

**WINFIELD PLANNING COMMISSION
MINUTES
April 2, 2012**

President William Davis on April 2, 2012 at 7:00 PM at Winfield City Hall, Winfield, West Virginia, called the Winfield Planning Commission meeting to order.

Members Present:

Dale Vance, Chris Legg, William Davis, Jerald Murray, George Armstrong, & Terri O'Connor

Members Absent:

Diann Hodges

Staff Present:

Randy Barrett – Mayor, , Laura Cox – Planning Director, Jessie Parker – Town Engineer, Tim LaFon – Town Attorney, Jackie Hunter – Town Recorder

Staff Absent:

No staff absent

Public Present:

No public present

Minute Approval:

Motion to approve the minutes of the March 5, 2012 meeting of the Winfield Planning Commission made by Jerald Murray. Motion seconded by Chris Legg. Motion carried.

Staff Actions/Reports:

Twelve Building Permits issued March 2012 (03/01/12 – 03/27/12)

New Business:

1. Review of the West Virginia Ethics Act and the Open Governmental Proceedings Act.

Mayor Barrett addressed the Planning Commission on The West Virginia Ethics Act and the Open Governmental Proceedings Act based on a previous presentation by Martin J. Wright, Jr., Deputy General Counsel, WV Ethics Commission.

Old Business:

1. Discussion of Amendment to Article 1717.11 Building Permit Fees

Motion to present Amended Fee Schedule to City Council for comment and first reading made by George Armstrong. Motion seconded by Jerald Murray. Motion carried.

2. Preliminary Plat Subdivision Application No. 2011-2012-2.

Applicant and/or representative of applicant failed to show for meeting and or submit required documentation for the second month. Vote remains pending the submittal and review of the following:

- a. Pre-development and post-development hydraulic calculations and documentation relative to the proper sizing of the proposed rain garden.
- b. Provisions to guarantee all excess storm water will be diverted into an approved retention system and addressed in accordance with Article 1309.05 (e) (5).

Planning Director Laura Cox to send courtesy letter regarding six-month time line if applicant and or representative of applicant fails to answer telephone communication.

3. Craigo – Drainage - Cash Lane – Attorney Report – Action, if any. Previously suspended until new information became available.

Drainage: Attorney LaFon previously reported that the parties are currently working on a settlement in which the required repairs would be made to the drainage system. All work will be monitored by the City of Winfield and their representatives for compliance requirements.

Craigo – Cash Lane Apartments: As previously stated, the argument remains that the Cash Lane Apartments did not obtain a Certificate of Occupancy before leasing to tenants. This is allegedly a direct violation of the City Ordinance and WV State Building code. Due to the length of time involved (May 2007 – Present Day) and the monetary amount of the proposed fine and penalties, the opposing party has asked if we (City of Winfield) will compromise.

Due to the nature and elapsed time dealing with these issues, a motion was passed on April 2, 2012 to appoint Mayor Barrett as the primary negotiating party to communicate with Attorney LaFon on behalf of the City of Winfield.

It is noted that George Armstrong left the building during this discussion.

Good of the Order:

Laura Cox reported that the Sidewalk Grant has been approved from this side of the High School down to the backwater and next to the Middle School.

Adjournment:

Motion to adjourn by Jerald Murray @ 7:50 PM until the next regular scheduled meeting for May 7, 2012 at 7:00 PM.

William Davis, President

Terri O'Connor, Secretary