

# **City of Scottsbluff, Nebraska**

**Monday, September 18, 2017**

**Regular Meeting**

## **Item Subdiv.1**

**Council to consider the Final Plat of Lots 1-2 Block 30, North  
Scottsbluff Addition and approve the Resolution.**

**Staff Contact: Annie Folck, City Planner**

# Agenda Statement

Item No.

For meeting of: September 18, 2017

**AGENDA TITLE:** Final Plat Lots 1-2 Block 30, North Scottsbluff Addition

**SUBMITTED BY DEPARTMENT/ORGANIZATION:** Development Services Department

**PRESENTATION BY:**

**SUMMARY EXPLANATION:** The applicant, Justin Schlager, represented by Panhandle Land Surveying, has requested approval of a Final Plat of Lots 1-2, Block 30, North Scottsbluff Addition. The property is situated north of 21<sup>th</sup> St, on the east side of Broadway. The property has never been platted and is currently identified as tax lots. The plat would create two lots of different sizes. Both properties have access to streets, water, and sewer. There is no minimum lot size or minimum lot width in the C-1 zoning district.

**BOARD/COMMISSION RECOMMENDATION:** At a regular meeting held on September 11, 2017 the Planning Commission recommended approval of the Final Plat Lots 1-2, Block 30, North Scottsbluff Addition

**STAFF RECOMMENDATION:** Approve Final Plat of Lots 1-2 Block 30, North Scottsbluff Addition

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## EXHIBITS

Resolution ☐ Ordinance ☐ Contract ☐ Minutes x Plan/Map x

Other (specify) ☐ \_\_\_\_\_

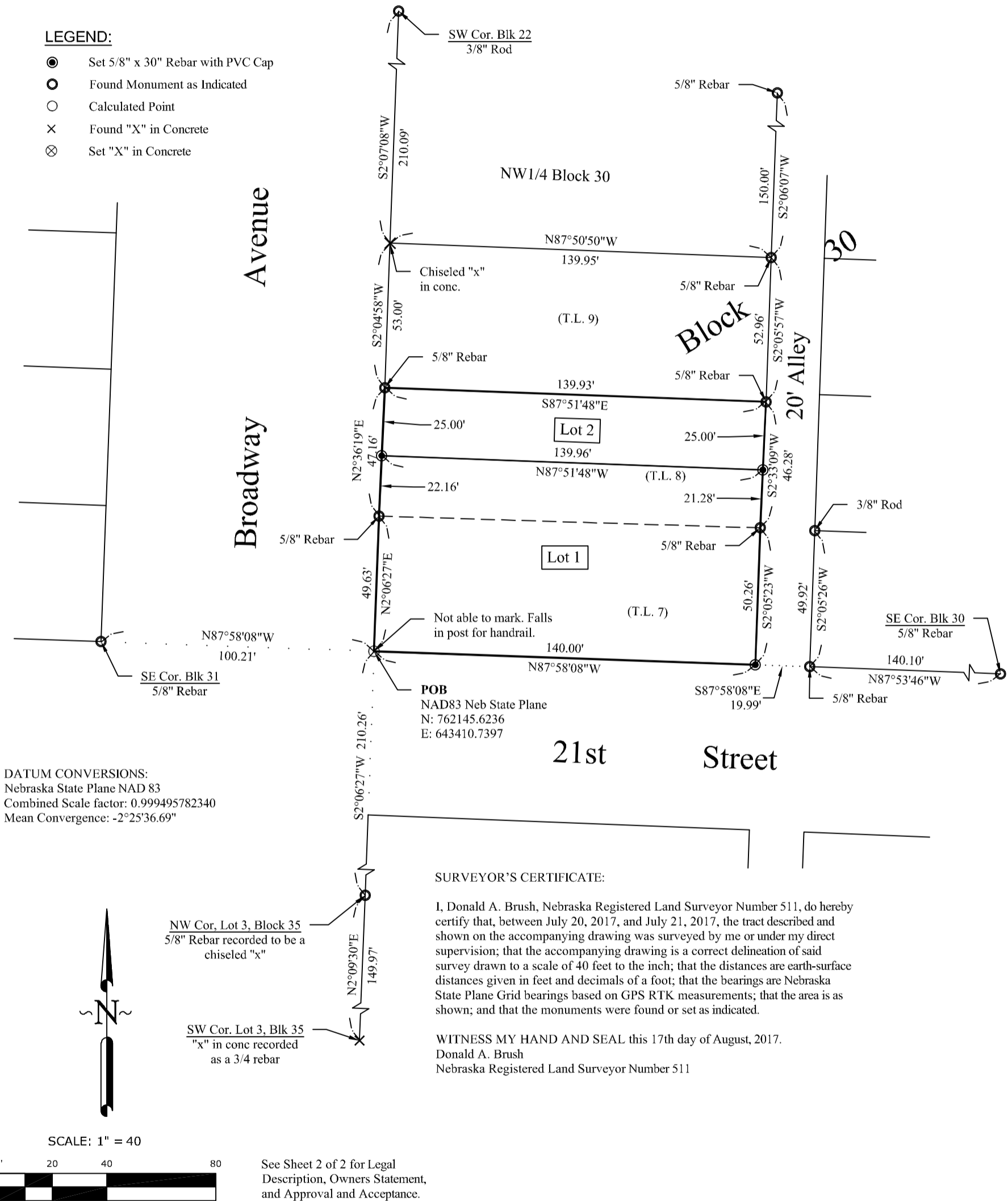
**NOTIFICATION LIST:** Yes ☐ No ☐ Further Instructions ☐

