



CORPORATION OF HARPERS FERRY

Ordinance Review Committee

MEETING MINUTES-APPROVED

Special Meeting

April 26, 2024

3:00 p.m.

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

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		
Ed Wheeless	Guest / BZA Member/Non-Voting	Present
Bart Wheatley	Guest / BZA Member/Non-Voting	Present

Confirmation of Quorum.

Called to Order at 3:05 pm.

Public Comments: None

Approval of Agenda.

- **Motion by:** G. Owens requested motion to strike item 3. a. from agenda. **Seconded:** C. Craig.

Upon brief discussion regarding motion members stated their concerns for agreement or disagreement to item 3.a.

Chair explained this was presented to Town Council at last Town Council Meeting, and no objection was received from Town Council for ORC to discuss and proceed with any actions related to these legislative changes that have been adopted at the WV State level. Chair requested the workshop to remain on agenda to follow ORC procedures adopted in 2013, and Mission Statement. Workshop allows ORC to remain proactive and ahead of the legislature that may affect our ordinances as is our responsibility.

G. Owens stated he feels maybe eight of the items on these adopted legislation be presented to Mayor, and obtain his opinion.

Chair placed on the record that they disagree and is disappointed with motion to strike item 3. a., from agenda because it fails to meet our obligations stated in our 2013 Procedures and Mission Statement.

Vote: 2 – 1. Motion Passes.

- **Motion by:** G. Owens to move item 2. a. before Approval of Minutes. **Seconded:** C. Craig. **Vote: 3-0. Motion Passes Unanimously.**

- **Motion by:** G. Owens approve agenda as amended. **Seconded:** C. Craig. **Vote: 3-0. Motion Passes Unanimously.**

1. Order of Business.

a. Approval of Meeting Minutes –

- December 01, 2023 - Already approved per February 23, 2024, ORC Meeting. Minutes will be signed and sent to Recorder.
- January 26, 2024 – Postponed to June meeting. **Motion to Postpone:** C. Craig, **Seconded:** G. Owens. **Motion Passes Unanimously.**
- February 23, 2024 - **Motion to Approve:** C. Craig, **Seconded:** G. Owens. **Motion Passes Unanimously.**
- March 11, 2024 –
 - **Motion by:** G. Owens **Motion: To disapprove meeting minutes as presented in draft form:** G. Owen. **Seconded:** None. **Motion Fails.**
 - **Motion by:** C. Craig. **Motion:** To accept minutes with the alteration of paragraph to add “A vote on motion for closure was not admitted by the Chair.” Strike the following: “Discussion on the motion for closure, continued to review line-item by line-items that were not completed, and are causing the draft ordinance approved in the 2-23-2024 meeting to cause errors and draft ordinance to be incorrect. The Chair stressed these errors and incorrections will cause the ORC to produce a product that may be incorrect and miss the tight deadline. Town Attorney added additional discussion to assist with the errors and incorrections.” **Seconded:** G. Owens.
 - After discussion by all members a vote was called. **Vote: 2-1. Motion Passes.**
 - **Chair places on the Record:** Chair stated that after listening to recording of March 11, 2024, all three members of ORC were in disagreement, resulting in talking over each other, disappointing discussion, and rudeness. Chair welcomed members to playback recording.

2. Unfinished Business.

- Discussion and Action – BZA Members, Ed Wheelless and Bart Wheatley appeared to present definition modification of “structure” to address “permanent structure” issue. Ed Wheelless appeared on behalf of David Simmons who could not appear at time scheduled and sent his regrets. An agreement was reached for the modified definition. An agreement was reached to present a text amendment to Town Ordinances that will be drafted and presented to Town Council on May for first reading.

Motion by: C. Craig to amend the definition of “structure” in code [Article] 1302, to change the final sentence to: “A structure does not include non-permanent objects or mechanical systems (HVAC systems, fuel tanks). Non-permanent objects are not generally attached to the ground and may include but not be limited to lawn furniture, picnic tables, grills, planters, bird baths, and small pet shelters.” **Seconded:** G. Owens. **Vote: 3-0. Motion Passes Unanimously.**

Chair reopened item 2.a. to receive a motion to present to Town Council recommended text language agreed to regarding “structure” to prepare text amendment for 1st reading.

Motion by: G. Owens. **Motion:** To present without additional meetings the draft amendment for “structure” definition in [Article] 1302 for 1st reading at the May Town Council meeting. **Seconded:** C. Craig.

After discussion by all members a vote was called. **Vote: 2 – 1. Motion Passes.**

Task to be Completed: Chair to prepare Draft Ordinance with text amendment and send to members. Any corrections to be brought to Town Council meeting at 1st reading.

3. New Business.

- a. **No Discussion and Action. Item stricken from the agenda.**
- b. Discussion and Action – Prepare Agenda Item Requests for Town Council Regular Meeting on May 13, 2024. Agenda Item Requests (AIR) due noon by May 06, 2024.
 - Draft Ordinance for Text amendment definition for “structure”.

4. Open discussion for future agenda items. (allow approx. 20 minutes)

- a. Discussion and Action – Definition modification of Short-term Rentals to be placed on May Agenda.
- b. Discussion and Action – Future items and old business.
 - Possible Text Amendments to Article 130. Progress and research to be continued and presented at May Meeting.
 - Possible Text Amendments to Article 131, 133, 134, 135, 140, 901, to 1104. Continue to prepare questions for Town Attorney, K. Sayre, regarding Home Rule, nominations, and appointments of Commission/Committee Members. Questions to Town Attorney to be developed, prepared, and discussed at May Meeting.
 - Possible Text Amendment for Temporary Special Events on hold at this time.
 - Possible Text Amendments received from Tree Commission on February 12, 2024, Town Council Meeting.
 - HLC Appendix “A” rewrite still on hold at this time.
- c. Discussion and Action – Prepare Agenda Item Requests for ORC Special Meeting on date TBD.
 - See above items.

Tasks to Complete:

- Chair to prepare and present ORC Report #6
- Chair to prepare Draft Ord # 2024-02 – text amendment for “structure.”

5. Additional Meeting Schedule.

- a. Discussion and Action – Schedule date(s) for monthly meetings for May and June.
 - Members agreed the next meeting could be May 23rd or 24th, at 3 pm.

Motion to adjourn received by C. Craig, seconded by R. Meade-Curry. The vote to adjourn was unanimous. Adjourned at 4:56 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 April 26, 2024.

Chair: _____

R. Meade-Curry, AICP

04-29-2025

date