

Meeting Minutes
Jefferson County Planning Commission
August 31, 2021

The Jefferson County Planning Commission met on August 31, 2021 at 7:00 p.m. with the following Commission members present via ZOOM: Mike Shepp, President; Wade Louthan, Secretary; Jack Hefestay, J Ware, Shane Roper, Ron Thomas, Matt Knott*, and Steve Stolipher, County Commission Liaison.

The following Commission members were absent with notice: Donnie Fisher, Vice President.

Staff members present included Jennifer Brockman, County Planner; Alexandra Beaulieu, Zoning Administrator; and Nathan Cochran, County Attorney.

**Mr. Knott joined the meeting late at 7:12 PM.*

By order of the President, the Special Called Planning Commission meeting was held virtually via ZOOM. Virtual meeting access information was made available on the agenda, which was posted to the County website.

Ms. Brockman conducted a roll call. Mr. Shepp stated that there was a quorum and called the meeting to order at 7:02 PM.

1. Discuss Jefferson County Circuit Court Civil Action No. 2021-C-109 and review, discussion, and possible revision of minutes from 05/11/21 Planning Commission meeting.

Mr. Shepp requested that Mr. Cochran address the subject lawsuit. Mr. Cochran stated that the lawsuit was filed by Jefferson County Vision alleging that the Planning Commission went into executive session without identifying the purpose for going into executive session. Mr. Cochran stated that this allegation was based on the meeting minutes which after reviewing the minutes, he confirmed that the minutes do not provide details regarding the specific motion. Mr. Cochran requested that Ms. Beaulieu play the portion of the video recording from the 05/11/21 meeting pertaining to the Planning Commission's motion.

Ms. Beaulieu played the portion of the 05/11/21 video recording, beginning at approximately 1:04:03 into the recording.

Mr. Cochran recommended that the Commission amend their meeting minutes to reflect the exact language from the recording to accurately reflect what occurred at the 05/11/21 meeting.

Mr. Stolipher made a motion to amend the 05/11/21 meeting minutes to reflect what was actually said during the meeting. Mr. Hefestay seconded the motion, which carried unanimously.

2. Review of Zoning Text Amendment File #ZTA19-03 related to solar energy facilities, including review of the Jefferson County Circuit Court Civil Action No. 2021-C-33.

Mr. Shepp requested that Mr. Cochran provide an overview of the court order. Mr. Cochran stated that the Court essentially set aside the amendment. Mr. Cochran suggested that the Commission go into executive session to receive legal advice. Mr. Cochran stated that Mr. Will Rohrbaugh was also present to provide legal advice on the matter.

Mr. Shepp inquired as to whether there would be a quorum with two members recusing themselves. Mr. Stolipher stated that J. Ware was present and that they were at the same location. Mr. Ware stated he was present. Mr. Knott joined the meeting at 7:12 PM and stated he was present for this item.

Mr. Stolipher and Mr. Roper recused themselves from this item.

Mr. Shepp made a motion to go into executive session to receive legal advice regarding civil action number 2021-C-33 at 7:14 PM. Mr. Hefestay seconded the motion, which carried unanimously.

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Mr. Hefestay made a motion to come out of executive session at 7:36 PM. Mr. Thomas seconded the motion, which carried unanimously.

Mr. Shepp stated for the record that Planning Commission members Steve Stolipher and Shane Roper were not in the executive session. Mr. Shepp stated that the Commission would like to authorize the attorneys to proceed as discussed.

Mr. Hefestay made a motion to adjourn the meeting at 7:38 PM. Mr. Knott seconded the motion, which carried unanimously.

These minutes were prepared by Alexandra Beaulieu, Zoning Administrator.