



# CORPORATION OF HARPERS FERRY

## Town Council

### MINUTES

**Special Meeting**

**Wednesday, 13 January 2021**

**6:00 p.m.**

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

Called to order at 6:02 p.m. by Mayor Bishop. Due to the COVID-19 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 Meetings Act.

Member	Title	Status
Wayne Bishop	Mayor	Present
Kevin Carden	Recorder	Present
Nancy Singleton Case	Councilmember	Present
Barbara Humes	Councilmember	Present
Hardwick S. Johnson, Jr.	Councilmember	Absent
Christian Pechuekonis	Councilmember	Present
Jay Premack	Councilmember	Present

Also attending were Town Attorney Kin Sayre; and Fred and Karen Schaufeld, Laurel Ziemianski, and attorney John Stump, representing SWaN Investors and the Hill Top House Hotel.

Mayor Bishop said that there have been inquiries from members of the community about which rights-of-way are the subject of the street-use negotiations and whether those rights-of-way should be described explicitly on the special meeting agendas. Attorney Kin Sayre advised that those rights-of-way can be named on the agenda if the Town Council desires.

Councilmember Nancy Case described the six properties (rights-of-way) that are subject to these negotiations: E Ridge Street, east of Columbia Street; E Ridge paper street; Lancaster Street north; Lancaster paper street; Columbia Street; and Columbia paper street.

Nancy Case revealed a letter of intent to sue the State of West Virginia over Senate Bill 657 (2019), to which Mayor Wayne Bishop is a party. Discussion was held on whether the letter and associated lawsuit are germane to these negotiations.

<b>Motion</b>	Motion to declare that the letter of intent to sue the State of West Virginia, dated 17 December 2020, is germane to tonight's agenda.
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<b>Motion by</b>	Nancy Case
<b>Second</b>	Kevin Carden
<b>YES</b>	Premack, Pechuekonis, Case, Carden
<b>NO</b>	Humes, Bishop
<b>Result</b>	<b>MOTION APPROVED</b>

Upon further discussion, Mayor Bishop was asked to recuse himself from the street-use negotiation meetings, which he declined to do.

**1. Review, discussion, and action on the Town Council’s proposal and counter-offer draft for street-use agreement between the Corporation of Harpers Ferry and SWaN Investors.**

*This item was discussed in executive session. No action was taken.*

<b>Motion</b>	Motion to enter executive session, pursuant to WV Code § 6-9A-4(b)(9).
<b>Motion by</b>	Nancy Case
<b>Second</b>	Kevin Carden
<b>Result</b>	<b>MOTION APPROVED. Executive session began at 6:30 p.m.</b>

*The meeting returned to open session at 9:51 p.m.*

Motion to adjourn by Nancy Case, second by Barbara Humes. Meeting adjourned at 9:52 p.m.

*The above minutes are true and correct, as approved.*

Mayor: \_\_\_\_\_ Date: \_\_\_\_\_

Recorder: \_\_\_\_\_ Date: \_\_\_\_\_