

**MINUTES OF THE MARINE ADVISORY BOARD
 100 NORTH ANDREWS AVENUE
 8TH FLOOR CONFERENCE ROOM
 FORT LAUDERDALE, FLORIDA
 THURSDAY, NOVEMBER 4, 2010 – 7:00 P.M.**

<u>Board Members</u>	Attendance	Cumulative Attendance 5/2010 through 4/20/11	
		<u>Present</u>	<u>Absent</u>
John Terrill, Chair	P	6	0
Barry Flanigan, Vice Chair	P	3	3
F. St. George Guardabassi	A	5	1
Bruce Johnson	A	3	3
Randolph Adams	P	6	0
Norbert McLaughlin	P	6	0
Jim Welch	P	4	2
Robert Dean	P	4	2
Mel DiPietro	P	3	3
Bob Ross	A	4	2
Lisa Scott-Founds	A	2	4
Stephen Tilbrook (8:00)	P	3	3
Tom Tapp	A	3	3
Herb Rassing	A	5	1
James Harrison	A	5	1

As of this date, there are 15 appointed members to the Board, which means 8 would constitute a quorum.

Staff

Jamie Hart, Supervisor of Marine Facilities
 Andrew Cuba, Manager of Marine Facilities
 Levend Ekendiz, Intracoastal Facilities Dockmaster
 Matt Domke, Downtown Facilities Dockmaster
 Officer Brian Meo, Marine Police Staff
 Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. Call to Order

Chair Terrill called the meeting to order at 7:06 p.m. It was noted a quorum was not yet present.

The following Items were taken out of order on the Agenda.

IV. Waterway Crime & Boating Safety Report

Officer Meo reported that there were four vessel burglaries during the month of October. Four vessel accidents occurred, including a fatality when a kayaker fell from a vessel. A follow-up investigation into this accident is being conducted by the Homicide Unit. The other vessel accidents caused damage but no injuries. Other incidents include Jet-Skis stolen from a lift and from floating docks, an electrical fire on a vessel, and a fuel spill contained within a vessel. The Jet-Ski thefts are part of an ongoing investigation.

On October 20, a scuba diver died while diving with his partner. The Homicide Unit is also conducting a follow-up investigation into this incident.

The Marine Unit gave eight citations and 89 warnings within the month. They also participated in security and vessel traffic control during the 2010 International Boat Show. There were neither security breaches nor vessel accidents related to the event. Two pilings were knocked over and have already been repaired and replaced. Officer Meo said the Boat Show was "very busy."

VIII. Reports

- **Broward County Marine Advisory Committee**

Mr. Adams said the Committee had discussed proposed grants for the Broward Boating Improvement Project. These will be taken under consideration at the December 2010 meeting, and funding decisions will be made at that time.

- **New River Floating Dock Project**

Mr. Cuba said the pilings for this project are scheduled for delivery to the staging area at Cooley's Landing Marina on November 5. The docks are anticipated to be delivered the following week, with installation to begin at the Performing Arts Center site shortly thereafter. Utility work is being done at the Andrews Avenue Bridge location at this time. Installation remains on schedule for all four docks and is expected to be complete prior to the Winterfest Boat Parade.

- **Ordinance Amendment – Boat Hoists & Similar Mooring Devices / ULDR Section 47.19.3**

Mr. Cuba said there will be two readings for this proposed Amendment at the November 16 and December 7 City Commission meetings. After these, he said the changes desired by the Board are expected to be incorporated into the Code, including recent additions regarding floats in lieu of guide poles and the elimination of the restriction on 50 ft. canal widths.

Mr. Adams asked if copies of the proposed Ordinance are available online. Mr. Cuba said he would send a copy when it is available.

Mr. Welch asked if any issues are anticipated at the upcoming readings. Mr. Cuba said hopefully there will be no issues, although the possibility exists.

Chair Terrill said the Planning and Zoning Board had recently considered the proposed Ordinance Amendment and voted to approve the Board's recommendations. There were "some new topics" that arose during the meeting that had not been previously considered by City Staff, including the use of floats or buoys to identify an underwater obstruction such as a lift. The other new concern was that 50 ft. canals have different restrictions than "regular" canals, as they are much smaller. Chair Terrill said these restrictions were "extreme" and made it unreasonable to consider even installing a lift, as even small boat lifts would project more than 5 ft. into a canal. Staff could not comment on this concern, as it was raised the night of the Planning and Zoning Board meeting, but will consider it and present this proposed change to the City Commission.

