

**Camden County Board of Adjustment
Minutes**

January 11, 2011, 7:00pm

Historic Courtroom

Camden County Courthouse Complex

BOARD MEMBERSHIP PRESENT/ABSENT

Present:	Absent:
Chairman Janice Hassell (Voting)	NONE
Vice Chairman Brad Smith (Voting)	
Ronald Price (Alternate)	
Don Keaton (Voting-Recused from VI)	
William McPherson (Voting)	
Roger Lambertson (Voting)	
Frank Eason (Alternate-Voting in VI)	

STAFF PRESENT

Name:	Title:
Dan Porter	Director of Planning
Dave Parks	Permit Officer/Flood Administrator
Amy Barnett	Planning Clerk/Clerk to the Board

OTHERS PRESENT

Name	Title:	Purpose / Representing	Meeting Section
John Morrison	County Attorney	Camden County	New Business #1
William H. Morgan, Jr.	Attorney	Representing Mark M. Brigman, Sr.	New Business #1
M. H. Hood-Ellis	Attorney	Representing current owners of The Hen House (Marc McPherson)	New Business #1
Larry Prichard	Property Owner	The Hen House	New Business #1
Lee Prichard	Property Owner	The Hen House	New Business #1
Marc McPherson	Prospective Property Owner	The Hen House	New Business #1
Marc M. Brigman, Sr.	Appellant	Appellant	New Business #1

Call to Order & Welcome

Chairman Janice Hassell called to order the January 11, 2011 meeting at 7:00 PM. Chairman Hassell read the rules of procedure, and then indicated whom the voting members for tonight's meeting would be. Voting members were stated as being: Janice Hassell, Don Keaton (who later recused himself from the new business section, Frank Eason became voting member in his stead), William McPherson, Roger Lambertson, and Brad Smith.

Consideration of Agenda

Chairman Janice Hassell called for the consideration of the agenda. Member Roger Lambertson made a motion to approve the agenda. William McPherson seconded the motion. The motion was approved with Chairman Janice Hassell, Vice Chairman Brad Smith, Members Don Keaton, William McPherson, and Roger Lambertson voting aye; none voting no; none absent; none not voting.

Consideration of the Minutes- September 15, 2009 and February 9, 2010

Chairman Janice Hassell called for the consideration of the minutes from the September 15, 2009 meeting.

Motion to Approve As Written made by: Don Keaton
Motion Seconded by: Roger Lambertson

The motion was approved with Chairman Janice Hassell, Vice Chairman Brad Smith, Members Don Keaton, William McPherson, and Roger Lambertson voting aye; none voting no; none absent; none not voting.

Chairman Janice Hassell called for the consideration of the minutes from the February 9, 2010 meeting.

Motion to Approve As Written made by: Roger Lambertson
Motion Seconded by: Brad Smith

The motion was approved with Chairman Janice Hassell, Vice Chairman Brad Smith, Members Don Keaton, William McPherson, and Roger Lambertson voting aye; none voting no; none absent; none not voting.

Comments from the Public

None

Old Business

None

New Business

Item #1, Mark M. Brigman, Appeal to determine legal non-conforming status of The Hen House

Chairman Janice Hassell asked if there were any voting members of the Board that may have conflicts of interest in this case. Don Keaton stated he has a conflict of interest due to the fact his grandfather has adjacent property, and asked to be recused.

Vice Chairman Brad Smith made a motion to recuse Don Keaton from New Business Item #1, "Mark M. Brigman, Appeal to determine legal non-conforming status of The Hen House". William McPherson seconded the motion. The motion was approved with Chairman Janice Hassell, Vice Chairman Brad Smith, Members Don Keaton, William McPherson, and Roger Lambertson voting aye; none voting no; none absent; none not voting.

Chairman Janice Hassell asked member Frank Eason to participate on this business item as a voting member.

The voting members for this hearing are: Chairman Janice Hassell, Vice Chairman Brad Smith, Members Frank Eason, William McPherson, and Roger Lambertson.

At this time, John Morrison, County Attorney for Camden County, made a brief statement regarding his position in relation to this hearing. Mr. Morrison indicated that he would be representing the interests of the county and that his position as county attorney does not entitle his arguments to any greater weight than those of the other attorneys present here and representing the appellant and current property owners of The Hen House.

Mr. Morrison then made a brief opening statement to outline the issues before the board.

