

DAVIE COUNTY BOARD OF ADJUSTMENT
JUNE 7, 1999 MEETING

MINUTES

Members Present

Ed Welch, Jr.
Wayne Boger
Jack Jerome
Dan Smith

Members Absent

Terry Dedmon

Others Present

Robert Price, County Attorney
John Gallimore, Planning Director
Ricky Hurley, Zoning Enforcement Officer

A) *Jerome called the meeting to order. He introduced the members of the Board and Planning staff.*

Mr. Gallimore outlined the procedure of the meeting.

B) *The minutes from the May 3, 1999 and May 6, 1999 meetings were reviewed. Smith made a motion to approve the minutes as submitted. Boger seconded the motion. The Board then voted with four (4) in favor and none opposed.*

C) Public Hearings

7:00 p.m. *Annie L. Brown has applied for a **Special Use Permit** to place a Class C Manufactured Home in the Residential Agricultural zoning district under section 155.001 and 155.125 of the Davie County Zoning Ordinance. This property is located at the northeast corner of Daniel Road and Nancy Easter Loop and is further described as being Parcel 34 of Davie County Tax Map L-4.*

Ms. Pat Seamon and Ms. Annie Brown were sworn-in. Mr. Gallimore presented the application request, a copy of a legal description of the property, a letter from the applicant stating reasons for her request, an income statement, a copy of the title of the home, estimates on a price for masonry underpinning, a statement from the property owner granting permission for Ms. Brown to use the property, a septic tank permit, photos of the home and a survey map of the property. He also called attention to the Preliminary Findings of Fact previously sent to the Board.

Jerome asked where the home is at currently? Ms. Seamon said that the home was currently in Davidson County. **Jerome** asked about the statement concerning the underpinning? Ms. Seamon said that was to show the difference in cost between the masonry and vinyl underpinning to show that it would be a financial hardship for her to use masonry underpinning. Mr. Gallimore stated that the home met all requirements of a Class B home except for the masonry underpinning.

Smith asked what the relationship was between Ms. Seamon and Ms. Brown? Ms. Seamon said that Ms. Brown was her mother. Ms. Seamon and her husband are the landowners. Their home is located next door. **Smith** asked how far her home would be away from her mother's mobile home? Ms. Seamon said that her house would be about 200 feet from the mobile home.

Jerome asked where on Daniel Road the home would be? Ms. Seamon said it would be on the left side across from the pond.

Smith asked **Welch**, since he is in the building business, how expensive it would be to masonry underpin a home after its placement? Could it be done at a later date? **Welch** said that it would be difficult to do after the home is set up because the masonry needs to be placed on a footing. These are usually dug prior to the placement of the home and are difficult to dig after a home is placed.

Ms. Seamon stated that the home would be a temporary situation. If something were to happen to Ms. Brown the home would be removed.

Smith asked Ms. Brown what her age was? She stated that she was 71 years old.

Welch asked about the certificate of title not being in her name? Ms. Seamon said that the title was just transferred on Saturday and has not yet been processed. The title will be in Ms. Brown's name. **Welch** asked about the photo of the home as it is currently setting? The home in the picture has a permanent masonry foundation. Ms. Seamon said that it did have a masonry skirting. It has all been knocked out so the home can be moved.

Jerome asked what would happen if the Board denied the request? Ms. Brown said that she had already moved up here and was living with the Seamon's since March.

Welch asked if Ms. Brown had any other means of income other than that in the statement? Ms. Brown said that she also receives Social Security; she is a widow.

Attorney Price asked if they had any problems with the Board making a decision with a four member Board instead of the usual five? They said they did not.

Jerome asked if there was anyone who wished to speak in opposition to the request? There was no one. The public hearing was closed.

Jerome asked for a motion. **Smith** made a motion to grant the Special Use Permit under a hardship based on Ms. Brown's income and other information presented. The home is to be used only as her residence. If the situation should change, the home will be moved or brought into full compliance. The motion died for lack of a second.

Welch said that he had a problem with this being considered a hardship. Every other citizen in the County is expected to meet these standards. He said that he hoped that there would be some assistance to get the masonry underpinning in place.

The request was denied due to lack of a second or a subsequent motion to approve.

