

**Members:**  
Ed Donaldson, Chairman  
Horace Humphrey, Vice-Chair  
Joseph M. Dykes  
Vickie Mullins  
George Lott



**Alternates:**  
Yvette Carson  
Winton McHenry  
Nathan Feinberg  
Joseph Decosta  
Alfonso Ferguson Sr

## **CUMBERLAND COUNTY BOARD OF ADJUSTMENT**

130 Gillespie Street  
Fayetteville North Carolina 28301  
(910) 678-7602

MINUTES  
JANUARY 15, 2015  
7:00 P.M.

### **Members Present**

Ed Donaldson, Chairman  
Winton McHenry  
George Lott  
Joseph Dykes  
Horace Humphrey

### **Absent Members**

Vickie Mullins

### **Staff/Others Present**

Robert Haigh  
Betty Lynd  
Robert Hasty, Jr. (Assistant  
County Attorney)

Chair Donaldson called the meeting to order at 7:00 p.m. in Public Hearing Room #3 of the Historic Courthouse.

#### 1. ROLL CALL

Mr. Haigh called the roll and stated a quorum was present.

#### 2. SWEAR IN STAFF

Chair Donaldson swore in staff members.

#### 3. ADJUSTMENTS TO THE AGENDA

There were none.

#### 4. APPROVAL OF THE OCTOBER 16, 2014 MINUTES

**Mr. Lott made a motion to approve the minutes as submitted, seconded by Mr. Dykes. The motion passed unanimously.**

	<b>IN FAVOR</b>	<b>OPPOSED</b>
<b>DONALDSON</b>	<b>YES</b>	<b>NONE</b>
<b>MCHENRY</b>	<b>YES</b>	
<b>DYKES</b>	<b>YES</b>	
<b>HUMPHREY</b>	<b>YES</b>	
<b>LOTT</b>	<b>YES</b>	

5. ABSTENTIONS BY BOARD MEMBERS/BOARD MEMBER DISCLOSURES

CHAIR DONALDSON: You have an abstention on the second case?

MR. LOTT: Yes sir.

CHAIR DONALDSON: On the P14-06-C case.

MR. LOTT: Yes sir.

CHAIR DONALDSON: The cemetery case. Is there a particular reason?

MR. LOTT: I'm the surveyor of record on that.

CHAIR DONALDSON: Okay. That grounds?

MR. HASTY: That is. Technically, because there is a duty to vote, this is something new I've learned, that the board should vote to allow him to abstain on that.

CHAIR DONALDSON: Okay, but I mean is that a good reason? I mean, he can?

MR. HASTY: Yes.

CHAIR DONALDSON: Alright. No problem. All those in? I need a motion to approve his abstention from that case.

**Mr. McHenry made a motion to allow Mr. George Lott to abstain from case P14-06-C, seconded by Mr. Humphrey. The motion passed unanimously.**

	IN FAVOR	OPPOSED
DONALDSON	YES	NONE
MCHENRY	YES	
DYKES	YES	
HUMPHREY	YES	
LOTT	YES	

6. PUBLIC HEARING DEFERRALS/WITHDRAWALS

There were none.

7. POLICY STATEMENT REGARDING APPEAL PROCESS

Mr. Haigh read the Board's policy regarding the appeal process to the audience.

8. PUBLIC HEARING(S)

**A. P14-05-C: CONSIDERATION OF THE CONTINUANCE OF A NONCONFORMING USE TO ALLOW A CHANGE IN USE FROM A LANDSCAPING BUSINESS TO A MANUFACTURING AND WHOLESALE SIGN BUSINESS IN AN R40A RESIDENTIAL DISTRICT ON 1.28+/- ACRES, LOCATED AT 165 BERRYPATCH COURT, SUBMITTED BY BRIAN AND PATRICIA GALLAGHER (OWNERS).**

Mr. Haigh read the case heading. Chair Donaldson called Mr. Gallagher, a speaking in favor, forward.

Mr. Haigh reviewed zoning, sketch map, and land use of the area surrounding subject property. He briefly reviewed board packet material.

MR. HAIGH: So, this application is for a continuance of a special use. Now, what the board is going to be deciding is no conforming use may be changed, expanded, or resumed to any other nonconforming use unless the Board of Adjustments finds that such use is no more detrimental to the neighborhood than the initial nonconforming use of the property in question. Is there any slide that any of you would like to see again?

CHAIR DONALDSON: Not at this time. Anybody else from the board?

Chair Donaldson swore in the speaker, Mr. Gallagher.

