



# CORPORATION OF HARPERS FERRY

## Ordinance Review Commission

### MEETING MINUTES

**Special Meeting**

**July 28, 2023**

**2:00 p.m.**

**Town Hall • 1000 Washington Street, Harpers Ferry, West Virginia 25425**

Upon confirmation of a quorum the Special Meeting was called to order at 2:01 PM p.m. by R. Meade-Curry, Chair. The meeting was posted and held in compliance with the West Virginia Open Governmental Meetings Act.

#### THOSE PRESENT:

Member	Title	Status
Chris Craig	Member	Present
George Owens	Member	Present
Roberta Meade-Curry, AICP	Member/Chair	Present
Public/Guests		
S. DiConstanzo, Councilman	Guest / Non-Voting	Present

Upon brief discussion regarding Agenda Items, the Agenda was approved unanimously.

#### 1. Reports.

a. Transition Report was given by Chair.

- Current and historical records of ORC, and status of items the ORC was working on discussed. Members agreed that previous members of ORC will be consulted to assist in building historical database and will submit found documents and information to Town Recorder to maintain. Further discussion of discovered items will be discussed at the next ORC Meeting.
- Information regarding research from various law reviews regarding code language was distributed and discussed briefly. Information to be reviewed and discussed at the next ORC meeting.
- Order of Business: The following items were discussed and agreed upon:
  1. Chair will function as Secretary. Motion made by G. Owens, seconded by C. Craig, the vote was unanimous.
  2. Follow Robert's Rules of Order, and WV Open Meetings Act,
  3. Quorum determination is two members requiring meetings to be posted. Additional information will be emailed to members regarding research Chair obtained from WV Ethics Commission and can be discussed at the next ORC meeting.
  4. Email communications will be used to communicate drafts and research.
  5. Code Research Worksheet Template distributed by Chair to document small town and municipal code research and sources as back-up data.
  6. It was agreed that K. Carden, former Town Recorder, to be invited to the next meeting to assist ORC with research websites and access databases.

**2. Unfinished Business.**

- a. Status of revisions to Codified Ordinances to Part Eleven, Article 1104, Sections 1104.04 (b) and 1104.07 (a) approved for text amendments and revisions by Town Council in Regular Meeting on August 09, 2021, was discussed. Members agreed to discuss with Tree Commission (formerly the Tree Committee) at our next ORC Meeting.

<b>Motion</b>	<b>Motion that Chair of ORC starts a discussion about these two proposed amendments with the Tree Committee [Commission] and determine whether they know of reason why they did not move forward. Specifically, Section 1104.04 (b) and 1104.07 (a).</b>
<b>Motion by</b>	<b>C. Craig</b>
<b>Seconded by</b>	<b>G. Owens</b>
<b>YES</b>	3
<b>NO</b>	0
<b>Abstain</b>	n/a
<b>Result</b>	<b>MOTION PASSES</b>

<b>Motion</b>	<b>Motion that Chair of ORC pursue appropriate legal advice concerning the conflict between the August 09, 2021, motion on Sections 1104.04 (b) and 1104.07 (a) and Ordinance # 2023-02.</b>
<b>Motion by</b>	<b>G. Owens</b>
<b>Seconded by</b>	<b>R. Meade-Curry</b>
<b>YES</b>	2
<b>NO</b>	1
<b>Abstain</b>	n/a
<b>Result</b>	<b>MOTION PASSES</b>

- b. Discussed status of review of Codified Ordinances to Part Eleven, Article 1104, Sections 1104.08 (c) approved for review by ORC by Town Council in Regular Meeting on August 09, 2021.

<b>Motion</b>	<b>Motion regarding item 2b that action is postponed until a conversation with K. Carden, [former Town Recorder] and other sources of information.</b>
<b>Motion by</b>	<b>G. Owens</b>
<b>Seconded by</b>	<b>C. Craig</b>
<b>YES</b>	3
<b>NO</b>	0
<b>Abstain</b>	n/a
<b>Result</b>	<b>MOTION PASSES</b>

**3. New Business.**

- a. ORC “Mission Statement” Draft discussed, and modifications made. The revised draft will be sent to members for final review prior to our next meeting.
- b. B&FC and IOC “Mission Statements”- no action taken.
- c. Town Council Standing Committees – no action taken.
- d. Codified Ordinances Part Seven, Article 735, Section 735.39-Temporary Special Event Vendor License was discussed regarding immediate need by Parks and Recreation Committee for upcoming events. ORC recommends a working committee present a draft of policy for review. Chair will follow up with the Parks and Recreation Committee Chair.