- In November of 2010, Dave Parks, Permit Officer, made a determination that the subject property, The Hen House, was a continuing non-conforming use.
- A non-conforming use is when property is functioning in a manner other than what it is zoned for, and that manner of functionality predates the zoning ordinance under which that property's use is regulated.
- A business use which was permissible before the zoning laws changed making it non-permissible in that zoning district may continue to operate as a non-conforming use.
- If the business use ceases for a period in excess of 6 months, the property falls subject to the current zoning ordinances.
- The Hen House is a salvage yard operation whose business history goes back to the 1980's.
- In 1997, the property was rezoned for residential use, making a salvage yard operation a non-permissible use according to the zoning ordinance.
- The Hen House has stayed in business, and thus continued as a non-conforming use since that time.

- The owner of The Hen House as of 2008 was Mr. Judson Pritchard. Upon his passing in 2008, the property was passed down to his 2 sons, Larry and Lee Prichard.
- Larry and Lee Prichard are in the process of attempting to sell the property to Mr. Marc McPherson, who wants to ensure the business can continue as a legal non-conforming use as a salvage yard prior to his purchasing the property
- Mr. McPherson checked with Dave Parks, zoning officer for Camden County, who rendered a determination that the property's use was a legal non-conforming use, and that the operations of a salvage yard could continue at that address.
- Mr. Mark Brigman is appealing the determination that the property's use is a legal non-conforming use.
- Mr. Brigman's appeal is based on the contention that it is not a continuing non-conforming use because more than 180 days has passed since the business was last operated, and also that the use has been expanded, which is not allowed under current ordinances.
- Mr. Morrison indicated that the position of the County is that the property use at The Hen House IS a continuing legal non-conforming use, and that evidence will be presented later supporting this position.

At this time Mr. Morrison introduced Mr. Morgan, attorney for the appellant.

Mr. William H. Morgan, Jr., attorney for Marc Brigman, stated the following:

- Represents Mr. Marc Brigman, who will be testifying
- Other witnesses include an adjoining property owner
- Here to appeal Mr. Dave Parks determination that The Hen House has stayed open for the 2+ years since Mr. Judson Prichard's death, at least to the extent required by law, that the business has stayed open every 180 days, during that period.
- Contends that the business did not stay open as the law requires. There were no sales conducted; does not believe that there were utilities hooked up.
- Contends that during Mr. Prichard's life, and for the few months after his death that the business stayed open, only non-ferrous materials (aluminum, tin, copper, and brass) were purchased. Mr. McPherson wants to be able to purchase junk automobiles, which would be an expansion of the business to include ferrous materials.
- Asked for the Board of Adjustment to enter an order limiting The Hen House (if it continues to operate) to only those operations that existed prior to Mr. Prichard's death, at least as it applies to the purchase of junk automobiles.
- If The Hen House were to be allowed to purchase junk automobiles, a great deal of expansion would be required to process the materials (new scales, new storage areas, etc.)
- One issue is 'Is this business, which was a non-conforming business, going to be allowed to expand?'
- If it expands, it would create additional traffic and other burdens on the county

Mr. M. H. Hood Ellis, attorney for Larry and Lee Pritchard, stated the following:

- Both Larry and Lee Prichard live outside of the state
- The pending sale of The Hen House is dependent on whether or not the business is allowed to continue operating under its legal non-conforming status
- Mr. Brigman, the appellant, is a resident of this county, and has a *similar competing business* in another county.
- The Prichards' followed Mr. Parks instructions regarding what needed to be done to ensure the status of legal non-conforming use for the subject property.
- The lack of sales, or not being open every day, does not mean the business was not in operation, it does not mean that the business was abandoned or closed by any means, and it does not mean that the business should lose their non-conforming status.
- The Prichards' have been actively trying to market this property for sale since their father passed away.

At this time, Chairman Janice Hassell entertained a motion to open public hearing on this matter. Vice Chairman Brad Smith made a motion to open public hearing. Member Roger Lambertson seconded the motion. The motion was approved with Chairman Janice Hassell, Vice Chairman Brad Smith, Members Frank Eason, William McPherson, and Roger Lambertson voting aye; none voting no; none absent; none not voting.

