

**MOBILE CITY PLANNING COMMISSION MINUTES**  
**MEETING OF FEBRUARY 20, 2003 - 2:00 P.M.**  
**AUDITORIUM, MOBILE GOVERNMENT PLAZA**

**Members Present**

Robert Frost, Chairman  
Victor McSwain, Secretary  
Ann Deakle  
Councilman Stephen Nodine  
Terry Plauche  
Dr. Victoria Rivizzigno  
Dr. James Laier (S)

**Members Absent**

Wendell Quimby, Vice Chairman  
John Vallas  
Norman Hill (S)

**Staff Present**

Richard L. Olsen, Planner II  
Angie Etheridge, Secretary III  
Tim Ashley, Planner I

**Others Present**

Wanda Cochran, Asst. City Attorney  
David Daughenbaugh, Urban Forestry  
Jennifer White, Traffic Engineering  
Beverly Terry, City Engineering  
Shayla Jones, Long Range Planning  
Pat Stewart, County Engineering

Mr. Frost stated the number of members present constituted a quorum and called the meeting to order.

The notation *motion carried unanimously* indicates a consensus, with the exception of the Chairman who does not participate in voting unless otherwise noted.

**APPROVAL OF MINUTES:**

A motion was made by Mr. Plauche and seconded by Dr. Rivizzigno to approve the minutes of the November 7, 2002 and November 21, 2002 meetings as submitted. The motion carried unanimously.

**HOLDOVERS:**

**Case #ZON2002-02750 (Sidewalk Waiver)**

**Mike Agapos, Owner (M. Don Williams, Agent)**

401 Cody Road South (East side of Cody Road South, 830'± South of Airport Boulevard).

A request to waive construction of a sidewalk along Cody Road was considered.

Don Williams, Williams Engineering, was present on behalf of the applicant. Mr. Williams noted the development of a CVS several years ago at the corner of Airport Boulevard and Cody Road where sidewalks were constructed, but the developer did not

continue the sidewalks along Cody Road up to the subject property. Mr. Williams said they had already dedicated 20' of right-of-way and contended they should not be required to build a sidewalk.

Richard Olsen noted that CVS did provide sidewalks on Airport Boulevard and Cody Road. The property between CVS and the subject property, however, was a separate lot and therefore would not have required a sidewalk to be installed at the time CVS was built. Mr Olsen explained that when that property was developed, a sidewalk would be required, and the same applied to the Providence property to the south.

There was no one present in opposition.

There was no further discussion.

A motion was made by Mr. McSwain and seconded by Dr. Rivizzigno to deny this request.

The motion carried unanimously.

**Case #ZON2002-02749 (Sidewalk Waiver)**  
**Providence Church of God (M. Don Williams, Agent)**

53 Foreman Road (Northeast corner of Foreman Road and Dickens Ferry Road).

A request to waive construction of a sidewalk along Old Shell Road and portions of Foreman Road and Dickens Ferry Road was considered.

Don Williams, Williams Engineering, was present on behalf of the applicant. Mr. Williams explained that the church planned to expand and they had frontage on three roads —Dickens Ferry, Foreman, and Old Shell Road. Part of the sidewalk was already constructed at the corner of Foreman Road and Dickens Ferry Road. He noted that the land was flat where the sidewalk had been constructed. Mr. Williams said a sidewalk would dead end into two residential properties and into the back side of mini warehouses. In this case, he felt it would never be extended along Dickens Ferry Road. He said they would just run it in front of their stormwater retention ponds and then stop it at the property line.

Richard Olsen pointed out that the church had a parking facility with a driveway coming out to Dickens Ferry Road. It was quite probable that some of the congregation would walk from the parking lot down the driveway to Dickens Ferry Road, and along Dickens Ferry Road to the church. The staff, therefore, felt that a sidewalk would definitely be appropriate there.

With regard to Old Shell Road and Foreman Road, Mr. Williams explained that they had rural type drainage ditches that actually went down into a valley situation which was grass, and water flowed through pipes under driveways. He felt this would be applying city standards for sidewalks to a county type of a road along Foreman Road and Old Shell Road. They felt it appropriate, therefore, to delete the sidewalks.

Mr. Frost asked if the City would require a bond on the Old Shell Road portion of the sidewalk.

