



Land Use Office
Post Office Box 875
Ogunquit, Maine 03907-0875

**OGUNQUIT ZONING BOARD OF APPEALS
MEETING MINUTES
OCTOBER 4, 2018**

CALL TO ORDER - 4:00 PM

Members Present: Jay Smith - Chair
Jerry DeHart – Vice Chair
Peter Griswold - Secretary
Doug Mayer
Mike Horn
Carole Aaron – 1st Alternate

Unexcused Absence: Glenn Deletetsky – 2nd Alternate

Also Present: Scott Heyland, Ogunquit Code Enforcement Officer
James Katsiaficas, Esq. Representing the Zoning Board

Mr. Smith noted that a quorum was present; and the Board would follow the agenda as posted.

CALL TO ORDER - 4:00 PM

ACCEPTANCE OF MINUTES – March 22, 2018

Mr. Griswold Moved to Accept the Minutes of the March 22, 2018 Meeting as Amended. GRISWOLD/AARON 5:0 UNANIMOUS (Mr. DeHart was not present at the March 22, 2018 Meeting)

OLD BUSINESS – None

NEW BUSINESS –

Mr. Griswold read the two cases into the record:

- 1. MARSHLAND PROJECT – Regarding 10 Beach Plum Lane – RP/SLR – Map 9 Block 66 Lot B. Administrative Appeal Under Article 5.2.A. Appeal of the Code Enforcement Officer’s August 1, 2018 Issuance of Building Permit # 18-077.**

2. MARSHLAND PROJECT – Regarding 34 Tern Street – RP/SLR – Map 9 Block 25. Administrative Appeal Under Article 5.2.A. Appeal of the Code Enforcement Officer’s August 10, 2018 Issuance of Building Permit # 18-079.

Mr. Smith informed the parties and members of the public that, at this meeting, the Board will only discuss the question of “standing”; which is a legal term determining whether the Appellants are entitled to have this Board hear their entire case(s).

It was agreed by the Board that, due to both cases being brought by the same appellant the cases would be combined for discussion purposes regarding “standing”.

Mr. Smith asked if any Board member had any conflict of interest sufficient to disqualify him/her from hearing the cases and voting impartially.

Mr. Mayer disclosed that he serves on the Ogunquit Conservation Commission and the Commission was asked by the Ogunquit Planning Board to provide an opinion on the Beach Plum Lane Project. Mr. Mayer felt he could make a decision on that case without bias.

The Board members agreed that Mr. Mayer could hear the cases and vote without conflict because tonight’s meeting only addressed standing.

Mr. Smith asked if there was standing for the Board to hear these cases. He suggested that, based upon Article 5.2.A, the Board does have jurisdiction. The Board agreed.

Mr. Smith also noted that the Board would entertain arguments from the parties on this point.

Mr. Smith stated that there could be two outcomes of this Hearing:

1. The Board determines that there is no standing; and the Board will not hear the cases.
2. The Board determines that there is standing, and the Board will hear the cases at its next regularly scheduled meeting date.

Mr. Smith asked for a motion to open the public portion of the meeting.

**Mr. Horn Moved to open the Public Portion of the meeting.
HORN/GRISWOLD 5:0 UNANIMOUS**

Mr. Smith noted that the Appellant’s representative will be given the floor first. He noted that all questions must be addressed through the Chair.

Mr. Smith stated that both cases would be looked at together because the Appellant has used the same rationale for standing on both. However if the Board determines that there is standing; and that it will hear the cases, the cases will be heard separately as to their merits.

After the Appellant’s representative has presented his argument, the other parties will be given the floor to present their arguments. During this process the Board members and the parties will

be given the opportunity to ask questions. After everyone has had an opportunity to be heard Mr. Smith will close the Public Portion of the Hearing and the Board will go into deliberations which the parties and members of the public are welcome to observe.

Mr. Smith asked who speaks for the Appellant.

Attorney David Lourie addressed the Board as the representative for the Appellant, The Marshland Project.

Mr. Lourie stated that he represents the Marshland Project and its members, all of whom reside, or own property nearby, adjacent to, or divided by the line between the Resource Protection (RP) and other Shoreland Zoning Districts as shown on the Ogunquit Zoning Map. Mr. Lourie suggested that, while this Hearing is limited to the standing of the Appellant to appeal, it is impossible to completely separate the issues of the aggrieved parties from the merits of the cases.