MR. GALLAGHER: Basically, I'm just trying to make a living. I'm a wholesale sign man. For example, my main business there if you're familiar with the Harley riders, for example, they've got these little 1 inch by 3 inch stickers on their helmets. I make those. I go to events like Daytona, Sturgis, and I take these stickers with me and I have retail people that sale those. They also call me. I make the orders and mail them out. The reason for the signage and stuff is just to catch that occasional customer that wants magnetic signs or something for their car or something for their business. I'm not in the sign business so to speak. I was in Greensboro for about 10 years. When I moved to Fayetteville, I said I'm going to make it a smaller one-man operation. Most stuff is mail order.

CHAIR DONALDSON: How long have you been there?

MR. GALLAGHER: I've been there for 9 months. 8 to 9 months. I bought the property because everything that I researched showed it to be a non-zoning with Linden and then later on I find out that it is an R40A zoning.

CHAIR DONALDSON: How'd you find out?

MR. GALLAGHER: After I got a letter in the mail that said you're not compliant.

CHAIR DONALDSON: I was going to say, because there's a sign up there. I was like, okay, how long has he been? That's why I wanted to know how long you'd been in business out there?

MR. GALLAGHER: Well, the business. I've owned the property for about 9 months, but the actual sign business.

CHAIR DONALDSON: So if you hadn't of put the sign out there, you'd been okay, right?

MR. GALLAGHER: I'd have been okay. Home business. Right.

CHAIR DONALDSON: Okay.

MR. GALLAGHER: For a number of years we've lived in Kings Grant. We call that our farm up there. I own the adjacent properties next door to it and behind it.

CHAIR DONALDSON: How far up 401 is that?

MR. GALLAGHER: It's approximately four miles north of Goodyear on the left.

CHAIR DONALDSON: Okay. I thought that's where it was because I recognize that big open field there.

MR. LOTT: That belongs to the Warrens.

MR. GALLAGHER: Across the street are the Warrens with their industrial area and then their field there.

CHAIR DONALDSON: Yes.

MR. LOTT: All of your sign making is done internal?

MR. GALLAGHER: Internal in that 30 x 35 shop. I've got-

CHAIR DONALDSON: Was the shop there when you got there?

MR. GALLAGHER: It was there, yes sir. It was used as a landscaping office and repair area.

CHAIR DONALDSON: I assume for storage and other stuff. Probably storage and things like that.

MR. GALLAGHER: Storage.

CHAIR DONALDSON: Anybody on the board got any questions?

MR. GALLAGHER: I think the one more thing I'd like to add is, part of this says no more detrimental and there are pictures back for the last twenty years that just show junk sitting everywhere. I have spent many months actually cleaning this property up, making it look like something even from the road. All the overgrowth has been cut down. No stuff that you see on the slide here is there. As you see on the slide, there's five or six landscaping trucks, trailers, just a mess out there.

CHAIR DONALDSON: They've all been removed?

MR. GALLAGHER: They've all been removed. It's completely clean except for the office building and chicken coop because I like my eggs.

MR. LOTT: And it's not very visible from the road is it?

MR. GALLAGHER: No sir it's not visible at all because I do have a barrier. I've cleaned about the first 150 feet from the road. Left nothing but the big trees, cleaned out all the underbrush, but I have azalea bushes that have made a complete fence.

CHAIR DONALDSON: Go back to the slide that shows the sign, the entrance to the location.

MR. HAIGH: Yes sir.

MR. LOTT: That one.

CHAIR DONALDSON: Right there.

MR. LOTT: Yeah, there's nothing visible.

MR. GALLAGHER: And it's even a lot cleaner now than what you're seeing in the pictures, but the far barrier back there is still there.

CHAIR DONALDSON: Mr. Hasty, any advice to the board?

MR. HASTY: No. I mean, he set forth the requirement of the ordinance.

CHAIR DONALDSON: That it can't be no more detrimental than what is there now.

MR. HASTY: Exactly.

CHAIR DONALDSON: Okay. Any discussion by the board?

MR. MCHENRY: Were the chickens there before you got there?

MR. GALLAGHER: No sir.

CHAIR DONALDSON: Well you can have chickens inside the city.

MR. HUMPHREY: Looking at the condition of the property and what it was and he says he's cleaned that up and everything. Actually it's been an improvement.

MR. LOTT: Absolutely.

MR. HUMPHREY: It's not been a detrimental use. I think it's been an improved use.

MR. LOTT: Absolutely.

CHAIR DONALDSON: I agree.