Mr. Olsen stated that was the staff recommendation, because the Old Shell Road frontage was in the project area of the county widening for Old Shell Road. Mr. Olsen said he understood that the majority, if not all, of the right-of-way would be coming from the north side, which was why the staff did not request dedication when this application came up for Planning Approval. If the road was built to city standards, which would include curb and gutter, then a sidewalk could possibly be provided at the time the county project was completed.

Mr. McSwain commented that he understood that the Old Shell Road project would not include sidewalks along the south side due to the topography. He said they had requested that the county include the typical section of bike lanes within the roadway and sidewalk on the north side and exclude the sidewalk on the south side because there was no continuity.

Ann Deakle asked if there were any plans to fill in the swale along Foreman Road and create proper drainage. Mr. Williams replied that he was not aware of any such plans.

There was no further discussion.

A motion was made by Ms. Deakle and seconded by Dr. Laier to waive the construction of a sidewalk along Old Shell Road and portions of Foreman Road; and deny the request to waive construction of a sidewalk along Dickens Ferry Road.

The motion carried unanimously.

**Case #SUB2003-00003 (Subdivision)**

**Valley Road Subdivision**

Northeast corner of Valley Road and Gill Road.

2 Lots / 0.5± Acre

Mr. Olsen stated that this application was held over from the last meeting. It was a proposed 3-lot subdivision. The lots, however, did not meet the minimum size requirements with the necessary dedication. The applicant had submitted a revised plat for a 2-lot subdivision which met all the requirements.

There was no one present in opposition.

There was no further discussion.

A motion was made by Ms. Deakle and seconded by Dr. Rivizzigno to approve the revised plat for this subdivision, which illustrated 2 lots, dedication along Valley Road, and the required 25' setbacks.

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The motion carried unanimously.

**Case #SUB2003-00007 (Subdivision)**  
**Raines Addition to Wildwood Subdivision**

East side of Wildwood Place, 130'± South of Vista Bonita Drive South.  
33 Lots / 8.9± Acres

Mr. Frost announced that the applicant had requested this application be held over until the next meeting.

A motion was made by Mr. Frost and seconded by Mr. Plauche to hold over this request to the March 20, 2003 meeting as requested by the applicant.

The motion carried unanimously.

**EXTENSIONS:**

**Case #SUB2002-00014 (Subdivision)**  
**Brill Pond Subdivision, Resubdivision of Lot 1**

South side of Brill Road at the South terminus of Curry Drive West  
7 Lots / 1.9± Acres  
Request for a one-year extension of previous approval.

A motion was made by Dr. Rivizzigno and seconded by Ms. Deakle to approve a one-year extension of previous approval for this subdivision.

The motion carried unanimously.

**Case #SUB2002-00015 (Subdivision)**  
**Creepline Subdivision, Tenth Addition, Resubdivision of Lot 1**

Northeast corner of Higgins Road and Interstate 10, extending to the West side of Cypress Business park Drive, 700'± North of Higgins Road.  
1 Lot / 17.0± Acres  
Request for a one-year extension of previous approval.

A motion was made by Dr. Rivizzigno and seconded by Ms. Deakle to approve a one-year extension of previous approval for this subdivision.

The motion carried unanimously.

**Case #SUB2002-00016 (Subdivision)**  
**Woodland Hills Subdivision, Remainder of**

West terminus of Woodland Hills Drive and extending through to Woodstone Drive, Woodland Way and the East side of Eunice Drive, 600'± North of Eunice Circle.  
191 Lots / 74.0± Acres

Request for a one-year extension of previous approval.

A motion was made by Dr. Rivizzigno and seconded by Ms. Deakle to approve a one-year extension of previous approval for this subdivision.

The motion carried unanimously.

**NEW ZONING APPLICATIONS:**

**Case #ZON2003-00243**

**First Community Bank**

4664 Halls Mill Road (North side of Halls Mill Road, 1,000'+ East of Rochelle Street).

A request for a change in zoning from R-1, Single-Family Residential, to I-1, Light Industrial, to allow an electrical contractor's office/warehouse use, which is currently operating under a Use Variance was considered.

The plan illustrates the existing structures, fencing and parking.

