



**Minutes of the Meeting
Regular Board of Adjustment Meeting
May 11, 2021 - 6:30 PM**

Meeting Location: Dellwood Center 508 Dellwood Drive Huntersville NC 28078

1. Roll Call, Determination of Quorum

Quorum was determined, and Chairman Cecil called the meeting to order.

Regular Members in attendance: E. Cecil, Chairman, S. Genenbacher, and B. Welch, T. Primiano

Alternate Members present: J. Bradshaw, J. Loucks and P. Jacobson all were called upon to serve as Voting Members.

Regular Members absent: D. Brewer, J. Kluttz, and W. Smith

2. Approval of Minutes

2.A. Consider approval of the March 18, 2021 Minutes

S. Genenbacher made a Motion to Approve the March 18, 2021 Minutes of the Meeting. T. Primiano seconded the motion. The motion passed unanimously (7-0).

Chairman Cecil read the conflict of interest disclosure statement and asked all Board members if there was any conflict. There was no conflict stated.

Chairman Cecil disclosed that he knows Mr. Shaheen, representative for the applicant. They have discussed other matters and matters occurring in Charlotte, but they have not discussed this case and knowing him would not influence his decision today. Mr. Shaheen and the applicants had no objection to Chairman Cecil serving. There was no recusal.

S. Genenbacher disclosed that Mr. Shaheen has represented him in a previous unrelated legal matter. This will not influence his decision today, they have not spoken in months, and he is not a current client. Mr. Shaheen and the applicants had no objection to S. Genenbacher serving. There was no recusal.

Chairman Cecil provided a statement as to the handling of quasijudicial matters. Vice-Chair Welch read the attestation. J. Simoneau, L. Speight, L. Shaheen, A. Leach, M. Leach, J. Gilbert, D. Baily and M. Hedrick were all sworn in.

3. Hearing of Cases

3.A. V21-01 9808 Midas Springs Road

Chairman Cecil acknowledged there was new evidence provided by the Town and the applicant today which included an email response from the Fire Marshall and an environmental study related to the ability to construct a septic system on this lot. There was no objection by either party to admitting the evidence.

L. Shaheen requested that both variances be heard as one. The Board concurred and stated that they would vote on the variances individually.

L. Speight, Planner I provided an overview of the variance request as follows:

BACKGROUND:

1. The subject property, 9808 Midas Springs Road, is zoned Rural (R) and located in Critical Area 1 (CA-1) of the Mountain Island Lake Watershed Overlay (MIL-O).
2. Prior to the current property ownership, the lot was conveyed by deed, April 23, 1974. The deed recorded April 23, 1974 references the subject parcel was included in a survey dated November 4, 1953 with instructions to refer to the Carver Estate (1943) in Map Book 1357, Page 495. Regardless of whether the lot was created in 1974 or earlier, the lot was created prior to the effective date of Huntersville's current Zoning Ordinance. (Exhibit 1)
3. According to Mecklenburg County property records, a single-family home was constructed on the subject property in 1961. (Exhibit 2)
4. According to Google Earth historical aerials a manufactured home was added to the site since at least February 1993. (Exhibit 3)
5. And, according to Mecklenburg County historical data an accessory structured was also added to the property. (Exhibit 4)
6. The applicants purchased the lot December 30, 2020. (Exhibit 5)
7. The applicants contacted staff December 30, 2020 inquiring if a manufactured home is allowed for the subject property. (Exhibit 7)
8. Staff responded December 31, 2020 that manufactured homes are not permitted in the Rural Zoning District, but modular and "stick-built" homes are permitted although the subject property does not have legal access for zoning approval for a building permit. (Exhibit 7)
9. According to an email from NCDOT staff, the State-maintained portion of Midas Spring Road ends in front of 9730 Midas Springs Road as represented by the yellow line in the below map (also Exhibit 12). The blue line is an area that was not previously accepted for maintenance but will be accepted per a 1950 petition. The red line with arrows shows the unmaintained portion of Midas Springs Road across the frontage of the subject property that is now overgrown.

