MINUTES OF MEETING OF
WASHINGTON COUNTY PLAN COMMISSION
Held March 2, 2015 at 7:00 p.m.
Washington County Government Center

The meeting was called to order at 7:00 p.m. by President David Hoar. Danielle Walker led the audience in the Pledge of Allegiance and Jerry McClellan offered prayer. Secretary/Attorney Thomas E. Scifres took roll call. Present were nine (7) members, Attorney Thomas E. Scifres, Plan Director Travis Elliott, and Consultant K.K. Gerhart-Fritz.

The minutes from the last meeting were presented and approved by unanimous vote upon the motion of Phil Marshall and seconded by Jerry McClellan.

Upon BZA Vice-Chairman, Danielle Walker, calling the BZA meeting to order, the floor was turned over to K.K. Gerhart-Fritz, and discussion of the Rules of Procedure and Zoning Ordinance was resumed.

President Hoar turned the meeting over to K.K. Gerhart-Fritz.

I. Review of Plan Commission & BZA Rules of Procedure

Ms. Gerhart-Fritz first noted that the Plan Commission and BZA Rules of Procedure were substantially different and suggested they should be more similar in order to eliminate confusion for applicants and members. She handed out the attached memorandum outline of issues to cover, which were addressed as set forth below.

A. Meeting Policy. The BZA does not have a policy for late night meetings similar to the Plan Commission and should adopt such a policy.

B. Order of Business.

1. K.K. suggested conducting substantive business at the beginning of the meeting and reserving administrative formalities (e.g. approval of minutes) for the end of the meeting.

2. Begin with a staff presentation by Plan Director Travis Elliott for pending applications (e.g. drainage issue, history of flooding, recent re-zoning, state law criteria for re-zoning or variances, issues that conflict with the local ordinance.)

C. §3.08 – Special Meetings. K.K. suggested requirements be added for when a special meeting can be called due to:

1. Lack of a quorum;

2. Rescheduled meeting due to scheduling error;

3. *§3.10 – Need to set ground rules.*

D. Meeting Recess. Add a section about "recesses" during a meeting.

E. §5.02 Presentations. The BZA Rules of Procedure does not require that an applicant appear before the Board for a case to be heard as the Plan Commission does. BZA Rules should include the following:

1. Action taken when the applicant fails to appear;

2. Require the applicant to address all factors in establishing their burden, which should be included in a form; and

3. All information presented should become a part of the file.

F. Public Comments. A discussion was held regarding the differences between public hearing and public meeting and the public's right to speak at a hearing vs. a meeting.

G. Time Limits. Time limits for the Plan Commission and the BZA need to be made consistent.

H. Waiting Period. There is a need to establish a uniform standard waiting period between presentation of information by an applicant and a hearing on the same issue.

I. Ex Parte Communications. The BZA is prohibited by state law from ex parte communications, but the Plan Commission is not. The Plan Commission needs to establish a consistent policy.

1. A consensus was reached that the Plan Commission will also prohibit ex parte contact with applicants or remonstrators.

J. Membership Requirements. Max Greene suggested both the Plan Commission and the BZA include rules regarding requirements to serve to avoid issues in the future.

II. Discussion of Zoning Ordinance.

K.K. presented a summary sheet (attached) outlining the differences between a standard zoning ordinance and Washington County's Zoning Ordinance. She highlighted missing components that are important versus those that are optional, and those which are simple fixes and components that will take more time.

III. Morgan Foods.

Attorney Scifres discussed the situation with the subdivision of land north and south of Mt. Eden Road requested by an auctioneer for Morgan Foods. President Hoar made the motion, seconded by Jeff Souder, to allow the subdivision on the basis of interpretation of our Subdivision Control Ordinance. The motion carried by unanimous vote, 7-0.

IV. Legal Counsel.

President Hoar reported that he had consulted with Mark Clark regarding serving as legal counsel for the Plan Commission and BZA, and that the firm, Mead, Mead, & Clark is interested in the position. President Hoar suggested the Plan Commission approve hiring Mark Clark, and upon the motion of Phil Marshall, seconded by Ervin Day, the Commission unanimously approved Mark Clark as new legal counsel.

Jeff Souder then made a motion to formally recognize, in the record, Attorney Scifres for his hard work and dedication over the years. The motion was seconded by Phil Marshall, and carried by unanimous vote, 7-0.

There being no further business and upon group consensus, the meeting was adjourned.

David Hoar, President

Jerry McClellan, Vice-President

Danielle Walker

Adam Dufour

Phillip Marshall

Jeff Souder

Mark Hartman

Ervin Day

Scott Maudlin

COMMISSION ATTORNEY

Thomas E. Scifres