Mr. Frost stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Mr. Plauche and seconded by Dr. Laier to recommend the approval of this change in zoning to the City Council subject to the following conditions:

- 1) the applicant either obtain a right-of-way use agreement with the City of Mobile, petition for and receive vacation of a portion of the right-of-way (a minimum of 10' would be needed to comply with collector street standards), or remove those spaces located in the right-of-way;
- 2) compliance with the landscaping percentages and provision of frontage trees;
- 3) provision of buffering in compliance with Section IV.D of the Zoning Ordinance; and
- 4) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

**Case #ZON2003-00231**

**George Foster**

Southeast corner of Fillingim Street and Farrell Street.

A request for a change in zoning from B-2, Neighborhood Business, to R-1, Single-Family Residential, to allow the construction of a single-family residential dwelling was considered.

The plan illustrates the existing lots.

Mr. Frost stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Mr. Plauche and seconded by Dr. Laier to recommend the approval of this change in zoning to the City Council.

The motion carried unanimously.

**NEW PLANNING APPROVAL APPLICATIONS:**

**Case #ZON2003-00246**

**Eliska Wireless Ventures I, Inc. (David D. Wilkins, Agent)**

3212 Dauphin Island Parkway (West side of Dauphin Island Parkway, 345'± North of Gill Road).

A request for Planning Approval to allow a 150' monopole telecommunications tower in a B-3, Community Business district was considered.

The site plan illustrates the existing buildings, drive, fencing, existing landscaping, and buildings to be removed or relocated. The plan further illustrates the proposed landscaping, drive, access easement, parking, and lease area.

Mr. Frost stated that this application was recommended to be held over due to resolving some legal issues in the trial on Louisiana Unwired's Dauphin Island Parkway matter. He asked how long it was going to take to determine those legal issues, and what issues needed to be resolved for this application to go through.

David D. Wilkins, agent for the applicant, stated that they would be agreeable to holding over this application. He said the staff had agreed to let them have their Board of Adjustment hearing on March 10.

Mr. Frost stated that he felt it was difficult for the Commission to make a decision on this because they did not approve the Louisiana Unwired application referred to, as they felt there were other buildings and flag poles and points that they could use without having a big tower there. He asked if that was the same situation at the subject location.

Richard Olsen stated that there had been some changes in conditions with regard to the other towers in the area as far as co-locating to create a relay system. In working with Louisiana Unwired he said they believed that their case may be disposed of within the next few weeks, which would allow some combination or individual application to be considered by the Commission on the 20<sup>th</sup> of March.

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There was no one present in opposition.

A motion was made by Mr. Frost and seconded by Dr. Rivizzigno, with the applicant's consent, to holdover this request to the March 20, 2003 meeting.

The motion carried unanimously.

**Case #ZON2003-00319**

**Gumbo Brothers, Inc. (John Addison, Agent)**

5412 Cottage Hill Road (Northeast corner of Cottage Hill Road and Oakland Drive).

A request for Planning Approval to allow a seafood shop in a B-2, Neighborhood Business district was considered.

The plan illustrates the existing structure and parking.

John Addison, 1612 Oak Forest Court, was present representing the applicant. Mr. Addison stated that he had met with Connie Hudson, City Council member, District 6, and approximately 15 of the neighborhood residents at the site. He explained the applicant's plans to open a seafood restaurant and said everyone was in agreement. Mr. Addison stated that he had promised to take any seafood garbage, anything that would smell and be offensive, and freeze it and dispose of it off the premises. He said Ms. Hudson and everyone else felt that was more than enough to make everyone happy.

Mr. Frost asked if that would require an amendment to the staff's recommendation.

Mr. Olsen stated that Ms. Hudson had contacted the staff in this regard and the staff prepared a condition if the applicant was willing for it to be added and the Commission chose to, and that would be that waste products from any seafood or seafood product shall not be disposed of in the dumpster, but shall be held within the building until removed from the site.

Mr. Frost asked if this condition would be agreeable to the applicant. Mr. Addison replied that it would.

Mr. Louie Bell, 794 Kasserine Pass, was present in opposition to this proposal. Mr. Bell stated that he was a long time resident of the immediate area and he was also speaking on behalf of a number of elderly residents in the neighborhood. He said there were 8 or 10 residents at the meeting referred to with Mr. Addison. He said he was agreeable to the conditions as previously stated, however, he complained about the smell that would come from two exhaust fans that would blow steam out into the neighborhood. He recommended that the restaurant not be allowed there for the welfare of the residents.