Chairman Janice Hassell asked that all those who would be testifying be sworn in. Amy Barnett, Clerk to the Board of Adjustment, swore in those who would be testifying as a group. Those persons sworn in were: Dave Parks, Camden County Zoning Officer; Mr. Marc Brigman, Mr. Lee Prichard, and Mr. Larry Prichard. Attorneys John Morrison, William H. Morgan Jr., and M.H. Hood Ellis were not sworn in as attorneys are generally not allowed to provide testimony in cases where they are also representing interests of one of the involved parties.

Chairman Janice Hassell outlined the issues before the board, in order that they may be addressed in order:

1. Is Mr. Brigman, the appellant, an aggrieved person?
2. Is The Hen House still a legal non-conforming use?

Ms. Hassell asked the county attorney, Mr. Morrison, how to proceed. Mr. Morrison indicated that the board should, through testimony, determine if Mr. Brigman is an aggrieved person. If he is not an aggrieved person, the appeal would end at that point, and the case would be dismissed. As a matter of law, only an aggrieved person can bring an appeal.

Mr. Morrison called Mr. Brigman to testify.

- Mr. Brigman stated his name and address for the record:
 - Marc M. Brigman
 - 175 McKimmey Road
 - Shiloh, NC 27974
- Mr. Morrison asked Mr. Brigman to clarify that he is the appellant. Mr. Brigman answered he was.
- Mr. Morrison asked Mr. Brigman if he was familiar with the location of The Hen House. Mr. Brigman answered yes.
- Mr. Morrison asked if it would be a fair statement that the location of The Hen House was in the South Mills area. Mr. Brigman answered yes.
- Mr. Morrison asked if it would be a fair statement to say that there is approximately 17 miles between Mr. Brigman's home and the location of The Hen House. Mr. Brigman answered yes.
- Mr. Morrison asked if Mr. Brigman owned any property in the vicinity of The Hen House. Mr. Brigman answered no.
- Mr. Morrison asked if Mr. Brigman had any interest(s) in any of the properties in the vicinity of The Hen House. Mr. Brigman answered no.
- Mr. Brigman volunteered that he pays ½ of his business taxes to Camden County, and ½ to Currituck. His home office is in Camden County.
- Mr. Morrison asked if Mr. Brigman owned a salvage company. Mr. Brigman answered yes.
- Mr. Morrison asked where and how far away from The Hen House was Mr. Brigman's business. Mr. Brigman responded it was in Currituck County, and was about 9 miles from The Hen House.
- Mr. Morrison asked if there was anything about the salvage yard (The Hen House) that would affect the person of Mr. Brigman (i.e. his health, well-being, etc.). Mr. Brigman answered no.
- Mr. Morrison asked if there was anything about the salvage yard (The Hen House) that would affect Mr. Brigman's ability to go to work. Mr. Brigman answered no.
- Mr. Morrison asked if there was anything about the salvage yard (The Hen House) that would affect any of Mr. Brigman's finances or possessions. Mr. Brigman answered that he hoped not.
- Mr. Morrison asked if it would be a fair statement in terms of Mr. Brigman's person, property, and employment, that Mr. Brigman would not be substantially affected if The Hen House continued as a legal non-conforming use. Mr. Brigman answered that it was a fair statement.

At this time, Mr. Morrison indicated he had no further questions for Mr. Brigman and yielded the floor to Mr. Morgan (attorney for Mr. Brigman).

Mr. Morgan asked the following of Mr. Brigman:

- Mr. Morgan asked if Mr. Morgan had ever hidden the fact that he had a competing business. Mr. Brigman answered no.
- Mr. Morgan asked about the competitiveness of the scrap metal industry. Mr. Brigman indicated it was very competitive.
- Mr. Morgan asked Mr. Brigman if The Hen House could materially affect his business. Mr. Brigman answered yes it could, and indicated there was a very thin profit margin in this business.
- Mr. Morgan asked Mr. Brigman if he understood that there is some question regarding a person's standing in these proceedings to be able to attack the validity of a determination made by a zoning officer. Mr. Brigman answered yes.
- Mr. Morgan asked Mr. Brigman if he understood that the proceedings of the Board of Adjustment were quasi-judicial, and less formal than a court of law. Mr. Brigman answered yes.
- Mr. Morgan asked Mr. Brigman to recall discussions of moving forward with an appeal to superior court should his appeal in this proceeding not be decided in his favor. Mr. Brigman acknowledged this.

