April 15, 1865, and Douglas died on February 20, 1895. Less than a year later, the US Supreme Court sanctioned legalized apartheid in the US through its May 19, 1896 ruling in Plessy v Ferguson; and,

Whereas, in West Virginia, a gentleman who was born free in 1883 to parents who broke the chains of servitude at the end of the American Civil War, rose to great heights in West Virginia state government but remains a little-known figure in what many black Americans still refer to as "the struggle." That individual, Tyler Edward Hill, the great-grandson of an African chief, was educated at a Presbyterian parochial school in Martinsville, Virginia, earned a degree at Howard University and came to Keystone. McDowell County, where he worked as a reporter for the McDowell Times, one of West Virginia's earliest black-owned newspapers; and,

Whereas, in the early 20th Century, Hill gained notoriety for his battle to end the "White Slavery" prostitution trade in Keystone, and became a conservative leader in the Republican Party. He strongly advocated for the "Capehart Anti-Lynch Bill" that passed in 1921, and was appointed the founding director of West Virginia's Bureau of Negro Welfare and Statics. He died on December 3, 1932.

Now, Therefore, Be It Resolved that the Mercer County Commission acknowledges the importance of observing February as Black History Month and encourages everyone to embrace the philosophy he exposed in 1921: "To promote and encourage friendly and harmonious relations between the white and Negro races."

Dated this 8th day of February, 2022.

Mercer County Commission:

/s/ Gene Buckner
GENE BUCKNER, PRESIDENT

/s/ Greg Puckett
GREG PUCKETT, COMMISSIONER

/s/ Bill Archer
BILL ARCHER, COMMISSIONER

RE: GRANT – WV COMMUNITY CORRECTIONS GRANT APPLICATION – MERCER DAY REPORT CENTER

This day on motion of Greg Puckett, Commissioner, seconded by Gene Buckner, Commissioner, the Commission voted unanimously to approve the FY 2023 West Virginia Community Corrections Grant Application and Memorandum of Understanding for the Mercer Day Report Center in the amount of $351,646. Bill Archer recused from vote; he is a board member of the Southern Regional Community Justice Board.

RE: AGREEMENT – SOUTHERN CONSERVATION DISTRICT & WEST VIRGINIA CONSERVATION AGENCY

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept the Mercer County Flood Control Dam and Channel Operation, Maintenance Funding Agreement between the Mercer County Commission, Southern Conservation District and the West Virginia Conservation Agency.

RE: ACCEPT – WV DEPT. OF HEALTH & HUMAN SERVICES COVID-19 GUIDELINES

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to accept the West Virginia Department of Health & Human Services COVID-19 Quarantine Guidelines.

RE: ESTATE – EVERETT LEE HURT – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: EVERETT LEE HURT, DECEASED.

O-R-D-E-R

On the 8th day of February, 2022, before the Mercer County Commission, came the matter of the Estate of Everett Lee Hurt, deceased, upon motion of Brenda G. Jackson, Administratrix, requesting that the estate be reopened, and that she be appointed as Administratrix, to distribute monies from additional claim checks made to 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 Everett Lee Hurt, deceased, shall be reopened, and that Brenda G. Jackson be allowed to serve as Administratrix. No bond being required per will.

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 8th day of February, 2022.

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 – JUDITH LYNN ROSE – DECEASED

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

IN RE: JUDITH LYNN ROSE, DECEASED.

O-R-D-E-R

On the 8th day of February, 2022, before the Mercer County Commission, came the matter of the Estate of Judith Lynn Rose, deceased, upon motion of David S. Hughart, Attorney, requesting that the estate be reopened, and that Raymond Rose be appointed as Administrator, due to additional probate assets that have been 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 the estate of Judith Lynn Rose, deceased, shall be reopened, and that Raymond Rose be allowed to serve as Administrator. No bond being required as he is the Administrator and sole heir.

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 8th day of February, 2022.

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 – TOWN OF ATHENS

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to table a funding request from the Town of Athens for park renovations.

RE: FUNDING REQUEST – LASHMEET PUBLIC SERVICE DISTRICT

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a funding request from Lashmeet Public Service District to hire an Engineer to assist with field investigations that will be used for determining eligibility for project funding for the Hiawatha, Springton, and Piedmont area. Funding in the amount of $9,000 will be taken from the Coal Reallocation Fund.

RE: FUNDING REQUEST – EAST RIVER RURITAN CLUB

This day on motion of Bill Archer, Commissioner, seconded by Greg Puckett, Commissioner, the Commission voted unanimously to approve a funding request from East River Ruritan Club for replacement of baseboard heaters. Funding in the amount of $2,500 will be taken from the Video Lottery Fund.

RE: AMERICAN RESCUE PLAN FUNDING APPLICATION

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to accept the American Rescue Plan Funding Application and move forward.

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.

PETITION FOR CANCELLATION OF ERRONEOUS CHARGES
DATE 2/1/2022

Tax Year 2020
Princeton District

TICKET #	NAME	REASON	AMOUNT
1000000088	Kaylamarie Porter	Did not own vehicle 7/1/19. Did not owe supplement.	$ 14.14

Tax Year 2020
Bluefield District

TICKET #	NAME	REASON	AMOUNT
300000210	Anthony D. Wright, Jr.	Taxpayer was military, was told after supplement ticket was made.	$ 109.90

Tax Year 2020
East River District

TICKET #	NAME	REASON	AMOUNT
500000390	Robert A. Miller	Supplement was keyed as Robert A. Should be Robert R.	$ 214.48

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 #75367-75440	Void #75323
COAL SEVERANCE	- Check #4157-4162	
JUSTICE FINES	- Check #5364	
EMERGENCY 911	- Check #4282	
HOME CONFINEMENT	- Check #2539-2543	
HOTEL MOTEL	- Check #4308-4311	
COURTHOUSE EQUIPMENT	- Check #823-824	
COURTHOUSE ANNEX	- Check #1792-1797	
VIDEO LOTTERY	- Check #1482-1484	
COAL REALLOCATION	-Check #1037-1038	
MCDRC FEES	- Check #5592-5605	
ASSESSOR REAPPRAISAL	- Check #6588-6594	
FINANCIAL STABILIZATION	- Check #1049	
TEEN COURT	- Check #227	
DEPUTY SHERIFF RETIREMENT	- Check #301	

It is ordered that this Commission be and is hereby adjourned until Tuesday, March 8, 2022.

_____PRESIDENT