

Minutes of Water Resources Board Meeting - December 12, 1979

A meeting of the State Water Resources Board was held on December 12, 1979, at 9:30 a.m. in the Division of Water Resources Conference Room located at 1205 Greenbrier Street, Charleston, West Virginia, on the call of the Chairman. The meeting was called to make a decision on Parrish Manor Mobile Home Park, Appeal No. 117.

Board members present were: Mr. John C. Ailes, Dr. Edward Crum, Dr. Donald G. Brannon, (absent were: Larry W. George and Forrest H. Kirkpatrick).

The meeting started off with Mr. Ailes leading a discussion on the review of the Findings of Fact and Conclusions of Law on Parrish Manor Mobile Home Park. At the conclusion of this discussion and the review of the evidence the Board decided the Chief of Water Resources has acted reasonably in his decision and noted to enter an order affirming the chief's order.

Dr. Crum then brought up the question of retaining a lawyer to review the regulations currently being worked on by the Board when a finalization point is reached. It was decided that Dave Robinson would be approached about this.

Also mentioned was asking the lawyers assigned from the Attorney General's Office and working with the Division of Water Resources to give monthly progress reports on appeal cases they are handling to the Secretary of the Board for distribution to the Board Members.

Dr. Crum then brought up the appeal of Borgman Coal Company and what action had been taken in that instance. Mr. Ailes said he would talk to Paul Ware about this and find out what the next step contemplated by the Division of Water Resources should be.

Mr. Ailes requested that in the future any correspondence on Board Stationary sent out by Board Members with their personal views would, as a courtesy, have copies sent to other members. This was agreed upon.

Before the conclusion of the meeting Dr. Crum brought up a timetable for review and promulgation of the regulations currently being drafted. This timetable started with a meeting in Morgantown on January 8, 9, and 10, 1980 for the review of the suggestions that were to be in by December 14, 1979. A final draft to be ready for review by February 15, 1980. Fix any typographical errors etc. and have a public comment period from March 14 to April 15, 1980. The formal proposal should be ready by May 19, 1980.

It was agreed that this timetable would be followed insofar as possible, depending on the availability of Professor McGinley and various state employees. It was also agreed that trade associations, large companies and environmental and conservation groups would have an opportunity to make suggestions on the second working draft before the final draft was prepared and released for formal public comment.

Meeting was then adjourned at approximately 1:15 p.m.