No structures are currently present on site, as recorded during the Staff site visit to place required meeting notice for variance hearing. (Exhibit 6)

10. The applicants would like to obtain a variance to relieve the requirement of Article 8.1 that lots shall abut a public street. (Exhibit 8)

"Any lot for which a building (or buildings) is to be erected or use is to be established shall abut a **public street** [defined below] with the following exceptions:

1. Any lot for which a residential use has been legally established prior to the effective date of this ordinance in accordance with provisions permitting establishment of use on a lot served by a private and exclusive recorded easement of at least 15 feet in width connecting said lot to a public street, may be used as if it abutted a street, provided that it is served by a driveway located on said easement. A lot of one (1) acre or more in area created through a division of land not subject to the subdivision ordinance shall be eligible for issuance of a permit to establish a single-family detached house, provided the lot is served by a private and exclusive recorded easement or fee-simple projection of the building lot at least 15 feet in width connecting said lot to a public street. A driveway accessible by emergency equipment

must be located on said easement or lot projection. Lots created under these provisions shall be known as “easement-access lots” and “flag lots”, respectively...”

A **public street** is defined in Article 12 as:

“**Street, Public:** A right-of-way or fee simple tract of land which has been set aside for public travel, dedicated to the public by the recording of a subdivision plat, built to public street standards, and eligible for maintenance by either the Town of Huntersville or the State of North Carolina.”

- 1) *Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*

Staff Findings:

- A. The applicants contacted Staff December 30, 2020 for information about allowed structures for the property.
- B. Approximately, 190 linear feet of surface approved by NCDOT and accepted for maintenance is required for the frontage of the subject property to comply with Article 8.1 (Exhibit 9).

- 2) *The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.*

Staff Findings:

- A. There are at least six surrounding properties facing similar conditions if the property owners wish to construct a building on their lot (Exhibit 10).
- B. According to the applicant (Exhibit 8), the specifics surrounding the extension of Midas Springs Road are peculiar and other lots have been able to develop.
- C. A variance was submitted July 2015 for 9840 Midas Springs Road (V15-01) to relieve the requirement of Article 8.1 that lots shall abut a public street. V15-01 was denied by the Huntersville Board of Adjustment.
- D. There are various properties throughout Huntersville facing similar conditions. In 2021, an extension of Robert Street was privately constructed for the development of a single-family home in the Biltmore Park subdivision (Exhibit 11). Currently, there are lots in Biltmore and Norman Park that would require road improvements before a building permit could be issued for construction on the property.

- 3) *The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.*

Staff Findings:

The subject property was purchased by the current property owners December 30, 2020. Staff does not know of any action by the property owner to create this hardship.

- 4) *The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.*

Staff Findings:

Lots must abut a public street per Article 8.1 to provide public safety and essential services. Per NCDOT staff, if the gravel road is constructed to NCDOT standards, NCDOT can be petitioned for the extension of maintenance. (Exhibits 12 and 13)

STAFF CONCLUSIONS:

- 1) *Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the*

property.

Conclusion: The strict application of the Ordinance includes the frontage of the subject property must be paved to the applicable standards (NCDOT). Staff does not find this requirement dissimilar to the requirements of lots with a similar history in the Town and staff does not find evidence to indicate unnecessary hardship would result in the strict application of the Ordinance.

- 2) *The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.*

Conclusion: Staff finds the hardship is similar to several neighboring properties as well as properties in the Biltmore and Norman Park neighborhoods.

- 3) *The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.*

Conclusion: Staff does not find that any action by the property owner created this hardship.

- 4) *The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.*

Conclusion: Evidence is not included the existing conditions meet the minimum gravel road requirements by NCDOT and that the requested variance is consistent with the spirit, purpose, or intent of the Ordinance.

STAFF POSITION:

The applicant is seeking a variance from Article 8.1 of the Zoning Ordinance, which requires any lot on which a building (or buildings) is to be erected or use is to be established shall abut a public street. Staff finds the application meets one of the four requirements for granting a variance and therefore recommend denial of the request.

