

**Town of Nags Head  
Board of Adjustment**

**February 13, 2020**

The Board of Adjustment of the Town of Nags Head met in regular session Thursday, February 13, 2020, in the Board Room at the Nags Head Municipal Complex in Nags Head, North Carolina.

Members Present Jack Cooper, John Mascaro, Margaret Suppler, Bobby Gentry, Judy Burnette

Others Present Kelly Wyatt, Michael Zehner, Margaux Kerr, Kate Jones, Lily Nieberding, Lauren Womble, Ben Gallop

Call to Order Chair Jack Cooper called the meeting to order at 9:00 a.m. as a quorum was present.

Chair Cooper stated that there were two items being brought before the Board this morning:

*Variance request submitted by CAM Realty, LLC from the requirements of Section 11.5.2.8 of the Unified Development Ordinance as it pertains to the placement of fill material within five feet of a property line. The property for which the variance is being requested is zoned R-2, Medium Density Residential and is located at 8528 S. Old Oregon Inlet Road, Nags Head, NC.*

*Variance request submitted by CAM Realty, LLC from the requirements of Section 11.5.2.8 of the Unified Development Ordinance as it pertains to the placement of fill material within five feet of a property line. The property for which the variance is being requested is zoned R-2, Medium Density Residential and is located at 8530 S. Old Oregon Inlet Road, Nags Head, NC.*

Chair Cooper provided an overview of the Board of Adjustment and how it functions. Mr. Cooper then swore in all witnesses related to the first variance.

Evidence presented by Town Deputy Planning Director Kelly Wyatt explained that CAM Realty LLC, as the applicant and property owner, had submitted two variance requests, one for each lot from the same section of the zoning ordinance. Ms. Wyatt noted that Ralph Calfee, the applicant's engineer as well as attorney Crouse Gray, were present along with the applicants, Susan and Walter MacDonald.

Ms. Wyatt stated that she would present the variances separately, beginning with the property located at 8528 S Old Oregon Inlet Rd.

Ms. Wyatt then proceeded to present some diagrams for the Board to help illustrate the variance and section of the code which reads as follows:

*11.5.2.8. Fill shall not be placed within five feet of a property line, except for the grading of driveway entrances, such that runoff from a fill slope is not "pitched" onto adjoining properties. A maximum of a 3:1 horizontal to vertical fill slope shall be maintained. Setback area may be used to accommodate an approved Stormwater control measure.*

Ms. Wyatt explained that the applicants and their representative previously applied and were issued a land disturbance permit to remove and replace existing soil with a more suitable soil in the area of the designated drainfield site. The applicants then went to the Dare County Health Department seeking septic approval. That permit indicated that in order to get the necessary separation for their septic system they needed to bring in additional fill.

At this time, the applicants are requesting that the Board of Adjustment allow fill placement on the north side to encroach into the 5 foot no-fill setback as required by the Dare County Health Department Improvement Permit.

Ms. Wyatt noted that a variance shall be authorized only when affirmative findings to all the requirements set out in the section are made by the Board.

Ms. Wyatt then proceeded to review Staff's findings of fact for the Board:

*Unnecessary hardship would result from the strict application of the UDO. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*

In response to this standard, the applicant has indicated that "Prohibition of fill at and within 5 feet of the property line severely limits the residential development of the lot to substantially below the norm for adjacent residential lots." Staff is of the opinion that the applicant has not provided enough information to determine whether the inability to develop the subject lot consistent with "the norm for adjacent residential lots" constitutes a hardship. In addition, Staff is of the opinion that the conditions of a property and application of regulations which result in the ability to develop a two-bedroom home on a property versus a 4-bedroom home are not inherent unnecessary hardships.

*The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.*

Staff is of the opinion that a hardship has not been identified. Regardless, while the lot is nonconforming in size and width, those conditions are not peculiar to the subject property. Again, the applicant has not demonstrated why there is a necessity to construct a four-bedroom house versus a two-bedroom house.

*The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.*

The alleged hardship is that the development potential of the lot would be "substantially below the norm for adjacent residential lots." Staff assumes that this is seen as a hardship because the owner had an expectation that the lot could be developed consistent with "the norm for adjacent residential lots." Staff is of the opinion that sufficient information has not been provided to determine whether the identified hardship resulted from actions taken by the property owner.

