

**The Capitol Building**  
Charlotte Amalie, United States Virgin Islands 00802  
340.774.0880

**Golden Rock**  
Christiansted, United States Virgin Islands 00820  
340.773.2424

**St. John Annex**  
Cruz Bay, United States Virgin Islands 00830  
340.776.6285



**CHAIRMAN**  
**Committee on Disaster Recovery, Infrastructure, and Planning**

**VICE CHAIR**  
Committee on Rules and Judiciary


**MEMBER**  
Committee on Health, Hospitals, and Human Services  
Committee on Culture, Sports, Parks, and Youth  
Committee on Government Operations, Veterans Affairs, and Consumer Protection

## **MILTON E. POTTER**

Senator, 35<sup>th</sup> Legislature of the United States Virgin Islands

---

**TO:** Kurell Hodge, J.D.

**FROM:** Milton E. Potter 

**DATE:** February 2, 2024

**SUBJECT:** February 2, 2024 Committee on Disaster Recovery, Infrastructure, and Planning Committee Report

---

The attached report of the Committee on Disaster Recovery, Infrastructure, and Planning is submitted pursuant to the Rules of the 35<sup>th</sup> Legislature of the Virgin Islands.

### **COMMITTEE REPORT – Disaster Recovery, Infrastructure, and Planning: February 2, 2024**

The Committee on Disaster Recovery, Infrastructure, and Planning was called to order at 9:39am by Committee Chairman, Senator Milton Potter. The meeting was held in the Earle B. Ottley Legislative Chambers on St. Thomas, VI, to consider the following:

#### **BLOCK I**

**Bill #35-0172:** An Act amending Title 29, chapter 5 Virgin Islands Code, relating to building codes to provide for adoption of nationally recognized consensus-based codes and standards and amendments to such codes that are in the best interests of the territory, and to provide for clarifications to the Virgin Islands building code.

**Sponsored by: Senator Donna A. Frett-Gregory**

**INVITED TESTIFIERS:**

The Honorable Derek Gabriel  
*Commissioner, Virgin Islands Department of Public Works*

The Honorable Jean Pierre Oriol  
*Commissioner, Virgin Islands Department of Planning & Natural Resources*

Mrs. Adrienne Williams-Octalien  
*Director, Virgin Islands Office of Disaster Recovery*

Mr. Julio U.B. King  
*Chairman, Virgin Islands Board of General Construction Contractors*

**BLOCK II:**

**Bill #35-0202:** An Act amending title 29, chapter 3 of the Virgin Islands Code to authorize the Historic Preservation Commission to relax certain restrictions as it relates to conservation and preservation of historic and cultural assets in the historic downtown districts of Christiansted, Frederiksted, Charlotte Amalie and Cruz Bay

***Sponsored by: Senator Kenneth L. Gittens***

**INVITED TESTIFIERS:**

The Honorable Ray Martinez  
*Commissioner, Virgin Islands Police department*

Mr. Matthew Ridgway  
*President, Christiansted Retail and Restaurant Association*

Mr. Shomari A.C. Moorehead  
*Our Town Frederiksted, Inc*

Mr. Akeel St. Jean  
*President, St. Croix Chamber of Commerce*

Mr. John P. Woods  
*President, St. Thomas Chamber of Commerce*

Ms. April Newland  
*Historic Preservation Commission*

Dr. Akil Petersen  
*Member, Historic Preservation Commission*

Mr. David Hayes  
*Chairman, Historic Preservation Commission*

Mr. Sean Krigger  
Deputy State Historical Preservation Officer

**Committee Members in attendance:**

Senator Diane T. Capehart (Tardy)  
Senator Alma Francis Heyliger (Tardy)  
Senator Kenneth L. Gittens (Tardy)  
Senator Marise L. James  
Senator Franklin D. Johnson  
Senator Carla J. Joseph  
Senator Milton E. Potter

**Non-Committee Members in attendance**

Senator Ray Fonseca  
Senator Novelle E. Francis, Jr.  
Senator Donna A. Frett-Gregory