MR. HUMPHREY: So, on that.

CHAIR DONALDSON: Anybody got a motion?

MR. LOTT: I make a motion-.

MR. HUMPHREY: I make-. Go ahead.

MR. LOTT: I make a motion we approve it.

MR. HUMPHREY: I would second that motion.

CHAIR DONALDSON: Any other discussion?

	IN FAVOR	OPPOSED
DONALDSON	YES	NONE
MCHENRY	YES	
DYKES	YES	
HUMPHREY	YES	
LOTT	YES	

CHAIR DONALDSON: Make a finding that it's a nonconforming use as it presently is zoned. That he has cleaned up the property substantially from what it was before. It was previously used as a landscaping/storage area with trucks and vehicles. Those have all been removed and he now makes signs in the same building and that it is a nonconforming use but that it is not any more detrimental than what it was previously zoned for. It's actually a better zoning.

MR. HAIGH: The staff would ask the board if possible to make the approval contingent on his getting all the other permits that would be required from building code.

CHAIR DONALDSON: That's understood. But you know, if there's any other permits that you need. Is there any permits that he needs?

MR. HAIGH: Not from our department. Not from planning, but possibly from the inspections department.

CHAIR DONALDSON: Okay. You understand that right?

MR. GALLAGHER: Yea. From speaking with them, they don't have any permits that I know of either because my sign is on my private street. Something about it's where churches put their signs when you have a private street it's on-

CHAIR DONALDSON: I was going to ask, but I don't think the sign ordinance applied to him, did it?

MR. HASTY: I don't think so.

CHAIR DONALDSON: No.

MR. HAIGH: Yeah, that's separate property.

CHAIR DONALDSON: Yeah. So you're good on that as far as we're concerned.

MR. GALLAGHER: As far as I know, there's no permits that are required.

CHAIR DONALDSON: Anybody want to make any other comments? Thank you sir.

MR. GALLAGHER: Thank you.

**B. P14-06-C: CONSIDERATION OF A SPECIAL USE PERMIT TO ALLOW AN EXPANSION OF A CEMETERY IN AN RR RURAL RESIDENTIAL DISTRICT ON 15.99+/- ACRES, LOCATED AT 4017 GILLESPIE STREET, SUBMITTED BY ROCKFISH MEMORIAL PARK, INC (OWNER). AND LACY G. CHESNEY.**

Chair Donaldson read the case heading.

CHAIR DONALDSON: Is Mr. Chesney here? Who is speaking on behalf of that?

MR. AUSTIN: My name is Alfonso Austin.

CHAIR DONALDSON: Okay. What is your position with that piece of property? Are you the owner or president or what?

MR. AUSTIN: Part-owner and president.

CHAIR DONALDSON: Okay.

Chair Donaldson swore in Mr. Austin as a speaker.

Mr. Haigh reviewed zoning, sketch map, and land use of the area surrounding subject property. He briefly reviewed board packet material.

CHAIR DONALDSON: Any questions from the board?

MR. DYKES: I have one question. Is this property below the airport like going south?

CHAIR DONALDSON: Yes. Almost down to Rockfish Creek.

MR. DYKES: Okay.

CHAIR DONALDSON: You know, it's on the left if you're going where Rockfish Creek crosses. It's above that. Just above that. Up above actually where the industrial entrance is. I'm sorry Mr. Austin, go ahead and tell us why you want this?

MR. AUSTIN: We were planning to open up a couple more gardens at the cemetery. We have cleaned it off and we just wanted to make sure that we were in compliance with the code of zoning or whatever permits we need from the state.

CHAIR DONALDSON: How big is the area that you have right now that's actually being utilized?

MR. AUSTIN: Being utilized now, we've got about 13 acres I believe.

CHAIR DONALDSON: 13 acres and this is an additional 15 acres?

MR. AUSTIN: Well the total thing is 15.

CHAIR DONALDSON: Okay.

MR. AUSTIN: The total cemetery is 15, so we wanted to open. Go back to the other slide please.

CHAIR DONALDSON: Oh, so it's not. Right now the whole total is about 15 or 16 acres.

MR. AUSTIN: Right.

CHAIR DONALDSON: And how much of that is now actually being utilized as a cemetery?

MR. AUSTIN: Okay. All of it is being utilized except for the Garden of Hope and the Garden of Love.

CHAIR DONALDSON: Okay.

MR. AUSTIN: Which is about 4 acres I would say. I would say approximately 4 acres.

CHAIR DONALDSON: Okay. How many graves are in there now? Roughly.