**APPROVAL FOR SUBMITTAL:** \_\_\_\_\_  
City Manager

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LEGEND:

- Set 5/8" x 30" Rebar with PVC Cap
- Found Monument as Indicated
- Calculated Point
- × Found "X" in Concrete
- ⊗ Set "X" in Concrete



SURVEYOR'S CERTIFICATE:

I, Donald A. Brush, Nebraska Registered Land Surveyor Number 511, do hereby certify that, between July 20, 2017, and July 21, 2017, the tract described and shown on the accompanying drawing was surveyed by me or under my direct supervision; that the accompanying drawing is a correct delineation of said survey drawn to a scale of 40 feet to the inch; that the distances are earth-surface distances given in feet and decimals of a foot; that the bearings are Nebraska State Plane Grid bearings based on GPS RTK measurements; that the area is as shown; and that the monuments were found or set as indicated.

WITNESS MY HAND AND SEAL this 17th day of August, 2017.  
Donald A. Brush  
Nebraska Registered Land Surveyor Number 511

**Panhandle Land Surveying**  
Donald A. Brush, Registered Land Surveyor  
870 SB Road, Morrill, Nebraska, 69358  
Phone: (308) 247-2602

**Plat of Lots 1 & 2**  
Subdivision in the SW1/4 of Block 30,  
North Scottsbluff Addition, Scottsbluff,  
Scotts Bluff County, Nebraska.

LEGAL DESCRIPTION:

Part of the Southwest Quarter (SW1/4) of Block 30, North Scottsbluff Addition, Scottsbluff, Scotts Bluff County, Nebraska, more particularly described as follows:

Beginning at the intersection of the northerly right-of-way (ROW) line of 21st Street and the easterly ROW line of Broadway said point being the POINT OF BEGINNING of this description; thence N2°06'27”E on said easterly ROW line a distance of 49.63 feet; thence continuing on said easterly ROW line N2°36'19”E a distance of 47.16 feet to the intersection of the said easterly ROW line of Broadway and the south line of Tax Lot 9; thence S87°51'48”E on said south line a distance of 139.93 feet to the intersection of said south line and the westerly line of alley; thence S2°33'09”W on said westerly line a distance of 46.28 feet; thence continuing on said westerly lineS2°05'23”W a distance of 50.26 feet to the intersection of said westerly line and said northerly line of 21st Street; thence N87°58'08”W on said northerly line a distance of 140.00 feet to the point of beginning, containing 0.311 acres, more or less.