7:20 p.m. Stacy Spry has applied for a **Special Use Permit** to place a Class C Manufactured Home in the Residential Agricultural zoning district under §155.001 and §155.125 of the Davie County Zoning Ordinance. This property is located off the west side of Point Road, approximately 3 1/4 miles south of Cherry Hill Road, and is further described as being parcel 66 of Davie County Tax Map O-6.

Mr. Mike Spry was sworn-in. Mr. Gallimore presented a copy of the application, a letter of intent, a copy of the septic system permit, a legal deed description, a copy of the certificate of title, a copy of the site plan and a signed, notarized letter granting Mr. Spry Power of Attorney. Mr. Spry said that Stacy Spry gave him Power of Attorney since he is out of the country for a few weeks.

Attorney Price asked if Mr. Spry had any problem with the four member board making a decision in this matter as opposed to the full Board? He said that he did not have any problem with that.

Mr. Mike Spry said that Stacy Spry had purchased 10 acres of land. He is wanting to place the mobile home at the site temporarily while he constructs a site built home. He presented an affidavit stating that the mobile home would be removed when the construction of the site built home was complete. He also presented pictures of the site and a diagram where Mr. Spry plans to place the home so it will not be seen from the road.

Jerome asked where the home was currently at? Mr. Spry said that it was at the end of Hartley Road near Point Road.

Smith asked how far the pavement goes on Point Road? Mr. Spry said that the entire road was now paved.

Jerome asked about the letter submitted which stated that there was a 2 year time limit? Other information submitted stated 3 years. Mr. Spry said that he was not aware that Stacy Spry had placed a time limitation on the construction.

Smith asked if there was any known financial hardship in Stacy Spry's case? Mr. Spry said that he was not aware of any.

Jerome asked if anyone in attendance wished to speak in favor of the request? No one did.

Jerome then asked if anyone wished to speak in opposition to the request?

Mr. David Davis was sworn-in. He asked for clarification on the stipulation of three or two years. Attorney Price stated that the Board would decide on the time limitation. Mr. Davis said that Mr. Stacy Spry had told him that it would be there for a minimum of two years.

Welch asked Mr. Davis' relation to Mr. Spry? He said that he was a neighbor. He is concerned about other mobile homes coming in. He said he spoke with Stacy Spry who assured him that it would be there for a minimum of two years and then removed. He does not have any objections to the home being there under those conditions.

There was no one else present who wished to speak. The public hearing was closed.

*After further discussion, **Welch** made a motion to approve the Special Use Permit request based on the findings of fact items 1-15 with the exception of item 5 which states a three year limitation, and the testimony presented. The home is to be a residence for Mr. Stacy Spry. The home is to be set up to all other code requirements. It is to be removed within two years. The Board then voted with four (4) in favor and none opposed.*

7:40 p.m. *Fannie and James White have applied for a **Special Use Permit** to place a Class C Manufactured Home in the Residential Agricultural zoning district under section 155.001 and 155.125 of the Davie County Zoning Ordinance. This property is located at the end of Village Road approximately 3/4 mile south of Ridge Road and is further described as being Parcel 12.01 of Davie County Tax Map K-1.*

Due to the petitioners not being in attendance, **Boger** made a motion to continue the White's request to the next meeting. The motion was seconded by **Smith**. The Board then voted with four (4) in favor and none opposed.

D) *Old or new business:*

Under old business the rules and procedures Mr. Gallimore earlier presented to the Board were reviewed. **Jerome** brought up the suggestion made by **Welch** at the last meeting that the Board rotate Chairman at each meeting for the remainder of the year. Mr. Gallimore suggested that a Chairman be elected for an entire year at the conclusion of the current year. Some of the Board members expressed a desire to keep the rotating system. Attorney Price stated that it would be up to the Board to choose whether they wished to have an annual election or rotate on a monthly basis. They reviewed the order for Chairman through December.

Mr. Gallimore presented the Temporary Use Permit issued to Rosa Lee White in 1998. The permit was issued under a medical hardship. Mrs. White's son has severe health problems such as blindness and blood related illnesses. Mr. Gallimore has received a letter from Mrs. White documenting that the medical hardship still exists. Mr. Gallimore said that the permit should be renewed for a successive year. The Board agreed to continue this permit.

Mr. Gallimore presented the Temporary Use Permit issued to Alfred Daywalt in 1998. The Planning Office had received notice that one of the applicants who was presented as needing assistance was out and about. Mr. Gallimore presented a letter from Mr. Daywalt as well as from a Registered Nurse who is familiar with situation stating that the medical hardship does continue to exist. There has been some conflicting statements regarding this case as well as a misunderstanding as to the type of permit issued. No action was taken by the Board.