At this time, Mr. Morgan stated he had no further questions for Mr. Brigman and yielded the floor to Mr. Ellis, attorney for the property owners.

Mr. Ellis asked the following of Mr. Brigman:

- Mr. Ellis asked when Mr. Brigman opened his business in Currituck County. Mr. Brigman responded that he opened in 2007.
- Mr. Ellis asked Mr. Brigman if he was aware that The Hen House was in operation at that time. Mr. Brigman answered yes.

At this time, Mr. Ellis stated he had no further questions for Mr. Brigman. Mr. Morgan asked to follow up with a few more questions for Mr. Brigman.

Mr. Morgan asked Mr. Brigman the following:

- Mr. Morgan asked Mr. Brigman if his business deals with both ferrous and non-ferrous materials. Mr. Brigman answered yes.
- Mr. Morgan asked Mr. Brigman if he was familiar with the operations of The Hen House. Mr. Brigman answered yes.
- Mr. Morgan asked Mr. Brigman approximately how many times he had been to The Hen House. Mr. Brigman answered he had been there a few times.
- Mr. Morgan asked Mr. Brigman [to Mr. Brigman's knowledge] if The Hen House had ever engaged in the purchase of automobiles. Mr. Brigman responded saying that The Hen House had not engaged in such purchases, that they did not purchase any steel.

Mr. Morgan indicated he had no further questions and yielded the floor to county attorney John Morrison.

At this point, County Attorney John Morrison entered a motion to dismiss the case based on the following:

- The appellant has no legal standing upon which to file an appeal. The law does not allow Mr. Brigman to make an appeal in this matter. That being the case, the Board of Adjustment does not have jurisdiction, or authority, to hear the case.
- UDO 151.530 Appeals, Variances, and Interpretations - Section (A) states that “An appeal from any final order or decision of the Administrator may be taken to the Board of Adjustment by any person *aggrieved*.”

Mr. Morrison added the following information:

- The Unified Development Ordinance of Camden County does not define who is an aggrieved person.
- NC GS Chapter 150(B), The Administrative Procedures Act, defines how agencies deal with one another, how hearings for people that are aggrieved with an agency action are handled under administrative law.
- Planning Department is an agency of the County, similar to agencies of the state.
- Mr. Parks title is ‘Administrator’, so this is an administrative proceeding.
- The NC General Statutes define the term “Aggrieved Person”:
 - Aggrieved Person - A person aggrieved is any person or group of persons of common interest directly or indirectly affected substantially in his or its person, property, or employment by an administrative decision.
- Key word is substantial.
- Mr. Morrison noted that the deadline for filing an appeal has passed, and Mr. Brigman was the only person to file an appeal
- The last question Mr. Morrison asked Mr. Brigman was “Would it be a fair statement that you are not *substantially* affected by the operations of The Hen House?” To which Mr. Brigman answered “Yes it is a fair statement”.
- Mr. Brigman lives 17 miles away from The Hen House
- Mr. Brigman owns a salvage business in Currituck County
- Camden County has no authority to impose any regulations on Currituck County, nor they on Camden County.
- Mr. Brigman owns no property or interest in the vicinity of The Hen House
- Operations of The Hen House will not affect Mr. Brigman's person, property, or employment. Mr. Morrison directly asked Mr. Brigman if he would be affected in this manner, and Mr. Brigman answered that he would not be affected.
- Mr. Brigman’s main concern is the competition between The Hen House and his own business.
- Law in a capitalist country favors competition (more businesses there are, the more employment there is, and is better for the economy).

Mr. Morrison advised the Board of Adjustment that if they were to find that Mr. Brigman was not an aggrieved person, the matter ends here and does not proceed any further, as the Board of Adjustment does not have the authority to hear a case involving an appeal brought by a non-aggrieved person.

At this time, Mr. Morrison asked if the Board had any questions for him.

Roger Lambertson asked that since the deadline to file appeals had passed, that the only thing Mr. Brigman could do would be take it to superior court should the appeal not be decided in his favor. Mr. Morrison stated that was correct.

Mr. Lambertson asked if the board decided that Mr. Brigman was not an aggrieved person, is that appealable. Mr. Morrison answered yes it is, and that it would go up for what is called Judicial Review, wherein the process that yielded the decision would be brought into question.

