

MINUTES  
JEFFERSON COUNTY PLANNING COMMISSION  
MARCH 24, 2009

The Jefferson County Planning Commission met on Tuesday, March 24, 2009, with the following Commission members present: Robert Reynolds, President; Arnold Dailey, Vice president; John Sidor; Ellen May; John Maxey and Jim Surkamp. Staff members present included Kirk Davis, Acting Director of Planning; Jennifer Snyder, Acting Zoning Administrator; Jonathon Saunders, Engineer and Shannon Phillips, Planning Clerk.

Tom Kane, Lynne Deming and Ed Dunleavy were absent with notification.

Mr. Reynolds called the meeting to order at 7:02 PM.

1. Approval of minutes.

Mr. Sidor moved to approve the March 10, 2009 Planning Commission meeting minutes. Mr. Dailey abstained from voting since he was not present at the March 10, 2009 Planning Commission meeting. Ms. May seconded the motion, which carried 5 for, 0 opposed and 1 abstentions (Mr. Dailey).

2. Citizen Communications. None.

3. Requests for postponement. None.

4. Director's Report.

Mr. Davis distributed an email received by the Planning Department from Ann Mountz with regard to grant opportunities, along with information from the Economic Development Assistance Program. Mr. Maxey distributed information on the Chesapeake Bay Small Watershed Grants Program: 2009 Request for Proposals and stated Elaina Hartman from West Virginia Department of Environmental Protection would be willing to meet with a small sub-committee of the Planning Commission and the Planning Department in the near future to assist in creating a proposal on behalf of the Planning Commission. Ms. May and Mr. Maxey acknowledge their interest in being a part of such a sub-committee.

Mr. Davis informed Mr. Maxey that he had a memorandum to give to him from Roger Goodwin, Chief County Engineer with regard to the Community Centers library.

Mr. Davis stated he intends to ask the County Commission this Thursday, April 2, 2009, for formal approval to advertise for the Planner and Zoning Administrator positions prior to the hiring of a Director to avoid any further delay in the filling of those positions. Mr. Davis informed the Commission that the five final candidates for the Director position have accepted interview times on April 6 and 7, 2009.

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Mr. Davis distributed copies of pre-proposal conference memorandums issued by the Planning Department for informational purposes so that members of the Planning Commission are aware of the minor subdivisions that are being handled on a staff level.

Mr. Davis distributed to the Commission members Planning & Zoning Receipts Fiscal Year Totals for July 1, 2007 – June 30, 2008 and July 1, 2008 – June 30, 2009; Comparison of Fiscal Years 2007-2008 and 2008-2009; and 2008-2009 Planning & Zoning Department Work Log. Mr. Davis gave the Commission explanation of the documents.

Mr. Davis informed the Commission that the Planning Department has contract the services of Tony Redman, former Director, for assistance in the review of the Far Away Farms Community Impact Statement. The Commission agreed that Mr. Redman would provide a great deal of assistance in this matter.

There was some discussion regarding the current Planning Department staff positions and future positions after a Director, Zoning Administrator and Planner are hired.

5. President's Report.
  - a. Consideration of Planning Commission Annual Report and Budget Statement.

Mr. Reynolds stated the draft Annual Report and Budget Statement that was discussed at the March 10, 2009 Planning Commission meeting should have the following correction: under Background; fourth sentence; change, "*have not to be hired*" to read "*have yet to be hired.*" There was further discussion with regard to the structure of such a meeting as requested in the draft statement with the County Commission. It was the consensus of the Commission that a special meeting would be advantageous to discuss, in detail, the items to be noted in the Annual Report and Budget Statement. Mr. Sidor moved to adopt the Annual report and Budget Statement dated March 24, 2009, as amended for submission to the County Commission. Ms. May seconded the motion, which carried 6 for and 0 opposed.

Mr. Maxey moved that the Planning Commission hold a special meeting on April 7, 2009, for the purpose of planning for and preparing for a joint meeting with the County Commission. Mr. Dailey seconded the motion, which carried 6 for and 0 opposed.

6. Planning Commission Exchange.

Mr. Maxey questioned Staff about errors in two legal advertisements there were recently posted in the Spirit of Jefferson. Planning Department Staff explained that one error was due to an editorial misprint and the other error occurred when a placard posting date was missed. There was discussion by the Commission with regard to alternate advertising options.

Mr. Reynolds called for a break to change the CD at 8:22 PM. Mr. Reynolds called the meeting back to order at 8:24 PM.

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7. Reports from Legal Counsel and legal advice to PC. None.
8. Actionable Correspondence. None
9. Executive Session to discuss litigation related to Decision #33438 of the West Virginia Supreme Court of Appeals, Far Away Farm.

Mr. Surkamp recused himself and left the room.

Mr. Sidor moved to go into executive session to discuss litigation related to Decision #33438 of the West Virginia Supreme Court of Appeals, Far Away Farm. Mr. Maxey seconded the motion, which carried 5 for and 0 opposed.

Mr. Sidor moved to return from executive session. Mr. Maxey seconded the motion, which carried 5 for and 0 opposed

The Planning Commission returned from executive session at 8:57 PM

Mr. Sidor moved that the Planning Commission employ Robert M. Bastress to consider and advise regarding legal proceedings as provided in the contact. Ms. May seconded the motion, which carried 5 for and 0 opposed.

Mr. Maxey moved to adjourn at 9:00 PM. Ms. May seconded the motion, which carried 5 for and 0 opposed. A detailed transcript of the meeting may be found on CDs #15 and #16. These minutes were prepared by Shannon Phillips.