

July 21, 2020

To: Christy Huddle, send via email to huddlec@yahoo.com

Re: 'FOIA Request' - FOIA Request 2020-0011

Ms. Huddle,

This letter serves as complete fulfillment of FOIA request 2020-0011, received 7/15/2020. The request regarding verification of what you heard on special town council meeting last week that Angie was to receive a \$1 raise starting July 1 (with another \$1 raise on January 1, 2020).

Attached are DRAFT minutes of the July 13, 2020 Town Council meeting to fulfill the request. Town meeting minutes may also provide information to further fulfill your request.

This closes this FOIA Request 2020-0011.

Thank you,

A handwritten signature in black ink, appearing to be 'DK', with a long horizontal flourish extending to the right.

Deborah Kelly, Bookkeeper (for Town Clerk)

Cc: Mayor, Recorder, Town Council

Called to order at 7:00 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. *Due to a technical issue, the meeting had to be closed and immediately reopened before approval of the agenda.*

Member	Title	Status
Wayne Bishop	Mayor	Present
Kevin Carden	Recorder	Present
Barbara Humes	Councilmember	Present
Hardwick S. Johnson, Jr.	Councilmember	Present
Christian Pechuekonis	Councilmember	Present
Jay Premack	Councilmember	Present
Charlotte Thompson	Councilmember	Present

The agenda was approved as amended. There was debate and disagreement surrounding whether item 7.g. could be discussed in executive session. Items 4.c.i. and 4.d.iii. were moved to the end of the agenda.

1. Mayor's announcements.

Mayor Bishop gave a brief overview on several items: he traveled to Charleston in late June to meet with officials at the WV Department of Commerce to discuss the Tourism Development District bill; he met with merchants to distribute masks and discuss the High Street Beautification Project; he sent a letter to the Jefferson County Sheriff regarding

Main motion	Motion to postpone approval of the 21 April 2020 Town Council meeting minutes to the next regular meeting. (ROLL CALL VOTE REQUESTED)
Main motion by	Barbara Humes
Second – main motion	Christian Pechuekonis
Amendment #1	Motion to amend by requiring the revisions to the minutes to be completed no later than the 27 th of July by the Town Hall office staff. (ROLL CALL VOTE REQUESTED)
Amendment #1 by	Jay Premack
Second to amend	Hardy Johnson
YES – amendment #1	<i>none</i>
NO – amendment #1	Humes, Johnson, Pechuekonis, Premack, Thompson, Carden, Bishop
Result – amendment #1	AMENDMENT #1 FAILED
Amendment #2	Motion to amend by requiring the revisions to the minutes to be completed no later than the 27 th of July. (ROLL CALL VOTE REQUESTED)
Amendment #2 by	Jay Premack
Second to amend	Christian Pechuekonis
YES – amendment #2	Humes, Johnson, Pechuekonis, Premack, Thompson, Carden, Bishop
NO – amendment #2	<i>none</i>
Result – amendment #2	AMENDMENT #2 APPROVED
Yes – main motion	Humes, Johnson, Pechuekonis, Premack, Thompson, Carden, Bishop
No – main motion	<i>none</i>
Result – main motion	MOTION APPROVED WITH AMENDMENT #2

3. Treasurer's reports and approvals.

c. Office Operations Committee.

i. Discussion and action regarding current Town staffing and coverage.

Charlotte Thompson said Office Ops has agreed to reevaluate the possibility of the office staff returning to work in the office at the end of July.

This item was discussed further in executive session.

Motion	Motion to hire a temporary part-time employee to work four hours a day, three days a week. (ROLL CALL VOTE REQUESTED)
Motion by	Charlotte Thompson
Second	Christian Pechuekonis
YES	Humes, Johnson, Pechuekonis, Premack, Thompson, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

d. Water Department.

i. General report.

Barbara Humes reported that the Water System Manager will be resigning to move out of the area later this month. The Public Service Commission has allowed utilities to return to normal operations, including the assessment of late penalties and shut-offs. Harpers Ferry Water Works has been invited to participate in a river network teambuilding workshop, which will involve community outreach and interviews, Earth Day and public school activities, and the grant of a stipend of \$1,000 to the Water Works. To accept the invitation, an MOU would need to be signed. The Water

Motion	Motion to prepare an advertisement for the position of Harpers Ferry Water Works Superintendent. (ROLL CALL VOTE REQUESTED)
Motion by	Barbara Humes
Second	Charlotte Thompson
YES	Humes, Johnson, Pechuekonis, Premack, Thompson, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

5. Organizations / other reports.

None.