8:00 p.m. *D.R.S., Inc. has applied under §155.235 of the Davie County Zoning Ordinance for a **Variance** to the sign regulations in the Quality Design Overlay District, §155.148(D)(1)(b)(3). This variance, if granted, would permit a sign with a height over the maximum permitted height of six(6) feet for freestanding signs. This property is located at 4265 US Hwy 158 and is further described as being parcel 10.01 of Davie County Tax Map E-7.*

Mr. Gallimore pointed out that there was an appeal of a decision by the Davie County Zoning Enforcement Officer on this issue.

Mr. Donald Sowers, Mr. Mike Kocsis, and Mr. Ricky Hurley, Davie County Zoning Enforcement Officer were sworn-in.

Mr. Sowers, owner of D.R.S. presented pictures of the area to the Board. He stated that when the sign was originally ordered he was unaware that the State Road right-of-way was 60 feet from the center of Hwy 158. To be in compliance with their set back regulations the sign would have to be placed on the other side of the brick fence columns. Due to the shortness of the sign it is very difficult to see. The only alternatives are to raise the height of the sign or take down the fence columns. The fence is needed for security purposes. There are several large trucks and auction traffic looking for the site. He stated that the more visible sign makes it safer for traffic. They can see the site sooner and have more braking time.

Mr. Kocsis said that he had been renting an area of the building for about a year. He employs 25 or so people. Their business also has a large volume of tourism and delivery traffic. The sign is very expensive and would be virtually useless at six feet in height and placed behind the fence.

Jerome asked what height the sign currently is? Mr. Sowers said that the sign is eleven feet tall and at that height it clears the fence and is visible.

Smith asked about the people who come to Mr. Kocsis' candle factory? He said they are tourists. They are not a retail outlet. People come to see the candles made.

Jerome asked about the types of auctions held there? Mr. Sowers said they auction damaged freight for Old Dominion Freight and other lines. The merchandise varies from furniture to groceries.

Boger asked how long the sign had been in place? Mr. Sowers said that the sign was put up in January.

Jerome asked if the site should not have been approved for the sign placement before it was bought and set up? Mr. Sowers stated the sign company took the order for the sign and acquired a permit for it. At the time the permit was acquired, they found out about the six foot limitation. Due to the height limitations they decided to place the sign in front of the fence only to find that it was in violation of the DOT right-of-way.

Jerome asked if they were asking to allow the sign to remain at its current eleven foot height? Mr. Sowers said yes that is their request.

Boger asked if the sign in its current location was 60 feet off the DOT right-of-way? Mr. Sowers said that it was. **Boger** asked if the fence and columns were in compliance with the right-of-way restrictions? Mr. Sowers said that it was probably 55 feet from the road. These were in place when they purchased the property.

Welch asked if there was anywhere the sign could be placed on the property at the regulated height and be seen?

Mr. Kocsis said that the ordinance states that the sign must be six feet from the top of the sign to the ground. He said they could have piled up dirt five or six feet and then placed the sign on it. This would give them the desired height and the sign would meet the regulations. They feel that what they are requesting is a compromise between placing a short conforming sign behind a fence or placing it on an pile of dirt. The sign before it was a temporary blinking yellow sign.

Mr. Sowers said there was a pie shaped piece of property that ran along the front of this lot which belongs to a lady in Florida. If they sat the sign at the end near her property the sign would not be visible coming from the direction of the Smith Grove Fire Department unless they could place a bigger sign. The current sign is built to its size limitation. He said that he tried every way they could to have the sign in compliance. If it's placed and sized in compliance it cannot be seen. They feel that the current situation is as close to compliance as they could come and still have a visible sign.

Welch asked what the owners understanding of the ordinance was when they placed the sign? Mr. Sowers said that they ordered the sign and intended to place it in the yard in front of the fence. When they found out about the DOT right-of-way restrictions they decided to place the sign behind and above the fence. When the sign company went to get the sign permit they found out about the six foot limitation. Mr. Sowers said that he had discussed the placement of the sign with the Zoning Office and that is why they are here with this request.

