

**Morgan County Commission Meeting
September 2, 2026
Morgan County Courthouse**

APPROVED

SEP 16 2026

PRESIDENT COUNTY COMMISSION



Members present:

President Joel Tuttle
Commissioner Sean Forney
Commissioner Bill Clark

Staff Present:

Kim Nickles, County Clerk
Barker, Deputy
Misty Clingerman, County Administrator
Felicia Darlington, Grants Administrator/ Commission Secretary

Johnnie Walter, Sheriff

Call to Order

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

Review and Approval of Agenda

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

Items from the public

None.

Administration Items

Approval of meeting minutes

Commissioner Clark made a motion to approve the meeting minutes from 8/19/2026. President Tuttle voted yea. Commissioner Forney voted yea. Commissioner Clark voted yea. Motion carried.

Assessor's Exonerations

Commissioner Forney made a motion to approve the exonerations for taxpayers Harmison (2), B&A Gloyd Investments LLC, and Robert Mills Total Home Solutions, for the non-objects presented by the Assessor. President Tuttle voted yea. Commissioner Forney voted yea. Commissioner Clark voted yea. Motion carried.

Agenda Items

Linda McGraw- Constitution Week

Members of the Daughters of the American Revolution were present asking the Commission to sign a Resolution declaring September 17- 23 as Constitution Week. Commissioner Forney made a motion to authorize the signing of the Resolution declaring September 17-23 Constitution Week. President Tuttle voted yea. Commissioner Forney voted yea. Commissioner Clark voted yea. Motion carried.

Sheriff Walter- Introduction of K-9 Officer Culi

Sheriff Walter introduced the newest member of the Morgan County Sheriff's Department, K-9 Officer Culi. She is a Chocolate Labrador, 1 year old and came from Hungry. Culi will begin an 8-week training course in Winchester next week. Deputy Barker will be her handler. Sheriff Walter hid an object in the room to demonstrate Culi's abilities. Although she did not find the object right away, Sheriff Walter and Deputy Barker are confident in her and what she brings to the teams to keep Morgan County safe!

Sheriff Walter- Request for Opioid Funding for Cellbrite Renewal

Cellbrite is for cell phone use that assists the prosecuting attorney mostly with drug cases. In November 2024 There was \$21,000 from ARPA that paid for this. Sheriff Walter would like to renew the contract because it's been working so well. Commissioner Forney made a motion to approve the renewal of the Cellbrite contract for 1 year at \$9,250 to be paid for out of Opioid Funding. President Tuttle voted yea. Commissioner Forney voted yea. Commissioner Clark voted yea. Motion carried.

Sheriff Walter- Request for Opioid Funding for Body Armor

Sheriff Walter brought to the Commission's attention that there are 6 vests needed for the Sheriff's Department because 4 vests being used are expiring in December and there are 2 needed for new employees. The new vest will be upgraded from a level 2 to a level 3. Commissioner Clark made a motion to approve the request of new Body Armor for the Sheriff's Department, a quote of \$6,621.22 from Angel Armor Body Armor taken from Carry Over 424-458. President Tuttle voted yea. Commissioner Forney voted yea. Commissioner Clark voted yea. Motion carried.

Christi Hicks- NRCS Warm Springs Watershed Plan

Christi Hicks with NRCS asked the Commission if they would write a letter to the Town in regards of the alternative plans pertaining to their Warm Springs Watershed Plan for the projects that are outside of town limits. #2 is a project by the Walgreens. #4D is Congress to Mercer Street for a 8ft. by 4ft. box culvert. These projects would be fully funded by NRCS because the prevent flooding. Commissioner Clark asked Ms. Hicks to create a resolution to be signed at a later meeting.

Cara Harding, Berkeley- Morgan County Health Department- Presentation on new process & procedure for obtaining Food Handler's Cards

Cara Harding with Berkeley- Morgan County Health Department is proposing Morgan County adopt a Policy for Food Handler's Cards. Morgan and Berkeley County's are the only ones in the state who do not have one. It will be a 45-minute virtual training session. Individuals pay for themselves: 1-year Countywide card, \$20.99. 2-year Countywide card, \$30.99. 1-year Statewide card, \$20.99. The exception is for establishments who operate no more than 90 days AND their menu is very limited; only require a person in management role to have a Certified Manager Level Food Training. This policy would take effect January 1, 2027. Ms. Harding presented a data sheet that had Berkeley and Morgan County's food born illnesses from 2003 to present. Commissioner Forney pointed out the Concession at the Ball Fields is open more than 90 days because it hosts sporting events all summer and through the school year. The exception wouldn't cover the Concessions Morgan County has.

President Tuttle questioned the 99 cents to the cost of the cards. Ms. Harding said she was looking into that as well because she wasn't sure how that was either. There is also a question about the timeline for non-compliance. Ms. Harding spoke about the penalty for non-compliance being a \$125 cost if the inspector must re-visit an establishment for failure to provide proof of the employees' training.

Approve Homeland Security Radio Grant Award Agreement

Commissioner Forney made a motion to approve the authorization of the President to sign the 911 Center subaward grant program from Homeland Security Grant Program for radios in the amount of \$170,323. President Tuttle voted yea. Commissioner Forney voted yea. Commissioner Clark voted yea. Motion carried.

Region 9- Proposal for Lower Paw Paw Park (Foundation)

A Funder, who requested to stay anonymous until agreements are confirmed, would like to fund a park for the community in the town of Paw Paw. The Riverside Park Concept Plan would include basketball, pickleball, and volleyball courts, playground, pavilion, greenhouse, walking paths, parking, and more. Commissioner Clark made a motion to approve the expenditure of \$469,666.81 for the Riverside Park in Paw Paw contingent of approval of reimbursement from funder. President Tuttle voted yea. Commissioner Forney voted yea. Commissioner Clark voted yea. Motion carried.

Water Moratorium Discussion/ Decision about County filing a public comment

The Town of Bath is requesting a water moratorium due to near capacity concerns. The Commissioners oppose this request and have questions about the data to support the water moratorium. Commissioner Clark made a motion to authorize the signing of the six-page letter to the Public Service Commission to request more information of data for Moratorium. President Tuttle voted yea. Commissioner Forney voted yea. Commissioner Clark voted yea. Motion carried.

Recreational Property Purchase- Discussion/ Possible Action

Commissioner Forney made a motion to move into executive session to discuss the counter offer made by US Silica for the recreational property purchase. President Tuttle voted yea. Commissioner Forney voted yea. Commissioner Clark voted yea. Motion carried.

Commissioner Forney made a motion to come out of executive session. President Tuttle voted yea. Commissioner Forney voted yea. Commissioner voted yea. Motion carried.

Commissioner Froney made a motion for Commission President to sign the necessary paperwork to accept the counteroffer from US Silica to include the .25 acres northwest of the property and an additional .25 acres at the corner of Sandmine Rd and 522. President Tuttle voted yea. Commissioner Forney voted yea. Commissioner voted yea. Motion carried.

Administrator's Report

Request to change Day Report Employee Robert Sawyer hours from 19.5 to 32 hours because the Day Report Center needs a male to help with drug screening. Commissioner Clark made a motion to approve the change of hours for Robert Sawyer from 19.5 to 32

hours on September 14, 2026. President Tuttle voted yea. Commissioner Forney voted yea. Commissioner Clark voted yea. Motion carried.

The DEP NPDES permit for the North Berkeley Rail Trail was approved September 1, 2026 thanks to the determination of our Grants Administer, Felicia Darlington

Consent Agenda

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

Adjourn

President Tuttle adjourned the meeting at 11:30 am.

Minutes submitted by F. Darlington