Vice Chair Flanigan asked these issues might be brought to and addressed by the City Commission prior to the scheduled readings. Mr. Cuba replied he would look into this possibility.

Chair Terrill encouraged the Board members to address the proposed Ordinance with their City Commissioners, and concluded that its progress thus far is "going really well."

- **Riverland Woods Boat Ramp Replacement Project**

This project is on schedule and is anticipated to be complete prior to the end of December 2010.

- **Commission Agenda Reports**

Mr. Cuba said there were no items discussed at the most recent City Commission meeting. The Pollution Solution subcommittee will meet on November 18 at the Las Olas Marina at 9:30 a.m. The three Board members on this subcommittee will be Mr. Harrison, Mr. Dean, and Mr. Rassing, and all Board members are welcome to attend, as this will be a public forum. It is hoped that

this meeting will determine the course of action regarding the replacement of the Pollution Solution vessel.

IX. Old / New Business

John DiSalvatore, private citizen, stated he lives in the Coral Ridge neighborhood and owns a boat that is “only usable during high tide,” as he cannot get the boat out of the canal at other times due to water depth. Reasons for this include several storm water discharges into the canal, which empty water from the streets into the canal and deposit sediment. In addition, he lives on a “fast zone,” which means boats moving through the canal at a fast speed create a large wake and push sediment back up into the canal. He described the end of the canal as “beached” at low tide, and at 3 ft. or less in the rest of the canal at low tide. There is also a good deal of construction debris in the center of the canal, which creates boating hazards.

Mr. DiSalvatore said he understood Fort Lauderdale’s depth requirements to be 4 ft. “from the inception of the canals.” As boats have become larger and draw more water, 4 ft. has become very shallow for any boat larger than 40 ft. in length. If the canals are dredged to only 4 ft., he said they would be impassable. Other areas have minimum depth requirements of 6 ft. He felt this alternative should be considered for the future. He also felt canals such as the one he lives on, which have sediment deposited into them from storm water drainage, require “special attention.” He concluded that his boat is unusable at times due to the need for dredging in this area.

Chair Terrill said this is a common problem with the City’s canals. Mr. McLaughlin added that when sewers are dug in the City, muddy water drains into the same canals and deposits sediment and topsoil.

Mr. DiSalvatore said he had spoken with City representatives, who advised him they have “pollution control boxes” intended to control this drainage by catching sediment before it empties into the canal. While this may be a solution for the future, he noted that its installation does not address the current problem.

Chair Terrill asked if Mr. Cuba was aware of “who gets priority when it comes to these canals. “ Mr. Cuba said he is not involved in the process with City Engineering, but it was his understanding that there is a list that is “chronological by request” and prioritized by Engineering Staff based upon need. He said he could request to see the list from Engineering.

Mr. Welch asked if the City periodically hires someone to do the work required by the list. Mr. Cuba said there is a contractor who handles this kind of work.

Mr. DiSalvatore said he was told the concrete pilings in the canal are considered “a different type of priority” and a more urgent need.

Chair Terrill asked if it would be possible to get an answer from Engineering regarding Mr. DiSalvatore’s specific situation with both deposits and debris. Mr. Cuba reiterated that he would attempt to get this information.

Mr. Adams asked what the City’s dredging budget was. Mr. DiSalvatore said it is between \$125,000 and \$250,000 each year. The cost of bringing the 40 ft. center of a canal down by 2 ft. is roughly \$60,000-70,000.

Mr. Dean asked if the canal depths are regularly surveyed. Mr. DiSalvatore said it is done when complaints are made.

Vice Chair Flanigan said he recalled former Mayors referring to the City’s waterways as being “the same as our streets.” He suggested the Board could become “more active” on issues such as this one, and perhaps request that a member of Engineering Staff could attend Board meetings.

Chair Terrill agreed that the waterways have not been properly maintained, and this affects marinas as well as individuals. He noted that there are dredging programs in other cities, and dredging is forthcoming from the 17th Street Bridge up to Sunrise Boulevard. This depth is expected to be 17 ft.

