

**Zoning Board of Appeals
Minutes
October 18, 2018**

Present

Chairman Dole
Dale Kellerson
Diana Powell Keery
Mark Unvericht

Absent

Michael Flavin

Also Present

Zoning Board Attorney Eric Stowe
Zoning Board Secretary Pam Gilbert
Building Inspector Patrick Smith
Jillian & Chris Wojtowicz
Jeff Weber
Anthony DelleFave
Charles Hopson
Kathleen & Dennis Kelly
Lori Stone
Carol Nellis-Ewell
Holly Magin
Joan Quigley
Katherine Rowles
Lisa Watson
Mary Ann Carroll
Cindy Nolan

Chairman Dole led the Pledge of Allegiance.

Public Hearing

At this time Chairman Dole closed the Public Hearing.

The application of Lisa & Kevin Watson, 150 Maplewood Avenue, Spencerport, NY 14559 to appeal a determination allowing the use of a structure at 155 Maplewood Avenue, Spencerport, NY 14559 as a residential use to be pre-existing, non-conforming use to continue; specifically two (2) single family dwellings on a single lot in an R-1 Residential District. Whereas, any person aggrieved by the granting or refusal of any permit or by any order of any officer, department, board or bureau of the Village, may appeal to the Boards of Appeals within 60 days from the date of the determination appealed from pursuant to Village of Spencerport Code 340-63 A.

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Lisa Watson: I am just going to read from what was submitted to you already. This property has not been used as a two-family residence in approximately thirty years. So, if you are affirming what has been determined. If the board does not modify the current determination, then by its own action the board is re-establishing a use that has not been exercised for decades. This type of action is a violation of the Zoning Code which states that no nonconforming use, once terminated, cannot therefore be reestablished. You can't grandfather in something that has not been used for thirty years. So that hasn't been rented. It has been used as family visiting and things like that. My main concern is that if this is allowed to be a rental property behind some one's home. I have had numerous conversations with Chris and Jill they are great people. This is nothing personal against them. They live across the street from me. I am invested in street, my neighborhood. I plan to be there forever. My fear is if that is rental property Maplewood is just going to look like S. Union in ten years. That is why we are here. It is not a personal anything. It is not about who lives in the home. I live on the street that I pretty much hope to die in this house. I don't want renters across the street. I have been there, I'm done with that. They are great people. I have nothing against you. What if they are gone in five years and you've determined that the place behind them can be rented. I am invested in my street, my neighborhood and my children.

Chairman Dole opened the Public Hearing.

Anthony DelleFave: I represent Mr. & Mrs. Wojtowicz. Did you all receive a copy of my correspondence from September 25, 2018.

Chairman Dole: Yes.

Anthony DelleFave: Well first I would like to point out that I believe this appeal was not timely filed. They have lack of standing. Village Code states that's the appeal needs to be filed within 60 days of determination. This appeal needs to be filed from the June 6, 2018 Village Board meeting. The meeting notes from that board minutes said, "Be it resolved that the Village of Spencerport of Trustees hereby authorizes Village Attorney Eric Stowe to send correspondence to Attorney Zachary Pike regarding 155 Maplewood Avenue to confirm the second residential structure on the property is permitted and considered pre-existing, non-conforming use." Therefore, it is my position that the decision was actual made at a board meeting. That is why the board authorized Mr. Stowe to confirm the decision was made at that board meeting. Therefore, this appeal that was filed I believe was August 18, 2018 is not timely filed. I believe that this is reaffirmed by the first legal notice as the language was changed in the second notice. The first notice stated that that application of Lisa and Kevin Watson, 150 Maplewood Avenue, Spencerport, NY 14559 to appeal the decision of the village board. So that notice concedes the decision was actually made at the June 6th board meeting. Therefore, was untimely filed and should be disregarded. I would also state that the two letters that Mr. Stowe sent out were just an administrative act that the board authorized and permitted him to do based on the decision at that board meeting. My second counter argument to that is if you are saying that the decision is based on the correspondence sent out by Mr. Stowe. Then that decision would be made on his June 7th correspondence, the first one which if you're saying the board didn't make the decision that Mr. Stowe did with his correspondence. Then his first correspondence of June 7th would be that decision which again this appeal is untimely filed. With regard to the July 5, 2018 correspondence that was signed by fifteen neighbors to my knowledge was not filed to the board of appeals, so I ask that be disregarded. With respect to the continuous use argument you guys have affidavits of John Hubbard, Mary Ann Carroll and Joan Quigley. They give a history going

