

**Morgan County Commission Meeting
February 15, 2018**

Members present:

Commissioner Joel Tuttle, President
Commissioner Robert Ford
Commissioner Ken Reed

Also present: Lawrence Thomas; County Administrator, Kim Nickles, County Clerk, Peggy Oakes, Commission Admin. Assistant

The meeting was opened by Kimberly Nickles, Honorable County Clerk, at 9:30 a.m.

Administration Items

Final invoice from Design Concepts

Commissioner Ford made a motion to approve final invoice of \$12,925.00 to Design Concepts. President Tuttle voted yea, Commissioner Ford voted yea, Commissioner Reed voted yea. Motion carried.

Transfer of 522 Business Park Property (lot 5) to the Morgan County EDA

Commissioner Reed made a motion to have President Tuttle sign the 522 Business Park Property (lot 5) over to Morgan County EDA. President Tuttle voted yea, Commissioner Ford voted yea, Commissioner Reed voted yea. Motion carried.

Agenda Items

Request for supporting Resolution for the "Plan to Combine" the Morgan and Berkeley County Boards of Health

Mr. Bill Kearns presented to the Commission a resolution to combine Morgan and Berkeley County Boards of Health. They asked Hampshire and Jefferson County to combine, but declined. This will help remove service delivery barriers of county lines for two contiguous counties and creates a jurisdiction served by one board of health and serving 131,157 citizens. The tax payers will be saving money when the new board will serve to consolidate administrative functions and supervision of departments. The joint partnership will also provide increased serviced in Morgan County that previously are not available due to financial constraints.

Commissioner Ford made a motion to approve the plan to combine resolution and draft letter of a MOU attached. President Tuttle voted yea, Commissioner Ford voted yea, Commissioner Reed voted yea. Motion carried.

Estate of Doris L. Miller – Petition for Appointment of Committee

Mr. Gay explained to the Commission that if a person is incarcerated and has property in the state; a petition for appointment of committee can be awarded to a family member. The granddaughter of Doris Miller, Susan Caldwell is requesting that she be responsible.

President Tuttle made a motion to approve the petition for appointment of Committee to Susan Caldwell. President Tuttle voted yea, Commissioner Ford voted yea, Commissioner Reed voted yea. Motion carried.

Eastern Panhandle Conservation District – Funds request

Mr. Lynn Dunham and Mr. Jim Michael presented to the Commission a breakdown of expenses to maintain the dams in Morgan County, special mowers that are required by the state to mow on sloped ground. The state is thinking of getting their own organization together to mow these dam locations in the State of West Virginia. They are going to try to get a grant to match the dollars. The State of West Virginia does not have the funds at this time to help with funding that is why they have come to the Commission for funding.

President Tuttle will put information in the budget in March to help with funding. Mr. Michael and Mr. Dunham thank the Commission for their support.

Commissioner Reed made a motion to approve the Consent Agenda. President Tuttle voted yea, Commission Ford voted yea, Commissioner Reed voted yea. Motion carried.

Community Corrections – Day Report Center Update

Larry Thomas, County Administrator states that a MOU between Morgan County and Berkeley County to make changes, then approve the MOU. Would like to seek a grant from the Division of Justice and Community Services. The grant would require a 10% local match. Commissioners said they would provide that match.

Prosecuting Attorney Dan James would like to make referrals through Magistrate Court. Have State and Federal funding for them. The people who need treatment have them be kept in the area. Reduce the bond and require them to have treatment. To sign the new MOU and put money in at budget time. Location and distance is a factor.

Commissioner Ford wants to go forward and put this in place for Morgan County and write the MOU with Berkeley County.

Larry Thomas, County Administrator presented a slide show.

Commissioner Ford wants to give this program a chance to see if it works for Morgan County and look at the budget. To find space and put personnel in place with MOU with Berkeley County. Commissioner Ford has a few locations that a center can be created.

President Tuttle would like to move forward with the Day Report.

Commissioner Ford would like see if Federal Funding is available. To have Larry Thomas and Stefanie Allemong to get a Federal Grant together to get a Day Report Center for Morgan County.

Commissioner Reed made a motion to move forward with the Day Report MOU with Berkeley County, and find Federal Funding through a grant. President Tuttle voted yea, Commissioner Ford voted yea, Commissioner Reed voted yea. Motion carried.

Community Corrections Board – Opioid Lawsuit

- **Morgan Partnership**
- **Life or Drugs**
- **CCJB Board Resolution**

Commissioner Reed “Recused himself” from the meeting @ 11:20 am.

President Tuttle will give letter of support to join the law suit.

Letter from the Morgan County Partnership – Megan Hauser

Letter from the Morgan County Sheriff Department – K.C. Bohrer

Testimonials from: Life or Drugs – Melody Stotler, Crystal Michael

Commissioner Ford stated that when the Day Report Center gets in place for Morgan County. It will help the children and parents that are addicted to drugs.