He said a concern is raised when these areas are dredged, and the New River will be dredged in approximately three years; however, outside these areas, a deep draft vessel is “stuck” until the City’s marinas and canals are also dredged. He stated it will require “the desire of the community to make that happen,” and felt this issue would be a worthy Agenda Item so the Board could learn how Engineering prioritizes these project.

Mr. DiSalvatore noted that a previous City program allowed homeowners to pay private contractors for dredging in front of their home under a blanket permit; however, this is no longer a possibility, and it takes roughly 6-12 months to get a permit for dredging, even at the owner’s expense.

Vice Chair Flanigan asked if the Board can send notice to neighborhood associations when topics such as this one are scheduled for future meetings. Mr. Cuba said he could look into this possibility. Chair Terrill proposed sending notice to the Council of Fort Lauderdale Civic Associations, who could forward the notice to all their members.

Mr. DiPietro noted that property taxes are “appreciably more” for waterfront properties, and felt part of these taxes could go toward maintaining “reserves for

dredging.” Mr. Adams added that “dumping” street and yard waste into the canals is a separate important issue.

Mr. McLaughlin noted that there is a State meeting underway at George English Park with regard to replacing the bridge over Sunrise Boulevard. Raising the bridge would allow larger boats access to the Middle River area. The proposal would raise the bridge by “6 to 10 ft.”

Chair Terrill informed the members of the public present that the Board was awaiting the arrival of one more member so there would be a quorum; in the absence of a quorum, the Board would not be able to vote on the waiver applications on tonight’s Agenda. He requested that in the future, any Board members with plans or emergencies contact Mr. Cuba so they will know in advance whether or not a quorum will be present.

The Board briefly adjourned at this time (7:41 p.m.) and reconvened at 8:00 p.m.

I. Roll Call

The meeting was recalled to order at 8:00 p.m. and roll was called. It was noted that a quorum was now present.

II. Approval of Minutes: October 7, 2010

Motion made by Mr. Adams, seconded by Mr. Tilbrook, to approve the October 7, 2010 minutes. In a voice vote, the **motion** passed unanimously.

V. Application – Waiver of Limitations / ULDR 47.19.3 – 160 North Compass Drive – Dr. Niles R. Lestrangle

Charlie Bell of East Coast Boat Lifts, representing the Applicant, said the proposed boat lift would extend approximately 16 ft. from the existing 7 ft. dock into the canal for a total of 23 ft. into the waterway. The canal is 105 ft. in width. The existing dolphin piles are 25 ft. into the canal, which is allowed by Code. No navigational areas of the canal would be encroached upon.

Mr. Welch asked if there were any additional deed restrictions in the Applicant’s community. Mr. Bell said there were none.

Vice Chair Flanigan asked if the dolphin piles would remain where they are. Mr. Bell said they will remain in place.

Mr. Tilbrook asked to know which on which canal the boat lift would be installed. Mr. Bell confirmed it would go on the north side of the street, which is across the street from the Applicant’s home. Mr. Tilbrook also asked if the drawings had

been submitted to the Bay Colony Neighborhood Association from their approval. Mr. Bell said the Applicant is presently “working on that approval” with the Association.

There being no further questions from the Board at this time, Chair Terrill opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair Terrill closed the public hearing and brought the discussion back to the Board.

Motion made by Vice Chair Flanigan, seconded by Mr. McLaughlin, to approve the variance as submitted.

Mr. Tilbrook asked if notice was given to the residents on the opposite side of the canal. Mr. Cuba said all neighbors within 300 ft. were notified.

In a roll call vote, the **motion** passed 8-0.

VI. Application – Waiver of Limitations / ULDR 47.19.3 – 831 Solar Isle Drive – Philip G. and Marjorie C. Mavon

Jim Brady, representing the Applicants, said he would first review the contents of the Board’s information packets. These materials include a location photo of “the end of the isle” at Solar Drive. Mr. Brady noted that the onetime owner of Lot 4, located across the street from the Applicants’ property, sold a “nub” of property on the end of his lot. This resulted in a 25x25 parcel that “has had a boat dock at it since sometime in 1959” when the property was sold. The Applicants acquired the title to this parcel in 1969.

Also included in the information packet was a permit for the construction of a basin, for which the dock was removed. Mr. Brady asserted that the boat has not yet been moored in the basin, which is complete and “ready to go.” He also called the Board’s attention to the permit drawings that led to the issuance of a permit.