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Anthony DelleFave continued: back to 1957 of people residing in the back house located at 155 Maplewood Avenue. So, based on those affidavits it is clear that it has been a continuous living space. I would add as I stated in my correspondence, they have separate utility bills with difference account numbers for that. I would also like to point out to the board that the appeal for this doesn't state to overturn the decision, it asked for a request for interpretation regarding the decision. So, I would argue that you can not over turn or modify the decision that was made by the board or Mr. Stowe. You would only be able to give interpretation as to the decision that was made. Not modify it or over turn it. Lastly, I would like to add that the notice for the hearing today talked about two dwellings located at 155 Maplewood Avenue. Based on the town code section 340-5 a dwelling is building designed or used as the living quarter for one or more families. So even if their argument is that it wasn't in continuous use it still designed for living as a residence. So, number one my position is it has been a continuous use based on those affidavits back to the 50's. Even if not it is still considered a dwelling because it is designed and used for living quarters for residence. I will just point out that the exception that it is not deemed to include a rooming house or a tourist home. The town code for the rooming house "is where three to ten rooms are rented to boarders." I believe that this was never rented, and tourist home says "are hired out for transient occupants" which is not the case here. So, my first argument, that this was untimely filed. The board made the decision at the board which authorizes Mr. Stowe to confirm the decision on this property. That decision was made June 6, 2018 board meeting and that was merely administrative act to follow through with the boards direct of the decision that was made. If the decision was not made at the board meeting and the decision was made at Mr. Stowe's correspondence then I would go off the June 7' 2018 correspondence. Which first gave fortification of the decision of Mr. Stowe or the board. Whoever's decision you guys would like to say made that decision. Again, that filing was untimely filed. But even if not filed you have the affidavit by Attorney Pike as well as me in my correspondence show that it has been in continuous use since 1956 or 1957.

Attorney Stowe: Mr. Chairman, If I could just clarify. I know I spoke with you but may not have told all the board members. With respect to the 60 days and where that may come from. Subsequent to the second letter being issued several residents came to the Village Board at a regular board meeting in July 2018. It would have been the first Wednesday of the month. To speak in opposition. I informed them that, that board was the inappropriate venue. A question was posed to me with regard to which date does the 60 days run from and my statement was it would be the seconded letter. So, if there is confusion in regarding that it was at my opinion and still remains my opinion that that seconded letter and date controls as the despotize letter. That's where the dispute may come from. I will tell you that Pam and I did talk about that and calculating what the 60-day mark would be. As a back story that is where that comes from.

Dale Kellerson: When you say the second letter you are talking about the one on the 20th?

Attorney Stowe: That's correct.

Jeff Weber: I live at 169 Maplewood. I am just curious what the interpretation at the board at the meeting was? It is understood by me coming in at the last minute that it is grandfather in. What was grandfathered in exactly?

Chairman Dole: It was a pre-existing non-conforming use building of the village code.

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Jeff Weber: What is the non-conforming use part?

Chairman Dole: The second residential structure on a R-1 lot.

Jeff Weber: So, it was grandfather in. What does that entail? What does that allow the resident of that property to do?

Attorney Stowe: What the letter is that the residential use may continue. It doesn't no qualify the use other than residential.

Jeff Weber: So, if the new residents there from what I understand from the zoning laws to be is that you can't rent a second dwelling on that property in residential use. Correct?

Attorney Stowe: What the Zoning Board is here to do is to interpret that determination and the code and apply it.

Jeff Weber: If you do up hold your current opinion on this, then you say that we are going to stay with our opinion. Is that the potential down the road that the resident could rent it out without any kind of variance?

Attorney Stowe: I would depend on the determination and the interpretation. Whether it is affirmed, modified, or reversed. I can't tell you what they are going to do.

Jeff Weber: I understand, I am just going by I have read in the zoning laws, the zoning code and it doesn't appear to me that even if you grandfather it in there is still no right to rent the second dwelling on it. It is to be used as an in-law or as Joan Quigley had stated that it was for people of Mary's church.

