

Morgan County Commission Meeting
October 1, 2025

APPROVED

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PRESIDENT COUNTY COMMISSION



Members present:

President Bill Clark
Commissioner Joel Tuttle
Commissioner Sean Forney via Zoom

Staff Present:

Kim Nickles, County Clerk
Dan James, Prosecuting Attorney
Matt Pennington, Wellness Center Director
Misty Clingerman, County Administrator

Sheriff John Walter, Sheriff's Dept.
Chief Eric Widmyer, Sheriff's Dept.
Deputy Tim Sherman, Sheriff's Dept.
Nevin Camp, Facilities Director

Call to Order

Kim Nickles called the meeting to order at 9:30 am.

Review and Approval of Agenda

Commissioner Tuttle made a motion to approve the agenda with the addition of a letter of support for Life or Drugs. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Items from the public

None.

Administration Items

Approval of meeting minutes

Commissioner Forney made a motion to approve the meeting minutes from 9/17/2025. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion carried.

Assessor's Exonerations

Commissioner Tuttle made a motion to approve the exonerations for Taxpayers King and Wilson for the non-objects presented by the Assessor. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Agenda Items

Breast Cancer Awareness Month

Linda Martin came before the Commission for Breast Cancer Awareness Month reminding women that clinical breast exams, breast self-exams, and mammograms can save lives. Commissioner Tuttle made a motion to declare October 13th as Breast Cancer Awareness Day and the month of October as Breast Cancer Awareness Month. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Sheriff's Department Vehicles and Body Cam Licensing

Sheriff Walter came before the Commission to share that he would like to purchase two more body cam license since they are fully staffed. Commissioner Tuttle made a motion to approve two extra licenses from Axon Enterprise in the amount of \$1,592.50 to be paid from the Opioid Fund. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Since the Sheriff's Department is currently staffed, Sheriff Walter requested to purchase another vehicle. Commissioner Tuttle made a motion for Sheriff to make a selection for a vehicle up to \$44,138.00 to be paid from Coal Severance. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Sheriff Walter, also requested phones for deputies. The Commission said that they will revisit that topic at a later time.

Sheriff Department New Hire

Commissioner Forney made a motion to hire Deputy Timothy Sherman as a Home Confinement Officer and Process Server for the Morgan County Sheriff's Department retroactively effective September 22, 2025. His starting salary will be \$40,040, \$19.25 an hour. The breakdown of the salary will be 50% out of 700 (\$20,020), 25% out of 701 (\$10,010) and 25% out of 7005 (\$10,010). President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Shely Estate

Legal for the Shely Estate came before the Commission. Mr. Morrow said that the executives have failed to do what the Fiduciary Commissioner ordered. Executives have not complied as of August. He said that it has been 17 years since the passing and there is still no end in sight. Mr. Morrow is requesting that the Commission set aside the order from May 7, 2025 and hold the co-executors responsible for paying the Fiduciary fees. Mr. Henry replied that geographics for his clients is difficult for them to come to a resolution. He also stated that the court order had no timeline for when the actions on the order needed to be completed. Prosecutor Dan James suggested the

Commissioner Tuttle made a motion for the Commission to set aside the order of May 7th that directed the Fiduciary Commissioner's expenses be split equally amongst the heirs and require those Fiduciary Commissioner's expenses be split between the two co-executors for past and future payments.

Commissioner Tuttle made a motion to issue a court order that requires the co-executors to file the revised accounting on or before October 31, 2025. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Commissioner Tuttle added if the final revised accounting is not supplied on or before October 31, 2025, we require the co-executors to appear before the Commission on November 5th to show cause as to why it has not been completed. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Commissioner Tuttle amended his motion that the Commission requests the Fiduciary Commissioner notifies the County Clerk's Office immediately when the final revised accounting has been submitted President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Eastern Panhandle Conservative District – Equipment Lease

Commissioner Tuttle made a motion for 1-year lease with no automatic renewal President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Letter of Support for WV First Foundation Grant Application

Commissioner Tuttle made a motion to approve a letter of support for Morgan County Partnership and Life or Drugs for the WV First Foundation Grant application. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Clerk's Office Retirement Plan

Kim Nickles came before the Commission to try to figure out a game plan for when three people from the Clerk's Office retire. Kim and Joyce will be retiring in March 26, 2027 and Lisa will be retiring in May 21, 2027. Kim is requesting to hire a full-time person to train for voter's registration and election time. Commissioner Tuttle has his concerns of training a full-time person for just voter's registrations and elections. He reminded them that the last full-time person they hired was to be trained to learn all the positions in the office and that has not happened. The Commission appreciates the clerks wanting to help the county prepare them for their departure. The Commission will reevaluate the situation as the time gets closer.

Wellness Center Discussion/Possible Action

Nevin Camp approached the Commission about purchasing two new heat exchangers for the heating units at the Wellness Center. President Clark made a motion to approve the purchase of the two heat exchangers from Southern Air in the amount of \$8,177.00 and \$6,472.00. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Administrator's Report

Commissioner Forney made a motion to approve a letter of support for the FLAP Grant for the Town of Paw Paw. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

President Clark made a motion to add Misty Clingerman as the authorized representative for things related to Opioid Settlements. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion Carried.

Consent Agenda

Commissioner Forney made a motion to approve the consent agenda. President Clark voted yea. Commissioner Tuttle voted yea. Commissioner Forney voted yea. Motion carried.

Adjourn

President Clark adjourned the meeting at 11:30 am.

Minutes submitted by M. Clingerman