**Public Affairs / Media:**

Omari Hicks  
Chaunte Herbert  
Jonelle Jackson  
Melissa Gustave  
Alwyn Baptiste  
Winston Nugent  
Alvin Burke  
Bernard Matthew  
Eustace Browne  
Barry Leerdam  
Africah Harrigan  
Jamal Potter

**Clerked by:** Pauline Dawes

**Counsel:** Amos Carty, Jr.

<b>Reporters:</b>	Tricia Sealey	9:39am – 11:34am
	Joanne Samuel	11:52am – 12:48pm
	Nadine Williams	12:48pm – 2:00pm
	Joanne Samuel	2:00pm – 2:59pm

**Sergeant-At-Arms/Security:** Shani Smith & Delvin Fleming

Testifiers present during the meeting were: The Honorable Jean Pierre Oriol, Commissioner of the Virgin Islands Department of Planning and Natural Resources (DPNR); Amanda Jackson, Territorial Director of the Division of Permits (DPNR); Julio U.B. King, Chairman of the Virgin Islands Board of Contractors, Trades, and Crafts; and Graciela Rivera Territorial Hazard Mitigation Officer, Virgin Islands Territorial Emergency management Agency and Virgin Islands Office of Disaster Recovery. The Honorable Derek Gabriel was not present, but he submitted a Position Letter on behalf of the Department of Public Works.

Julio U.B. King gave his opening statement. Jean Pierre Oriol, followed with his opening statement. Graciela Rivera, appearing on behalf of Director Adrienne Williams-Octalien, then gave her opening statement. Following the opening statements, the committee conducted a five (5) minute round of questioning.

At the conclusion of the round of questioning, Senator Marise C. James moved that **Amendment #35-685**, which amends Bill #35-0172, be adopted by the committee. Senator Carla J. Joseph seconded the motion. There were no objections, so the motion carried.

Senator Marise C. James then moved that **Bill #35-0172, as amended**, be voted on favorably by the committee and forwarded to the Committee on Rules and Judiciary with a favorable recommendation for further consideration and action. Senators Alma Francis Heyliger, Kenneth L. Gittens, and Carla J. Joseph seconded the motion. Roll call was taken.

Senators Diane T. Capehart, Alma Francis Heyliger, Kenneth L. Gittens, Marise C. James, Franklin D. Johnson, Carla J. Joseph, and Milton E. Potter voted in favor of the motion. The motion carried. **7 Yeas, 0 Nays.**

The committee then proceeded to Block II. Testifiers present were: Shomari A.C. Moorehead, President, Our Town Frederiksted, Inc; Shawna Richards, Vice President, Our Town Frederiksted, Inc; John P. Woods, President, St Thomas Chamber of Commerce; April Newland, VI Territorial Association of Realtors, Akil Petersen, Member Historic Preservation Commission; Sean Krigger, Deputy State Historical Preservation Officer, and Jean Pierre Oriol, Commissioner, Virgin Islands Department of Planning and Natural Resources.

John Woods gave his opening statements. Following Mr. Woods' statement, opening statements were received from April Newland, Jean Pierre Oriol, Akil Petersen, and Shomari Moorehead, in that order. Following the opening statements, the committee conducted a five (5) minute round of questioning.

Through the Chair, Senator Marise James requested the list of 100 historic sites in the Virgin Islands. Mr Krigger stated he would provide the list electronically.

After the questioning and extensive discussions on the content of the bill, Senator Kenneth L. Gittens moved that **Bill #35-0202** be held in Committee on Disaster Recovery,

Infrastructure, and Planning. Senators Alma Francis Heyliger, Marise C. James, and Carla J. Joseph seconded the motion. Roll call was taken.

Senators Diane T. Capehart, Alma Francis Heyliger, Kenneth L. Gittens, Marise C. James, Franklin D. Johnson, Carla J. Joseph, and Milton E. Potter voted in favor of the motion. The motion carried. **7 Yeas, 0 Nays.**

Senator Milton E. Potter adjourned the meeting at **2:59pm.**