Commissioners asked Mr. Larry Thomas to contact Stephen Skinner of the Skinner Law Firm to return to discuss the terms of Morgan County’s involvement in the lawsuit.

President Tuttle made a motion to join the legislation and have Mr. Larry Thomas to contact Stephen Skinner of the Skinner Law Firm to return to discuss the terms of Morgan County’s involvement in the lawsuit.

Commissioner Tuttle voted yea, Commissioner Ford voted yea, Motion carried.

Commissioner Reed “re-entered” meeting @ 11:55 am

Eastern Panhandle Home Consortium Resolution – Nancy Strine

Nancy Strine presented a re-new Resolution form from 7/1/2018 to 6/30/19 to the Commission. President Tuttle made a motion to approve the re-new Resolution for the Eastern Panhandle Home Consortium for the upcoming year. President Tuttle voted yea, Commissioner Ford voted yea, Commissioner Reed voted yea. Motion carried.

Stayed open for public hearing until 12:05 pm. No one showed.

Consent Agenda

Commissioner Reed made a motion to Consent Agenda. President Tuttle voted yea, Commissioner Ford voted yea, Commissioner Reed voted yea. Motion carried.

Recess

President Tuttle made a motion to recess the meeting. President Tuttle voted yea, Commissioner Ford voted yea, and Commissioner Reed voted yea. Motion carried

Back in secession at 5:00 pm

BOE – Charlie Lafferty. President Tuttle resolved BOE over the phone with Mr. Charlie Lafferty. No motion required.

BOE – Bart Rutley. Mr. Rutley stated that he bought the property in 2015 for \$20,000.00 dollars. That within 2.5 years later it's now appraised at \$36,470.00 in 2018 and it's in a flood plain. Fema will not let you build in a flood way. Robert Ratcliff, Assessor Appraiser informed the Commission that he has talked to Mr. Rutley about the property assessment in this sub-division. And that his water front property is accessed at \$38,600.00. President Tuttle made a motion to lower the property amount by \$20,000.00. President Tuttle voted nay, Commissioner Ford voted nay, Commissioner Reed voted nay. Motion denied. Motion carried.

Public Hearing for Morgan County Subdivision Ordinance changes

The public hearing was opened at 5:20 p.m.

Planning staff stated that the proposed changes had been reviewed by legal counsel and that there were no public comments received, written or oral, during the 30 day comment period. There were no public comments made or submitted at the hearing.

Commissioner Ford made a motion to approve the Subdivision Ordinance.

President Tuttle voted yea, Commissioner Ford voted yea, Commissioner Reed voted yea. Motion carried.

President Tuttle made a motion to Sign Died for the year 2018. President Tuttle voted yea, Commissioner Ford voted yea, Commissioner Reed voted yea. Motion carried.

Recess at 5:45 pm

2-15-18

MORGAN COUNTY COMMISSION
"MEETING SIGN-IN SHEET"

SHEET : OF:

DATE:				
NO.	"PRINT NAME"	REPRESENTING	PHONE #	E-MAIL ADDRESS
1	Lori Tiley	SELF		
2	Tom Tiley	SELF		
3	K. Shumay	Morgan Messenger	258-1800	
4	Bill Kearns	BC Health Dept.		
5	Josh Atwater	Journal		
6	Angie Gray	BC Health Dept		
7	Susan Caldwell	Estate		
8	LIN DUNHAM	EPC D		
9	JAMES MICHAEL	EPC D		
10	Laura Smith	MC Partnership		
11	Don Jones	PA		
12	Caitlin Zeigler	Probation		
13	Melody Stotler	Life or Drugs	301-331-2916	Life or drugs@yahoo.com
14	Down Beal	MC Partnership	301-331-8400	allsmiles77@yahoo.com
15	Crystal Michael	Life or drugs		
16	Maggi Warr	Morgan Co. Partnership	540-687-0350	Maggiwarr@gmail.com
17	Melanie Shambayf	MC Partnership, Life or Drugs		sham4wva@aol.com
18	Cindy Smalley	WVA Extension	304-258-8400	cindy.smalley@mail.wvu.edu
19	Rose Jackson	Shenandoah Women's Center	304-258-1078	mcgrupadv@swcinc.org
20	Hannah Stewart	MCBOE	258-2430	hannah.m.stewart@k2.wv.us
21	Meze Khan	MCP	258-7807	meze@morganpartnership.org
22	Shamus Cleveland	MCP	258-7807	shamus@morganpartnership.org
23	Audrey Morris	St. Points	258-5600	
24	Nancy Shire	City of Martinsburg	264-2131 ext 278	nshire@cityofmartinsburg.wv.us
25	Ginger Johnson	Home Consortium & Planning Commission		
26	Bartley Puller	SELF	301-712-5839	BARTLEYITIC@AOL.COM
27	Jack Soronker	Plan Comm		
28				
29				
30				

RESOLUTION

A RESOLUTION OF THE COUNTY COMMISSION OF MORGAN COUNTY, WEST VIRGINIA AUTHORIZING PARTICIPATION IN THE EASTERN PANHANDLE HOME CONSORTIUM OF WEST VIRGINIA FOR THE PERIOD OF JULY 1, 2018 TO JUNE 30, 2019.

