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Bath County Planning Commission

Bath County Courthouse – Room 115

June 23, 2014

MEMBERS PRESENT: Mike Grist (Chair), John Cowden (V-Chair), Trudy Woodzell, John Loeffler, Jason Miller

MEMBERS ABSENT: None

PUBLIC IN ATTENDANCE: Mike Bollinger (press), Bill Jones, Lee Elliott Flagg, Jeannette Robinson

STAFF PRESENT: Sherry Ryder

CALL TO ORDER:

Chairman Grist called the meeting to order at 7:00 p.m.

PUBLIC COMMENT—MATTERS UNRELATED TO THE AGENDA: None.

ADDITIONS OR CORRECTIONS TO THE AGENDA: None

PUBLIC HEARING: None

CHAIRMAN’S REPORT: None

STAFF REPORT: For May

OLD BUSINESS – Bath County Comp Plan

Chairman Grist: Tonight we will work on verbiage with consideration for Land Use - Oil and Gas Exploration, Drilling and Development Policies, Draft Ordinance for Hydrofracturing and “Local Foods Local Places 2014”.

Sherry Ryder: The topic of, “Local Foods Local Places 2014”, this will be headed by Maggie Anderson, so we can strike that from our agenda. If you have any verbiage or input, please contact Maggie.

Chairman Grist: Tonight we are working on verbiage.

Sherry Ryder: the verbiage sheet is drafted for localities east of 95. It's a model Comprehensive Plan language that can be changed to suit your needs. Shenandoah Valley Network, which we are not a part of, was nice enough to share this model with us. Jeannette Robinson read this and has sent some of her concerns on # 5 and #8.

Chairman Grist: He has read this over and likes what it states. He has concerns that it may be too long. He agrees with what #5 said with the concerns of Oil Companies hiring "fly-by-night" sub-contractors, who would come in to work and possibly leave the county with a mess to clean up. The wording for this is with state law and ok for a comp plan but more details are needed in the ordinances.

Sherry Ryder: The board has unofficially said they would make sure the money would be there to help if we need it and suggested that we use Southern Environmental Law.

Chairman Grist: He had a question on #6 that covered the limited use of County roads for drilling and development activities, by VDOT and the requirement by State Law for designated haulers to post bond to cover the cost of road repairs.

Sherry Ryder: We do not have any County roads in Bath. The Company can't use private roads. VDOT can require the posting of bonds for repairs if they want to.

Vice Chair Cowden wanted to put into the Comp Plan Intro., more details on, Preserving Natural Assets, concerning the water quality.

Sherry Ryder: The ordinance will need to cover water quality. Adequate bonding.

The group discussed other possible concerns and the changes that may be required in the future.

Chairman Grist: When we have our Public Hearing we could get a lot of good ideas and suggestions.

HYDROFRACKING:

Bill Jones: When we talk about fracking, the more correct term is "directional drilling", The Marcellus Shale, here is call the Millboro Shell. The areas for Bath County is toward West Va., and Highland. What concerns me is the way the cases are sealed when finished. The wells are 6000-7000 feet deep, incased with concrete or steel. This incasing will corrode with time. Down the road some of them will contaminate the wells.

Vice Chairman Cowden: Is there a different way to incase them?

Bill Jones: I don't know. There is a need to control these deep pollutants for hundreds of years.

Chairman Grist: I hope that technology will improve the way things are handled in the future.

Vice Chair Cowden: What are the odds of directional drilling coming to Bath County, or are they far down the road?

Bill Jones: The saving grace that may help us here is the lack of gas transmission lines near us. It may make other places more attractive.

So far the Companies have not been required to release the chemicals used in their process. They have been exempted from the "Clean Waters Act". They are currently involved in lawsuits now with other localities. So far they consider this information, proprietary information.

Chairman Grist: They are hiding behind the Proprietary Information Act. I hope these regulatory rules change soon. Our Fire Departments and Rescue personnel need to be protected.

Maybe they would supply the emergency equipment needed. We can put it into the ordinances, the chemicals are to be disclosed.

DRAFT ORDINANCES

Sherry Ryder:All edits have been submitted to CSPDC and I will send in today's edits. They are in the process of formatting. VDOT has not yet approved our language for the Transportation section. We could hear any day from them. It could be August before we can have a Public Hearing on the comp plan.

Chairman Grist: Let's set the Public Hearing for August 25th. I won't be here in September.

Trudy Woodzell: When does the public have to have their copy of the comp plan for reviewing?

Sherry Ryder:Three weeks in advance. They can pick it up in the office or read it on line.

KARST MAPS

Chairman Grist thanked Bill Jones for his report he submitted for the comp plan.

Sherry Ryder: His plan was put in as submitted and sent to CSPDC.

Vice Chair Cowdenasked Mr. Jones about the County's Karst Maps.

Bill Jones: Most of Bath County has not been mapped in the same detail as the rest of the state.

The Geological Maps have been done but it takes someone who knows what they are looking at to map the area's sink holes. We can't say that you can't build on possible karst areas.

Mitchelltown is built on karst. I just wouldn't build an industrial or gas station or land fill on it.

MINUTES FOR JUNE 2, 2014

Chairman Grist: Do I have a motion to approve the Minutes?

Jason Miller: I make a motion to pass the Minutes of June 2, 2014 with amendments. Change the wording from, Seek reconditions, to, Seek recommendations, page 2 near bottom, under John Cowden.

Trudy Woodzell: 2nd the motion.

Vote: 5-0

Sherry Ryder: Next meeting will be on July 28, 2014 at 7:00 p.m.

Jason Miller: Made a motion to adjourn the meeting

Vice Chair Cowden:Seconded the motion.

Chairman Grist:Adjourned the meeting at 9:00 p.m.

Chairman Grist

Date