Chairman Dole: We are going to determine about the second structure, but we can't tell them what to do with that second structure. We can't tell them it can only be an in-law apartment, or it can only be used as a man cave. Am I correct with that?

Attorney Stowe: You could modify the decision and I want to be very careful with my words.

Chairman Dole: Do you want to think about it for a couple minutes?

Attorney Stowe: Continue with the public hearing. Before I say this is what it can be and that influences the hearing. I think it would make more sense at the conclusion of the public hearing to talk about what the options are. As opposed to modify what a member may say during meeting that may influence the board's decision. I don't want to cloud the public hearing and keep it more pure versus your deliberations.

Chairman Dole: ok.

Attorney DelleFave: Real quick again my position is that the decision was made at a board hearing. That's why the board authorized Mr. Stowe to confirm the decision. That's why the first notice of the hearing

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Attorney DelleFave continued: said per the determination of the Village Board. Again, I would like to point out if it is going to be from Mr. Stowe's letter's than the June 7th and June 20th letters are identical except as far as the decision being made. The June 7th letter says, "It is important to note that though the use may continue, the code does set forth provisions whereby the use is deemed "abandoned" and before states "in the future, be deemed "abandoned. So, the June 7th and 20th letter are identical in giving the decision that was made by Mr. Stowe or by the board. Again, my position is that if the board meeting wasn't the decision then the June 7th letter would be the one because nothing changed between the two letters is the word deemed abandoned which has nothing to do with the decision that was made of a pre-existing nonconforming use structure.

Lori Stone: I was at the July meeting that Eric referenced earlier. There was no public notice regarding the trustees meeting that you are talking about. So, the only way the neighborhood became a ware of the determination was through a FOIL request. So, we couldn't even know about the determination until the FOIL response had been received. I didn't receive those materials until after I returned from a July 4th vacation. So, I believe there is probably also wiggle room to argue for the 60 days would run from when we received the information on the determination. Regardless of weather the letter on the 7th or the 20th also Eric's statement at the July meeting stating that we had 60 days from 20th to appeal.

Attorney DelleFave: If I could briefly my understanding is that you post notices for all your village board meetings, agendas on the website as I stated in my September 25th correspondence to the board. They would have had notice if they went on the website to see was going to be brought up a that meeting like this meeting here. They would have had notice for it. Any lack of knowledge to them to getting it foiled does not excuse or circumvent the law of 60 days. Even if Mr. Stowe maybe gave them a misinterpretation of the law. It does not excuse the law. The law is the law and you have 60 days to file the appeal in my opinion they did not.

Lori Stone: How would be have know what the determination was without seeing the June 20th letter.

Attorney Stowe: Can we just not do a back and forth.

Lori Stone: Sorry, I will stand by my position that there was no way for village residents to know the determination was until the final determination made. The final determination was made in the June 20th letter therefore Lisa's appeal was timely.

Holly Magin: I may not be able to debate the legalities. This is very awkward. We have a wonderful neighborhood and that is why we are here. We are concerned about our community and the way our children are going to grow up. We purchased property in this area because we were hopeful for a bright nice future for our children. We are here because we are concerned about the landscape of our street changing. It is not personnel in way. I just want to refocus us to what we are really talking about. I want you to hear that piece of it. I am also wondering if you did look back at the chain of events, how the structure was used back to the 1950's.

Chairman Dole: It was used basically as a family residence and probably an extra kitchen.

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Holly Magin: Ok, so to morph into a structure that can now be rented that is why were concerned and why we are here.

Jeff Weber: I just think this is an interpretation issue more than anything. I don't think that anyone here expecting they are going to rent it out. All the residents have a vailed concerned they don't want it to be rented because current zoning laws prohibit that. I get that side of it. I am just wondering what exactly has been grandfathered in?

Lisa Watson: Which is why I used the vocabulary interpretation as the attorney questioned. I am not a lawyer I used the word interpretation because that is where all the questioning is coming from. I understand what they want to do with the property. My concern is what is allowed. What is your interpretation of what can be allowed on that property. Whether its these current owners or owners seven years from now.

