



CORPORATION OF HARPERS FERRY

Town Council

MINUTES

Special Meeting

Thursday, 6 October 2020

6:00 p.m.

Town Hall • 1000 Washington Street, Harpers Ferry, West Virginia 25425 • VIA ZOOM

CALL TO ORDER: 6:01 p.m. by Mayor Wayne Bishop. Due to the COVID-10 pandemic, this meeting was conducted through Zoom and live-streamed on social media, in compliance with the State's emergency guidance on the Open Governmental Meeting Act.

Member	Title	Status
Wayne Bishop	Mayor	Present
Kevin Carden	Recorder	Absent
Barbara Humes	Councilmember	Present
Hardwick S. Johnson, Jr.	Councilmember	Present
Christian Pechuekonis	Councilmember / Planning Liaison	Present
Jay Premack	Councilmember	Present
Nancy Singleton Case	Councilmember	Present (<i>recording</i>)

APPROVAL OF AGENDA: The agenda was approved as received.

1. Discussion and action on Resident's request to be released from executing a Deed of Easement and Right of Way requested for the water project.

Noting that additional information had been provided to Town Council members over the past week in an effort to answer lingering questions, Barbara Humes provided an overview, stating: *"Since July of last year, when the first notice of easement acquisitions went out, almost every single one of the seven property owners has negotiated changes to the engineered drawings and eventually agreed to accept the appraised value of the easements. All but one of the properties are located in Lower Town. Two property owners asked to be dropped from the drawings and our engineer, Chris Eckinrode, has pointed out that essentially, he drew the proposed lines as a benefit to those property owners so as to shorten their service line and that these properties in question, if excluded, would not have an adverse effect on the delivery of improved clean water on the overall project."*

A brief discussion ensued with Jay Premack voicing concern of past leaks and winter icing into Lower Town and onto High Street, and questioning the Town's liability, should the Town grant any easement exclusion(s), were leaking and icing to occur again; he also questioned the property owners regarding their understanding of liability and / or

responsibility if the easement exclusion(s) were to be granted. Hoy Shingleton, the Water Project attorney, weighed in with comment on possible leaks and the Town’s liability, and Messrs. Paschall and Sherry, the property owners, provided their acknowledgement.

Motion	I move to provide the water system improvement project utility easement exemption requested by Philip Paschall and Elizabeth Cox, via letter dated September 4, 2020, and Steve Sherry and Greg Dean, via letter dated September 4, 2020, at properties located on Tax Map 3 Parcel 0029, Tax Map 3 Parcel 0030, and Tax Map 3 Parcel 0031, with an official notification letter from the Mayor outlining conditions that are to be assumed by the property owner pertaining to full responsibility of water service lines and understanding of the age and condition of said lines and the circumstances under this exemption for which the Town or the Water Works would be held harmless. (ROLL CALL VOTE REQUESTED)
Motion by	Barbara Humes
Second	Hardy Johnson
YES	Humes, Premack, Johnson, Pechuekonis, Case, Bishop
NO	<i>None</i>
Result	MOTION APPROVED

Motion to adjourn by Wayne Bishop, second by Nancy Case. Meeting adjourned at 6:18 p.m.

The above minutes are true and correct, as approved.

Mayor: _____ Date: _____

Recorder: _____ Date: _____