Welch asked about all of the open space around the site? Mr. Sowers pointed out the placement of the pie shaped lot that cut into the front of their property. The rest was in the DOT right-of-way or the fence and columns were in the way. He pointed out that the property was sloped and placement of the sign would not work there.

Attorney Price asked if the rest of the property owners in the area would have the same problems placing a visible, conforming sign on their sites? He asked if their property was unique in its shape, location, and topography in relation to the other neighboring properties? He then asked if they owned the pie shaped piece of property in the front could they put up a sign that would comply with size, height and placement regulations and still be visible?

Mr. Sowers stated that the way his property lies is more difficult to work with due to topography, being located in a curve and having to deal with the pie shape lot cut out in front and the DOT right-of-way regulations.

Welch asked about the McDonald's at Hillsdale who put up a complying sign? Attorney Price pointed out that each case was different and was to be heard on its own merits.

Jerome asked for clarification as to what exactly the Board was to vote on? Attorney Price referenced 155.235 in regard to variances and reviewed those with the Board. He also outlined their options in regard to the appeal from the Zoning Enforcement Officer.

Jerome asked if there was anyone else attending who wished to speak in favor of the request? There was none.

He then asked if there was anyone who wished to speak in opposition? There was no one.

Mr. Gallimore was sworn-in. He presented pictures to the Board showing the sign from different angles, the application for a variance from the owner, a map showing property lines as well as the location of the sign, a copy of the Zoning Permit and the depiction of the sign which was submitted in acquiring the Zoning Permit. He pointed out the height limitation of signs as stipulated in the Zoning Ordinance. He further explained what criteria needed to exist for a variance to be granted.

Boger asked who applied for the Zoning Permit for the sign? Mr. Gallimore answered that Ebert Sign Company had acquired the permit.

Jerome asked if Mr. Sowers had received a copy of the permit? Mr. Sowers said that he was not sure if he had ever gotten a copy of the permit. It did not look familiar to him.

Welch asked Mr. Ricky Hurley to testify how he became involved in the matter? He stated that a representative with Ebert Sign Company came in to acquire a permit. He reviewed the sign height limitation and zoning setback requirements at that time. Ebert Sign presented Mr. Hurley with the depiction of the sign which was submitted to the Board. The depiction as submitted was in compliance with all zoning requirements.

Mr. Hurley said that he was called to look at the sign approximately a month later. At that time, it was determined that the sign was located in the DOT right-of-way. The sign was then moved to its present location.

Welch asked if the representative from Ebert Sign was fully explained the sign ordinance regulations? Mr. Hurley said that he felt the regulations were properly explained to them due to the fact that this sign is located in the Quality Overlay District which has stricter signage regulations. He usually always reviews these regulations with them.

Welch asked Mr. Hurley about the depiction of the sign and its placement? Mr. Hurley stated that Ebert Sign had presented that information and sketch to him when they acquired the permit. **Welch** asked if Mr. Hurley had any further involvement with the process? He said that he usually presented the applicant with several copies of their permit. He said he usually advises contractors to give the owners a copy.

Welch asked if the Zoning Office performed an actual inspection of the sign? Mr. Hurley said there was not an actual scheduled inspection of the sign. He was out in the area doing field checks and saw that the sign had been moved off the right-of-way but over the height limits. He said that he stopped and talked to Mr. Sowers who explained the same thing that he had told the Board.

Mr. Hurley explained that there have been many pressing violations that the Zoning Office has had to deal with, and were not able to deal with this one until now.

Welch asked County Attorney Price if the issue was not with Ebert Sign Company who actually acquired the permit and thus the responsibility of its regulations instead of Mr. Sowers? Price said that the sign is ultimately the responsibility of the owners.

Jerome asked Mr. Sowers to approach the Board. He showed Mr. Sowers the depiction presented by the sign company as to the size and placement of the sign. Mr. Sowers said that the sign as presented was supposed to be installed in the open yard area in front of the building. After the sign was erected there, they were informed it was in violation of the DOT right-of-way. So it was put on a taller pole and placed behind the fence columns.

Mr. Hurley presented the Board with a copy of a letter and notice of violation. **Welch** asked if they would have called a meeting if there was no notice of violation sent to the owner? Mr. Hurley said no, there would not have been any need for a hearing on this matter without a notice of violation.

Boger asked if a variance could have been requested prior to the sign being placed?