OWNER'S STATEMENT:

The undersigned, being the owner of the tract of land described in the foregoing "Legal Description" and shown on the accompanying plat have caused such real estate to be platted as:  
"PLAT OF LOTS 1 & 2, SUBDIVISION IN THE SW1/4 OF BLOCK 30, NORTH SCOTTSBLUFF ADDITION, SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA"

The foregoing plat is made with our free consent and in accordance with the desires of the undersigned owner.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Owner:  
Xtreme Dents LLC

\_\_\_\_\_  
Justin Schlager, sole member

Acknowledgement:

State of Nebraska            )  
  )     ss.  
County of Scotts Bluff    )

Before me, a Notary Public, qualified and acting in said County, personally came Justin Schlager, sole member of Xtreme Dents LLC, know to me to be the identical person who signed the foregoing "Owner's Statement" and acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public

My commission Expires: \_\_\_\_\_

APPROVAL AND ACCEPTANCE:

The foregoing plat of "PLAT OF LOTS 1 & 2, SUBDIVISION IN THE SW1/4 OF BLOCK 30, NORTH SCOTTSBLUFF ADDITION, SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA",was approved by the Mayor and City Council of the City of Scottsbluff, Nebraska, by Resolution duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

By:\_\_\_\_\_  
Randy Meininger, Mayor

Attested: \_\_\_\_\_  
City Clerk

State of Nebraska        }  
County of Scotts Bluff }

Before me, a Notary Public, qualified and acting in said County, personally came Randy Meininger, Mayor of the City of Scottsbluff, Nebraska, known to me to be the identical person who signed the foregoing “Approval and Acceptance” and acknowledged the execution thereof to be his voluntary act and deed.

WITNESS my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

My Commission Expires: \_\_\_\_\_

See Sheet 1 of 2 for  
Surveyor's Certificate.

Job No.: 2017-25    Drawn by: NAB / Checked by: DAB    Client Name: Schlager, Justin		Date: Aug 2017	Sheet No.: 2 of 2
<div>Panhandle Land Surveying Donald A. Brush, Registered Land Surveyor 870 SB Road, Morrill, Nebraska, 69358 Phone: (308) 247-2602 <small>Copyright 2017</small></div>		<div>Plat of Lots 1 &amp; 2 Subdivision in the SW1/4 of Block 30, North Scottsbluff Addition, Scottsbluff, Scotts Bluff County, Nebraska.</div>	

**Planning Commission Minutes  
Regular Scheduled Meeting  
September 11, 2017  
Scottsbluff, Nebraska**

The Planning Commission of the City of Scottsbluff, Nebraska met in a regularly scheduled meeting on Monday, September 11, 2017, 6:00 p.m. in the City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting had been published in the Star-Herald, a newspaper of general circulation in the City, on September 1, 2017. The notice stated the date, hour and place of the meeting, that the meeting would be open to the public, that anyone with a disability desiring reasonable accommodation to attend the Planning Commission meeting should contact the Development Services Department, and that an agenda of the meeting kept continuously current was available for public inspection at Development Services Department office; provided, the City Planning Commission could modify the agenda at the meeting if the business was determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each Planning Commission member. An agenda kept continuously current was available for public inspection at the office of the Development Services Department at all times from publication to the time of the meeting.

**ITEM 1:** Chairman Becky Estrada called the meeting to order. Roll call consisted of the following members: Anita Chadwick, David Gompert, Angie Aguillo, Jim Zitterkopf, Henry Huber, Callan Wayman, Mark Westphal, and Dana Weber. Absent: None. City officials present: Annie Folck, Planning Coordinator, Gary Batt, Code Administrator II, Anthony Murphy, Fire Prevention Officer.

**ITEM 2:** Chairman Estrada informed all those present of the Nebraska Open Meetings Act and that a copy of such is posted on bookcase in the back area of the City Council Chamber, for those interested parties.

**ITEM 3:** Acknowledgment of any changes in the agenda: None

**ITEM 4:** Business not on agenda: None

**ITEM 5:** Citizens with items not scheduled on regular agenda: None

**ITEM 6:** The minutes of the August 14, 2017 meeting were reviewed.

**Conclusion:** A motion was made by Westphal and seconded by Gompert to approve the minutes from the meeting on August 14, 2017. **"YEAS":** Gompert, Westphal, Wayman, Huber, Weber, Zitterkopf, Chadwick, Aguillo, and Estrada. **"NAYS":** None. **ABSTAIN:** None **ABSENT:** None. Motion carried.