<b>Motion</b>	<b>Motion to recommend item 3d to be presented to Town Council at their next meeting for policy and/or ordinance changes.</b>
<b>Motion by</b>	<b>G. Owens</b>
<b>Seconded by</b>	<b>C. Craig</b>
<b>YES</b>	3
<b>NO</b>	0
<b>Abstain</b>	n/a
<b>Result</b>	<b>MOTION PASSES</b>

e. The following items were discussed and agreed that Agenda Item Requests will be prepared for Town Council Regular Meeting on August 14, 2023:

- Chair to present ORC Report which will contain, but not be limited to, the following items:
  - Status report of historical record of ORC documents
  - Tree Commission issues regarding text amendments and ord# 2023-02.
  - Special Event discussion with attached Agenda Item Request.
- Chair – to prepare Agenda Item Request regarding Special Event recommendations as discussed.
- G. Owens – Ad-Hoc Committees and Working Groups be included in Town Ordinances. G. Owens to prepare and present separate Agenda Item Request, as a Town Council Member, to Town Council.

<b>Motion</b>	<b>Motion for ORC to present an Agenda Item Request to Town Council next Regular Meeting on August 14, 2023, for Reorganization of Ad-Hoc Committees and Working Groups.</b>
<b>Motion by</b>	<b>G. Owens</b>
<b>Seconded by</b>	<b>none</b>
<b>YES</b>	--
<b>NO</b>	--
<b>Abstain</b>	n/a
<b>Result</b>	<b>MOTION FAILS</b>

G. Owens to prepare and present separate Agenda Item Request, as a Town Council Member, to Town Council. Further discussion regarding Agenda Item Request regarding Ad-Hoc Committees and Working Groups will be discussed at our next ORC meeting.

- C. Craig – ORC “Mission Statement” Review of our draft to be presented.

4. Future agenda items discussed:

- C. Craig – Historic Landmarks Review and update of Appendix ‘A’ once all deliberative bodies have completed their reviews and comments this will more than likely come before the ORC to begin revisions and updates to be codified. G. Owens will reach out to HLC to obtain an accessible document to review.
- C. Craig – BZA is seeking a definition of “Permanent Structure in a Historic District” to be added to code. C. Craig will reach out to BZA to obtain more information for our next ORC meeting.
- Chair – Presented Mayor Vaughn’s requests of ORC received in meeting on July 27, 2023:
  - Recommends a review and update to Article 1109. Recommends ORC to consider current International Property Maintenance Code as a basis for review. Mayor recommends this is an immediate need to assist Town and OCO to have better regulations for enforcement regarding historical preservation.
  - Recommends thorough review of Codified Ordinances regarding selection, nomination, and appointments of all members to Town Commissions and Committees. Recommends result of that review to prepare and develop a consistent method and process for selection, nomination, and appointments of all members to Town Commissions and Committees.
  - Recommends meeting with Chief Brown to discuss concerns regarding PART THREE – Traffic Code and other issues the Police Department may have.

5. Additional Meeting Schedule –

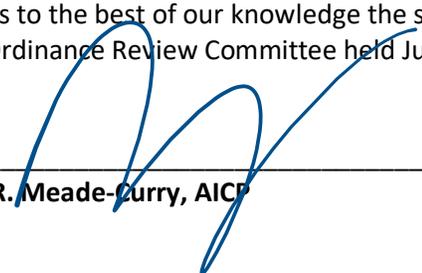
- August 11, 2023, at 2:00 pm (this time is subject to change if K. Carden will be attending)
- August 10, 2023, time TBD as alternate
- August 25, 2023, at 2:00 pm (this time is subject to change if K. Carden will be attending)
- August 24, 2023, time TBD as alternate

**Motion to adjourn received by C. Craig, seconded by G. Owens. The vote to adjourn was unanimous.**

**Adjourned at 4:20 pm.**

The above reflects to the best of our knowledge the summary of the recorded Special Meeting of the Corporation of Harpers Ferry – Ordinance Review Committee held July 28, 2023.

Chair: \_\_\_\_\_

  
R. Meade-Curry, AICP

09-22-2023

\_\_\_\_\_ date