

**Morgan County Commission Meeting
March 1, 2018**

Members present:

Commissioner Joel Tuttle, President
Commissioner Robert Ford
Commissioner Ken Reed

Also present: Lawrence Thomas; County Administrator, Kristy Farris Somers,
Commission Secretary

Public present: See attached sign in sheet

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

Administration Items

Approval of meeting minutes

Commissioner Ford made a motion to approve the February 13th and February 15th 2018 meeting minutes. President Tuttle voted yea, Commissioner Ford voted yea, and Commissioner Reed voted yea Motion carried.

Assessor's Exonerations

There were no Exonerations for this meeting.

Agenda Items:

Elected Official's Review Budgets for 2018-19

Kimberly Nickles, County Clerk
K.C. Bohrer, Sheriff
Ronald McIntire, Assessor
Melanie Shambaugh, Circuit Clerk
Dan James, Prosecuting Attorney
Lawrence Thomas, County Administrator

Class Action Suit v. Opioid Manufacturers, Distributors

-Morgan County Resolution on Opioid Epidemic

Commissioner Ford made a motion to adopt the Morgan County Resolution on the Opioid Epidemic. President Tuttle vote yea, Commissioner Ford voted yea. Motion Carried. Commissioner Reed recused himself from the discussion and vote.

- Contingent Fee Contract with Skinner Law Firm

Commissioner Ford made a motion to sign the Contingent Fee Contract with Skinner Law Firm. President Tuttle voted yea, Commissioner Ford voted yea, Motion carried and Commissioner Reed recused himself from the discussion and vote.

Purslane Tower property options (Executive Session)

Commissioner Reed made a motion to go into Executive Session to discuss options on the Purslane Tower property. President Tuttle voted yea, Commissioner Ford voted yea, and Commissioner Reed voted yea. Motion carried. Commissioner Ford made a motion to come out of executive session. President Tuttle voted yea, Commissioner Ford voted yea, and Commissioner Reed voted yea. Motion carried. NO Action Taken.

Administrator's Report

Status of Callas Bill #4 for the Pines

Commissioner Ford made a motion to approve pay app #4 for the amount of \$44,741.31 to be paid for the Pines. President Tuttle voted yea, Commissioner Ford voted yea, and Commissioner Reed voted yea. Motion carried.

Request to hire a part-time Custodian

Commissioner Reed made a motion to approve the hire of a new part-time Custodian to replace an open part-time Custodian position. President Tuttle voted yea, Commissioner Ford voted yea, and Commissioner Reed voted yea. Motion carried.

Letter of support to the Town of Bath for the Chesapeake Bay Grant

Commissioner Reed made a motion to approve the support letter to the Town of Bath for the Chesapeake Bay Grant. President Tuttle voted yea, Commissioner Ford voted yea, and Commissioner Reed voted yea. Motion carried.

Consent Agenda

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

MORGAN COUNTY COMMISSION
 "MEETING SIGN-IN SHEET"

SHEET: OF:

DATE: 3-1-18

NO.	"PRINT NAME"	REPRESENTING	PHONE #	E-MAIL ADDRESS
1	LORI KILEY	SELF		
2	Thomas Kiley	SELF		
3	Lynca Burkuss	self		
4	DAVID ROSE	self		
5	Irish Strada	media		
6	Don Jance	PA		
7	Sarah Higgin			
8	Jephie Nlemm	GIS		
9	Rand Day	self		
10	Dick Myers	OES		
11	Matthew Veto	Co. UK		
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**BEFORE THE COUNTY COMMISSION OF
MORGAN COUNTY, WEST VIRGINIA**

Re: Morgan County Resolution on the Opioid Epidemic

The County Commission of Morgan County, West Virginia, hereby adopts this resolution pursuant to the powers conferred upon county commissions by the State of West Virginia, including its authority "to enact ordinances, issue orders and take other appropriate and necessary actions for the elimination of hazards to public health and safety and to abate or cause to be abated anything which the commission determines to be a public nuisance." W. Va. Code § 7-1-3kk(2002).

WHEREAS, "A public nuisance is an act or condition that unlawfully operates to hurt or inconvenience an indefinite number of persons. The distinction between a public nuisance and a private nuisance is that the former affects the general public, and the latter injures one person or a limited number of persons only. Ordinarily, a suit to abate a public nuisance cannot be maintained by an individual in his private capacity, as it is the duty of the proper public officials to vindicate the rights of the public." *Sharon Steel Corp. v. City of Fairmont*, 175 W. Va. 479, 483, 334 S.E.2d 616, 620 (1985).

WHEREAS, between 2007 and 2012, millions of doses of prescription pain pills were sold in West Virginia and in Morgan County which has a 2010 census population of 17,541. The dumping of millions of pain pills into our community has spawned a public health and safety hazard to the residents of Morgan County, devastated our families, hurt our economy, wasted our public resources, and created a generation of narcotic dependence.

WHEREAS the manufacturers and distributors of opioids have wrongfully abused the privilege of providing medication to our residents and must be held accountable. The Morgan County Commission therefore takes this action to abate this public nuisance to the people of Morgan County.

THEREFORE, BE IT RESOLVED that the Morgan County Commission hereby declares that the wrongful distribution of prescription pain pills, including hydrocodone and oxycodone has created a public nuisance to the people of Morgan County,

FURTHERMORE, the Morgan County Commission has retained Skinner Law Firm as counsel, on a contingent fee basis, to hold accountable those in the chain of distribution who caused this public nuisance and abate the same by seeking all civil remedies which may be afforded under West Virginia law. Stephen Skinner, Esquire, shall serve as lead counsel.

The adoption of the foregoing motion, having been made by R. Ford,
Commissioner and seconded by J. Tuttle, Commissioner.

Upon due consideration of the Resolution set forth hereinabove at a duly called
meeting of the Commission, and a vote of the membership of the Commission, the
Resolution was adopted on this 1st day of March 2018.

Joel Tuttle, President

A handwritten signature in cursive script that reads "Joel Tuttle". The signature is written in dark ink and is positioned to the right of the printed name "Joel Tuttle, President".