MR. AUSTIN: Right now we have about 3,084.

CHAIR DONALDSON: And you need this because you're running out of space?

MR. AUSTIN: Well we wanted to do this because the Garden of Serenity, we just opened that up. That's 1000 spots. We have only used about 20 in that one, but we wanted to clean those off and do a mausoleum or future plans.

CHAIR DONALDSON: How long has that cemetery been there?

MR. AUSTIN: 1961.

CHAIR DONALDSON: 1961?

MR. AUSTIN: Yes.

CHAIR DONALDSON: I thought so. It's been here as long as I can remember. Anybody have any questions? Anything else you want to tell us sir?

MR. AUSTIN: That's about it.

CHAIR DONALDSON: Anything that we need to consider on this Mr. Hasty?

MR. HASTY: Not that I can think of.

MR. HAIGH: And they do comply with all the ordinance standards and have agreed with the conditions that we've placed on them.

CHAIR DONALDSON: Plus the requirements the state requires on them as far as the cemetery and so forth. Anybody want to be heard?

MR. HUMPHREY: If anyone wants to discuss it, I'll wait but otherwise I'm going to offer a motion that it be approved.

CHAIR DONALDSON: Anybody want to discuss it?

MR. MCHENRY: I don't.

MR. HUMPHREY: Then I'd like to offer a motion then that the board approves this request.



CHAIR DONALDSON: Expansion. Second?

MR. DYKES: Second.

	IN FAVOR	OPPOSED
DONALDSON	YES	NONE
MCHENRY	YES	
DYKES	YES	
HUMPHREY	YES	

**C. P15-01-C:** CONSIDERATION OF A SPECIAL USE PERMIT TO ALLOW A KENNEL OPERATION IN AN A1 AGRICULTURAL / CU CONDITIONAL USE OVERLAY DISTRICT FOR A HOME-BASED CATERING BUSINESS (PENDING REZONING) ON 2.00+/- ACRES, LOCATED AT 2761 COUNTY LINE ROAD, SUBMITTED BY ANDREW C. MILLER & CANDACE D. WARREN (OWNERS).

Chair Donaldson read the case heading and called the speakers forward.

CHAIR DONALDSON: What's your name sir?

MR. MILLER: Andrew Miller.

CHAIR DONALDSON: Are you going to speak for both of you?

MR. MILLER: This is my wife Candace.

MS. WARREN: It's my business.

MR. MILLER: It's her business but I'm doing all the prep work.

CHAIR DONALDSON: Okay.

Mr. Haigh reviewed zoning, sketch map, and land use of the area surrounding subject property. He briefly reviewed board packet material.

CHAIR DONALDSON: So if we were to grant this now, it'd be grandfathered in before the commissioners making it R40?

MR. HAIGH: In the conditions, we have it written in so that it would be contingent on one another, or this would be, one of his conditions before he pulls any permits would be that that rezoning be concluded, which is currently underway.

Mr. Haigh continued reviewing material.

CHAIR DONALDSON: [Referring to picture of subject property] That's your house there?

MS. WARREN: Yes. Can I just add too that these are our dogs. We're not keeping other people's dogs. These are our personal pets, but we don't keep them all in the house because there are seven of them.

CHAIR DONALDSON: How many dogs?

MS. WARREN: Fifteen.

CHAIR DONALDSON: Oh that's right. The county has an ordinance about the number of dogs.

MR. HASTY: In a residence unless they are for breeding or show purposes.

MS. WARREN: We show them.

MR. MILLER: She's been showing and breeding golden retrievers for about 17 years.

CHAIR DONALDSON: What kind?

MS. WARREN & MR. MILLER: Golden retrievers.

Mr. Haigh continued reviewing material.

CHAIR DONALDSON: Go back to the slide that shows behind the house where the kennel is going to go. Right in there.

MR. LOTT: Is that the yellow building?

MS. WARREN: Yes.

MR. LOTT: Mr. Chairman, I'd just like to point out that they haven't been sworn in.

CHAIR DONALDSON: I know. I'm just talking. I wanted him to go back because I wanted to look at that. Any other slides y'all want to look at?

MR. LOTT: One question, and maybe I missed something, how is the kennel and the-

CHAIR DONALDSON: Well let me swear them in if you want them to answer. I wanted to look at that slide there. Is there any other slides anybody else wanted to look at? Leave that slide up please.

Chair Donaldson swore in both speakers, Mr. Miller and Ms. Warren.

CHAIR DONALDSON: Who wants to speak first?