WHEREAS, TITLE II of the National Affordable Housing Act of 1990 provides for the creation of the HOME Investment Partnership Program (hereinafter referred to as "HOME"); and

WHEREAS, the HOME regulations promulgated by the U.S. Department of Housing and Urban Development (HUD) under 24 CFR Part 92 authorizes units of general local government to enter into Housing Consortium Cooperation Agreements; and

WHEREAS, there is a need throughout the Eastern Panhandle of West Virginia to provide affordable housing for the low and moderate-income residents; and

WHEREAS, the City of Martinsburg, County of Berkeley, Town of Hedgesville, County of Jefferson, Town of Bolivar, City of Charles Town, Town of Harpers Ferry, City of Ranson, Corporation of Shepherdstown, County of Morgan, Town of Bath, Town of Paw Paw, West Virginia, have formed a Consortium that has been designated as a Participating Jurisdiction under the HOME Program, thereby entitling the Consortium to seek annual funding; and

WHEREAS, the Morgan County Commission entered into a three (3) year Housing Consortium Cooperation Agreement with an annual renewal clause for participation in the HOME Consortium for the Eastern Panhandle; and

WHEREAS, the U.S. Department of Housing and Urban Development is expected to award the HOME Consortium of the Eastern Panhandle a HOME grant upon request and consideration for Fiscal Year 2018; and

WHEREAS, the Morgan County Commission recognizes the need to obtain funding for affordable housing and has identified the HOME Program as a source of funds to meet this need.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF MORGAN COUNTY THAT:

1. Morgan County will cooperate with the City of Martinsburg, County of Berkeley, Town of Hedgesville, County of Jefferson, Town of Bolivar, City of Charles Town, Town of Harpers Ferry, City of Ranson, Corporation of Shepherdstown, Town of Bath, Town of Paw Paw, West Virginia, in a Consortium for participation in the HOME Program; and

2. The **President** of the **Morgan County Commission** is hereby authorized to enter into a one-year Cooperation Agreement for the period of July 1, 2018 to June 30, 2019 with the other members which form the Eastern Panhandle HOME Consortium of West Virginia; and
3. A copy of this resolution is to be submitted in the request to US. Department of Housing and Urban Development to approve funding of the Eastern Panhandle HOME Consortium of West Virginia for the above Fiscal Year 2018 HOME Investment Partnership Program.

Adopted this 15th day of February, 2018.

BY:

Joe Zullo, Commission President

Name and Title

ATTEST:

Ginger L Johnson, Notary

Name and Title





Morgan County Commission
77 Fairfax Street, Room 101
Berkeley Springs, WV 25411
304-258-8540

- COMMISSIONERS -

Joel Tuttle
134 Ridgewood Trail
Berkeley Springs
WV 25411
304-258-7958

Robert Ford
9 Barbecue Drive
Berkeley Springs
WV 25411
304-258-4178

Ken Reed
4253 Martinsburg Rd
Berkeley Springs
WV 25411
304-258-8540

BEFORE THE COUNTY COMMISSION OF MORGAN COUNTY, WEST VIRGINIA

**RE: MERGER OF BERKELEY AND MORGAN COUNTY
HEALTH DEPARTMENTS**

On Wednesday, July 19, 2017, the Morgan County Commission received a proposal from Bill Keans, Administrator, Berkeley County Health Department; Mary Jane Rinard, Chairperson, Berkeley County Board of Health; Angela Gray, Nurse Director; and Dr. Reid, to request that the Morgan County Commission adopt a resolution approving the merger of the Morgan County Health Department with the Berkeley County Health Department.

There was a full discussion of the issues, including but, not limited to budgetary matters, the size and composition of a combined board of health, the benefits to both county departments from a sharing of program offerings and services, administrative duties, and the ability to utilize all resources in a more efficient and effective manner. Further discussion with regard to the composition of the merger of the Morgan and Berkeley boards yielded an agreement that board membership would be evenly split among a six-member board.

Following the discussion, Commissioner Ford made a motion to approve the creation of the regional board of health, combining Morgan and Berkeley Counties' boards at the earliest possible time, into a single board, which would have jurisdiction over both counties. The motion concluded by granting authority for the Commission President to sign this resolution on behalf of the Commission. The motion was approved unanimously.

Accordingly, BE IT RESOLVED THAT, the Morgan County Commission will support efforts of the Berkeley County Board of Health and Health Department to move forward with the formulation of a plan to merge and otherwise combine for all statutorily authorized purposes with the Morgan County Board of Health and Health Department, in full collaboration and cooperation with the West Virginia Bureau of Public Health and Commissioner Gupta, all as contemplated by the discussions and decisions herein set forth.

Done this day of January 2018, *nunc pro tunc* to July 19, 2017.


Joel Tuttle, President

ATTEST:


Ginger Johnson, Clerk

