

Meeting Minutes
Jefferson County Planning Commission
September 6, 2023

The Jefferson County Planning Commission met in a Special Called Meeting on September 6, 2023 at 7:00 pm with the following Planning Commission members present: Mike Shepp, President; Steve Stolipher, County Commission Liaison; Wade Louthan, and Jack Hefestay were present in person. Donnie Fisher was present via phone. Previous Planning Commission member Ron Thomas was present as it related to a lawsuit from his time in office.

Matt Knott, Vice President, was absent with notice. Aaron Howell and Tim Smith were not required to attend this meeting. J Ware was absent without notice.

Jennifer Brockman, Chief County Planner; Luke Seigfried, County Planner; and Nathan Cochran, Prosecuting Attorney were present.

Mr. Shepp called the meeting to order at 7:02 pm. and confirmed a quorum was present.

1. **POSTPONED – date tbd Legal Advice, Discussion and Action:** Discussion of VB BTS, LLC v. JEFFERSON COUNTY, WEST VIRGINIA, & THE JEFFERSON COUNTY PLANNING COMMISSION (United States District Court, Northern District Case No. 3:23-CV-171) including potential resolution/settlement offer presented by Plaintiff and Plaintiff's response to Planning Commission's counter offer.

Mr. Shepp stated that this agenda item has been postpone until a time to be determined

2. **Legal Advice and Discussion:** Discussion and review Jefferson County Circuit Court Civil Action No. 2021-C-109 (PC File #21-2-Z).

Mr. Cochran advised that he had some legal advice for the Planning Commission related to the aforementioned lawsuit.

Mr. Shepp moved to go into executive session for the purpose of receiving legal advice on Item #2 on the agenda at 7:05 pm. Mr. Stolipher seconded the motion, which carried unanimously.

Mr. Stolipher moved to go back into regular session at 7:37 pm. Mr. Louthan seconded the motion, which carried unanimously.

No action was taken related to this agenda item.

3. **Non-Actionable Correspondence:**

1. Adam McDowell, Et al., dated August 31, 2023
2. Rachel Shub, Et al., dated September 1, 2023
3. Corey Ash dated September 1, 2023

Mr. Stolipher made a motion to adjourn the meeting at 7:38 pm. Mr. Louthan seconded the motion, which carried unanimously.

These minutes were prepared by Jennifer Brockman, Chief County Planner.