*The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.*

In review of recently submitted information, specifically an email correspondence dated January 10, 2020 from the applicant's engineer to Ms. Wyatt and the supporting Detail sheets, the applicant has proposed that the soils on the MacDonald site adjacent to the proposed drainfield and within 5 feet of the adjacent 8526 S. Old Oregon Inlet Road will be renovated in the same manner that the drainfield soils were renovated with high permeability sand. The applicant has asserted that with this renovated soil, any Stormwater runoff from the elevated drainfield would quickly infiltrate prior to posing any adverse runoff effects onto the adjoining 8526 S. Old Oregon Inlet Road. The applicant has asserted that there is no apparent rainfall or Stormwater runoff impact of the proposed fill at the MacDonald 8528 drainfield on the adjacent property at 8526 S. Old Oregon Inlet Road, and no apparent impact on further development of 8526 S. Old Oregon Inlet Road.

Based upon the above, Staff is inclined to recommend denial of the requested variance, principally due to the applicant's inability to demonstrate an unnecessary hardship resulting from the strict application of the UDO. Staff does not believe that the applicant has provided information that would justify the granting of the variance consistent with standards of the UDO.

If the Board of Adjustment is inclined to grant this variance, Staff would recommend consideration be given to conditioning the approval to the materials and plans submitted.

Ms. Wyatt confirmed for Ms. Suppler that the fill must meet a 5 ft. setback and maintain a 3:1 slope.

Ms. Wyatt confirmed for Ms. Suppler that Town Code allows them to fill to base flood elevation and stated that what the Septic Health Department is requiring does not exceed Town regulations.

Ms. Wyatt noted that prior to applying for a building permit a

Stormwater plan will be required. Ms. Wyatt also noted that the applicants did not have a discussion with Staff prior to going to the Health Department and the plans submitted for the land disturbance permit did not propose or identify a future need to fill within the 5' setback.

Ms. Burnette expressed surprised that an engineered Stormwater plan had not yet been submitted.

Ms. Wyatt confirmed for Ms. Burnette that Staff does believe that Stormwater management is relevant not only to the location of the septic fill but also the location of the proposed house, but confirmed that no Stormwater Plan had been submitted.

Ms. Wyatt confirmed for Ms. Burnette that the neighboring sites are similar in size to the lot in question. Ms. Wyatt noted that while the area of the property suitable for development is limited due to the rear of the property containing marsh/wetlands this is also the case for the neighboring properties.

Ms. Wyatt confirmed for Ms. Suppler that the grade of the adjoining lot (8526 S Old Oregon Inlet Rd) is slightly lower than the lot in question.

Ms. Wyatt confirmed for Ms. Burnette that she had had a conversation with the owners of 8526 and they did express concerns related to Stormwater.

Ms. Wyatt confirmed for Mr. Mascaro that the applicants are proposing to develop each lot individually however combining the lots would certainly be an option.

Mr. Gentry questioned why the other homes in the area did not have a problem, if the lots are the same size? Ms. Wyatt noted that according to the applicant's engineer it is because of the type of soil that was on the site. The other homes had suitable soils.

Ms. Wyatt, using the Dare County GIS, confirmed for Town Attorney Ben Gallop that 8526 (S Old Oregon Inlet Rd) has three bedrooms and 8532 is a four-bedroom house.

Ms. Burnette inquired whether the zoning regulations had changed much since lots were purchased. Ms. Wyatt confirmed that there had been no significant changes, other than the Town could no longer regulate the number of bedrooms.

Ms. Burnette noted that 8532 is a much larger lot so it can accommodate more bedrooms.

Ms. Wyatt confirmed for Crouse Gray, attorney for applicant, that she was unsure of what the fill regulations were in the Town in 2005.

Ms. Wyatt confirmed for Mr. Gray that fill is allowed up to two feet in an X zone; in an AE flood zone fill is allowed up to the base flood

elevation.

Ms. Wyatt confirmed for Mr. Gray that the no fill in the setback rule had been instituted recently, 2017. Prior to that change there had been certain exemptions (exclusions) including septic fill.