V21-02: BACKGROUND:

1. The subject property, Parcel ID 023-052-04, is zoned Rural (R) and located in Critical Area 1 (CA-1) of the Mountain Island Lake Watershed Overlay (MIL-O).
2. Prior to the current property ownership, the lot was conveyed by deed, August 23, 1961. The deed recorded August 23, 1961 references the subject parcel was previously conveyed by deed October 26, 1955. Regardless of whether the lot was created in 1961 or earlier, the lot was created prior to the effective date of Huntersville's current Zoning Ordinance. (Exhibit 1)
3. The applicants purchased the lot December 30, 2020. (Exhibit 2)
4. The applicants contacted Staff December 30, 2020 inquiring if a manufactured home is allowed for the subject property. (Exhibit 3)
5. Staff responded December 31, 2020 that manufactured homes are not permitted in the Rural Zoning District, but modular and "stick-built" homes are permitted although the subject property does not have legal access for zoning approval for a building permit. (Exhibit 3)
6. According to an email from NCDOT staff, the State-maintained portion of Midas Spring Road ends in front of 9730 Midas Springs Road as represented by the yellow line in the below map (also Exhibit 12). The blue line is an area that was not previously accepted for maintenance but will be accepted per a 1950 petition. The red line with arrows shows the unmaintained portion of Midas Springs Road across the frontage of the subject property that is now overgrown.

7. The applicants would like to obtain a variance to relieve the requirement of Article 8.1 that lots shall abut a public street. (Exhibit 4)

“Any lot for which a building (or buildings) is to be erected or use is to be established shall abut a **public street** [defined below] with the following exceptions:

2. Any lot for which a residential use has been legally established prior to the effective date of this ordinance in accordance with provisions permitting establishment of use on a lot served by a private and exclusive recorded easement of at least 15 feet in width connecting said lot to a public street, may be used as if it abutted a street, provided that it is served by a driveway located on said easement. A lot of one (1) acre or more in area created through a division of land not subject to the subdivision ordinance shall be eligible for issuance of a permit to establish a single-family detached house, provided the lot is served by a private and exclusive recorded easement or fee-simple projection of the building lot at least 15 feet in width connecting said lot to a public street. A driveway accessible by emergency equipment must be located on said easement or lot projection. Lots created under these provisions shall be known as “easement-access lots” and “flag lots”, respectively...”

A **public street** is defined in Article 12 as:

“Street, Public: A right-of-way or fee simple tract of land which has been set aside for public travel, dedicated to the public by the recording of a subdivision plat, built to public street standards, and eligible for maintenance by either the Town of Huntersville or the State of North Carolina.”

STAFF FINDINGS (ordinance standards are in italics):

Please see Exhibit 4 for the applicant’s responses to the required criteria for granting a variance.

In considering any variance request, the following Standards for Granting a Variance of the Huntersville Zoning Ordinance (Article 11.3.2.e) must be addressed:

Article 11.3.2.e Standards for Granting a Variance of the Huntersville Zoning Ordinance:

Before granting a variance, the Board of Adjustment shall have made the following findings:

Standards for Granting a Variance. When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the Board of Adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following:

- 1) *Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*

Staff Findings:

- A. The applicants contacted Staff December 30, 2020 for information about allowed structures for the adjoining property.
- B. Approximately, 327 linear feet of surface approved by NCDOT and accepted for maintenance is required for the frontage of the subject property to comply with Article 8.1 (Exhibit 5).
- C. The strict application of the Ordinance includes the frontage of the subject property must be paved to the applicable standards (NCDOT). Staff does not find this requirement dissimilar to the requirements of lots with a similar history in the Town and Staff does not find evidence to indicate unnecessary hardship would result in the strict application of the Ordinance.