MR. MILLER: I can do most of the talking. She's been breeding golden retrievers for about 16 or 17 years. We do all the health clearances. Health certifications are done on all the parents before they're ever bred. She's got a phenomenal program. I grew up on a huge beef cattle farm up in Wisconsin, so I'm very familiar with how all this stuff works as far as for her to be able to continue to have a business from our home. We have four children. Our oldest one has cerebral palsy so it really helps for her to be able to have her business out of our home. I work outside the home. We did pull a permit to be able to put up an 18 x 38 building, which is what you see in this picture.

CHAIR DONALDSON: That, you pulled that permit to build that?

MR. MILLER: Yes sir.

CHAIR DONALDSON: And that's going to actually house the dogs?

MR. MILLER: Correct and they allowed us to pull the permit and put that building up. We do not have any dogs in that building. We have not moved, our dogs are still at our other property which is going to be sold before too long we hope. It's getting put on the market soon, but we have not moved any of our dogs to our new location because we're having to do the rezoning. We were not aware of the conditional use on this property at all when we bought it.

CHAIR DONALDSON: What's the conditional use on this property?

MR. HAIGH: It's to allow a home catering business.

CHAIR DONALDSON: Okay.

MR. MILLER: That was the lady that owned the property originally. Her daughter used to live in our house, so when they sold off the 2 acres to her daughter and her daughter's husband, that conditional zoning use, of course, encompassed our property because the zoning line and the property line were two different things, which Mr. Haigh has educated me very well on.

CHAIR DONALDSON: How big is the plot of land that you own?

MR. MILLER: 2 acres.

CHAIR DONALDSON: 2 acres?

MR. MILLER: Yes sir.

CHAIR DONALDSON: Alright. Go ahead sir.

MR. MILLER: He's went through all the conditions. We're going to do the six foot privacy fence and then we'll have the vegetative buffer on three sides. The right, left, and back.

MS. WARREN: We've talked to all of our neighbors. One who is a sheriff's deputy that trains the hounds and such. He lives down the road and has about 30 dogs on the next street over. So, we've went and talked to everyone and told them.

CHAIR DONALDSON: What's the distance between your house and the next house, roughly?

MR. MILLER: There's an acre field between us and the house to the left. That's the closest house. The other house is across the street is that full, our full front yard which is about an acre and a half.

CHAIR DONALDSON: That acre field between your house and the next house, is that land you own?

MR. MILLER: That's farmland that Riddle farms owns.

CHAIR DONALDSON: Okay.

MR. MILLER: And we've already spoke with them because they live within a quarter mile.

CHAIR DONALDSON: Questions? And you've been doing this 16 years?

MS. WARREN: Yes.

CHAIR DONALDSON: And they're at your other property now?

MS. WARREN: In Parkton.

CHAIR DONALDSON: In Parkton?

MS. WARREN: We can't put the house on the market until we move the dogs.

MR. MILLER: When we originally looked at this house in the listings for the MLS, for the realty stuff, everything came up as A1 and when we talked about building this property or building the kennel and everything, we were under the assumption because we didn't know that there was a conditional use on it that we would have no problems doing any of this. That's the whole reason we bought this house.

MS. WARREN: Now we are driving back and forth every day to take care of our animals at the other property.

CHAIR DONALDSON: Mr. Humphrey, anything?

MR. HUMPHREY: Well-.

CHAIR DONALDSON: What's the limit? It's three dogs under the-. Is it three dogs under the county rules?

MR. HASTY: It is, but you can get additional dogs if you show dogs or breed them. I think you need a permit from Animal Control saying-.

MS. WARREN: Yes.

MR. MILLER: Yes and we pay a yearly tax on all of them just like you do with your vehicle.

MR. HASTY: Otherwise, as long as Animal Control grants the permit.

CHAIR DONALDSON: Which I never understood when you're out in the country why you can only be limited to three dogs.

MR. LOTT: You can have 100 cows.

MR. MILLER: 10-4 on that.

CHAIR DONALDSON: If you went to my family's farm there'd be twenty dogs running around under the porch. What we called ditch dogs, but that's a different matter and I'll bet they're not permitted either.

MR. MCHENRY: Has the property ever been used for catering?

MR. MILLER: Originally this property didn't exist until 2006. Before that, this was all part of the property where you see the A1/CU [referring to slide on screen], that red property line. That, our property was part of their property which is the people that live in the house directly behind us.

CHAIR DONALDSON: The one in that little triangle?

MS. WARREN: Yes.