Ms. Wyatt confirmed for Mr. Gray that there had been some changes recently to the Stormwater Ordinance that would prevent what the applicants are trying to accomplish with regards to fill and Stormwater.

Ms. Wyatt confirmed that a septic system is not included in the definition of built upon area. Ms. Wyatt also confirmed that a building pad would not include the septic system.

Ms. Wyatt confirmed for Mr. Gray that she did not know if there were any two-bedroom homes in the area.

Evidence presented by Applicant

Ralph Calfee, Engineer for the Applicants, addressed the Board. Mr. Calfee explained that they started with the Health Department first because the soils on the lot are unique. They needed to find an area that was suitable for the septic system. They brought in a soil scientist and did a very thorough soil analysis. Mr. Calfee stated that it was an extensive process to find suitable soil, but they did finally find a small area on each of the two sites that was suitable for a septic system in terms of size and location. It had to be done first; they couldn't design a site first and then pick and choose where to put the septic system.

Mr. Calfee explained that the property owners actually bought the lots in 2004/2005. At that time there were no prohibitions on filling up to the property line and he pointed out that the regulations have evolved and changed significantly since that time.

Mr. Calfee presented for the Board a site plan showing the original, DCHD minimum and proposed drainfield elevations. Mr. Calfee noted that the site plan shows the adjoining property's driveway which slopes towards the applicant's property. Mr. Calfee pointed out that the L-shaped area shown on the site plan is the actual drainfield footprint, which is the only area that has suitable soil for the drainfield. Mr. Calfee noted that the elevation required by the Health Department applies not only to the drainfield but also to a five-foot perimeter around the drainfield. The variance that they are requesting is only for that area, no other development.

Mr. Calfee further explained that the elevation established by the Health Department was not known when they applied for the land disturbance permit. Part of the reason for needing that permit was to do an evaluation and renovation of the soils in that area. It was after this was done that the Health Department made a determination of what the surface elevation had to be for the drainfield. Mr. Calfee noted that the proposed on-site wastewater system is the highest level recognized, providing pre-treatment and a drainfield which is the smallest size authorized by DCHD. If they had gone with a conventional

system, it would have required much more fill.

Mr. Calfee noted that they would be doing a similar renovation to the surrounding soil and plan to fill with soil that basically looks like beach sand. Mr. Calfee stated that no runoff is anticipated from the area where they want to fill. The fill will not cause runoff to the adjoining property. In fact, Mr. Calfee noted that on either side of the adjoining property's driveway is a strip of gravel. On the south end, this strip of gravel encroaches on the applicant's property. Mr. Calfee reminded the Board that this driveway slopes to the southeast and any runoff drains onto that gravel strip, where it infiltrates. Mr. Calfee believes that the adjoining property has a condition that is more severe in terms of Stormwater runoff and noted that the applicants are not proposing any impermeable development in that area.

Mr. Calfee confirmed for Mr. Gray that he had provided a copy of the Soil Report to the Town when he applied for the land disturbance permit.

Mr. Gray asked that the Soil Report be entered into evidence. Mr. Gallop objected noting that if they would need the soil scientist to be present to testify to anything in the report. The objection was sustained.

Mr. Calfee confirmed for Mr. Gray that he had received a report from a soil scientist, and he had submitted a copy of it to the Town. Mr. Calfee stated that he relied on that report to make his determinations.

Mr. Gray noted that there had been discussion about combining the lots and asked Mr. Calfee to explain what the detriment would be to combining the lots. Mr. Calfee explained that Dare County Septic Health has different criteria depending on when lots were originally platted. Due to the age of the lot, it is allowed to have a drainfield within 5 feet of the property line (currently the minimum requirement is 10 feet for a drainfield) and it is not required to have a repair area.

If the lots were to be recombined it would be considered a new lot and would fall under the new regulations. The area of suitable soil would be reduced, and it would require a repair area.

Mr. Calfee confirmed for Mr. Mascaro that there is no other septic system that can be installed that would have a smaller footprint or that would require less fill.

Mr. Calfee confirmed for Ms. Burnette that the site plan was submitted to the DCHD and approved.