- 2) *The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.*

Staff Findings:

- A. There are at least six surrounding properties facing the same conditions if the property owners wish to construct a building on their lot (Exhibit 6).
- B. According to the applicant (Exhibit 4), the specifics surrounding the extension of Midas Springs Road are peculiar and other lots have been able to develop.
- C. A variance was submitted July 2015 for 9840 Midas Springs Road (V15-01) to relieve the requirement of Article 8.1 that lots shall abut a public street. V15-01 was denied by the Huntersville Board of Adjustment.
- D. There are various properties throughout Huntersville facing similar conditions. In 2021, an extension of Robert Street was privately constructed for the development of a single-family home in the Biltmore Park subdivision (Exhibit 7). Currently, there are lots in Biltmore and Norman Park that would require road improvements before a building permit could be issued for construction on the property.

- 3) *The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.*

Staff Findings:

The subject property was purchased by the current property owners December 30, 2020. Staff does not know of any action by the property owner to create this hardship.

- 4) *The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.*

Staff Findings:

Lots must abut a public street per Article 8.1 to provide public safety and essential services. Evidence is not included the existing conditions meet the relevant requirements of a public street to thereby meet the spirit, purpose, or intent of the Ordinance. Per NCDOT staff, if the gravel road is constructed to NCDOT standards, NCDOT can be petitioned for the extension of maintenance. (Exhibits 8 and 9)

STAFF POSITION:

The applicant is seeking a variance from Article 8.1 of the Zoning Ordinance, which requires any lot on which a building (or buildings) is to be erected or use is to be established shall abut a public street. Staff finds the application meets one of the four requirements for granting a variance and therefore recommend denial of the request.

Staff stated that they received additional evidence in the form of an email received from Randy Frazier, County Fire Marshall, dated today, Tuesday, May 11, 2021 who indicated that fire service could be provided to both parcels with less than a public street built to NCDOT's standards as long as the criteria outlined is maintained. This included: 16 foot wide gravel road capable to support an 80,000 lb. fire apparatus is provided to the end of the second lot; the gravel road would need to be maintained like the existing gravel portion of Midas Springs Road that begins before the intersection of Alton Street and Midas Springs Road; the gravel road must remain clear of debris and obstructions and provide free access for the fire department; the gravel road must provide 13ft 6in. of clearance from overhead obstructions; and Jeff Tracey or Randy Frazier with Mecklenburg County Fire Marshall's office shall be contacted to certify gravel road meets minimum fire safety requirements for access. Staff acknowledges that with this evidence the applicant may be able to demonstrate they have met two of the four hardships.

Larry Shaheen, McIntosh Law Firm spoke for the applicants and stated that from October – December 2020 due diligence was performed and a septic permit was issued by Mecklenburg County. The applicants stated that they spoke with the real estate agent and the closing attorney who both confirmed that they could build on this lot. On December 31, 2020, the day after closing, they contacted the Town of Huntersville Planning Department and received an email that the lot was not buildable due to a lack of frontage on a publicly maintained street. The applicants have exhausted all other methods to resolve this and have resorted to requesting a variance as a final resort.

L. Shaheen stated that it is their position that it is an unnecessary hardship because without a variance the lot is unusable due to the lack of road frontage and the lack of utilities. As demonstrated in the included evidence, the only suitable location for septic is within the scheduled right-of-way. Therefore, requiring the applicant to build the public street would deem the lot unusable.

The hardship was created by NCDOT not adopting the road through no fault of the applicant. There are currently five driveways to the public right-of way and the road width meets the criteria for fire service.

Chairman Cecil asked those in attendance if anyone was speaking in opposition to the variance. There were none.

Applicant, Monika Leach, 9808 Midas Springs Road stated that main issue identified during due process was if the land would perc. They hired two consultants and finally were able to locate the one location indicated as the only acceptable place that would perc, and they were approved septic for 3 bedrooms. On closing day of the purchase of the land, a neighbor mentioned the lawsuit related to the road. The closing attorney provided court order stating the road is a state road, road #2123. The applicants emailed the town of Huntersville to determine what type of structure can be built there with the existing structure. Lauren Speight replied that nothing can be built until the road frontage is resolved. The applicants then went back to the closing agent, Baker Law Firm, and they stated that it was a mistake because there is a road.