He added that there are letters of support from members of the community, and that some individuals may appear before the Board in opposition to the Application.

Mr. Tilbrook asked what remains on Lot 4. Mr. Brady explained it is a 45 ft. wide lot, “the remaining part” of which is owned by another individual.

He referred the Board to his letter to Mr. Hart, which describes the extraordinary circumstances that apply to the Application.

Jerry Mavon, Applicant, said he is a longtime boater, and the property was purchased by his father in 1969 because he liked the way the dock was set up on a side canal, with the house on the Intracoastal. When a neighboring house was sold and a dock was built, he found it difficult to maneuver his boat in and out of its slip, and replaced the dock with a boat slip on the property in question. He concluded that the Application is for a waiver that will allow him to put his boat into the boat slip.

Mr. Brady stated that when notice of the hearing was sent out, the waiver provision had "raised an issue" regarding a mooring piling in the canal. He said the piling itself was not the issue; the issue is whether or not there is a principal structure on the property on which the boat slip is built, as there is "no house on that 25 ft. parcel." The waiver would grant relief from the requirement that there be a principal structure on the parcel on which the basin is built, as well as a waiver for the mooring piling.

Mr. Brady said if the City Commission grants the waiver, there will be a resolution attached that states the Applicants may not sell Lot 2 or the parcel independently of each other.

Chair Terrill advised that the Board consider both waivers individually.

Mr. Ross asked the size of the boat that would be in the basin. Mr. Mavon said it is approximately 33 ft. with the swim platform attached, with a beam of 11.4 ft.

Vice Chair Flanigan asked if the seawall is considered a structure on the property. Mr. Brady replied that the term "principal structure" has been interpreted to mean a house or other building.

Mr. Tilbrook asked what Code says regarding the issue. Mr. Brady referred the Board to 47.19.3-B: "No boat slips, docks, boat davits, hoists, and similar mooring structures, not including mooring dolphin piles, may be constructed by any owner on any lot unless a principal structure exists on such lot, and such lot abuts a waterway." Section D states that the City Commission may waive this requirement if there are extraordinary circumstances.

Mr. Mavon clarified that the vessel to be moored in the basin would have extended farther than the original 25 ft. dock, which would not have been permitted by Code "after 1959." The waiver would bring this into compliance.

Michelle Charlebois, environmental permit specialist for the Applicant, stated "no one had a problem" with the Application during pre-application meetings. The construction of the seawall and clearing of the basin were approved and built according to permit. A neighbor to the property had contacted the City's Engineering Department, which reached out to the Applicant regarding the need

for a principal structure on the parcel. Ms. Charlebois emphasized that the City did not revoke the permits.

Mr. Brady said the Engineering Department had advised the Applicant that he could "build the basin, but you do so at your own risk." This resulted in the eventual completion of construction; however, the boat has not been moved into the basin, and final inspection of the basin has not yet occurred.

Mr. Tilbrook asked if the Applicant was advised to appear before the Board or seek a variance. Mr. Brady explained that a variance would not apply, but a waiver was the appropriate option. He added that although an appearance before the Board was "technically not required," the Assistant City Attorney had felt it would be appropriate. He clarified that there are no issues with the structure of the basin itself, but with the use of docking a boat in the basin.

Tucker Gibbs stated he represented Scott Liberman, neighbor to the Applicant. He said he had met with the Assistant City Attorney who had consulted with the Applicant, and felt the Attorney had recommended the Applicant seek a waiver as a matter of process without endorsing a position for either side in the case.

Mr. Gibbs said the key issue is the basin rather than the previously existing dock, which had been grandfathered into the Code. The permit for construction of the basin was issued "in error" in 2010. Another issue is the boat: Mr. Gibbs said the parcel in question is 25 ft. in width, while the boat is 29-33 ft. and would have been too large for the dock. He stated that the dock constructed by Mr. Liberman on his own property had "cramped the style" of the Applicant, and had resulted in the construction of the basin.

Mr. Gibbs asserted that Mr. Liberman is an attorney and had read the applicable Code. The lot in question is not contiguous with the lot on which the Applicant makes his home, which is why a waiver is being requested. Mr. Gibbs noted that the section of Code referred to earlier by Mr. Brady allows for a waiver when there are extraordinary circumstances, "provided... that permits from all governmental agencies as required are obtained after approval by the City Commission, after a public hearing and notification of property owners within 300 ft." He explained this meant the waiver can be applied for only after an applicant has "gone to the City Commission regarding the permits."

