

**Morgan County Commission Meeting/Approve Levy  
April 16, 2024**

**Members present:**

Commissioner Sean Forney  
Commissioner Joel Tuttle  
Commissioner Bill Clark

**Staff Present:**

Kimberly Nickles, County Clerk  
Misty Clingerman, County Administrator  
Melanie Smith, Commissioners Secretary



**Items from the public**

**Ellen Lachewitz**

Ellen Lachewitz approached the commission to inquire about how the money from the Opioid Fund is being spent, what's happening with the old school building purchased by the Lotus Group and what it will be used for. She also wanted to know if it would be a rehab center and if not, whatever other purposes the building will serve, and who will be cleaning up the debris on the property. She also enquired about replacing the old skate park with a new one. The Commissioners explained what has been paid for out of the opioid fund and expressed that they support the Day Report Center which is a rehabilitation center. The Commissioners explained that the old school she referred to is not owned by the Morgan County Commission and that another company, the Lotus Group, has purchased it and since they own the building it is up to them how the building will be used. The Morgan County Commission expressed they have no authority over what the building will be used for. President Forney explained that the Commission has attempted to contact the Lotus Group to find out more information, but there has been no response, but stated that the Commission will try to contact them again. Concerning the debris around the old school house property, Ms. Lachewitz wanted to know what Morgan County will be doing about cleaning up the property. She was informed by the Morgan County Commission that it's also up to the Lotus Group to clean up the debris, and if Morgan County attempted to, the County would be trespassing. Ellen also inquired about having a skate park built to replace the old one. President Forney explained that the skate park won't be built, but that a pump track for the biking trail at Cacapon State Park is being delivered on May 2, 2024 and installed May 2, 2024 through May 4, 2024.

**Kimberly Nickles**

Kimberly Nickles approached the Commission with a reminder that April 23, 2024 is the last day to register to vote or make any changes. Early voting starts May 1, 2024 through May 11, 2024. Saturday, May 4, 2024 and Saturday, May 11, 2024 the County Clerk's Office is open 9AM-5PM. Public testing of the machines is April 25, 2024 at 4pm. Programming of the machines is on Saturday, April 20, 2024.

**Review and Approval of Agenda**

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

### **Administration Items**

#### **Approval of Meeting Minutes**

Commissioner Tuttle made a motion to approve the 04/03/2024 Meeting Minutes. President Forney voted yea. Commissioner Tuttle voted yea. Commissioner Clark voted yea. Motion carried.

#### **Exonerations**

Commissioner Tuttle made a motion to approve the Assessor's Exonerations as presented, Otis L. Johnson, James R. Davison, Thray Carlisle, Jay E. Koontz, & Darrin McCoy. President Forney voted yea. Commissioner Tuttle voted yea. Commissioner Clark voted yea. Motion carried.

### **Agenda Items**

#### **Sleepy Creek NRCS Contract**

Commissioner Clark discussed the Sleepy Creek NRCS Contract Agreement with Stan Oaks and Chuck Marsh from Sleepy Creek Watershed. He asked them if the scope of work was agreeable with them and they responded that it was. Commissioner Clark also stated that as soon as we get all of the details of the contract ironed out there will be another meeting for President Forney to sign the contract. Commissioner Clark made a motion to authorize the Commission President to sign the NRCS Document. President Forney voted yea. Commissioner Tuttle voted yea. Commissioner Clark voted yea. Motion carried

#### **Re-Approval for FY 24/25 Budget**

Commissioner Tuttle explained why the FY 24/25 Budget needs re-approval. Commissioner Tuttle made a motion to authorize the subtraction of \$13,899 out of the Regional Jail Bill and put it in the Regional Development Council contribution bringing it up to \$13,900. President Forney voted yea. Commissioner Tuttle voted yea. Commissioner Clark voted yea. Motion carried

#### **Morgan County Wellness Project – Notice of Public Hearing**

The Commissioners discussed the Notice of Public Hearing publication in reference to the "Application for Federal Assistance" to Rural Development for the Morgan County Wellness Project. The publication for the Notice of Public Hearing must run in the Morgan Messenger, a weekly publication, for two consecutive weeks beginning April 24, 2024 and May 1, 2024 which will state that the meeting will be on May 15, 2024 @ 10am and that after the publication, the Morgan County Commission must provide the USDA with a copy of the notice as it appears in the newspaper, an affidavit of publication from the newspaper and a copy of the minutes from the public hearing. Commissioner Tuttle made a motion to approve the Notice of Public Hearing for May 15, 2024 @ 10am. President Forney voted yea. Commissioner Tuttle voted yea. Commissioner Clark voted yea. Motion carried

#### **Bill Kearns & Cara Harding – Board of Health Permit Fees**

Bill Kearns and Cara Harding approached the Commission to request that the Morgan County Commission would approve an increase in permit fees for the Board of Health. Commissioner Tuttle made a motion to approve the proposed maximum permit fees which is approximately 20%. President Forney voted yea. Commissioner Tuttle voted yea. Commissioner Clark voted yea. Motion carried.

#### **Sarah McGee – Mountain Heart Community Services**

Sarah McGee from Mountain Heart Community Services, Inc. approached the Commission to request that President Forney declare May 10, 2024 Provider Appreciation Day and urge all citizens to recognize Child Care Providers for their important work, and how valuable they are for our communities. She also requested that President Forney declare May 2024 as Community Action Month in recognition of the hard work and dedication of Morgan County, WV Community Action Agencies. Commissioner Tuttle made a motion to declare May 10, 2024 as Provider Appreciation Day and May 2024 as Community Action Month. President Forney voted yea. Commissioner Tuttle voted yea. Commissioner Clark voted yea. Motion carried.

#### **Audrey Morris – Morgan County Family Support Center**

Audrey Morris approached the Commission and described how the Morgan County Family Support Center benefits Morgan County and described the services they provide. They're able to mitigate situations where children may erroneously be reported to or taken by Child Protective Services. She explained how they help needy families with clothing, food, etc. Audrey Morris requested that President Forney recognize April as Child Abuse and Neglect Prevention Month and also invited the Commissioners to the Starting Points 25<sup>th</sup> Anniversary Open House in May.

#### **Letter of Support for American Legion – Discussion/Possible Action**

The American Legion requested that the Commissioners authorize President Forney to sign a letter endorsing the plan of the American Legion Post 60 to sell alcoholic beverages to individuals over the age of 21 due to the fact that Morgan County does not have a zoning ordinance and this is a permitted and acceptable function. Commissioner Tuttle made a motion to authorize President Forney to sign the letter for American Legion due to the fact that Morgan County does not have a zoning ordinance. President Forney voted yea. Commissioner Tuttle voted yea. Commissioner Clark voted yea. Motion carried.

#### **Set Levy Rate**

The Commissioners discussed setting the Levy Rate. Commissioner Tuttle made a motion to maintain the same rate as previous years which is 14.3% Class 1, 28.6% Class 2, and 57.2% for Classes 3 and 4 per \$100 for FY25. President Forney voted yea. Commissioner Tuttle voted yea. Commissioner Clark voted yea. Motion carried.

#### **Consent Agenda**

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

#### **Adjourn**

President Forney adjourned the meeting at 10:55AM.

Minutes submitted by M. Smith