Connie Hudson, City Council member, District 6, stated that Mr. Addison and Mr. Bell did attend a meeting held on Monday night at the site. She said Mr. Addison explained

exactly what his business would entail and that there would be blowers that would produce some steam that would go out into the neighborhood. Their main concern, however, was the waste products and seafood that would go into a dumpster and the smell it would create. With the agreement to remove these products from the site, the majority of the neighbors felt much better about the situation. Ms. Hudson said she did not know what could be done about the steam issue. She further noted that the site was zoned B-2 and it was the general understanding of the residents that this was a commercial site and that businesses of this nature could locate at this site.

In addressing Mr. Bell's concerns, Mr. Frost asked if there was any type of filtration system on the exhaust vents that would control the odor that would be created as a result of this type of operation.

Mr. Addison stated that he understood Mr. Bell's concerns. He said the exhaust fans were on the west side of the building and would blow to the west. There were no houses on which the steam would directly blow. All that anyone would smell would be a seasoned soup smell, which was not unpleasant. Mr. Addison said his production would run Monday through Friday starting at 7:00 a.m., and the blowers would usually be shut off about 1:00 or 2:00 p.m.

Mr. Olsen stated that the staff would agree to accept the additional condition that waste products from any seafood or seafood product shall not be disposed of in the dumpster, but shall be held within the building until removed from the site.

There was no further discussion.

A motion was made by Mr. McSwain and seconded by Dr. Laier to approve this plan subject to the following conditions:

- 1) use of building limited to percentages specified in application packet;
- 2) all aspects of the business to be conducted within the building;
- 3) compliance with conditions placed on rezoning amendment;
- 4) full compliance with all municipal codes and ordinances; and
- 5) waste products from any seafood or seafood product shall not be disposed of in the dumpster, but shall be held within the building until removed from site.

The motion carried unanimously.

**NEW PLANNED UNIT DEVELOPMENT APPLICATION:**

**Case #ZON2003-00240**

**Hillcrest Crossing Subdivision (formerly Wellington Subdivision), Second Addition, Lot 10**

1100 Hillcrest Crossing West (West side of Hillcrest Crossing West, 48'± South of Johnston Lane).



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A request for Planned Unit Development Approval to amend a previously approved Planned Unit Development to increase maximum site coverage from 35% to 47% on a single-family residential subdivision lot was considered.

The plan illustrates the proposed structure and drive.

Mr. Frost stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Dr. Rivizzigno and seconded by Dr. Laier to approve this plan.

The motion carried unanimously.

**NEW SUBDIVISION APPLICATIONS:**

**Case #SUB2003-00010**

**Eastwood Hollow Subdivision, Resubdivision of Lots 3 and 4**

South side of Eastwood Drive, 250'± East of Red Creek Drive South.

2 Lots / 2.9± Acres

Mr. Frost stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Mr. McSwain and seconded by Dr. Rivizzigno to approve this subdivision subject to the following conditions:

- 1) the placement of a note on the final plat stating that if any property is developed commercially and adjoins residential property, a buffer in compliance with Section V.A.7. of the Subdivision Regulations will be provided; and
- 2) the placement of the twenty-five foot setback line on the final plat.

The motion carried unanimously.

**Case #SUB2003-00011**

**Highland Park Subdivision, Block 5, Resubdivision of Lots 42 & 43**

231 Lakeview Drive (East side of Lakeview Drive, 310'± South of Airport Boulevard).

2 Lots / 0.8± Acre

Mr. Frost stated that the applicant was present and concurred with the staff recommendations.

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There was no one present in opposition.

A motion was made by Mr. McSwain and seconded by Dr. Rivizzigno to approve this subdivision subject to the following condition:

- 1) the placement of a note on the final plat stating that if any property is developed commercially and adjoins residential property, a buffer in compliance with Section V.A.7 of the Subdivision Regulations will be provided.

The motion carried unanimously.

**Case #SUB2003-00012**

**Jacob Heights Subdivision, Revised, Resubdivision of Lots 4 and 5**

South side of Howells Ferry Road, 1 mile± West of Schillinger Road.