Mr. Gibbs also stated that his client did not receive notification of the Applicant's plans for the lot until today's hearing before the Board, which he said must come after the City Commission has "blessed" the permits. He felt this meant the Applicant was "coming into [the waiver process] backward." He read from the Staff Report regarding the Application, which referred to "a permit issued in error... prior to the Applicant's obtaining any waiver." Another portion of the Staff

Report stated "Although the Applicant was advised that a waiver would be required, continuation of construction activity was at the Applicant's risk."

Mr. Gibbs stated that in cases involving the erroneous issuance of building permits, case law has required buildings to be torn down by their developers. He said an error made by the City does not grant the Applicant the right to complete the project.

He referred the Board to Exhibit 2, pointing out that there is a dock on the piece of property on which the Applicant's house is located. Mr. Gibbs said when the Applicant's boat is moved to the parcel in question, it affects his client's view. He concluded that the extraordinary circumstances cited by the Applicant are the "creation of this Applicant."

Scott Liberman said the issue is that "this boat slip is in my back yard." He explained that when he purchased the property in 2008, his home was designed with the existing dock in mind rather than the basin, "with the intent that we were going to capture the view." He felt he had accommodated the Applicant "at every step;" however, he said the Applicant's boat was larger than his dock, and it was difficult to navigate the boat in and out of the dock. This led to the construction of the basin.

Mr. Liberman said when he consulted the ULDR, it became clear that "what was attempting to be done was prohibited" due to the lack of a principal structure on the parcel. He characterized the slip as "intrusive," said he would not have purchased the house if the slip had been adjacent to his property at the time. In addition, he cited subsection D, which entitled him to notice "before permitting." He stated he is entitled to due process when "anything... outside of what is permitted" is going to be constructed, as it affects his property rights.

Mr. Liberman said he had suggested that the Applicant build the structure or install a lift in his own back yard, which has an existing dock. He reiterated that he did not wish to deprive the Applicant of his boating lifestyle; the issue was that the basin was "in violation of the Code and it's in my back yard." He provided photographs of the preexisting and present structures to the Board members.

Mr. Tilbrook asked if setbacks are required for the basin. Mr. Brady said there were no setback requirements, but the boat would be set back 5 ft. on each side. Mr. Tilbrook asked what the Applicant could have done on the property in question other than building the basin: for example, whether or not he would be allowed to put up a fence or plant a tree, both of which could also affect the view. Mr. Brady said these would be allowed, and added that under Florida law, "there's no right to view, air or light."

Mr. Tilbrook asked if the Application had been presented to the homeowners' association. Mr. Brady said it had not, as the basin was "already built" when the issue arose.

Vice Chair Flanigan asked why the City would not require the Board of Adjustment to hear the Application, as there was a question of permit issuance. Mr. Brady said the Assistant City Attorney had concluded that the case did not involve a variance, but a waiver, as these two procedures require different standards.

There being no further questions from the Board at this time, Chair Terrill opened the public hearing.

Ted Lange said he lives across the canal from the Applicant and "look[s] directly into the slip." He characterized it as "a huge improvement over what was there before" and did not feel that the view was a valid objection. He added that the Applicant wished to dock the boat in the basin rather than on the Intracoastal Waterway in order to prevent damage to the boat.

Mr. DiPietro asked Mr. Liberman what he had expected to see on the 25 ft. lot. Mr. Liberman said he had believed the previously existing dock would remain there.

George Lang said he lives across the canal to the north from the property, and has no objections to the Application. He agreed it would not be feasible to put a boat lift on the Intracoastal due to wakes.

Ken Kessler said he was a friend of the Applicant, and said the basin was originally planned to be installed with "full compliance." He said the Applicant's intentions were honorable in this case and felt the Application had come before the Board due to "a technicality."

Dennis Klima said he lives to the north of Mr. Liberman's property, and he is currently allowing the Applicant to keep his boat behind his house. He said he was originally asked if he would mind a boat being kept at the dock, and had replied it was "a great idea" if the City would allow it. He had requested some assurance from the Applicant that his view would not be compromised. While he said he did not support the project, he felt if the City allows the basin to be constructed, it would not be inappropriate.