6. Unfinished business.

a. Update on status of footbridge repair.

Mayor Bishop announced that the footbridge was reopened on Independence Day weekend.

b. Update on Corporation of Harpers Ferry's response to the COVID-19 pandemic.

Mayor Bishop said that it was reported last week that West Virginia had its worst week since the beginning of the COVID-19 pandemic. The Governor has issued an executive order requiring the wearing of masks. A new executive order was issued today mandating further restrictions. Visitorship to Harpers Ferry has quickly increased. The Jefferson County Convention and Visitors' Bureau has pulled tourism advertisements, but other entities have been advertising to bring visitors to West Virginia and Jefferson

- a. **Discussion and action on appointments to the Historic Landmarks Commission.**
- b. **Discussion and action regarding Town Council’s review of Title 145, Emergency Rule, WV Department of Commerce, WV Development Office, Series 16—Tourism Development Districts.**

Mayor Bishop gave a brief overview on how the Emergency Rules are enacted, which includes a 30-day public comment period for each project, which is laid out on pages 10 and 11 of the document. Barbara Humes felt that the definition of a “Tourism Development District” is insufficient and does not respect the Harpers Ferry Promontory Overlay District. Further information regarding this Emergency Rule will be posted to the Town’s website when available.

- c. **Discussion and action on crafting a proclamation to Senator Capito and Senator Manchin in full support of the Great American Outdoors Act.**

Mayor Bishop will draft a letter and send it to each Council member for input.

- d. **Discussion and action regarding the increased trash and human waste appearing in the Town due to parking / visitation.**

Mayor Bishop expressed concern about complaints received of trash and human waste in several areas of the town, which poses a public health hazard. Jay Premack spoke about the possibility of using CARES Act funding to pay for clean-up of these areas and placement of additional portable toilets. Consensus is to explore the possibility of placing additional toilets.

NO	<i>none</i>
Result	MOTION APPROVED

- f. **Discussion and action to schedule Roberts Rules training for all who serve in the Town in an official capacity.**

Motion	Motion to schedule Roberts Rules training for all who serve the Town in an official capacity. (ROLL CALL VOTE REQUESTED)
Motion by	Jay Premack
Second	Charlotte Thompson
YES	Humes, Johnson, Pechuekonis, Premack, Thompson, Carden, Bishop
NO	<i>none</i>
Result	MOTION APPROVED

- g. **Discussion and action on pending Guy Hammer permit application.**

This permit application was to address a safety issue along the public right-of-way in front of Mr Guy Hammer's home. Mayor Bishop said the ordinances are not sufficient at this time to grant Mr Hammer's permit application. He felt those ordinances will need to be reviewed by the Ordinance Review Committee, specifically Section 909.03. The Planning and Historic Landmarks Commissions reviewed this permit application and recommended approval. Jay Premack felt that any property owner who constructs on or improves a public right-of-way should be required to sign an indemnification agreement.

Motion	Motion to approve Guy Hammer's existing structure pursuant to the signing
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statement from the Harpers Ferry Police Department condemning police brutality and discrimination. Christian Pechuekonis said there should be an educational component in conjunction with the National Park Service. Mayor Bishop commended a film about Storer College produced by Midge Flinn Yost. Mr Premack suggested that we create a subcommittee with the goal of coming up with a plan of action, including a statement from the Harpers Ferry Police Department; Mayor Bishop, Mr Premack, and Ms Humes agreed to serve on this subcommittee.

i. Discussion and action on adoption of Loving Day as an official day of recognition in Harpers Ferry.

The subcommittee formed at item 7.h. will draft a resolution to be considered by the Town Council at a later date.

Motion	Motion to enter executive session, pursuant to WV Code § 6-9A-4(b)(2)(A) (for agenda items 4.c.i. and 4.d.iii.).
Motion by	Charlotte Thompson
Second	Barbara Humes
Result	MOTION APPROVED. Executive session began at 10:50 p.m.

Motion	Motion to exit executive session.
Motion by	Charlotte Thompson
Second	Jay Premack
Result	MOTION APPROVED. The meeting returned to open session at 11:26 p.m.