2 Lots / 3.9± Acres

Mr. Frost stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

A motion was made by Mr. McSwain and seconded by Dr. Rivizzigno to approve this subdivision subject to the following conditions:

- 1) the placement of a note on the final plat stating that Lots 4 and 5 are limited to one curb cut each to Howells Ferry Road, with the size, location and design to be approved by County Engineering; and
- 2) the placement of a note on the final plat stating that any lot that is developed commercially and adjoins residentially developed property shall provide a buffer, in compliance with Section V.A.7. of the Subdivision Regulations.

The motion carried unanimously.

**Case #SUB2003-00014**

**Jean's Way Subdivision**

7011 Old Shell Road (South side of Old Shell Road, 75'± East of Wilroh Drive).

2 Lots / 1.2± Acres

Jerry Byrd, Byrd Surveying, Inc., was present representing the applicant. Noting the staff's recommendation that the site be limited to one curb cut, Mr. Byrd said the applicant would like to request that two curb cuts be allowed, one at the northeast corner of one lot and the northwest corner of the other lot, with 100' of separation in between.

Herbert Knapp, 8049 Wilroh Drive, stated that the subject property adjoined his property and he would like more information on what was proposed, including the size of the houses and whether a privacy fence would be provided. Mr. Knapp said he was also speaking on behalf of his aunt who was unable to attend and whose property was right in front of his. She would also like to know about a privacy fence and where the driveway would be located.

Mr. Frost noted that since this was residential property the Commission did not have the authority to regulate the size of the houses, except as to certain buildable area requirements. Mr. Frost said Mr. Knapp may want to talk to Mr. Byrd in that regard. Further, Mr. Frost said that a privacy fence was not required where residential abuts residential.

A motion was made by Dr. Rivizzigno and seconded by Dr. Laier to approve this subdivision subject to the following conditions:

- 1) the provision of a 75-foot setback (which includes the required minimum building setback of 25-feet), from the centerline of Old Shell Road;
- 2) the placement of a note on the final plat stating that Lots 1 & 2 are limited to one curb cut each to Old Shell Road, with the size, location and design to be approved by Traffic Engineering and ALDOT; and
- 3) the illustration on the final plat that the existing dwelling is setback a minimum of eight-foot from the East side property line.

The motion carried unanimously.

**Case #SUB2003-00013**  
**Norwood Subdivision**

951 and 953 South Washington Avenue (Southeast corner of South Washington Avenue and Kentucky Street).

1 Lot / 0.4± Acre

Frank A. Dagley, Frank A. Dagley & Associates, Inc., 717 Executive Park Drive, was present representing the applicant. Mr. Dagley said he had spoken to the staff and they recommended a 25' setback on both Washington Avenue and Kentucky Street. The applicant was requesting that the Kentucky Street setback be 20 feet instead of 25 feet.

Mr. Olsen stated that the Subdivision Regulations stated that a 25' setback shall be required on both streets when it was a corner lot. However, the Zoning Ordinance allowed a 20' setback on a side street. The Commission had on occasion allowed a 20' setback when the applicant requested it. He noted that the majority of the structures along Kentucky Street were closer than the 25' setback, so it would be compatible. Mr. Olsen said the staff would have no objection to allowing a 20' setback on Kentucky Street.

There was no one present in opposition.

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A motion was made by Mr. McSwain and seconded by Dr. Rivizzigno to approve this subdivision subject to the following conditions:

- 1) the placement of a note on the final plat stating that the development is limited to one curb cut each to South Washington Avenue and Kentucky Street, with the size, location and design to be approved by Traffic Engineering; and
- 2) placement of the 25-foot minimum building setback line along South Washington Avenue and the 20-foot minimum building setback line along Kentucky Street on the final plat.

The motion carried unanimously.

**Case #SUB2003-00015**

**Dancing Lake Subdivision**

South side of Ben Hamilton Road, ½ mile± East of March Road.

11 Lots / 6.0± Acres

Lawrence Dixon, 1005 Ben Hamilton Road, was present representing the application and requested a hold over due to ascertaining adequate water supply and financing delays.

Mr. Olsen stated that typically if it were more than a 30-day holdover the Commission asked that the application be withdrawn and re-submitted. He felt that in a case like this where there were problems with the configuration, that would probably be the best thing.

Mr. Dixon stated that a 30-day holdover would be fine with him.

A motion was made by Mr. Frost and seconded by Dr. Rivizzigno to hold over this request to the March 20, 2003 meeting as requested by the applicant.