**ITEM 7A:** Planning Commission opened a public hearing for the review of a Final Plat for Lots 1-2, Block 30, North Scottsbluff Addition. Annie Folck stated that the applicant(s), Justin Schlager, represented by Panhandle Land Surveying, has requested approval of a Final Plat of Lots 1-2, Block 30, North Scottsbluff Addition. The property is situated north of 21th St, on the east side of Broadway. The property has never been platted and is currently identified as tax lots. The plat would create two lots of different sizes. Both properties have access to streets, water, and sewer. There is no minimum lot size or minimum lot width in the C-1 zoning district. The north lot is a little narrow at 25 feet, but since there are no required setbacks in the C-1 zoning district it is still a usable lot. If the owner wishes to build right up to the property line, he can, but there may be some requirements from fire code if he chooses to do so. Commissioner Gompert asked what those requirements would be. Anthony Murphy answered that he would have to put up fire walls if he did not meet the minimum required distance between building. The applicant stated that he is planning on demolishing the building on the south and of the property and replacing it with a new building. The building on the north end of the property is to stay in place.

**Conclusion:** A motion was made by Aguillo and seconded by Westphal to approve the Final Plat of Lots 1-2, Block 30, North Scottsbluff Addition. **"YEAS":** Gompert, Westphal, Wayman, Huber, Weber,

Zitterkopf, Chadwick, Aguallo, and Estrada. **"NAYS":** None. **ABSTAIN:** None **ABSENT:** None. Motion carried.

**ITEM 7B:** The Planning Commission opened a public hearing for the Final Plat and Dedication of a Portion of East 9<sup>th</sup> Street. Annie Folck gave a staff review of the project, stating that a few months ago there was some confusion because this portion of E. 9th St was never actually dedicated to the City as right-of-way. After doing some research, it was determined that it is City-owned property. In order to avoid confusion about whether this is a parcel or public right-of-way, the City is now formally dedicating it as part of East 9th Street.

**Conclusion:** A motion was made by Zitterkopf and seconded by Westphal to approve the Final Plat and Dedication of a Portion of East 9<sup>th</sup> Street **"YEAS":** Gompert, Westphal, Wayman, Huber, Weber, Zitterkopf, Chadwick, Aguallo, and Estrada. **"NAYS":** None. **ABSTAIN:** None **ABSENT:** None. Motion carried.

**ITEM 7C:** The Planning Commission opened a public hearing to consider an amendment to the City's Comprehensive Plan. Annie Folck gave a staff review of the project, stating that it has been brought to the City's attention that the current Comprehensive Plan does not address the City's competition fields. Feedback from the public has indicated that there are improvements needed in order to provide a more comfortable space for spectators and visiting teams, ensuring that competitions and tournaments continue to be held in Scottsbluff. This will also help support the local economy as visiting teams support restaurants and lodging establishments. Some representatives of 23 Club are working on a grant for improvements to the 23 Club facilities, which is a City-owned facilities, and are requesting a change to the Comprehensive Plan to include suggestions for improvements to these facilities.

Folck stated that one of the benefits of doing a Comprehensive Plan in-house is that she was able to go back and look at the raw data and survey results that were obtained as part of the public input process for the City's current Comp plan. In looking at this information, there were several comments made pertaining to the importance of maintaining City facilities and making them comfortable for families with children. The importance of adequate restrooms and well-maintained equipment was repeatedly stated. There were also comments about the importance of baseball and softball facilities to our community, both for recreation for area residents and as an attraction for people coming from other communities for tournaments. For this reason, staff was recommending an amendment to the plan to include the suggested goals and projects for 23 Club. Folck also said that they were adding an item in the plan to address the septic tank at Lacy Park which is currently not adequate to serve the needs of the restroom facilities out there.

Linda Redfern stated that in years past when she was on Council, the need for good parks and recreation amenities was in line with the mission statement that the City adopted, as well as with the goals set out in their Vision 2020 planning. She was happy to see that there is some progress being made on these goals. Commissioner Aguallo stated that the item about Lacy Park appeared to be redundant, as the need for a new septic system was already listed in the suggested capital improvements in the plan. Folck stated that the second item addressing Lacy Park could be removed.