Mr. Calfee noted that the original wetland delineation was done by the Army Corps of Engineers and confirmed for Ms. Burnette that the wetlands fill was done by permit back in 2005 and they had not used the entire permitted fill.

Mr. Calfee explained for Ms. Burnette that even if more wetland was filled in it would not give them more area for septic because it would

not be considered suitable soil.

Mr. Calfee confirmed for Mr. Gallop that in developing his engineering, he relied in part on a soil scientist to determine suitable soil. Mr. Calfee evaluated the site then hired a soil scientist for guidance. The scientist came in and did some borings and produced a report. Mr. Calfee then took the information to the Health Department, who ultimately determines soil suitability. They had 4 borings within the drainfield area; 12 other borings showed unsuitable soil.

Mr. Calfee confirmed for Mr. Gallop that the Health Dept permit is based on occupancy. Mr. Calfee confirmed that if they reduced the number of bedrooms, they could probably get a smaller septic system that wouldn't encroach on the 5 ft setback. Mr. Calfee confirmed that he did not do an analysis for a two- or three-bedroom house, only a four bedroom.

Mr. Calfee confirmed for Mr. Gallop that the original grade noted on the site plan is original as of 2016.

Mr. Calfee and Mr. Gallop discussed the current elevation of the lot vs. what is proposed and also discussed the slope of the proposed fill.

Mr. Calfee confirmed for Mr. Gallop that if he didn't have to meet the septic health regulations, he would still have some slope but maybe not the 5 feet. Mr. Calfee noted that what is being proposed is safe and reasonable and protects safety and welfare.

Mr. Calfee confirmed for Ms. Burnette that as far as Stormwater management goes for the current proposed development, they plan on replacing the soil with an open graded soil such as sand and noted that they don't have built upon area so there will not be run off from the slope to the adjacent property.

Susan MacDonald, property owner introduced herself to the Board.

Mrs. MacDonald confirmed for Mr. Gray that she and her husband acquired the property in April of 2005. Mrs. MacDonald confirmed that they paid \$404,000 for both properties.

Mrs. MacDonald confirmed for Mr. Gray that at the time they acquired the property they were not aware of any regulations that would prevent them from building a four-bedroom house on each lot.

Mrs. MacDonald confirmed for Mr. Gray that in 2012 they transferred ownership of the property (the two lots, 8528 and 8530 S Old Oregon Inlet Rd) to CAM Realty, LLC of which she and her husband Walter are sole members and managers of.

Mrs. MacDonald confirmed for Mr. Gray that the only thing they have done to the property was bring in fill shortly after they bought it as recommended by their real estate agent.

Mrs. MacDonald confirmed for Mr. Gray that they had only learned

about the new Town regulations within the last 6 months.

Mrs. MacDonald confirmed that she would like to build a four-bedroom house on the lot.

Ms. Burnette inquired what due diligence was done at time of purchase and also what were their intentions for the property when they first purchased it in 2005.

Mrs. MacDonald explained that the original intent was to relocate their oceanfront house which the ocean was encroaching on; this was prior to beach nourishment. After beach nourishment she changed her mind, there was no need to move the house and instead they decided to build a new four-bedroom house on the lot. Mrs. MacDonald confirmed that the real estate agent sold/advertised the lot as a four-bedroom buildable lot.

Mrs. MacDonald confirmed for Chair Cooper that she did not subdivide the lot; the property was purchased as two separate lots.

Mrs. MacDonald confirmed that her expectation was to build a four-bedroom house on the lot.

Mrs. MacDonald noted that she was willing do anything she needed to, to keep runoff from going to the neighboring properties.

Mrs. MacDonald confirmed for Ms. Burnette that she would be willing to investigate the placement of a septic system for a three-bedroom home.

Mr. Gray asked to submit into evidence two documents he prepared based on Dare County Tax records, one showing information one block south and another showing information one block north (from the lot in question) denoting houses and number of bedrooms. Mr. Gray noted that a quick review of the documents reveals a two-bedroom house and several three bedroom, four bedroom and an eight bedroom house. Mr. Gray wanted to show the Board that a two-bedroom house was not the norm in that area and that most of the three-bedroom homes are in smaller lots.