Attorney Price reiterated that if the Board voted in favor of the variance there would be no violation. If the Board did not find in favor of the variance then upon written notice the owners will have seven days to bring their sign into compliance. There will not be any accrued monetary penalties against DRS from the date of the original notice of violation due to the appeal being filed.

Jerome asked about the statement Mr. Sowers had made that he was under the impression that everything was ok as requested due to the Zoning Permit being issued? Mr. Hurley said that when the Zoning Compliance permit was issued the set backs as required by the Zoning Ordinance were placed on the permit. The DOT had additional setback requirements, that the Zoning Office is not authorized to enforce, that the owners were not aware of at the time. He said that he assumed Mr. Sowers meant that he felt the sign was in compliance due to it being set up in accordance with the Zoning Regulations.

Welch asked Mr. Hurley if he told either Mr. Sowers or Ebert Sign Company about the placement of the sign? Mr. Hurley said that he spoke with an Ebert Sign Company representative after the sign was originally set up. They wanted to place the sign under the power lines. Mr. Hurley said that power lines were normally in the road right-of-way. The NCDOT was contacted and Ebert Signs was informed that there was a 120 foot right of way(60 feet on each side from the center of the road). The sign was removed by Ebert and several weeks later it was placed where it is now.

The public hearing was closed.

Boger made a motion to deny the request for a variance to the sign regulations in the Quality Design Overlay District, §155.148(D)(1)(b)(3) based on the findings of fact. **Welch** seconded the motion. The Board then voted with three (3) in favor of denying the request(**Welch, Boger, and Jerome**) and one(1) opposing(**Smith**). The variance was denied.

8:30 p.m. James R. Craig has applied for a **Special Use Permit**, under §155.236 of the Davie County Zoning Ordinance for a private recreational facility in the Residential(R-20) zoning district, to expand the Lake Myers Campground for the addition of approximately 50 camper spaces. The expansion area is within the current boundaries of the existing Lake Myers property. This property is located off the east side of Fred Lanier Road, approximately 1/2 mile north of US Hwy 64 West and is further described as being Parcel 16.03 of Davie County Tax Map H-2.

Mr. Gallimore referred to the Preliminary Findings of Fact submitted to the Board prior to the meeting. He also submitted a copy of a zoning map of the area, a letter of intent from Mr. Craig, a copy of the deed, a map showing the current layout and the proposed expansion area of the campground.

Mr. Gallimore stated that the use is legally non-conforming. Under the Zoning Ordinance, a non-conforming use cannot be expanded, therefore this request needs a Special Use Permit.

Mr. James Craig and Mr. Dwight Myers were sworn-in. Mr. Craig said that he and his wife had been managing Lake Myers since 1996. The Craig's bought the campground as of January 1 of 1999. His wife has worked there for 19 years and knows the campground well. There is some open area at the campground that they want to set up for camper sites. They have golf cart and hiking paths through the area already. All sites will have water, sewer, electricity and cable television hook-up. This will be an expansion of section C.

Welch asked what the total capacity as it is currently set up would be on a holiday weekend like the Fourth of July? Mr. Craig said there would be approximately 3,000 to 4,000 people. That number of people would be using 400 camping spaces as well as any day guests.

Welch asked how many people the additional sites would bring? Mr. Craig said they average two to three people per site. He feels the additional sites would bring in 100 to 150 more people.

Jerome asked about how many people on a typical July Fourth would be day guests as opposed to campers? Mr. Craig said generally about one-half of the people are day guests to visit with relatives or friends camping there, having cookouts and using the pool and other facilities.

Mr. Craig said they were going to try to place the camper sites about 50 feet apart. They plan to leave as many trees as possible on the site.

Welch asked if they had traffic problems during the busy crowded weekends? Mr. Craig said the traffic is continuous in and out all day. There is rarely a time when large amounts of vehicles are entering and exiting at one time so traffic is generally not a problem. **Welch** asked if he would be able to provide for the safety of the campers with these sites being closer to the exit? Mr. Craig said that there will be 24 hour security through the entire park. The new section will be approximately 130 feet from the road.

Jerome asked if there were any full-time residents there? Mr. Craig stated there may also be occasional full time residents.

Welch asked if there was an emergency plan in place? Mr. Craig answered yes. The EMS and fire personnel are familiar with whom to call and where to go.