Ms. Charlebois said she had attended several Board meetings, and noted that most cases come to the Board before receiving their permits because the applicants are "proposing something not in Code." In this case, she said, there were no unusual proposals, and permits were given before the Application came

before the Board. Chair Terrill noted that what was permitted, in this case, was the basin, but not the proposed use on a lot with no principal structure.

As there were no other members of the public wishing to speak on this Item, Chair Terrill closed the public hearing and brought the discussion back to the Board.

Mr. Dean commented that the City appears to consider a 25x25 lot to be “part of the primary property.” He said in his experience, one property is considered a homestead, and an adjacent piece of property is “joined together into the same homestead.” Mr. Tilbrook said this was not the case, which is why the Application came before the Board. Chair Terrill noted that while Mr. Tilbrook was correct, the County does not tax the properties separately.

Mr. Tilbrook observed that in a case in which a home is demolished, “you can’t dock a boat [on the property].” He said he sympathized with the Applicant in this case, as he had obtained all the necessary permits; he also had sympathy for Mr. Liberman, as he had purchased the property without a basin next door. He concluded that an argument could be made in favor of the waiver, although he felt it was “a difficult decision.”

He asked Mr. Cuba if the waiver could be granted conditionally on the size of the boat. Mr. Cuba said this recommendation could be made. Mr. Tilbrook said he felt this would help address the neighbors’ concerns.

Vice Chair Flanigan asked if Mr. Gibbs and Mr. Brady could work out a compromise to the issue, and said the Board could postpone the Application if they felt an agreement could be reached. Mr. Gibbs said he felt his client would agree to replacing the previously existing dock and “dock[ing] a boat there that fits.”

Chair Terrill observed that if he owned the parcel in question and paid taxes on it, he would consider what he could do with “this small piece of property,” such as building a basin or planting a tree. He agreed that the Intracoastal Waterway was an “unsuitable” location for the Applicant to dock his boat due to wakes, and noted that when a boat is docked parallel or perpendicular to a canal, it is possible the boat might interfere with or “be within the view of” a neighboring property owner.

He concluded that he strongly respects property owners’ rights, and while he also respected the neighbor’s view, he felt the Applicant should be allowed to put a basin on his property.

Mr. Dean said the size of a vessel in the basin was a concern, but noted that the slip appears to be “self-limiting” in terms of the size vessel it can hold. He added

that if the bow of the boat extends into the canal, it is less likely to obstruct a view than another part of the boat might be. He did not feel the boat would be as obtrusive to the view as expected.

Mr. Tilbrook asked what length a boat might be if it is on a 15 ft. beam. Mr. Dean estimated 35 to 38 ft. Mr. Mavon said the boat in question is a 29 ft. vessel "with a low profile." Mr. Tilbrook said he would be inclined to limit the length of a boat that could be placed at the slip, such as 33 ft. or less. Chair Terrill cautioned that it could be "dangerous" to begin considering height and dimensions, as what is appropriate to a view is subjective.

Mr. Tilbrook asked if another waiver would be necessary if the Applicant decided to install a boat lift rather than a slip, as a lift would further obstruct the view. Mr. Cuba said he did not believe a waiver would be necessary in that case. Mr. Tilbrook said this was a potential problem. Mr. Gibbs pointed out that Code states no lifts or similar structures can be installed without a principal structure on the site, which would require a lift to come back before the Board. Mr. Tilbrook said he would be comfortable limiting the use to a boat slip.

Chair Terrill noted that due to the width of the canal, a boat would legally be allowed to extend 30 ft. into the waterway, which would mean a 50 ft. boat could be allowed without the basin. He concluded that he was comfortable with limiting the use to a slip rather than a boat lift, but less comfortable placing a limitation on the length. Mr. Brady affirmed that the Applicant was agreeable to not installing a boat lift.

Motion made by Mr. Tilbrook, seconded by Mr. Adams, to recommend approval of the waivers outlined in the Staff memo, with the condition that the waiver does not grant the right to construct a boat lift within this basin.

In a roll call vote, the **motion** passed unanimously.

XI. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 9:53 p.m.

[Minutes prepared by K. McGuire, Prototype, Inc.]