Chairman Janice Hassell asked what would be appealed to superior court, the zoning decision or the board decision. Mr. Morrison indicated that if it were appealed to superior court only the decision of the board would be appealed along with the procedures that yielded the board's decision.

Mr. Morrison then yielded the floor to Mr. Morgan, attorney for Mr. Brigman.

At this time, Mr. Morgan stated the following:

- Acknowledged that there is no definition in the UDO of what constitutes an aggrieved party
- Does not dispute the General Statute Chapter 150(B) definition of aggrieved person
- In that the UDO does not define aggrieved person, it falls to the board to decide who is and who is not an aggrieved person.
- Contended that this is a more informal hearing, and stated that his belief is that any person who has any interest in what is going on in the vicinity of the property in question should be able to appeal to this level at least. If it goes to supreme court, there is a more stringent test regarding who can and who cannot bring an appeal.
- There is an adjacent property owner present at this hearing who was not aware of the 10 day time limit to appeal, but is directly affected by this.
- Stated that if the board decides that Mr. Brigman is not an aggrieved person, the board will not know the facts in this case, what is expected to go on at the subject property.
- Asked the board to decide that Mr. Brigman is an aggrieved person so that the board may hear the rest of the story.

Mr. Morgan then yielded the floor to M.H. Hood Ellis, attorney for the property owners (Larry and Lee Prichard).

At this time, Mr. Ellis stated the following:

- Words have meaning
- The position of the property owners of The Hen House is the same as the county's position.
- Mr. Morgan would have the board believe that any person can appeal, however that is not what is in the UDO. The UDO states that any aggrieved person may appeal. That is the county's position, and the position of the property owners as well.
- The word "aggrieved" must have meaning. Believes that the definition set forth in the NC General Statutes is correct.

As a closing rebuttal of Mr. Morgan's statements, Mr. John Morrison, County Attorney stated the following:

- As Mr. Ellis has correctly stated, the UDO *does not say* that any person can appeal for any reason. The UDO says that any aggrieved person may appeal. To appeal, one must be an aggrieved person.
- A person cannot bring an appeal for just any reason, there must be a reasonable reason to appeal, and the person bringing the appeal must be, as the UDO states, an aggrieved person.
- Every board member took an oath to enforce the law, and not allow appellants to influence decisions with emotions or circumstances which involve emotional subject matter. The decision of the board must be based on law, what is in the UDO and other applicable state or federal law.
- Mr. Morgan wants the board to decide that Mr. Brigman is an aggrieved person, so that they can then hear the rest of the story. However, their oath of office means they must enforce the law, and they do not have the authority to hear the rest of the story.
- The burden is on Mr. Brigman to prove that he is an aggrieved person.
- The definition of "aggrieved" as defined by the NC General Assembly in the General Statutes has been presented to the board. That definition contains the words "substantially affected", it is up to the board to render a decision on whether or not Mr. Brigman is "substantially affected".
- By Mr. Brigman's own testimony, he admitted that he is not "substantially affected".
- It is irrelevant that there is another adjacent property owner who has issues with The Hen House. That property owner did not file an appeal within the allotted timeframe, therefore the board does not have the authority to hear from him.
- It is incumbent upon the board to dismiss this case based on jurisdictional limits in that the board does not have the authority to hear the case.

Mr. Morrison then reminded the board that they are a quasi-judicial body, and that this is a court of law. Mr. Morrison went on to say that what a court of law does is to be very 'jealous' of its jurisdiction, and make sure they do not overstep their authority.

At this time, Chairman Janice Hassell asked the board if there were any questions.

Roger Lambertson stated that if the board were to decide that Mr. Brigman was an aggrieved person solely out of curiosity to hear the rest of the story, it would establish a dangerous precedent that anyone could appeal any decision for any reason whether or not they were an aggrieved party.

Chairman Janice Hassell had questions for Mr. Brigman:

- Chairman Hassell asked Mr. Brigman how long he had been a resident of Camden County. Mr. Brigman answered that he had been a resident for 33 years (his whole life).
- Chairman Hassell asked Mr. Brigman to clarify when his salvage business opened. Mr. Brigman answered that his business opened in 2007.
- Chairman Hassell asked Mr. Brigman if The Hen House was open when he opened his business. Mr. Brigman answered yes it was. Mr. Brigman added that The Hen House was not a buyer of ferrous metals at that time. County Attorney John Morrison interjected that what The Hen House did or did not do in their business was immaterial at this juncture as the matter of whether or not Mr. Brigman is an aggrieved person had yet to be decided by the board.
- Chairman Hassell asked Mr. Brigman if he feels he was an aggrieved person at the time when he opened his business, knowing that The Hen House was open. Mr. Brigman answered no.
- Chairman Hassell asked Mr. Brigman to indicate when he became aggrieved. Mr. Brigman answered that it was about 6 months prior to this hearing, at the time when The Hen House was issued a permit to do business as a scrap yard, and that they had never been a scrap yard before.