Commissioner Weber asked about costs for the project, and what the costs to the City would be if the amendment was approved. Jack Baker, representing the 23 Club, stated that the group was working with the City to apply for a \$150,000 grant. He stated that the City is actually the grant applicant, and the mayor has already signed a letter of support for the grant that commits the City to provide the grant match and in-kind support to the project. He stated that there will also be private fundraising to help support the project as well. The grant will be for the first phase of the suggested improvements to 23 Club, which will be for a new building, which will provide a better space for concessions, changing spaces for teams, ADA compliant restrooms, and storage for equipment. Commissioner Westphal asked if there was a design for the improvements. Baker stated that they had a rough concept showing the footprint of the building and the dimensions of the amenities within the building, but they do not have a finalized design yet.

**Conclusion:** A motion was made by Zitterkopf and seconded by Aguallo to approve the amendment to the Comprehensive Plan with the condition that the second item addressing the septic system in Lacy Park be removed to avoid redundancy. **"YEAS":** Gompert, Westphal, Wayman, Huber, Weber, Zitterkopf, Chadwick, Aguallo, and Estrada. **"NAYS":** None. **ABSTAIN:** None **ABSENT:** None. Motion carried.

**ITEM 7D:** The Planning Commission opened a public hearing to consider an ordinance instituting a stormwater impact fee and new requirements for stormwater retention on new developments. Annie Folck gave an overview of the ordinance, stating that currently, the City requires all new subdivisions to install stormwater retention basins on-site. After installation, the developers are also required to maintain these facilities in perpetuity. This has proven to be very impractical and difficult to enforce, as it is very unappealing for developers to sacrifice developable land for stormwater facilities, and once the lots have been sold off, the developer does not want to remain responsible for the ongoing maintenance of the facilities. Previously, developers' agreements have stated that homeowners associations will be created to fund the ongoing maintenance of stormwater facilities; however, in practice, these associations have not been established, leaving no entity to take responsibility for the stormwater facilities. In addition, many other communities that have attempted similar requirements have had issues with the responsible entity ceasing to pay taxes on the parcel that houses the stormwater facility, so the responsibility of maintaining the facility will then fall back on the City. The City is also facing new regulatory requirements that ultimately hold the City responsible for ensuring that adequate maintenance is performed on all of these facilities; this is extremely difficult to accomplish when these facilities are privately owned.

In order to alleviate the burden on developers to build and maintain stormwater treatment facilities, and to relieve the City of the challenge of enforcing maintenance requirements on private property owners, City staff is proposing that from now on, when property is developed or redeveloped, resulting in increased stormwater runoff, that runoff should be routed to City facilities. The City will install and maintain these facilities in perpetuity. In order to fund this, an impact fee will be charged for any new impervious cover (streets, driveways, buildings, etc.) that is installed. This will be a one-time fee that is charged any time a building permit or paving permit is issued. The paving permit will be established to allow the City to track and charge an impact fee for any new paving of over 1,000 square feet. This will better allow the City to accommodate the increased runoff from large paving projects throughout the City. Regular maintenance activities on existing pavement (overlays, repair, etc.) will not be required to pay an impact fee. This will also allow the City to fulfill the requirements of its NPDES permit by ensuring that they have access to and control over all future retention facilities, allowing them to ensure regular maintenance is performed. The City has already piloted this system with Hilltop Estates, where, in lieu of installing and maintaining their own retention basins, the developer agreed to pay a fee that allows him to route their runoff to facilities that will be owned and maintained by the City.

Rex Morse, representing Aulick Leasing, addressed the commission and asked what would happen with existing facilities that are currently privately owned. Folck stated that these would remain privately owned, but that if the current owners wanted the City to take over maintenance of these facilities, the City might consider it in return for a fee. The facilities would have to be brought up to City standards before the City would consider it, and an equitable fee would be charged to help cover ongoing maintenance costs. Morse asked what the boundaries for the new fee would be; would it be only within City limits or would it extend into the City's zoning jurisdiction? Folck stated that as currently proposed, the fee would apply to all properties within the City's extraterritorial zoning jurisdiction.

