



# CORPORATION OF HARPERS FERRY

## Ordinance Review Committee

### MEETING MINUTES

**Special Meeting**

**August 25, 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 2:02 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		
Christy Huddle, Eddie Love, Martha, Robert	Guest / Non-Voting	Present

#### Public Comments:

Three members of the Public were present. No request was received to speak on the agenda items.

C. Huddle will speak as an invited guest at the time of the agenda item regarding Tree Commission issues, as the Tree Commission Representative.

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

#### 1. Reports.

- a. Transition Report was given by Chair.
  - i. & ii. Current and historical records of ORC, and status of items the ORC was working on discussed. Still seeking data, and records, and where they have been stored. However, have obtained information that some of the records are available via the Town Website, by selecting various tabs and links. Town Council data available to access is from 2003, and to 2007, but it is not everything. Planning Commission records are also tabbed and linked the same way.

C.Craig inquired as to inquiry by Chair to locate all signed ordinances, and maintaining a record copy of the signed ordinances in the database. Chair explained that it would be best practice to have the actually signed ordinance found, scanned and be part of the historical record going forward. Hard copy of ordinances are maintained in office, however dates are incorrect, or not the date of the second reading.

- b. Discussion and action of protocol on ORC reports/agenda items submitted to Town Council.

C. Craig placed this item on the agenda. He confirmed with WV Ethics Commission that have deliberative bodies that are/ do not meet regularly can post a meeting with at least three-days notice, in order to approve meeting minutes. Given a three days notice of posting would be considered for these irregular meeting groups a Regular Meeting.

C. Craig discussed ORC agenda items presented at the last Town Council Meeting. Chair clarified that the agenda item was not presented by the ORC, and that agenda item was placed under the ORC section of the Town Council Meeting in error; Chair made a motion at that meeting to have that item placed under Planning Commission's portion of the meeting.

C. Craig discussed items being placed under the ORC portion of the Town Council to be only items that the ORC has discussed. Chair agreed. Chair and G. Owens clarified that the agenda item that was incorrectly placed on the Town Council Agenda was presented by Town Council Members, and not the ORC. G. Owens further clarified that he has confirmed protocol regarding conversations for deliberative body members with the WV Ethics Commission.

C. Craig requested corrections to meeting minutes of July 28, 2023. Chair requested corrections be sent and they will be incorporated prior to minutes being approved.

C. Craig discussed that there is a time to be formal with protocol and there is a time not to be formal to have a discussion with members of the community and/or staff. Chair disagreed, and explained we have a Mayor-Town Council format of governing. We are advisory and bring forward recommendations to the governing body. The governing body then directs the ORC to move forward.

- c. Discussion and action to establish a Regular Meeting Schedule with dates and times.

Members agreed to post meeting notice three days in advance of each meeting, in order to approve meeting minutes. C. Craig will send information he received from the Ethics Commission to members.

## 2. Unfinished Business.

Chair prefaced that the ORC will move forward with people, commissions, or committees to come before the ORC and to discuss their issues in a meeting. This way it is meeting WV Open Meeting Act, discussions are recorded, and a record of the history is documented.

- a. Discussion and Action- 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.

After discussion and history presented by C. Huddle and Chair, it was agreed ORC would submit a request to Town Council to rescind the motion.

G. Owens made a motion to rescind the Town Council Recommendation of August 09, 2021, for modifications to 1104.04 [(b)] and 1104.07 [(a)], seconded by C. Craig. Motion passes unanimously.

- b. Discussion and Action- 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.

After discussion and history presented by C. Huddle and Chair, it was agreed ORC would submit a request to Town Council to rescind the motion.

C. Craig made a motion to rescind the Town Council referral of 1104.08 [(c)] to ORC to allow the Tree Commission further review and recommendations, seconded by G. Owens. After brief discussion, motion passes unanimously.

- c. Discussion and Action – Codified Ordinances Part Seven, Article 735, Section 735.39-Temporary Special Event Vendor License.

Chair will listen to Town Council Meeting Minutes so that correct direction to ORC can be obtained. E. Love spoke briefly on this issue regarding the Farmers’ Market Event. C. Craig stated Office Coordinator did not need further assistance at this time.

Members agreed that this ordinance still needs work, changes, and further review to handle upcoming issues and future events.

- d. Discussion and Action – ORC “Mission Statement”.

Chair stated that meeting of Standing Committee Chairs was postponed. Members will continue review and send to Chair to incorporate changes.

### 3. New Business.

- a. Discussion and Action – Review of Water Rate Ordinance, WV Code compliance review.

Chair stated this was a request from Mayor, and gave brief history of ORC’s past reviews of these documents – Article 905, New Ordinance #2023-04,

C. Craig gave a recount of Water Commission’s review history. Suggested Water Commission review material as well.

- b. Discussion and Action – Prepare Agenda Item Requests for Town Council Regular Meeting on September 11, 2023.

1. ORC Report postponed from August Town Council Meeting.
2. Recommendation to rescind Tree Commission Items discussed.
3. Motion to discuss to Police Department regarding changes to Traffic Code.
4. Status of review of Water Rates.
5. Status of ORC “Mission Statement” to be determined.

4. Future agenda items discussed:

- 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.
- G. Owens – Suggested to review definition of “rentals.” Members suggested it be brought before Planning Commission first.
- Chair – Review of all appointments to deliberative bodies.
- C. Craig – Permit Process Recommendations regarding policy and procedures that may require code changes.

5. Additional Meeting Schedule –

- September 22, 2023, at 2:00 pm (this time is subject to change if K. Carden will be attending)

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

**Adjourned at 3:48 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 August 25, 2023.

Chair:  \_\_\_\_\_ 12-02-2023  
R. Meade-Curry, AICP date