Mr. Frost stated that the revised plat should indicate provision of a cul de sac; provision of 20,000 square feet per lot; and should be submitted by February 28, 2003.

**NEW SIDEWALK WAIVER APPLICATION:**

**Case #ZON2003-00193**

**Archdiocese of Mobile**

6051 Old Shell Road (Southwest corner of Old Shell Road and Center Drive).

A request to waive construction of a sidewalk along Center Drive was considered.

William Wolfarth, 4404 Winding Way, was present on behalf of the applicant. Mr. Wolfarth explained this request to waive the sidewalk was due to the sharp difference in elevation between the subject property and the street. He submitted photos to the Commission of the Live Oaks on the site which he said would either be cut down or patterned around. He said he would hate to see the trees cut down or circumnavigated in such a way that it would be detrimental to the trees. Mr. Wolfarth noted that there was an

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elevation problem on Center Street that would have to be addressed at some point. Both properties on either side of Center Street were at higher elevation than Center Street. He said they would have no objection to the sidewalk being put in, but were concerned about the drop off from the subject property to the street.

Mr. Frost said he understood from reading the staff report that the applicant would have to remove some of the smaller trees, but could weave around the existing large Oak trees without taking them down. He did not realize, however, that they would have to go into the street to do that.

Mr. Wolfarth suggested holding the application over until they could get someone to explain to them how the trees could be circumnavigated.

A motion was made by Ms. Deakle and seconded by Dr. Rivizzigno to holdover this request to the March 20, 2003 meeting as requested by the applicant.

The motion carried unanimously.

**OTHER BUSINESS:**

**Call for Public Hearing: April 3, 2003**

Consideration of the adoption of the proposed Smart Growth Policy Document

Richard Olsen stated that the Smart Growth Policy document, a copy of which had been provided each Commission member, had been unanimously adopted by the Smart Growth Steering Committee.

Mr. Frost called for a public hearing on April 3, 2003, at the regularly scheduled Planning Commission meeting at 2:00 p.m. to consider the adoption of the proposed Smart Growth Policy document.

**Planning Commission Special Business Meeting**

Scheduled for Thursday, March 13, 2003

Mr. Frost announced that he would not be able to attend a special business meeting tentatively scheduled for March 13, 2003. He asked that the staff poll the members and schedule a meeting for sometime in March. Mr. Frost said the meeting would be open to the public for attendance but not comment, and anyone interested in attending should check with Richard Olsen as to time, location and date.

**Status of the Hillcrest Road Extension Matter**

Shayla Jones brought the members up to date on this issue, which was brought up at the January 9, 2003 meeting. At that time the Commission decided it was not in favor of the removal of Hillcrest Road Extension from the MATS plan. Ms. Jones noted that this was a plan that was governed by the MPO. The Commission requested that the University of

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South Alabama table this issue to give them an opportunity to discuss the matter with the City and come to some type of compromise. Upon a site visit, however, Ms. Jones said it was discovered that development plans for expansion of the field house as well as the transportation facility had progressed to a state where the staff felt there was no feasible alternative to do that. At this time, therefore, there was no issue being brought before the Planning Commission, but the matter would be brought before the MPO to make this final decision. Ms. Jones suggested that this matter could be discussed further at the special business meeting, but at this time the staff considered the issue to be moot.

In discussion Richard Olsen suggested that the Commission could discuss their options. He said that just because these facilities were in place did not necessarily mean that the line had to be removed from the Major Street Plan. Mr. Olsen said he felt the Commission would be better served to discuss this at the next business meeting.

**Election of Officers**

Mr. Frost opened nominations for officers. For the office of secretary, Ms. Deakle nominated Mr. McSwain. Dr. Rivizzigno seconded the motion. Nominations were closed and the vote was unanimous in favor of the motion.

Mr. Frost opened nominations for vice-chairman. Ms. Deakle nominated Mr. Plauche. Dr. Rivizzigno seconded the motion. Nominations were closed and the vote was unanimous in favor of the motion.

Mr. Frost opened nominations for chairman. Ms. Deakle nominated Mr. Frost. Mr. McSwain seconded the motion. Nominations were closed and the vote was unanimous in favor of the motion.

There being no further business, the meeting was adjourned.

**APPROVED:**            April 17, 2003

/s/ Victor McSwain, Secretary

/s/ Robert Frost, Chairman

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