Eric Reichert asked if the City had determined the cost to build the City-owned facilities being proposed, and if there was an estimated maintenance cost for these facilities. Leann Sato, the City's Stormwater Program Specialist, stated that there have been six sites identified along the Scottsbluff Drain that could be developed to add additional retention, and these sites would be built as needed to handle additional runoff from new development. Reichert asked if the City had considered how this would affect development, as it is a very substantial fee, which may be as much as 5% of a project. As an example, he did some calculations and the site that was recently developed for a Scooter's drive through coffee shop would have had to pay a fee of \$18,000. He questioned if it would make Scottsbluff unable to compete with other communities for business. He stated that he is not completely against the fee, but

168 questions the dollar amount, and maybe something around 25 cents per square foot would be more  
169 appropriate. Commissioner Weber asked if there would be a cost anyway for installing and maintaining  
170 retention for the project, and which he thought would be better, an upfront fee or ongoing costs for  
171 maintenance? Reichert stated that in many cases, they have to bring in fill for the building, so the cost for  
172 building the retention facility is minimal as they would be pulling dirt from other areas of the site anyway.  
173 He said that in many cases, green space is already required, so if they use the retention area as the  
174 required green space, then there is no additional maintenance required beyond what is necessary for the  
175 green space. Weber asked if the City had considered allowing an option for developers to choose to  
176 install and maintain privately owned facilities in lieu of the impact fee. Folck stated that staff had  
177 considered that option, but ultimately decided against it because historically, privately owned facilities  
178 throughout town have not been maintained. She gave the example of the old Albertsons grocery store  
179 which has now been vacant for many years. The retention ponds on that property are overgrown and  
180 silted in and have not been maintained at all over the past several years. She stated that even if the  
181 original owner does a great job with maintenance, subsequent owners may not take care of these  
182 facilities, and the City would then have to try to require them to perform the necessary maintenance. The  
183 process of trying to assess fines to private property owners to bring them into compliance can be  
184 extremely slow and costly to the City, and in many instances may cost more in staff time and legal fees  
185 than the City would be able to recoup in fines. For this reason, staff recommends that all future  
186 subdivisions route their retention to facilities that are City-owned and City-maintained, eliminating the  
187 dilemma of how to ensure maintenance on privately owned facilities.  
188

189 Commissioner Westphal asked if the retention ponds would be built by City staff or by a contractor. He  
190 stated that he believed that it may be cheaper to bid out construction to private contractors, and he would  
191 like to look at any options that may reduce the cost of these facilities. Weber stated that the problem was  
192 that the City will still have to pay for maintenance of the facilities in perpetuity. Westphal stated that  
193 currently, it seemed like some ongoing developments had to have retention and others didn't.  
194

195 Reichert asked if it would be possible to lease privately owned facilities, thereby eliminating the cost to  
196 construct new facilities. Folck stated that most existing privately owned facilities had been designed to  
197 handle runoff from a certain lot or subdivision and would not be large enough to accommodate runoff from  
198 future development as well. Reichert asked if some of the costs could be paid by the LB840 fund. Folck  
199 stated that if a qualifying business applied for and was awarded LB840 funds, those could go towards  
200 paying the impact fee. Reichert stated that that would still take away some of the necessary capital for  
201 the project.  
202

203 Commissioner Wayman asked how this would affect infill lots, and if it would make people less likely to  
204 develop existing vacant lots. Folck stated that if the lot already had impervious cover, the fee would not  
205 apply, but if new or additional impervious cover was to be added to the lot, a fee would have to be paid.  
206 Wayman stated that he believed this would discourage development of infill lots.  
207

208 Reichert asked if the fee charged would help with specific problems in the stormwater system. He stated  
209 that he is considering a 6-7,000 square foot addition to his shop, and he currently has issues with  
210 stormwater running onto his lot from the street. He asked if the fee he paid for the addition would be used  
211 to improve that specific situation. He also stated that he would like to see some projected overhead costs  
212 for installation and maintenance of the facilities before the fee is set at \$1.50 per square foot.  
213

