



FREEPORT PLANNING BOARD

October 2, 2013 Meeting Minutes

7:00 p.m. City Hall Council Room

Board members present: Jan Hooks, Sue Ann Cagle, Ron Brannon, Mark Miller, Russ Beaty.

Staff present: Latilda Hughes/City Planner-Board Liaison, Clay Adkinson/Board Attorney.

In attendance: Eleanor Turner, Albert Paris, Mayor Russ Barley.

- I. Meeting Called to Order/Chair Jan Hooks
- II. Invocation by Latilda Hughes/ Pledge of Allegiance
- III. September 4, 2013 Meeting Minutes Read/Approved

Motion by Beaty to approve the September 4, 2013 Planning Board Meeting Minutes as presented. The motion was seconded by Brannon. All ayes; motion carried.

IV. Staff Reports

A. City Planner/Board Liaison Latilda Hughes

Hughes summarized the area community events being planned by the City: The remodeling of the Old Post Office into a museum, "Picking on the Porch" every 2nd Sunday from 2 pm-until, etc.

B. City Engineer/ Anna Hudson

No report.

C. Board Attorney/Clay Adkinson

No report.

V. Old Business

A. October 2, 2013 Board Training: Sunshine Law – Attorney Adkinson

Adkinson instructed the Board in a number of Sunshine Law, Code of Ethics and Records matters including but not limited to:



1. Sunshine Law pertains to: meetings being open to the public, reasonable notice and minutes are taken
2. The Planning Board is covered by the Sunshine Law
3. Communication between Planning Board members is governed by the Sunshine Law.
4. A meeting consists of two (2) or more board members in discussion of any matter that could be coming before the Board.
5. Most Code of Ethics complaints have to do with the “appearance of impropriety”
6. Communication includes regular mail, phone, fax, text, Facebook, twitter or any other communication medium.
7. Matters that could come before the Planning Board: development projects, land use/zoning changes, variance requests, Comprehensive Plan or Land Development Code revisions and code violations.
8. Adkinson discussed the penalties associated with violations of the Sunshine Law.
9. The Planning Board does not hold closed meetings.
10. All workshops are open, but decisions are not made at workshops.
11. Quasi-judicial Items: land use changes, zoning changes, and development projects.
12. Legislative Items: code language changes and code revisions.
13. Public records include letters, texts, e-mails, etc.
14. All decisions must be made on evidence/material reviewed during the meeting
15. Discussion of ex-parte communication
16. No drive-byes; considered ex-parte contact
17. No site visits
18. The Planning Board must rely on the City’s professional staff.
19. Decisions must be based on whether the technical findings of the staff professionals indicate compliance with Freeport regulations.
20. Any communication received regarding any matter coming before the Board should be printed out and copies made for the Board, Board Secretary and the Board Attorney.
21. Voting conflicts; a board member cannot vote if a) the matter will provide private gain or loss b) employer/partner stands to gain or loss c) business associates or transacting business in any way d) benefits family members, i.e. parent/sibling or child
22. Recusals/conflicts of interest: disclose nature of conflict/file disclosure form...best to discuss with board attorney ahead of time. Even if you are not at the meeting, you have to file disclosure form.



B. November 4, 2013 Board Training: Development Application Process

Hughes informed the Board that she would be conducting mock pre-application conferences with the Board on November 4, 2013 so that they would have an understanding of the development process and the amendment process.

VI. New Business

None.

VII. Board Business Not on Agenda

None.

VIII. Public Comment

None.

IX. Adjournment

Motion by Beaty to adjourn. The motion was seconded by Miller. Meeting adjourned.