MR. MILLER: They owned all this. They actually still have the catering business and I went back and talked with them. He's getting ready to retire before too long, but they're okay with this happening. They have absolutely no issue.

MR. LOTT: There's no opposition here.

MR. HUMPHREY: I wanted to note that you mentioned earlier that when you come up to kennels you normally have the place full and there is no one here tonight, which I figured you had done your business, your diligence.

MR. MILLER: Yes sir. We've explained to them in great depths about how much time, effort, and money we put into these dogs. These are not just backyard breeding. We're not, we don't board other peoples dogs. We do rescues once in a while. She actually has a close friend that works for Animal Control.

MS. WARREN: I've called them.

MR. MILLER: Our vet is Southern Oaks Animal Hospital. Dr. Kent Dean knows us really well.

CHAIR DONALDSON: I think the last kennel case we had, we ended up having to defer it until they complied with a bunch of stuff so they could get it done.

MS. WARREN: That's why we moved way out there. [Inaudible].

MR. MCHENRY: You're saying that you're going to keep the dogs in this building?

MS. WARREN: Yes. They'll have runs that go outside and then they'll have a catch yard, so they'll have an indoor and outdoor area.

CHAIR DONALDSON: Go back to the slide that shows the building in the backyard, please Mr. Haigh. Right there.

MR. MILLER: So, that building is designed. It's 18 foot wide by 38 foot long. It'll have approximately seven runs on each side and those will each have a doggy door that come out of that building and they'll have a five foot by ten foot external area to run outside along this side and then the privacy fence is actually going to wrap around the back of that building and come up to about the, about halfway up the house because that's where our air conditioning unit sits and I don't want that in that same yard and then we're actually going to separate that backyard in half. Like I said, we have four kids and our youngest is still ten so we've got a trampoline. So, they're going to have part of the backyard. Eventually, if you want to go back to the site plan.

CHAIR DONALDSON: If you look on the site plan.

MR. MILLER: If you look on the site plan that whole left side of our property actually will have farm fencing. We're going to have an actual exercise area where I train. I actually train some of our dogs to be therapy dogs. The reason I do that is I'm a veteran. I have PTSD. I have one dog that's already a therapy dog for both basically myself and my daughter. So, in order to be able to do those types of things we're going to, the whole property itself will be fenced in completely. There will actually be an entrance gate, but it will be years from now before we can do that gate. Did I answer all your questions on the building?

MR. MCHENRY: Yes. I was just curious.

CHAIR DONALDSON: Are you asking for? Is it just going to be a limit of 15 dogs because that's going to fluctuate up and down isn't it, because you've got births and all that at times. The litters-

MS. WARREN: The litters we don't keep, but what we do is we do all their health certifications. Their hips, their elbows, their hearts, their eyes. So if we have one that fails the certifications we spay or neuter and place them. So, at any given time, normally my numbers are fifteen that I keep for myself.

CHAIR DONALDSON: Go ahead.

MR. HAIGH: The application doesn't discern how many dogs they would have, so that wouldn't be something you would consider unless you felt the need to.

CHAIR DONALDSON: The number 15 was tossed out there and I thought that's what they were asking for, for just 15, but I was thinking litters could be anywhere from 6, 7, 8 puppies.

MS. WARREN: Correct.

CHAIR DONALDSON: Any further questions? Discussion? Motion?

MR. LOTT: I make a motion we approve it.

MR. DYKES: I make a motion we approve it based on the testimony I've heard.

CHAIR DONALDSON: Second?

MR. HUMPHREY: There were two motions. Mr. Lott made a motion and he made a motion.

CHAIR DONALDSON: He made the same motion.

MR. LOTT: He put an addition on to his.

CHAIR DONALDSON: He just said based on what we've heard he made the motion.

MR. HUMPHREY: That okay with you Mr. Lott?

MR. LOTT: Yes sir.

MR. HUMPHREY: Okay.

	IN FAVOR	OPPOSED
DONALDSON	YES	NONE
MCHENRY	YES	
DYKES	YES	
HUMPHREY	YES	
LOTT	YES	

MRS. LYND: I'm sorry. Who was the second just so I can make sure I have it correct in my records?

CHAIR DONALDSON: Mr. Dykes was seconding Mr. Lott's motion. Alright. Thank you.

MR. MILLER: Thank you.

9. DISCUSSION

There was none.

10. UPDATE(S)

There was none.

11. ADJOURNMENT

Mr. Lott made a motion to adjourn at 7:44 p.m., seconded by Mr. Humphrey.