Mr. Gray acknowledged that while the lot in question is larger than some of those lots, a good part of it is wetlands.

Mr. Gentry noted that most of the houses shown on the documents were built many years ago and stated that a whole different (Town) code existed at that time.

Mr. Gray confirmed for Mr. Gallop that his documents did not tell anything about the type of soil or septic systems that may be on the lots.

Mr. Gray confirmed for Mr. Gallop that the lots were subdivided approximately in April 1976; there is no subdivision plat recorded that he is aware of.



Mr. Gray thanked the Board and gave his closing argument; Mr. Gray argued that the unnecessary hardship comes from the changes in the Town's rules since the applicants purchased the property in 2005. The applicant purchased the lot initially with the intent to move a house onto the lot then later with the expectation of building a four-bedroom house. That expectation/desire has not changed; what changed were the town rules. At the time of purchase, they would have been able to build a four-bedroom house; they would still like to be able to build a four-bedroom house. Mr. Gray asserted that it changes the value of the property if it can only support a three- or two-bedroom house.

In addition to the ordinance changes, Mr. Gray explained that there is hardship that is peculiar to the property due to the unsuitability of soil as determined by the Dare County Health Department. The only place where they can put the septic system is where the applicants are proposing, there is no other suitable place. While the soil scientist is not present to testify, the engineer relied on the soil report to make his determinations, a copy of the report was given to the Town, a land disturbance permit was issued after receipt of that report and subsequently a septic health permit was issued.

Mr. Gray noted that it is not a self-created hardship; the applicants' failure to build in 2005 does not mean that they caused the problem. Mr. Gray re-asserted that the hardship occurred when the Town changed its ordinances.

Finally, Mr. Gray argued that the requested variance is consistent with the spirit, purpose and intent of the ordinance. This ordinance is to prevent Stormwater runoff. This variance would not create Stormwater issues. Mr. Gray requested that the Board consider granting the variance and questioned if it was unreasonable for the applicant to want to build a four-bedroom house. If they had built shortly after purchasing, they would have been allowed to do so.

Mr. Gallop was next to address the Board. Mr. Gallop argued that the unnecessary hardship is actually the applicant's inability to build a four-bedroom house. Although he was uncertain about a three-bedroom home, the engineer testified that he could design a septic system for a smaller house that would meet the setbacks. Ultimately there is testimony that it is a cost issue, an issue of value based on whether the applicant can build a four-bedroom house instead of a two-bedroom house. Mr. Gallop reminded the Board that a financial cost of compliance is insufficient to establish an unnecessary hardship.

Mr. Gallop further argued that with regards to conditions that are peculiar to the property, that there are allegedly no suitable soils, the applicant did not have enough evidence to show that this is the case. Mr. Calfee could not testify to that because he is not a soil scientist and the Dare County analysis was not sufficient to show peculiarity of the lots.

Chairman Cooper closed the public hearing and opened it up for

deliberation.

The Board proceeded to review the findings of fact:

Does strict application of the ordinance result in an unnecessary hardship? The Board voted unanimously that it did not. Ms. Suppler agreed with Staff's analysis that the inability to develop a four-bedroom house vs. a two-bedroom house is not an inherent hardship.

Does the hardship result from conditions that are peculiar to the property? The Board voted unanimously that it did not. Chair Cooper noted that they had not been show evidence of this. Mr. Gentry agreed that they did not know. Ms. Suppler also agreed with Staff's findings that the location and size of the lot as well as topography are not peculiar to the property. The Board also agreed that they did not have enough information about the suitability of the soil to make a determination, they did not hear expert testimony.

Did the hardship result from actions taken by the applicant? The Board agreed with staff's findings that there was nothing presented to determine whether it did or not.

Is the requested variance consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved? The Board voted unanimously that it was not.

Motion

Based on their findings and together with Staff's findings, John Mascaro moved to deny the variance request. Margaret Suppler seconded the motion and the motion passed unanimously.