Mr. Lourie stated that the issue here is that there was a change in the zone boundary line; as opposed to the proposed construction of structures. He further stated that this meeting would not have to take place if the zone lines hadn't been changed by the Code Enforcement Officer; something which should not have happened; as noted under the Summer Wind Cottage Case.

Mr. Lourie cited the FRIENDS OF LINCOLN LAKES v. TOWN OF LINCOLN: Pen -10-110. He used this case to argue that the Board is here to consider two Building Permits which were issued by the Code Enforcement Officer in the RP Zone where new construction is prohibited. He noted that the property owners did not obtain a variance or special permission to build. The Appellants are before the Board because of the rezoning in the area.

Mr. Lourie argued that the movement of the Zoning Line for these two properties impacts other properties in the vicinity which were zoned RP. He further argued that it is beyond the power of the Code Officer to change a zoning designation.

Mr. Lourie stated that he would show that the individual members of the Marshland Project either reside or own property nearby, adjacent to, or divided by the various lines which separate the RP Zone from other shoreland zoning districts. These members enjoy the attributes of the nearby marshes and all are affected by the Code Officer's assumption to treat the Zoning Map as being illustrative. He further argued that the Marshland Project will be affected monetarily, aesthetically; and in terms of enjoyment by the Code Enforcement Officer's moving of the zoning lines. He argued that the two property owners use of the: PAUL L. NERGAARD et al v. TOWN OF WESTPORT ISLAND: Lin-08-536 case is trumped by the more recent Case of FRIENDS OF LINCOLN LAKES v. TOWN OF LINCOLN: Pen -10-110.

Mr. Lourie summarized the written submission (*which will be maintained in the Appellants' Zoning Board of Appeals File*). He further argued that the members of the Marshland Project will suffer a particularized injury; and that standing is granted to persons who own property in the same neighborhood. Mr. Lourie stated that he would call members of the Marshland Project who will explain their particularized injury, specifically Peter Kahn who lives in the Tern Street neighborhood. Mr. Lourie agreed that Mr. Kahn is a member of the Marshland Group although he is not named as an appellant in this case.

Mr. Lourie again argued that the Code Enforcement Officer did not have the authority to move the zoning line.

Mr. Smith reminded Mr. Lourie that he should stay with the issue of standing and not get into the merits of the cases.

Mr. Smith asked if Mr. Lourie's witnesses were qualified to speak to the issue of standing.

Mr. Lourie responded that they are qualified to give the Board the facts it will need to decide standing.

Peter Kahn, a member of the Marshland Project Group, stated that he and his wife live at 3 Tern Street which is in the neighborhood where the subject properties are located. He is a permanent resident, whose property is located in the Shoreland Zone according to the map on the Town's website and in the Dunaway Center. He has been unable to find anything that indicates that these maps are inaccurate as to the location of the Shoreland Zone. He recently saw that trees were removed from a property on Tern Street which he thought was in the RP District; and there was no public process regarding this change.

Mr. Kahn stated that having the Code Enforcement Officer change boundary lines without going through a public process will effect his property value and the enjoyment of his property. He asked what other property boundary lines may be changed by the Code Enforcement Officer without going through a public process.

As a resident relying on the rules and Land Use Ordinances in Ogunquit he feels his confidence regarding his rights is undermined if a change like this can occur with no public process.

Mr. Smith asked when Mr. Kahn joined the Marshland Project Group.

Mr. Kahn responded, about a week ago, after the filing of the Appeal.

Mr. DeHart asked which property had the trees cut.

Mr. Kahn responded it was the Tern Street property.

Patience Prescott Sundaresan, 25 Josias Lane introduced some of the original incorporators of the Marshland Project: James Hartwell and Marjorie Katz. Ms. Sundaresan stated that she sent the Incorporation Articles on September 21, 2018 as a Maine Nonprofit. She distributed copies of the Articles of Incorporation as well as a list of the Marshland Project Members. Ms. Sundaresan reviewed their Mission Statement. Their interest is in protecting the coastal wetlands in Ogunquit.

Mr. Smith asked what IRS Code they filed under.

Ms. Sundaresan responded that they have not yet filed for 501(C)3. She has the State of Maine Articles of Incorporation as well as the Federal EIN Number. They intend to file as a 501(C)3. They are a legal corporation in the State of Maine with a Federal Tax Id Number.

