

SENATOR AVERY: No.

SENATOR CHAMBERS: What did you do?

SENATOR AVERY: We got the parties involved and actually it went and it was an out-of-court settlement.

SENATOR CHAMBERS: Who would have...who would have had to come up with money if it had gone through court?

SENATOR AVERY: Well, both parties actually end up paying, unfortunately.

SENATOR CHAMBERS: In this instance where you all settled it?

SENATOR AVERY: Right.

SENATOR CHAMBERS: Now, were the operators creating odors or something that people in the...

SENATOR AVERY: It happened to be a feedlot that was right on the edge of town that it expanded beyond what was originally permitted to.

SENATOR CHAMBERS: Did you feel that was an inappropriate taking by the city in trying to handle that problem?

SENATOR AVERY: Not at the time because what we tried to restrict back down so there isn't continual growth in that area.

SENATOR CHAMBERS: Okay. So you though, having been a mayor, understand the situation where property can be used in such a way as to interfere with the enjoyment by other people of their property?

SENATOR AVERY: Definitely.

SENATOR CHAMBERS: And that should not be allowed, should it?

SENATOR AVERY: Well, if there is interference, there's some cooperation that you have to have there if you have an entity or an individual that is deprived of enjoying his property.

SENATOR CHAMBERS: Thank you. And members of the Legislature, what we're kind of touching on is the fact that really nobody