Jerome asked about fire hazards? Mr. Craig said that all of the units are self contained. Mr. Myers said there has only been one fire in thirty-six years and no adjoining units were damaged at that time. He stated that the Fire Marshal's Office had inspected the premises and was satisfied.

Mr. Myers stated that he started the park in 1964. The park is self-supporting financially. He said the park has been a good tax paying county citizen. The last expansion to the park was twenty years ago. He will still live adjacent to the campground. He stated that the area of the expansion is out of the view of any road or home.

Boger asked Mr. Myers if he would still be active in the campground? He said he would be available on a consulting basis. Mr. Craig said that he asked Mr. Myers for advice on a regular basis.

Jerome asked who had the deed to the property? Mr. Craig said that he has the deed to the property. Mr. Myers is holding the deed of trust.

Boger pointed out the statement presented by Mr. Myers that drug and alcohol problems have not been tolerated at the campground. **Boger** asked if the same policies would be kept in place by the new owners in regard to those? Mr. Craig said they would keep the same policy.

Jerome asked if anyone else wished to speak in favor of the request? There was no one.

He then asked if anyone wished to speak in opposition?

Mr. Clyde Studevent, Jr. was sworn-in. He stated that he represented property owners and relatives who owned property across from the exit at Lake Myers. He expressed a concern about the increased traffic and asked if the new sites would be visible from the road?

Welch asked Mr. Studevent if he lived across from Lake Myers? He stated that he did not. **Welch** then asked who lived across from the facility that he was representing? Mr. Studevent gave the names of his relatives and pointed out on the submitted plat where they lived. He said they were concerned about headlights hitting the houses at night and trash getting on to their property.

Mr. Myers said that there would probably be only 25 or so more cars a day. He also stated that trash had never been a problem. There is only one house that lights would shine on. The traffic for the most part turns left and goes out to Hwy 64 not by the houses. The section will be closed in the winter time so there will be no campers to see, only a wooded lot.

Welch asked if the sites would be open all year round? Mr. Craig said that the sites may be open all year if needed. **Welch** asked if the site was accessible from Fred Lanier Road? Mr. Craig said the site was 600 to 800 feet from Fred Lanier Road. The site is also buffered by existing woods.

Boger asked how wide the exit road was? Mr. Craig answered that it was 12 feet wide. The main gate is closed in the evening and a key card is required to operate it. Unauthorized vehicles cannot enter the park at night.

Welch asked if Mr. Craig felt he could adequately take care of the trash generated by the new clients? Mr. Craig said that he felt the current garbage pick up and containment system would handle it with no problem. He also stated that he picks up the trash weekly that the motorists, not the campground patrons, throw-out on Fred Lanier Road. **Welch** asked if they had emergency access in case of a fire or other emergency? Mr. Craig said that the Fire Department has a key card access and tire spike covers are put in place. The Fire Department and EMS have his phone number.

Mr. Studevent stated that he did not think his family members would have any problem with the request if Mr. Craig will follow through with what he has presented. They have not had any problems with the campground as it has been currently run. They were concerned about the change in ownership changing the manner in which the campground is run.

There being no further statements, the public hearing was closed.

Welch made a motion that the Special Use Permit for a Private Recreational Facility be granted based on the findings of fact and the historical information showing that the park has been run in a professional and responsible manner and will continue to be so operated. A 300 foot evergreen buffer is to be planted along the Fred Lanier Road at the exit to the campground. The permit is to be granted through December 31, 2002. At this time the owners are to re-petition the Zoning Officer who is to determine whether there have been any problems or complaints with the campground. The application is to then come back before the Board for re-issuance of the permit.

Jerome re-opened the hearing. Mr. Dwight Myers wished to speak in regard to the evergreen buffer requirement. The exit is located on a curve and there used to be trees planted along Fred Lanier Road. This caused a visibility problem for campers and motor homes pulling out. The Davie County NCDOT office asked if they could cut the trees down to increase the safety and visibility at the curve.

Welch amended his motion to approve. The trees are to be safely planted within 300 feet of Fred Lanier Road. He directed Mr. Gallimore (as Zoning Administrator), Mr. Craig and the DOT office work together to assure the buffer is planted adequately and safely. **Boger** seconded the amended motion. The Board voted with four (4) in favor and none opposed.

E) There being no other business, **Smith** made a motion to adjourn the meeting. **Boger** seconded the motion. The Board then voted with four (4) in favor and none opposed. **Jerome** adjourned the meeting.