

BANNER ELK BOARD OF ADJUSTMENT
MONDAY, 16 SEPTEMBER 2013
MINUTES

Members Present: Jimmy Ollis, Joe H. Perry, Ted Silver, Deka Tate, Bill Wilson, and Alternate Art Neuberger

Staff Present: Cheryl Buchanan, Stacey Eggers, IV

Others Present: None

Chairman Joe H. Perry called the meeting to order at 6:00 pm.

As a matter of procedure, the Town's Attorney asked for a motion to go into closed session regarding an Attorney - Client matter (NCGS 143-118.) Deka Tate moved to go into closed session and Bill Wilson seconded. The vote was recorded as:

Jimmy Ollis - yea
Joe Perry – yea
Deka Tate – yea
Bill Wilson – yea
Ted Silver – yea

The vote was unanimous, the motion carried and the meeting went into closed session.

During closed session Attorney Eggers reviewed the recent changes the North Carolina Legislature made to procedures performed by the Board of Adjustment. The changes become effective October 1, 2013. More specifically, changes to the guidelines for variances and procedure for voting at hearings were discussed. These changes will be before Town Council as a public hearing on the 14th of October, 2013. Lastly, additional wording was added to further explain the application and policy for an Intervenor to be recognized at a BOA hearing.

With no further business, Deka Tate moved to go back into regular session. Bill Wilson seconded. The vote was unanimous and is recorded as:

Jimmy Ollis - yea
Joe Perry – yea
Deka Tate – yea
Bill Wilson – yea
Ted Silver – yea

The motion carried.

Consideration of the 2013 August Minutes

Deka Tate moved to approve the August 2013 minutes as submitted. Ted Silver seconded. The vote was recorded as:

Jimmy Ollis - yea
Joe Perry – yea
Deka Tate – yea
Bill Wilson – yea
Ted Silver – yea

The motion carried.

Chairman Perry asked if there was any other business before the board. Deka Tate moved to adjourn. Ted Silver seconded. The vote was recorded as:

Jimmy Ollis - yea
Joe Perry – yea
Deka Tate – yea
Bill Wilson – yea
Ted Silver – yea

The meeting adjourned at 7.16 pm.

Respectfully submitted,

Cheryl Buchanan, Zoning Administrator