

THE **BOARD OF APPEALS** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, OCTOBER 15, 2013** IN THE CITY COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING BOARD MEMBERS PRESENT: MIKE COX, CHAD BUCK, RANDY REED, LLOYD BROWN AND JIM FEUERBORN. ALSO PRESENT WERE COMMUNITY DEVELOPMENT DIRECTOR JIM CADORET, BUILDING OFFICIAL JON WOERNER, AND CITY ATTORNEY GEORGE KAPKE.

1. **Call to Order** – Chairman Buck called the meeting to order at 6:00 p.m.
2. **Roll Call** -
3. **Old Business** –

A. Minutes of July 27, 2011 meeting

On a motion by Feuerborn, 2nd by Cox the minutes of the July 27, 2011 meeting were approved by a 5-0 vote.

4. **New Business** –

A. Election of Officers

On a motion by Board member Cox, 2nd by Brown, the Board voted 5-0 to elect Chad Buck as Chairperson and Jim Feuerborn as Vice-Chairperson.

B. Appeal of Enforcement Order – Permit #G04563

- **Dick Hicks, Advanced Septic Technologies, Installation of on-site sewage drip irrigation system at 916 S. Prairie Lane**

Chairman Buck called for Dick Hicks to present his case. Mr. Hicks was not present for the hearing.

City Attorney Kapke indicated that this request was filed by Mr. Hicks and the burden is on him to show cause to the Board to change the decision made by the Building Official. Mr. Kapke informed the Board they could (1) move forward by having the City present the case or (2) dismiss the appeal.

Board member Feuerborn asked how Mr. Hicks was notified of the hearing.

Building Official Jon Woerner indicated Mr. Hicks was sent notice of the meeting by mail and was personally served notice of the meeting.

Chairperson Buck indicated the Board could continue with the appeal and allow staff to present its report or the Board could make a motion to dismiss the appeal.

Board member Feuerborn asked if Mr. Hicks could again appeal the decision to the Board because he was not present.

City Attorney Kapke clarified that if a motion to dismiss is made and approved, the case could still be appealed to the Circuit Court. If the case is dismissed there would be no record for Mr. Hicks to appeal on.

Chairperson Buck stated that if the Board does not hear the case this evening that staff's ruling remains in effect. Board Attorney Kapke indicated yes, that would be the end result.

Chairperson Buck made a motion, Feuerborn 2nd, that based on Mr. Hicks not being present and not hearing staff presentation, that the appeal be dismissed. The Board voted 5-0 to dismiss the appeal.

5. Adjournment

On a motion by Feuerborn and 2nd by Cox the meeting was adjourned at 7:15 pm.



Chad Buck, Chairperson