Frank Eason questioned when was the appeal filed. That information was in the board packet, and was pointed out by Mr. Morgan as being December 2, 2010.

Chairman Hassell asked if the board had any further questions for Mr. Brigman. There were no further questions for Mr. Brigman. Chairman Hassell asked if the board had any further questions or comments. Hearing none, Chairman Hassell then outlined the matter to be decided upon by the board:

- The matter before the board is to decide whether or not Mr. Brigman is an aggrieved person as it related to the determination of Mr. Dave Parks that The Hen House is a legal non-conforming use.
- If the board decides that Mr. Brigman is an aggrieved person, the board will hear the appeal; if not, the appeal will be dismissed.

Roger Lambertson asked for clarification on what the board is voting on, recalling that Mr. Morrison had made a motion to dismiss. Mr. Lambertson asked if the board would be voting to dismiss or voting that Mr. Brigman is / is not an aggrieved person.

The motion that Mr. Morrison made to dismiss the case was a matter of jurisprudence in that according to the UDO and state General Statutes, the board does not have the authority to hear the case. By moving to dismiss, Mr. Morrison was asking the board to dismiss the case due to Mr. Brigman not being an aggrieved person, by his own admission, and as defined by state law.

Mr. Morrison clarified his recommendation regarding what motion the board should make in this matter. The recommended motion should be something to the effect of: "Should the matter be dismissed in that Mr. Brigman is not an aggrieved party, and the board has no authority to hear the case". Mr. Morrison went on to say that a 'yes' vote would result in the termination of these proceedings.

Vice Chairman Brad Smith had a comment/question regarding the motion to be made, and interpretation thereto: The decision the board will make regarding whether or not Mr. Brigman is an aggrieved person, does the change in status of The Hen House and the manner in which it affects Mr. Brigman's business qualify him to be an aggrieved person? This seems to be the only issue at hand, because it goes to employment. Mr. Brigman's business is his employment, so the board has to decide whether it affects his employment substantially.

Mr. Morrison commented stating that there is no evidence either way regarding Mr. Brigman's employment, and recall Mr. Brigman had already testified that it would not affect his employment.

At this time, Board Member Frank Eason made a motion that Mr. Brigman is not an aggrieved person, taking into consideration the statements heard in this hearing and the evidence as presented. Board Member Roger Lambertson seconded the motion. The motion was approved with Chairman Janice Hassell, Vice Chairman Brad Smith, Members Frank Eason, William McPherson, and Roger Lambertson voting aye; none voting no; none absent; none not voting. (A unanimous roll call vote was taken, and summarized above).

As Mr. Brigman is not an aggrieved person, this appeal has been dismissed.

At this time, Roger Lambertson made a motion to close the public hearing. Frank Eason seconded the motion. The motion was approved with Chairman Janice Hassell, Vice Chairman Brad Smith, Members Frank Eason, William McPherson, and Roger Lambertson voting aye; none voting no; none absent; none not voting.

Information from Board and Staff

- A. Board of Adjustment Schedule for 2011
- B. Planning Board Schedule for 2011
- C. Board of Commissioner's Schedule for 2011

Consider Date of Next Meeting – February 8, 2011 (if there are matters to be brought)

Adjournment

At 8:02 PM, a motion was made to adjourn the meeting.

Motion: "Adjourn the January 11, 2011 meeting."
Made By: Roger Lambertson
Seconded By: Vice Chairman Brad Smith
Vote: Approved by Chairman Janice Hassell, Vice Chairman Brad Smith, Members Frank Eason, William McPherson, and Roger Lambertson voting aye; none voting no; none absent; none not voting.
Results: By a vote of 5-0, meeting is adjourned.

Date: _____

Approved: _____
Chairman Janice Hassell

Attested: _____
Amy Barnett, Planning Clerk