Attorney Katsiaticas confirmed Ms. Sundaresan's corporate status information.

Ms. Sundaresan stated that she also lives in a SLR Zone with RP Zoned properties on her street; and she is concerned about what might happen to those properties, close to her home, as a result of this action.

Mr. Smith reiterated that the Board's determination at this meeting concerns the question of standing; and the Board is not prepared to hear the merits of the cases until that question has been resolved.

Mr. Smith agreed to allow additional witnesses to be heard regarding why they feel they are aggrieved parties.

Mr. Horn asked Ms. Sundaresan if it was true that her property is almost two miles away from the two subject properties; and if she feels herself to be an aggrieved party.

Ms. Sundaresan responded that her property is almost two miles away and she does consider herself to be an aggrieved party because she lives in an area that is designated as SLR Zone; and this same situation could happen on her street.

James Hartwell is the owner of Hartwell House, located at 312 Shore Road, which he acknowledged is well removed from the subject properties. He argued that his property abuts the Josias River and his concern is that the currently required 75' buffer may be changed. He is concerned about any change to the required setbacks in SLR/RP Zones.

Mr. DeHart asked what zone Mr. Hartwell's property is in.

Mr. Hartwell responded that it is in the Limited Business District (LBD) with a portion being in the RP Zone.

Susan Lally, 53 Old Kings Highway, stated that her property abuts the Ogunquit River which empties into the estuary. Her concern is the loss of the protections of the land which abuts her property. She is concerned that a new appellant/land owner can approach the Code Officer and have changes made to the Shoreland protected zones would significantly affect her property value, as well as her enjoyment of her property. She noted recent construction along the river including the cutting of trees. Any changes to what she assumed to be a protected area because of new ownership or new negotiations for new applications; and having this happen in a nontransparent way would significantly impact her property value.

Marjorie Katz, 7 Lillywood Lane stated that her property is not in a Shoreland Zone but she asked the Board to look ahead, and asked what will happen if the Town allows building in the Shoreland Zones.

Mr. Smith asked who speaks in opposition to the Appellant; and on behalf of the Trustee of 10 Beach Plum Lane Realty Trust.

Attorney Sandra Guay, representing Leonard Pierce, a Trustee of the 10 Beach Plum Lane Realty

Trust, stated that most of the comments made so far address the substantive issues of the appeals and not standing. She suggested the Appellants have not met their burden of proof that they have standing.

Ms. Guay stated that being adjacent to a zoning district is not a standard for standing; being adjacent to the property at issue, that received the permit, is the standing.

Ms. Guay stated that many of the comments made about how the Code Enforcement Officer made his decisions and how he interpreted the Zoning Map go to the substance of the appeal and not the issue of standing. She added that if people are not comfortable with the way the Zoning Ordinance is written they can take proper action to amend the language.

For the record, Ms. Guay noted that no one appealed the Code Enforcement Officer's issuance of the May 21, 2018 permit for a foundation replacement for 10 Beach Plum Lane; and that foundation may go forward, as the CEO approved it, at any time.

Neither was there any appeal from the unanimous decision of the Planning Board's July 23, 2018 action which was a public process with a public hearing that everyone could participate in. The Planning Board found that the reconstructed house cannot be relocated so as to make it any less nonconforming; and that the reconstructed house meets the setbacks to the greatest practical extent.

Ms. Guay added that the Conservation Commission Chair at the time stated that there would be no additional environmental impact from the reconstruction of the house.

Ms. Guay stated that the Appellants attempts to claim injury to any resource, as a particularized injury, are disproved by the Conservation Commission's input as well as by the Planning Board's unappealed decision.

Ms. Guay argued that at the time the Appeal was filed the Marshland Association was a non-legal entity which was only incorporated at a later date, after the filing of the appeal. It must be dismissed for two reasons:

1. Zoning Ordinance Section 5.3.A clearly shows that the Appellants do not have standing because they are not an "aggrieved party" as defined in the Ordinance. These Appellants are not abutters who are directly or indirectly aggrieved by the issuance of the building permit. Ms. Guay noted that the closest appellant's property is over half mile way and four own property over two miles away from 10 Beach Plum Lane (*see Exhibit A in the 10 Beach Plum Lane Zoning Board of Appeals File*).