Katherine Rowles: Used to live a t 170 Maplewood Avenue up until about a month ago as I was given an opportunity to move across the street. I currently live at 161 Maplewood Avenue. My husband and I being a young family realized how wonderful Maplewood Avenue is. We lived in an apartment in Spencerport for about three years and would walk down Maplewood Avenue nearly every night. I know that currently there are at least eight young families similar to Chris and Jill's who are also here. I think that the bottom line in all of this is yes, one in interpretation. What does that mean going forward? I know that we all plan to live on Maplewood for a very long time including myself. This was not a random move, this was a long-term plan. The structure that is under question runs right on my property line to the point where my child is within one yard on the side yard of that property. It is very concerning to me going forward that if it does become a rental property. I would hope that as new members of the neighborhood we are excited to have Chris and Jill and again going forward that this would a community and not divide us. I think I have also seen in the last five years to speak to South Union and the concerns and what those properties look like. I have a real concern that going forward that Maplewood would turn in that direction. I think that you guys as members of the board I would hope that being in the position that you are that it is just as important to you as it is to us to maintain Maplewood the way that it is.

Attorney DelleFave: I don't want to keep repeating myself but my opinion is that at the decision was made at the board meeting. With respect as to how anyone would get the minutes of the board meeting is go to the website. Just like I obtained them. So, there is public records for anybody across the country.

Lori Stone: If we could just focus on why the rear structure was grandfather in the first place. As I truly do believe that when the zoning code was enacted and the reason why the rear structure there were grandfathering was because it was being as a second residence and over the years it became used as an extension of the family home. Used for a spot to hang out for a single family but it was not used as a second residence. So, I would just take the position that using it as a second residential structure for a second family has been abandoned and can not be reestablished. Maybe you will be able to modify the opinion so that the new family that moved can still use it the same way that Mary used it as an extension of her own home, for a man cave, a rec room or for what ever the decide is appropriate for their family to use. Certainly, nobody is trying to say that they can not use that structure. We just think that the grandfather use for which that rear structure had initial been deemed to be used for. It has not been used for that in thirty years and we don't want to see it go back to being able to be rented out.

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Jeff Weber: Going back to what Joan Quigley said is that it was being used previously by members of the church. They used Joan's driveway while they were staying the apartment. It has been being used, I don't know how often within the last three years. I am not advocating for them go a rent it out. I don't want to see that either. I don't know what we are going for here. If we decide it can't be used, then what is the outcome. What are we looking at here? I am still lost in this whole interpretation aspect of what was approved, what was grandfathered in? That is where I think there is a disconnect with everybody. As far as I understand there is nothing in the zoning laws right now that state that they can rent that out. Being in R-1 District.

Attorney Stowe: There is also no prohibition against rentals. It's the single versus multiple. Is it an owner occupied, owner used.

Jeff Weber: What was it grandfathered in as?

Attorney Stowe: Residential use. I am not making this determination I am saying that theatrically under the argument on both sides my understanding is there is an opinion that says a residential use would include a rental use versus a residential use of an owner-occupied structure. The R-2 District says you can have two family dwellings. Two non-related families dwelling in a unified building. My belief and my understanding what the chief argument or discussion circles around is can someone who is not related to the owner live in that dwelling and addition to the owner or another family living in the principal structure. Is that fair to say for everybody.

Jeff Weber: Yes, and I know with my in-law apartment that I have. I built the garage with the in-law apartment at 169 Maplewood almost twenty years ago and the old residence that lived there was spelling that it has got to be family.

Attorney Stowe: That was pursuant to a permitting process that is subsequent to.

Jeff Weber: It has to be blood family whether its mom, dad, sister, brother or though marriage. The family had to reside there also.

Chairman Dole: That is the difference between something done after the code was enacted versus before.

Jeff Weber: So where does this grandfather go back to 1955? When it was built or when the last time it was used. That's where I think there is confusion.

Attorney Stowe: That's why we are here.

Joan Quigley: Is this zoned R-1 or R-2?

Chairman Dole: R-1.

Joan Quigley: Which it has been from way back.

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Jeff Weber: Correct me if I am wrong but, in a R-1 you are allowed to have an in-law apartment technically it is not supposed to be rented. It is supposed to be for family purpose only. For extended family. R-2 would be where you could have two separate families. So, this is R-1 so are we grandfathering it to a R-2?

Chairman Dole: We can't change the zoning.

Jeff Weber: Right so in R-1 so in my interpretation they would need a variance or a special permit to rent it. So, it would be up to the board again. So, the residence would have an opportunity to state their opinion and the board can make a decision at that time. I still don't understand really what we are grandfathering in. If it is an R-1 the law states that it can't be rented as an in-law apartment it has to be used as just that.