Order

The Board of Adjustment of the Town of Nags Head (the "Board") held a public hearing on February 13, 2020, to consider a variance application submitted by CAM Realty, LLC (the "Owner") seeking to vary Section 11.5.2.8 of the Unified Development Ordinance ( the "UDO") as to the property located at 8528 S. Old Oregon Inlet Road (the "Property"). The Board, having heard all of the evidence and arguments presented at the hearing, makes the following **FINDINGS OF FACT:**

1. The Owners own the Property.
2. The property is located within the R-2, Medium Density Residential Zoning District.
3. Section 11.5.2.8. of the Unified Development Ordinance states: *"Fill shall not be placed within five feet of a property line, except for the grading of driveway entrances, such that runoff from a fill slope is not "pitched" onto adjoining properties. A maximum of a 3:1 horizontal to vertical fill slope shall be maintained. Setback area may be used to accommodate an approved stormwater control measure".*
4. CAM Realty, LLC requested that a variance be granted to allow

fill placement on the northern side of the lot to encroach into the 5 foot no fill setback as required by the Dare County Health Department Improvement Permit.

5. The applicant and their representative previously applied for and executed a land disturbance permit to remove and replace existing soil with suitable soil in the area of the designated drainfield as required by a Licensed Soil Scientist.
6. The plans provided for the land disturbance permit did not propose or identify a future need to place fill within the five-foot setback.
7. The area of the property suitable for development is limited due to the rear of the property containing marsh/wetlands.
8. According to Josh Coltrain, Dare County Health Department Environmental Health Supervisor, the fill being proposed is required to overcome the water table separation requirements, and further, the area proposed for the septic system is the only usable area that meet the design criteria for the proposed system.
9. The applicant asserts that the "prohibition of fill at and within five-feet of the property line severely limits the residential development of the lot to substantially below the norm for adjacent residential lots".

Based on the above Findings of Fact, and considering the burdens of proof and persuasion being on the Applicant, the Board makes the following **CONCLUSIONS**:

1. All parties are properly before the Board, and the Board has the jurisdiction to consider and render a decision on the Requested Variance.
2. Conclusions Regarding Specific Variance Criteria established by Town Code Section 48-598(a):
  - (a) A strict application of the ordinance **does not** result in an unnecessary hardship to the Applicant/Owners.
    - The Board found that the applicant has not provided enough information to determine whether the inability to develop the subject lot consistent with the "norm for adjacent residential lots" constitutes a hardship.
    - The Board found that the conditions of a property and application of regulations which result in the ability to develop a two-bedroom home on a property versus a four-bedroom home are not an inherent unnecessary hardship.
  - (b) The hardship **does not** result from conditions that are peculiar

to the property, such as location, size, or topography.

- The Board found that a hardship has not been identified and further that the applicant has not demonstrated why there is a necessity to construct a four-bedroom house versus a two-bedroom house.
- The Board found that there are no conditions peculiar to this particular property to support the granting of a variance. The size, shape and topography of the applicant's property are not uniquely different from other properties within the Town.
- The Board found that in the absence of a Licensed Soil Scientist they did not have the expert testimony necessary to support the statements asserted by the applicant and their representative.

(c) The hardship **does not** result from actions taken by the Applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

- The Board found that sufficient information has not been provided to determine whether the assumed hardship resulted from actions taken by the owner.

(d) The Requested Variance **is not** consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

- The Board found that without additional information they are unable to determine whether the variance is consistent with the spirit, purpose, and intent of the UDO.
- The Board found that while the applicant is seeking a variance from the fill setback provision contained in the Stormwater Management Standards section of the UDO, and proposing to fill up to the property line of an adjacent property owner, the applicant has not provided information detailing how stormwater is to be managed, and specifically how the adjacent property will not be negatively impacted by the eliminated fill setbacks.

THEREFORE, based upon all of the foregoing, the application for a variance pertaining to fill encroachment is **DENIED**.

Approval of Minutes

Margaret Suppler moved to approve the minutes of the October 2019 meeting. John Mascaro seconded the motion and the motion passed unanimously.

Mr. Gray asked for a continuance on the second hearing. Margaret Suppler moved to allow the continuance. Judy Burnette seconded the motion. The continuance was granted with a vote of 4 to 1 with John Mascaro casting the Nay vote.

Adjourn

There being no further business to discuss, the meeting adjourned at 11:49 AM.

Respectfully Submitted,  
Lily Campos Nieberding