The Appellants have failed to show that they suffer a particularized injury as defined in the PAUL L. NERGAARD et al v. TOWN OF WESTPORT ISLAND: Lin-08-536 case.

Ms. Guay noted two cases wherein the Courts' determined that the Appellants did not have standing because they had filed their Articles of Incorporation on a date after the filing of the Zoning Board of Appeals Application; and thus did not have standing to file at that time.

Regarding Mr. Kahn, Ms. Guay suggested the Marshland Group attempted to obtain a member who abutted or owned property in the neighborhood. Even at that, the nature of the injury must be separate and distinct from the public at large. Ms. Guay argued that Mr. Kahn does not live in the “neighborhood” of 10 Beach Plum Lane. None of the original nine individuals who signed the appeal or are members of the original Marshland Project can demonstrate either proximity or any particularized injury. None of them own land which is directly or indirectly affected by the granting of the building permit, they do not own abutting property or even in the same neighborhood. None of them can show any particularized injury from the granting of the permit and as such the Board must deny the appeal due to lack of standing.

Ms. Guay agreed that Mr. Kahn may own land on Tern Street however it is approximately .2 miles from 10 Beach Plum Lane, and he cannot show that his property will be negatively impacted by the granting of the building permit for 10 Beach Plum Lane.

2. The second independent reason the appeal should be dismissed is that the Appellants failed to comply with the requirements for filing an appeal. They did not file a sketch to scale showing lot lines, location of existing buildings and structures and other physical features of the lot pertinent to the relief sought. Such a site plan would have shown that none of these appellants own property near the Beach Plum Lane property. The Zoning Ordinance does not allow for the nonfiling of this requirement. This was made clear in the case of JAMES HARTWELL v. THE TOWN OF OGUNQUIT.

Mr. Mayer asked Ms. Guay to explain why Mr. Kahn does not live in the same neighborhood as 10 Beach Plum Lane.

Mr. Guay responded that two blocks away is not in the same neighborhood. There is nothing that may be done at 10 Beach Plum Lane which will cause harm to property two blocks away.

Leonard Pierce, owner of 10 Beach Plum Lane stated that the purpose of standing is to file an appeal in a timely manner. Regarding Mr. Kahn, a person is either an appellant at the time of the filing or not. There cannot be an ex-post-facto appellant. Mr. Pierce agreed that Mr. Kahn is not in the neighborhood. Mr. Kahn’s property is at the western most end of Tern Street. Even if he was an appellant, which he is not, Mr. Kahn’s property is not in proximity to be affected by reconstruction of an existing house at 10 Beach Plum Lane. Mr. Pierce added that Mr. Kahn’s comments were addressed to the Tern Street property, he never mentioned the property at 10 Beach Plum Lane.

Mr. Pierce stated that no one may build new within the 75 foot setback. However a non-conforming house existing in the setback may be rebuilt. The Planning Board determined that the new house may not be placed anywhere else on the lot other than where the existing house is located.

Mr. Lourie asked if he could submit a map showing the distance from Mr. Kahn’s property to 10 Beach Plum Lane.

Attorney Guay objected to the late submission, and she added that Mr. Kahn is not an appellant to this action.

The Board agreed that Attorney Lourie should hold onto that information.

Attorney Benjamin McCall, representative for the owner of 34 Tern Street informed the Board that he agrees with Ms. Guay's comments. He reiterated that the Marshland Project Group was not a legal entity at the time the Board of Appeals Application was filed. He also reiterated that none of the members, nor Mr. Kahn, are abutting property owners nor are they in the neighborhood, nor will they be affected in any negative manner from the Building Permit issued by the Code Enforcement Officer for 34 Tern Street.

Mr. McCall agreed with Ms. Guay that case law cited by Attorney Lourie is not applicable to the two cases before this Board.

Mr. Smith asked if Attorney Katsiaficas had any questions for anyone who spoke. He did not.

Mr. Smith noted for the record that after reviewing the two applications he was concerned about standing which is why he requested the presence of Attorney Katsiaficas. He reiterated that if the Board determines that the Appellants have standing the Board will move forward and hear the merits of the cases; however that is not the purpose for this meeting.

Mr. Smith agreed that the Ordinance clearly explains "aggrieved party" however the term "particularized injury" is a little unclear and he asked Attorney Katsiaficas for his advice.

