

The regular meeting of the Beverly Town Council was held Monday, October 21, 2024 at 6:30 pm in council chambers of Beverly Town Hall. Present was Mayor Andy Burns, council members Robbie Moyer, Katie Whittaker, Connie Pingley, Matt Lewis, and Kenny Pritt, Recorder Sheila Scott and Town Clerk Robin Wilson. Mayor Burns called the meeting to order as all stood for the Pledge of Allegiance and Mayor Burns gave the Prayer.

MINUTES

Motion was made by Connie Pingley to approve the September 16, 2024 minutes without reading aloud. Seconded by Katie Whittaker. All in favor. Motion carried. Katie Whittaker made a motion to accept the minutes for September 30, 2024 special meeting, 2nd by Matt Lewis. All in favor and the motion carried.

VISITORS

Kenny Weese was visiting but did not speak.

OLD BUSINESS

Business License - Robbie Moyer made a motion to accept the 2 business licenses submitted and Katie Whittaker 2nd the motion. All were in favor. Motion carried.

Audit Procurement Committee Date – Clerk Wilson received 2 of 4 Request for Proposals that were sent out. It's time to procure an auditor and schedule for FY2023-2024 and FY2024-2025. Robbie Moyer made a motion for the committee to meet after the council meeting and choose the auditor. Matt Lewis 2nd the motion. AIF. Motion carried.

NEW BUSINESS

Resolution for Recorder to Execute a Waiver of Conflicts - Cindy Karelis has filed another complaint against Mayor Burns and Water Operator Corey Weese. Letters were received from the WV Ethics Commission and responses need to be made ASAP. The town's attorney seeks a resolution so a Waiver of Conflict can be executed. Kenny Pritt made a motion to accept the Resolution and Matt Lewis 2nd the motion. All in favor. Motion carried. (Attachment 1)

Waiver of Conflicts – Matt Lewis motioned to approve the waiver with Connie Pingley seconding the motion. All in favor. Motion carried. (Attachment 2)

FINANCIAL REVIEWS

Robbie Moyer made a motion to accept the financial reports. Connie Pingley 2nd the motion. All in favor. Motion carried.

VENDOR INVOICES

Robbie Moyer made a motion to pay the bills. Connie Pingley 2nd the motion. All in favor. Motion carried.

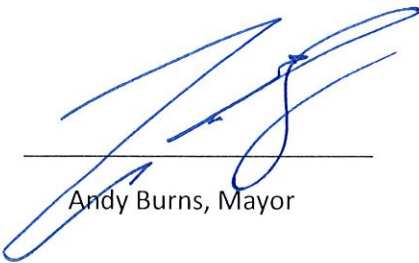
UPDATES & INFORMATION

FYI from the clerk - PEIA is increasing premiums by 16% and a 40% increase on Out of Pocket.

Water & Sewer Board meeting minutes and operator reports we emailed in the council packet.

ADJOURNMENT

Robbie Moyer made a motion to adjourn the meeting, Matt Lewis seconded. All in favor. Meeting adjourned at 7:48 pm.



Andy Burns, Mayor



Sheila Scott Strahin, Recorder

IN THE COMMON COUNCIL OF THE TOWN OF BEVERLY, WV

A RESOLUTION OF COMMON COUNCIL

RESOLUTION NO. ____

October 21, 2024

*Granting Authority to the Town's Recorder
to Execute a Waiver of Conflicts*

WHEREAS, the Town's Mayor, Andy Burns, and the Town's Water Operator, Cory Weese, have been named in Complaints filed with the West Virginia Ethics Commission. The complaint filed against Mayor Burns is identified as VCRB 2024-84, and against Cory Weese as VCRB 2024-83;

WHEREAS, the Town Council has been fully informed of the facts and allegations comprising the Complaints filed against Mr. Burns and Mr. Weese with the West Virginia Ethics Commission;

WHEREAS, the Town Council understands that the facts and allegations comprising VCRB 2024-84 and VCRB 2024-83 were previously the subject of a complaint, filed by the same individual with the West Virginia Secretary of State, which was ultimately determined to lack merit;

WHEREAS, the Town Council now desires to have the Town of Beverly attorney, Busch, Zurbuch & Thompson, PLLC represent Mr. Burns and Mr. Weese in the Complaints currently pending with the West Virginia Ethics Commission and hereby desires to waive any conflict of interest that could be possibly caused by the same;

WHEREAS, the Town Council, after being fully apprised of the facts and allegations set forth in VCRB 2024-84 and VCRB 2024-83, now desires, and believes that it is in the best interest for the Town of Beverly to give its informed consent, confirmed in writing, waiving any conflict of interest that may arise from the representation, thus allowing the law firm of Busch, Zurbuch & Thompson, PLLC to provide legal representation to Mr. Burns and Mr. Weese in VCRB 2024-84 and VCRB 2024-83, respectively;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Common Council of the Town of Beverly hereby provides its informed, written consent, for the Town's counsel, Busch, Zurbuch & Thompson, PLLC, to represent Mr. Burns and Mr. Weese in the matters currently pending before the West Virginia Ethics Commission identified as VCRB 2024-84 and VCRB 2024-83, and hereby directs its Recorder to execute a waiver of conflict on behalf of the Town, attached hereto, in furtherance of the same.



Attest: Robin Wilson, Town Clerk


Andy Burns, Mayor

WAIVER OF CONFLICTS

The Town of Beverly, Andy Burns, Mayor, and Cory Weese, Water Operator, understand and acknowledge that the firm law of Busch, Zurbuch & Thompson, PLLC currently serves as the attorney for the Town of Beverly. The Town of Beverly, by enacted resolution dated October 21, 2024, consented, and confirmed in writing, that the Town of Beverly, after being fully apprised of the facts and allegations, consents to Busch, Zurbuch & Thompson, PLLC representing the Town's Mayor, Andy Burns, and the Town's Water Operator, Cory Weese, in matters pending before the West Virginia Ethics Commission known as VCRB 2024-84 and VCRB 2024-83, and thereby waiving any conflict of interest that may exist. In addition, Mr. Burns and Mr. Weese further agree that by signing this document that they knowingly waive any conflict of interest that could arise from Busch, Zurbuch & Thompson, PLLC's representation of them in the matters pending before the West Virginia Ethics Commission known as VCRB 2024-84 and VCRB 2024-83.

Town of Beverly

By: Sheila Scott Steakin

Its: Recorder

Date: October 21, 2024

Andy Burns
Andy Burns, Mayor of the Town of Beverly

Date: October 21, 2024


Cory Weese, Water Operator of the Town of
Beverly

Date: October 21, 2024

This Waiver of Conflicts prepared by:

Robert C. Chenoweth, Esq.
WV State Bar No. 10498
Busch, Zurbuch & Thompson, PLLC
P.O. Box 1819
Elkins, WV 26241