

**TOWN OF CLOVER
BOARD OF ZONING APPEALS
TUESDAY, FEBRUARY 16, 2016
CLOVER COMMUNITY CENTER
120 BETHEL STREET
6:00 PM**

MINUTES

MEMBERS PRESENT

William Pugh – 2016 - Chair
Martha Ashe - 2016
Linda Brown - 2017

OTHERS PRESENT

Al Haselden, Town Attorney
Luke Caldwell, Code Enforcement
Allison Harvey, Town Administrator

MEMBERS ABSENT

Steven Mayer

I. CALL TO ORDER

William Pugh called the meeting to order at 6:07 PM. He stated that no public comments would be heard at this meeting.

II. BUSINESS FOR WHICH SPECIAL MEETING CALLED

A. Executive Session to receive legal advice regarding pending appeal in Circuit Court of Common Pleas

Chairperson Pugh made a motion to enter into Executive Session to receive legal advice regarding pending appeal in Circuit Court of Common Pleas. Martha Ashe seconded, and the motion carried unanimously.

When the board members returned, Chairperson Pugh stated that no action was taken during Executive Session.

B. Discussion regarding composition of the Board at the time of the January 14, 2016 meeting and its effect on the appeal of the zoning administrator's decision #VA12/14/15 that came before the board at the January 14, 2016 meeting

Chairperson Pugh asked Mr. Haselden to explain his letter to the BZA drafted on January 21, 2016. Mr. Haselden stated that the letter referred to William Vaughn, a Town of Clover employee, was not eligible to serve on the BZA. He said S.C. Code Section 6-29-780 provides in part with respect to the composition of zoning boards of appeal that

“None of the members shall hold any other public office or position in the municipality or county.” Mr. Vaughn resigned from the BZA on January 25, 2016.

Mr. Haselden referred to Robert’s Rules of Order as to the proper procedure to be followed. He stated the BZA could entertain a motion to re-consider the motion that had been voted upon on Mr. Dee’s appeal on January 14, 2016. The motion would have to be brought by one of the BZA members who voted to uphold the Zoning Administrator’s decision to issue the zoning permit for the cell tower at the January meeting.

C. Consideration of actions to be taken by Board based on discussion under II, B

Chairperson Pugh made a motion to re-consider the motion to uphold the Zoning Administrator’s decision. Linda Brown seconded, and the motion carried unanimously.

Chairperson Pugh, who made the motion at the January 14 meeting to uphold the Zoning Administrator’s decision, requested permission to withdraw his motion and there was no objection from the BZA members. The motion was then withdrawn.

Chairperson Pugh made a motion to hold a rehearing on the appeal #VA 12/14/15, filed by Mr. Dees. Linda Brown seconded, and the motion carried unanimously.

A meeting date will be determined soon and appropriate notice issued.

III. Adjournment

The meeting was adjourned at 6:24 PM.