

Proposed Minutes

ELKINS COMMON COUNCIL SPECIAL COUNCIL MEETING MINUTES

***401 Davis Avenue
Council Chamber, 2nd Floor
October 27, 2017
9:00 a.m.***

Elkins Common Council met in special session in the council chamber of city hall. Present were Mayor Van T. Broughton; Councilpersons R.C. Chenoweth, M. D. Cuonzo, M.M. Hazen, C.C. Lowther, E.R. Ochsendorf, and D.C. Parker; City Treasurer T. Judy; City Attorney G. S. Roberts; City Clerk J.R. Sutton (acting as recording secretary); and Inter-Mountain Reporter B. Binns.

Councilpersons C. Friddle, III, C. L. Metheny, L.H. Vest and R. A. Woolwine; Police Chief G. Galloway; Fire Chief T. W. Meader; and Operations Manager R.P. Pingley were absent.

NEW BUSINESS

City Attorney G. Roberts reported on the recent announcement from Suddenlink regarding the closure of the Elkins office. The City has a current franchise agreement approved October 8, 2015 and expiring on October 8, 2020. Included in the agreement is the requirement that Suddenlink operate a local office in or near the service area. Randolph County has a similar agreement with Suddenlink for customers within the county and outside city limits. Cw. Cuonzo **MOVED APPROVAL COUNCIL ENTER EXECUTIVE SESSION FOR ATTORNEY-CLIENT PRIVILEGE RELATED TO POTENTIAL LEGAL ACTIONS. The motion carried.** Council entered executive session at 9:22 a.m. and returned at 10:18 a.m. The Chair announced that no action was taken.

Cm. Chenoweth **MOVED APPROVAL TO RETAIN THE LAW FIRM OF KAY, CASTO AND CHANEY ON BEHALF OF THE CITY OF ELKINS AND THE RANDOLPH COUNTY COMMISSION WITH RESPECT TO THE BREACH OF FRANCHISE AGREEMENT BY SUDDENLINK.**

Cw. Hazen **MOVED TO AMEND THE MOTION TO EXCLUDE THE RANDOLPH COUNTY COMMISSION. The motion to amend carried.**

The amended motion TO RETAIN THE LAW FIRM OF KAY, CASTO AND CHANEY ON BEHALF OF THE CITY OF ELKINS WITH RESPECT TO THE BREACH OF FRANCHISE AGREEMENT BY SUDDENLINK carried.

Cm. D.C. Parker requested that Council hold a public hearing for the purpose of informing the public of the actions taken by the City in response to the closure of the Suddenlink office and to solicit the public's interest in the City's pursuit of legal action against Suddenlink. Council agreed to hold the hearing at 6:00 p.m. on Thursday, November 1, 2017, prior to the next regular council meeting.

Cm. Chenoweth **MOVED ADJOURNMENT. The motion carried.**

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The meeting adjourned at 10:23 a.m.

*Approved by council at the meeting
of MONTH DAY, YEAR*

Van T. Broughton, Mayor

Attest:

Jessica R. Sutton, City Clerk