Mr. Lourie stated that the moving of zone lines, in order to grant permits, is not a regular practice or procedure of Code Enforcement Officers, nor is it permitted. This case is unique which is why the issue of standing is so important.

Ms. Guay referred the Board to Section 5.3.A of the Ordinance which states that an aggrieved party must file an appeal within 30 days. She noted that there were no aggrieved parties and thus no appeal was filed. She again referred to the Hartwell v. Town of Ogunquit Case where the Court determined that an incomplete appeal could be completed if it was able to meet the filing deadline.

Mr. Smith pointed out that these two appeals were filed at the last moment of the deadline; which would have made it difficult for Town staff to advise the appellants that the applications were incomplete.

Mr. Katsiaficas noted the appeal form for Beach Plum Lane which lists Patience Sundaresan as the representative. It was noted that there was an attached written description and statement by the Marshland Project Association. He also noted that the appeal form for 34 Tern Street was similar in format; and that Mr. Kahn was not noted on either application.

Mr. Katsiaficas asked Mr. Lourie if he is correct in stating that: Mr. Lourie used a court pleading as an example. If a complaint is filed there is a period of time before an answer is filed. Someone may file a response that leads back to the initial filing date.

Mr. Lourie responded that, referring to Mr. Kahn, it's more like someone buying stock in a corporation, or becoming a member at a later date. It refers back to the entity; and this ordinance

talks about groups and identity.

Mr. Smith asked who speaks in opposition to the Appellant; and on behalf of 34 Tern Street.

Mr. Katsiaticas asked where in the Ordinance it talks about groups and identity.

Mr. Lourie responded that it speaks to groups as aggrieved parties.

Mr. McCall responded that the Maine Rules of Civil Procedure which govern court cases are not a proper analogy to what is happening with this Board.

Ms. Guay agreed with Mr. McCall and she reiterated that the Ordinance says that an appeal must be brought by an aggrieved party within 30 days and this organization was limited to those 9 members which were a part of it on the date the appeal was filed; and none of them own property in the neighborhood, nor can they or Mr. Kahn show that they are injured by the issuing of the two building permits.

At 6:35 the Chairman closed the Public Portion of the Hearing and the Board went into Deliberations.

Mr. Smith suggested the Board will be dealing with Article 5 Powers and Duties of the Zoning Board and if the Appellant disagrees with this Board's decision they have 30 days to appeal to Superior Court.

Mr. Smith added that Article 5.2.A covers Administrative Appeals which these cases are based upon. He added that the term "Aggrieved Party" is defined in the Ordinance as:

Aggrieved party

An owner of land whose property is directly or indirectly affected by the granting or denial of a permit or variance under this Ordinance; a person whose land abuts land for which a permit or variance has been granted; or any other person or group of persons who have suffered particularized injury as a result of the granting or denial of such permit or variance.

Mr. Smith noted that another term referenced during this Hearing is "particularized injury" which is not defined in the Ordinance. In that absence the Board turns to Webster's Dictionary.

Mr. Smith noted that a definition of the term "Particularized" can be found in Webster's dictionary as well as in Case Law.

Mr. Katsiaticas summarized the Board's Powers and Standards as outlined in State Law and the Town Ordinance. He advised the Board that the question before the Board is: "Do the Appellants have standing in these two cases?" The Appellants here are the individuals who were members of the entity known as the Marshland Project Group at the time of the Zoning Board of Appeals filing.

Mr. Katsiaticas confirmed that the two applications were filed within the 30 day filing timeframe by the named Marshland Group and its members, without Mr. Kahn.

The Board discussed, at length, the term “Aggrieved Party” as defined by the Ogunquit Ordinance and whether it applies to the Appellant in these cases.

Mr. Katsiaticas informed the Board that particularized injury has been defined by the State Supreme Court, specifically in the Paul Nergaard et al vs. Town of Westport Island Case cited above, as “A particularized injury occurs when a judgment or order adversely and directly affects a party’s property, pecuniary, or personal rights...”.

Mr. Katsiaticas noted that at the time of the filing of this appeal the Marshland Project Association was an unincorporated association with no legal standing, just a group of folks. Under the case of GULICK v. DEP in 1983 the court determined that an unincorporated association has no standing to sue or be sued. On the date of filing Marshland Project Association had no standing. On the date of the appeals filing the individuals would have to have shown a particularized injury. It is Mr. Katsiaticas’ opinion that while they all share a common zoning boundary, none of the individuals listed as members of the Marshland Group were abutters; and none are located in the same neighborhood.