The potential solutions already explored required the applicant to have a survey completed that measured the amount of street frontage owned; the second solution attempted was for an easement but then determined that that was not an option.

Applicant, Aaron Leach, 9808 Midas Springs stated that it was the neighbor's comments that brought the issues to their attention that there had been a lawsuit with the road. When they went to the closing table, the closing attorney who represented both the buyer and seller, provided them with a copy of the court order and stated that it was closed and there is no issue with building. When they learned from the Town that they could not build, they contacted the closing attorney again and they received an email that is in the packet that stated in general what is the responsibility of a closing attorney.

Jim Gilbert, 9811 Midas Springs stated that in 1948 there is a map with the first known reference to Midas Springs Road. In 1950 this road was not petitioned to join NCDOT maintenance. NCDOT would not have accepted part of the road, they would have accepted the whole road. They have acknowledged that they accepted the front portion.

Chairman Cecil asked the Board if they would accept questions during the evidentiary hearing. There was no objection.

S. Genenbacher asked what the mailing address is and where their mailbox is located. Jim Gilbert responded that his mailbox faces Midas Springs across the street from the applicant and he receives his mail at that address. S. Genenbacher then stated that in his opinion this makes them an official road.

D. Baily, 9716 Midas Springs Road stated that she is a resident and history enthusiast of this area. She stated that she has researched and found a 1910 geological survey in UNCC's files that shows Midas Springs Road went completely around to Beatties Ford Road. There is a 1911 map that shows Long Creek community. At that time the road went completely around and back to Beatties Ford Road because not all homes had a well and they had water delivered. The road was labeled an essential rural route, as such the road had to be open to the public and it had to be a good road. Every lot sold referred to it as a road.

M. Hedrick, 7508 Hedrick Circle stated that he moved there in 1967. He grew up there and the state used to maintain it further than that. He used to ride and walk the road as a kid and he in support of the variance.

J. Simoneau, Planning Director commented that the referenced court case was related to the section connecting Hedrick to Midas Springs Road, not the section that these parcels front. He then identified the placement of the proposed septic L. Shaheen agreed and stated that the judge determined it was a right-of-way and these roads have been there and used for a long time and through a technicality the road was not accepted by NCDOT as a maintained road.

Chairman Cecil asked if there were any further public comments or evidence to be provided. He then closed the public session.

S. Genenbacher asked what constitutes a driveway, how many driveways are currently accessing this road, and how does this compare to other similar non-paved roads in Town. Staff responded that the development in this area predates the ordinance and does not meet the legal requirements today. Non-paved roads with new development would only be found in a farmhouse cluster.

Chairman Cecil asked why the road has not been considered an abandoned road and taken as a private road. Staff responded that even a private road would be required to come up to public street standards to be eligible to have a building permit issued.

P. Jacobson asked if this could be a farmhouse cluster so that the condition of the road would be acceptable, at what point the applicant contacted the Town to determine if it was a buildable lot. L. Shaheen responded that it would require all of the owners to consent and work together which may be considered an undue hardship. M. Leach stated that they contacted the Town the day they closed to find out about the location of where to build, not if they could build because they trusted that the attorneys were advising them accurately when they told them they could build on this lot. A. Leach responded that they had worked with Mecklenburg County for a number of reports and questions related to the septic permit, well location, and demo permit. The closing attorney, realtor both said this was a buildable lot and the septic permit stated that they could build a 3-bedroom home on this lot so there was no thought that they needed to confirm ability to build with the Town. L. Shaheen stated that in his opinion the error is on the side of the closing attorney and there should be greater requirements related to due diligence and representation of individuals.

Chairman Cecil stated that L. Shaheen commented about malpractice and asked if that had been pursued. L. Shaheen stated that it has not been pursued at this time as there are not any damages yet. T. Primiano asked if title was pulled for this property. The applicants confirmed that title was pulled. Chairman Cecil asked if L. Shaheen has spoken with the closing attorney regarding this. L. Shaheen stated that he intentionally has not.