214 Commissioner Gompert asked who would bear the cost to get the stormwater from the new development  
215 to the City's stormwater retention facilities. Folck stated that the developer would be responsible for  
216 getting the stormwater to the City's stormwater system and that any additional costs to route it to a  
217 stormwater facility would be the City's responsibility. Westphal asked if there had been a study done for  
218 the Scottsbluff Drain and if it would be overwhelmed with additional runoff if this policy were adopted.  
219 Sato stated that there has been a study of the Scottsbluff Drain that identified several areas where  
220 additional retention could be created. One such area that has been developed is along the drain between  
221 Avenue B and 5<sup>th</sup> Ave, north of 23 Club. The study proposes adding more retention areas such as this  
222 one that would provide the capacity necessary to handle additional runoff from developments north of  
223 Highway 26.

David Hartline, representing Morton Buildings, asked if the fee would apply to all types of construction. Folck stated that it would apply to any impervious surfaces installed, both residential and commercial. Hartline asked if the City had talked to other communities that had instituted these types of fees. Sato stated that since this is a relatively new thing for Nebraska, most of the communities staff researched were in Colorado. Hartline asked if the other communities they had looked at were of similar size to Scottsbluff. He stated that this will be a big impact for building permits of all sizes. He felt that the City could just fine private property owners if they were not maintaining their facilities.

Morse stated that he felt that it was unfair to charge the fee if there is no storm drain available to serve the location for which the fee is being charged. Kelly Strey, representing B & C Steel, asked if impact fees generated from early projects would be kept in a fund to maintain those facilities, or if the City would be relying on fees from future projects to fund maintenance for previous projects. He also asked what would happen if the City does not have property available in the correct location for a regional retention basin, and the private property owners are not willing to sell them the area for retention. Commissioner Wayman stated that he felt that the additional fee would be detrimental to development. Westphal stated that he would like to have Dave Schaff here to explain how the suggested fee was determined, and that the City needs to take its time on this issue to get it right. Hartline stated that he had seen this happen in Colorado, and as a result of new impact fees, people would move out of communities. Gompert said that he would like to continue discussion on the topic and get it right so that Scottsbluff could eventually serve as a model for other Nebraska communities.

Weber stated that the City would first need to deal with the problem of the existing facilities that are not being maintained. He would also like to address the sites that are outside of City limits in the ETJ, possibly allowing them to do their own facilities with strong agreements that would require the developer and all subsequent property owners to keep them maintained. He stated that the City does not want to do anything to stymie development, but the taxpayers should also not be on the hook for maintaining these facilities either. Wayman stated that he felt that it would be better for the City to consider these facilities on a case by case basis, allowing developers the option of building their own facilities or paying the fee to route the stormwater to the City's facilities. Folck stated that the problem with allowing owners to build their own facilities is that historically, these facilities have not been maintained, and the City has no good way of ensuring compliance on private property. It often costs more in staff time and legal fees than the City can recoup in fines, and it is a long and arduous process. Morse asked how much square footage of impervious surfaces had been added throughout the City in the past 5 years and how much of an impact fee would have been charged for those areas. Folck stated that she did not know, but that the City could research that. Gompert asked if DEQ could be brought in to help the City enforce on private property. Sato stated that they could, but as they currently only have a staff of 3, it is unlikely that they would be able to dedicate many resources to our community.

**Conclusion:** A motion was made by Gompert and seconded by Westphal to table the ordinance so that City staff can do further research on the costs to install and maintain their facilities and consider alternatives for properties in the ETJ. **"YEAS":** Gompert, Westphal, Wayman, Huber, Weber, Zitterkopf, Chadwick, Aguillo, and Estrada. **"NAYS":** None. **ABSTAIN:** None **ABSENT:** None. Motion carried.

**ITEM 8: Unfinished Business:** None.

There being no further business, a motion to adjourn was made by Weber and seconded by Aguillo. The meeting was adjourned at 7:25 p.m. **YEAS":** Gompert, Westphal, Wayman, Huber, Weber, Zitterkopf, Chadwick, Aguillo, and Estrada. **"NAYS":** None. **ABSTAIN:** None **ABSENT:** None. Motion carried

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Becky Estrada, Chairperson

280  
281 Attest: \_\_\_\_\_  
282 Annie Folck