Chairman Dole: Correct.

Lori Stone: I believe that under the current determination that the rear structure still could be rented.

Jeff Weber: It can be as long as there is a special permit.

Lori Stone: No, under the current ruling you would not need the permit process.

Dale Kellerson: You need a special permit for an in-law apartment, so if an in-law gets vacated then the appliances and everything with that has to be taken out in a certain amount of time. It can't be used as another living structure. It has to be connected and it has to have a single meter versus having two electric meters. So, obviously we have a whole statute.

Jeff Weber: The village made us put in a second meter. That was eighteen years ago. It may have changed now.

Dale Kellerson: Our statute on in-law is only since 2011. So, I think we realized the need and what people wanted so we had to put something in our laws. But they have a lot of good information in there.

Jeff Weber: I'm still confused on what we are grandfathering in. In a R-1 use doesn't permit an in-law apartment to be rented out. If it is an R-1 and an approved rental, then technically it is an R-2 in an R-1 area.

Chairman Dole: Hang in there and we will get to the bottom of it.

At this time Chairman Dole closed the Public Hearing.

Chairman Dole then asked Attorney Stowe, Building Inspector Smith and the board if they have any comments.

Building Inspector Smith stated that he didn't have anything to add unless you have any questions.

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Diana Powell Keery: I was wondering if in the past years that this has been used has there been any complaints about this property for the uses that it has been used for?

Building Inspector Smith: That will be hard for me to answer. To me no but you would need to talk to the Code Enforcement Officer for the village. Normally the complaints would go to Rich McQuilkin as he is the village's Code Enforcement Officer. I am not aware of any.

Diana Powell Keery: So, made we need to ask Rich McQuilkin.

Mark Unvericht: What brought the whole issue to the meeting on June 6th.

Attorney Stowe: Ok so we are not talking about the July meeting where I gave an opinion about the date correct?

Mark Unvericht: No, the initial meeting.

Attorney Stowe: What brought this on if we go back to the letter from Zachery Pike. Phone call from Mr. Pike regarding the prior owner wanting to sell my understanding was that the financing bank for the purchaser requested some documentation regarding the building in question.

Mark Unvericht: Was that publicly noticed.

Attorney Stowe: No, it was not publicly noticed, that's correct. My point regarding that is there are numerous decisions that are made without any public notice. If it is a fence permit that's granted. Even that decision could be appealed if believed the interpretation of the zoning code was incorrect. I guess you could say there were two paths we could go. One being between Patrick as the Building Inspector and myself make a determination. Write a letter saying this is our interpretation of the zoning code and issue that determination in that letter. That letter and can be properly appealed from. The other thing say I don't know why don't you go to the Zoning Board and check. Either one of those would have been a valid route. In hindsight we would have come here first. But the number of times that on a routine basis Patrick and I discuss on how do you think about this section of the code. It usually does not reflect to people's usage of a piece of property. Occasionally it does. This is one of the ones that needed to be memorialized in a letter for the purpose of financing and that's' how we got there. I will tell you the second letter and the purpose for that was my understanding. Again, I wasn't party of any of the discussions with the bank or anything else. Mr. Pike called or e-mailed I can't say which one. Saying the bank was not satisfied or had concerns regarding what was said in that letter and it needed to be revised. It was to clarify. The first one didn't stick so we re-issued the second. When the 60 days issue comes up. That was my statement I did say to not everybody was there. But whomever was there my interpretation was that the 60 days would run from that second letter.

Dale Kellerson: I guess the thought behind saying that they could go ahead and send the letter you didn't have any information on any complaints. I would assume the thought that there is nothing wrong with it because of all the years it had been going on like that. Just family using that structure.

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Attorney Stowe: When Patrick and I spoke, we looked at as more at the submission of the attorney and here are all the affidavits in support of the continuation of the use. I don't believe or recall and won't swear to you that we had a discussion with respect to the issue that is being presented to the board with respect to is it a multi-family use or single-family use. I don't believe that discussion took place. I will confess that until the issue was brought I don't think I looked at it that way. We looked at it as was it a residential use and had it been continuous operation. Without regard to the qualifications of the use. We were going for more of a continuity look. Is that fair?

Building Inspector Smith: That is absolutely fair.