Mr. Katsiaticas suggested the Board might find that neither the Marshland Group nor its members, at the time of the filing of the appeals, had standing to file; nor will any of them suffer any particularized injury or harm by the issuance of the two building permits; nor are they direct abutters or members of the same neighborhood as the two subject properties.

Mr. Griswold asked: what is the real basis of these appeals? He asked about Attorney Lourie’s comments that the Code Officer changed the zoning boundary. He noted that other people expressed concern about changing zoning boundaries.

Mr. Katsiaticas responded that part of the confusion is that the Board has separated the issue of “standing” from the merits of the case. If it gets to the point where the Board hears the merits of the cases it will discuss zoning maps and the question of boundary lines. He suggested the Appellants’ argument is that the building permit is invalid because the zoning line had been moved in order to issue it.

Mr. Lourie acknowledged that this is his argument.

Mr. DeHart referred to Article 5.2.A and asked if the 2nd paragraph was applicable in these cases.

Mr. Katsiaticas responded that this refers to the Code Enforcement Officer’s issuance of a Notice of Violation.

Mr. Smith noted that the recourse for anyone who disagrees with the Board’s determination has a right of appeal under Rule 80B to the Superior Court.

Mr. Horn noted that the Board’s job is to interpret the Ordinance to the best of its ability. He expressed his belief that after reviewing the particulars of this appeal, it is his judgment that the appellants, Marshland Project, do not have standing to appeal the CEO's issuing of building permits for 10 Beach Plum Lane and 34 Tern Street. Initially, The Ogunquit Zoning Ordinance, Article 5.3.F, (pg 57), states that to have standing to

appeal, one must be an aggrieved party.

Furthermore, the Marshland Project must show particularized injury caused by the issuing of those building permits. As none of the Marshland Project appellants are direct abutters, or even reside close by, they cannot claim to be aggrieved persons and suffering a

particularized injury-in-fact, that is neither personal nor economic, none of which has been proven.

Mr. Horn also noted that Ogunquit's Planning Board, Conservation Commission and direct abutters have voiced approval of the CEO's permits. Plus the appellant did not provide timely pertinent data and information relative to their appeal.

Mr. Horn also concurred that Maine Case Law and Ogunquit's Zoning Ordinance offer evidence that the Marshland Project's appeal does not have standing and therefore preclude the ZBA from hearing this case.

Mr. Mayer noted that the Board is bound by the Town's Ordinance; and he asked about the definition of "person". He asked if all of the "individuals, corporations, Are all "legal entities".

Mr. Katsiaficas responded that it is his interpretation that everything that precedes the words "legal entities" means that they are also legal entities including an individual person, who has legal standing; however unincorporated groups are not considered to be "legal entities".

Mr. Horn moved to find the Appellant does not have standing; and for the Board to not hear the case.

HORN/GRISWOLD

Mr. Smith called for discussion. There being none he called for a vote on Mr. Horn's motion:

Mr. Horn moved to find the Appellant MARSHLAND PROJECT – Regarding 10 Beach Plum Lane – RP/SLR – Map 9 Block 66 Lot B does not have standing; and for the Board to not hear the case.

HORN/GRISWOLD 5:0 UNANIMOUS

Mr. Griswold Moved to find the Appellant MARSHLAND PROJECT – Regarding 34 Tern Street – RP/SLR– Map 9 Block 25 does not have standing; and for the Board to not hear the case.

GRISWOLD/HORN

Mr. Smith called for discussion. There being none he called for a vote on Mr. Griswold's motion:

Mr. Griswold Moved to find the Appellant MARSHLAND PROJECT – Regarding 34 Tern Street – RP/SLR – Map 9 Block 25 does not have standing; and for the Board to not hear the case.

GRISWOLD/HORN 5:0 UNANIMOUS

CODE ENFORCEMENT OFFICER BUSINESS –

OTHER BUSINESS –

ADJOURNMENT –

**Mr. Horn Moved to Adjourn at 7:45 p.m.
HORN/DEHART**

Respectfully Submitted

Maryann Stacy

Maryann Stacy
Recording Secretary

*Approved as corrected and amended at the October 18, 2018 Meeting.
Motion to Approve as Corrected and Amended.
GRISWOLD/HORN 5:0 UNANIMOUS*