Chairman Cecil asked L. Shaheen if he could make a brief statement related to what an equity decision is. L. Shaheen stated that an equity decision is justified by circumstances versus the letter of the law.

P. Jacobson asked staff if there was a previous variance request for this lot. Staff responded it was not for this parcel. A variance request submitted in 2015 requested to build a house and that was not fronting a public street. The variance was denied for not meet street frontage, not having an exclusive easement, four surrounding properties exhibiting the same conditions, various properties in Huntersville having similar conditions. Public street standards deemed necessary to ensure safety and no evidence from the fire department that they could provide service with the current road condition.

P. Jacobson asked what the basis is for requiring that properties front a public street and how is it handled if an existing home does not front a public street. Staff responded that there are properties that predate the Ordinance and are considered legal non-conforming.

J. Bradshaw asked if structures must be built to today's code, if a non-conforming build is allowed, if an easement would work and which fire jurisdiction this falls under. Staff responded that an existing non-conforming structure may be allowed to remain, new development would not be allowed to be non-conforming. Staff researched the exemption clause for an easement, and this does not meet those requirements. The parcel is serviced by Huntersville, but Mecklenburg County fire marshal oversees the entire county and they have determined that fire service can be provided on this road.

J. Bradshaw asked if granting this variance would create any hardship for the landowners further down this portion of the road who may choose to do something different with their land. L. Shaheen stated that they would have to avoid the applicant's septic field and in their due diligence if a developer was going to buy multiple lots to develop, then they would realign the public road accordingly. Given that each parcel owns to the center of the road there is no way to avoid assembling the land to construct the public road or negotiating with each landowner for the right-of-way.

E. Cecil stated that he believes in equitable principles and they have been applied before. In his opinion he thinks they should be applied here, and the applicant may now have 2 of the 4 hardships met.

S. Genenbacher stated he does not think this discussion should even be required given the road has a name and they receive their mail at this location.

E. Cecil asked the applicants if they intend to join the lots. The applicants stated that they do not plan to join the lots. They wanted to build on the second lot and the first lot has a current small home that they would like to rebuild a mother-in-law suite if septic somehow made that possible.

S. Genenbacher made a Motion to Approve the variance request for V21-01, 9808 Midas Springs Road request by Aaron and Monika Leach for a variance from Article 8.1 of the zoning ordinance, the Board of Adjustments approve the request based on the findings of fact as identified in the applicant's application. T. Primiano seconded the motion. The motion passed unanimously (7-0).

J. Bradshaw made an amended Motion to Approve the variance request for V21-01, 9808 Midas Springs Road to include the standards entered into evidence, exhibit 15 must be met for the conditions of the variance to be met and prior to the issuance of a building permit. B. Welch seconded the motion. The motion passed unanimously (7-0).

3.B. V21-02 9822 Midas Springs Road (Parcel 02305204)

L. Shaheen made a request for the record from the previous item be incorporated into the hearing for V21-02. There was no objection.

J. Bradshaw made a Motion to Approve the variance request for V21-02, 9822 Midas Springs Road from Article 8.1 of the zoning ordinance based on the finding that the request meets all four of the criteria outlined in the zoning ordinance for granting a variance based on the following findings of fact: there is an unnecessary hardship that would result from strict application of the ordinance, hardship and the conditions are peculiar to the property; the hardships did not result from the actions taken by the property owner; and, the requested variance is consistent with the spirit and intent of the ordinance. In addition, the terms and stipulations from exhibit 15 be added to the approval of the variance as a condition of approval. S. Genenbacher seconded the motion. The motion passed unanimously (7-0).

4. Other Business

5. Adjourn

S. Genenbacher made a Motion to Adjourn. T. Primiano seconded the motion. The motion passed unanimously (7-0).

Approved this ____ day of _____ 2021.

Chairman or Vice Chairman

Board Secretary