Dale Kellerson: So, I was also thinking that what you are proposing to use that property for is basically what it had been used for, for the last thirty years. I guess is our point how do we hold them to that? Do we talk about modifying? Maybe we can put something in that says this is what you can use it for.

Attorney Stowe: That is why I wanted to make sure that everybody was heard before I start saying that, so it doesn't affect anybody's statements. I have been working with this for some time and trying to figure out is there a way. I believe there is with respect to if we did not and my letter did not adequately address equality of the use. Meaning what type of use was it and if it was lacking. I believe this board could modify the decision that was made to allow a single-family use to continue in both structures. Single-family occupying whether primary occupancy is in the secondary structure or in the principal structure. One family be permitted to reside on the lot in either dwelling. I believe you could modify to that and say when you wrote the letter it was an oversight and you didn't adequately interpret or make a determination. I believe, and I have truthfully been trying to find some piece of case law or something else that says you can really do this. That is why I did send the board the interpretation section from the NYS Department of State publication saying here is what you get. If you are not putting a restriction on it. You are not legislating you are saying Eric your letter didn't cover sufficiently. I don't think this is putting a restriction on this property outside of your authority. Was the multi-family use in a R-1 zone abandoned however, the residential use was not. It's which quality of the use was abandoned or not abandoned.

Dale Kellerson: Would that stay with the property?

Attorney Stowe: Yes, it would not be owner specific. You would be making a determination regarding what the use was, whether or not it was abandoned fully or partially or if it was at all and if any residential use can continue.

Diana Powell Keery: It is a definition and if this had come to us that might have been part of our definition.

Dale Kellerson: I can see the concern for the future owners that own the property the rest of the neighbors want to make sure that they can't use as rental property. You also have this abandoned piece in there should it be or not be used for 12 months.

Attorney Stowe: Under the existing code any house on Maplewood and house in the village even if it is a single family could theoretically be rented. There is no prohibition on rental. It's can you have two families on one parcel is the prohibition.

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Diane Powell Keery: In regard to the 60-day time limit the village board never made a resolution for anything.

Attorney Stowe: To clarify what that was done. I don't sign my name to village letterhead without some sort of permission. I don't recall talking about the contents of the letter. Patrick and I have had a discussion. I had a discussion with Zach Pike and gave them the back story and I would like to have your permission to send a letter regarding that property. They didn't say we agree go for it. It was can we, can I send a letter and sign my name. It was permission to do that. If the resolution says confirming I will tell you that I did sit at the next Village Board meeting and ask that they modify the resolution prior to adoption that says "confirming" because they did not confirm. Even then it was for the purpose confirming the decision to send the letter. The Village Board did not join in the decision.

Diana Powell Keery: To me it started with the June 20th letter as they didn't take any action with regards to the contents of what was in the letter.

Attorney Stowe: That board lacked the authority to make that determination. I also told the board that we may need to revise this if it didn't satisfy. If the letter didn't satisfy the concerns of the bank. I believe Mr. Pike represented the sellers of the property not the purchasers.

Discussion ensued amongst the board.

Diana Powell Keery: Can we ask to have Rich McQuilkin at our next meeting to answer the question if there has every been any complaints regarding this property.

Chairman Dole: If he can't be at the next meeting then just a letter from him.

Building Inspector Smith: I will let him know.

Attorney Stowe: If there are any complaints the specifics about them.

RESOLUTION

393/2018

The Village of Spencerport Zoning Board of Appeals in reviewing the application of Lisa Watson, 150 Maplewood Avenue, Spencerport, New York 14559 for an interpretation of a determination made concerning a pre-existing, non-conforming use on property located at 155 Maplewood Avenue, Spencerport, New York 14559 has tabled the application until the November 15, 2018 Zoning Board meeting.

Motion: Chairman Dole

Second: Diana Powell Keery

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Vote of the Board:

Ayes: Dole, Kellerson, Powell Keery, Unvericht

Nays: none

Unfinished Business

Nothing requiring Board action

New Business

Nothing requiring Board action

Approval of Minutes

Motion made by Chairman Dole Seconded by Mark Unvericht carried unanimously to approve the September 20, 2018 minutes.

Adjournment

Motion made by Chairman Dole seconded by Dale Kellerson and carried unanimously to adjourn the regular meeting at 8:14 pm.