

**BOARD OF ADJUSTMENT AND APPEALS MEETING
THURSDAY, MARCH 8, 2018
3:00 P.M.
SCHIEFFELIN HALL**

- I. CALL TO ORDER** Mayor Escapule called the Board of Adjustments and Appeal Hearing to order on Thursday, March 8, 2018.
- II. PLEDGE OF ALLEGIANCE** Mayor Escapule led the Commissioners and the general public in a recitation of the Pledge of Allegiance.
- III. ROLL CALL**
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| Commissioner Bill Lamb | Present |
| Commissioner Robert Radcliff | Present |
| Commissioner Wayne Scheibe | Present |
| Commissioner Ed Robinson | Present |
| Chairman Steve Schmidt | Present |
| Michael McMillan, Building Inspector | Absent |
| Regina Duran, Secretary to the Board | Present |

A QUORUM WAS DECLARED

IV. MINUTES

DISCUSSION AND/OR ACTION: Approval of minutes from Thursday, February 8, 2018 meeting.

MOTION by Commissioner Lamb, **SECOND** by Commissioner Scheibe to approve minutes from Thursday, February 8, 2018 meeting as presented.

DISCUSSION: Chairman Schimdt; "The only thing I noticed is that on the last meeting I adjourned the meeting not Dusty."

Secretary Duran; "I can fix that."

Chairman Schmidt: "Anybody else have anything on the minutes?"

VOTE: 5/0

MOTION: Carried

V. NEW BUSINESS

A. DISCUSSION AND/OR ACTION: Approval of establishing procedures for open microphone use.

Chairman Schmidt; "I will open it for discussion. The only thing is we have been instructed to talk into the microphone. Would it help if Board members said their name before they talked?"

Secretary Duran; "It might for a while. Just until I get used to their voices. The other two gentlemen I am not familiar with your voices yet. For a while you might want to say your name as you make a motion. Until I learn your voice."

Chairman Schmidt; "Which probably may never happen."

Secretary Duran; "No, I am pretty good at it!"

Chairman Schmidt; "Okay, I will close Item A."

B. DISCUSSION AND/OR ACTION: On procedures regarding Open Meeting Laws.

DISCUSSION: Chairman Schmidt; "The only thing that I have run across with the open meeting laws is that it normally has to do with a quorum. If there is any discussion between members of the Board; Ed would call me and ask a question and I would answer that to Ed. If someone else calls me and asks me I cannot talk about that subject! Then there would be three people involved and that forms a quorum and that basically is against open meeting laws. Other than that they are pretty straight forward. I know that from dealing with Councilmembers they all want to talk about stuff before meetings because they hate to talk about them in public. Which is the whole idea of the open meeting; is to discuss things in public. That goes the same with an Executive Session. If we ever do have an inquiry for an Executive Session normally since we don't have any employees or anything there would be nothing involving hiring or firing of employees. So that would be the only reason to go into Executive Session would be for a legal determination which because of athat's why in an Executive Session you can do that because it's client and lawyer procedure. So there really is not much other than if things should be discussed in an open meeting so if you have questions normally the best time to bring them up is in open meeting for discussion. Don't be calling each other and saying what do you think of this or what do you think of that!"

Secretary Duran; "That also applies to emails because email are monitored also!"

Chairman Schmidt; "Okay! Well I am not giving anybody my email!"

Chairman Schmidt closes discussion and moves forward on agenda.

C. DISCUSSION AND/OR ACTION: Review and approval of Bylaws governing the Board of Adjustment and Appeals.

MOTION by Commissioner Radcliff, **SECOND** by Commissioner Lamb to approve the Bylaws as written governing the Board of Adjustment and Appeals.

DISCUSSION: “Chairman Schmidt; “The only thing that I found in there is; when I wrote them I forgot to put in a saving clause but there is one in the Code itself but other than that if someone sees something that they think I missed? I probably put too much in there.

VOTE: 5/0

MOTION: Carried Unanimously

IV. ADJOURNMENT

Mayor Escapule entertains a motion for adjournment.

MOTION by Commissioner Radcliff, **SECOND** by Commissioner Scheibe to adjourn the Special Council Meeting for Thursday, March 8, 2018.

VOTE: 5/0

MOTION: Carried

The Board of Adjustment and Appeals Meeting for Thursday, March 8, 2018 thereby adjourned at 3:07 p.m.

Steve Schmidt, Chairman