

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 1037
Tuesday, November 23, 2010, 1:00 p.m.
Tulsa City Council Chambers
One Technology Center
175 East 2nd Street

| MEMBERS PRESENT | MEMBERS ABSENT | STAFF PRESENT | OTHERS PRESENT |
|------------------------------------------------------------------|-----------------------|-----------------------------------|-----------------------|
| Stead Tidwell, Secretary White, Vice Chair Van De Wiele | Henke | Alberty Cuthbertson Sparger | Boulden, Legal |

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on Wednesday, November 18, 2010, at 2:56 p.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800.

After declaring a quorum present, Vice Chair White called the meeting to order at 1:00 p.m.

Mr. Cuthbertson read the rules and procedures for the Board of Adjustment Public Hearing.

MINUTES

On **MOTION** of **TIDWELL**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the **Minutes** of November 9, 2010 (No. 1036).

UNFINISHED BUSINESS

Case No. 21164-Melinda Bennett

Action Requested:

Variance of the maximum number of dwellings permitted on a lot of record (Section 207) to permit two dwellings on the AG-zoned lot. **Location:** 9404 South Delaware Avenue

Mr. Cuthbertson announced that this case had previously been withdrawn, but Ms. Bennett is requesting a full refund of \$400.00. It was on the recommendation of staff and direction of the City permit office that Ms. Bennett made the application then it was determined that Ms. Bennett did not have the authority to apply; therefore, the staff is recommending a full refund.

Presentation:

None.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **Van De Wiele**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the request for a full refund; for the following property:

GOV LT 4 BEG 50W NEC SE NW TH W417.2 S208.6 E417.2 N208.6 POB LESS BEG 50W NEC TH SLY ALONG R/W 208.6 WLY51.51 NLY120.87 NLY88.28 TO A PT NL E40 POBSEC 20 18 13

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Case No. 21148-Curtis Connors

Action Requested:

Special Exception to permit a paint ball park (Use Unit 20 – Commercial Recreation) in an AG district; and a Variance of the paving requirement for parking and driving surfaces (Section 1303.D). **Location:** 1328 South 193rd Avenue

Mr. Cuthbertson announced the applicant was not present at the current time and that if he were present he would be asking for a continuance of this case to either December 14, 2010 or January 11, 2011. It was communicated to the applicant that the Board did not have the ability to consider approving an outdoor paintball park inside the city limits. The applicant is asking for more time so he may initiate dialogue with the City Attorney's office to see if there is something that can be worked regarding the interpretation of the ordinance.

Presentation:

Applicant was not present.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

Mr. White stated the Board would hold this case until the end of the meeting to allow the applicant to possibly arrive before the end of the hearing.

NEW APPLICATIONS

Case No. 21165-Tulsa Public Schools

Action Requested:

Variance of the requirement that illumination of a sign shall be by constant light to permit an LED element on a sign for a school in the RS-3 district (Section 402.B.4); and a Variance of the maximum permitted height of a sign in the R district from 20 ft. to 21'-4" (Section 402.B.4). **Location:** 4929 North Peoria Avenue

Presentation:

Jerry Compton, P. O. Box 1602, Owasso, OK; stated he is representing Tulsa Public Schools. The sign specifications are based on traffic flow, the ability to see the sign and the sign structure specs out at 21'-4"; therefore, the school is requesting an additional one foot, four inches in height.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the Variance of the requirement that illumination of a sign shall be by constant light to permit an LED element on a sign for a school in the RS-3 district (Section 402.B.4); and **APPROVE** a Variance of the maximum permitted height of a sign in the R district from 20 ft. to 21'-4" (Section 402.B.4). This sign shall be two-sided and visible from the north and south and shall comply with all provisions of 1221.C.2 except for "C" regarding residential areas. The sign specifically shall not exceed 70 foot candles measured at a two-foot distance; shall have no blinking or flashing messages, and any scrolling shall be horizontal with no vertical scrolling. The sign shall comply with the sign code as to 500 NITS, No. 1221.C.2.E and shall be placed according to the sketch on page 4.6 which is the present location of the non-digital sign. The sign shall be constructed approximately as

shown on page 4.7, and as noted in the notification, the sign shall not exceed 21'-4" in height; no more than 50'-0" from the centerline of North Peoria Avenue and set back 20'-0" from hard driving surface. In granting this Variance, the Board finds there are exceptional conditions which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; and it will be noted that essentially all of the property to the west, immediate north and immediately south is zoned commercial; for the following property:

S825 OF W1320 OF N/2 SW SEC 7 20 13

Case No. 21166-Tulsa Public Schools

Action Requested:

Variance of the requirement that illumination of a sign shall be by constant light to permit an LED element on a sign for a school in the RS-3 district (Section 402.B.4); and a Variance of the maximum permitted height of a sign in the R district from 20 ft. to 22 ft. (Section 402.B.4). **Location:** 6960 East 21st Street

Presentation:

Jerry Compton, P. O. Box 1602, Owasso, OK; stated he is representing Tulsa Public Schools.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the Variance of the requirement that illumination of a two-sided sign shall be by constant light to permit an LED element on a sign for a school in the RS-3 district (Section 402.B.4); and **APPROVE** a Variance of the maximum permitted height of a sign in the R district from 20 ft. to 22 ft. (Section 402.B.4); subject to the conditions of Section 1221C.2 except for item C, specifically limiting the sign to 22 ft. in height; subject to the illumination standards in Section 1222.C.2, Item E; the sign will have no blinking, flashing, animation or running light. The text movement on the digital sign shall be horizontal with no vertical movement; the sign shall be 50 ft. from the centerline of the street and 20 ft. from a hard driving surface; per conceptual plan 5.7 and 5.8. Finding by reason of extraordinary or

exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

NE NW SEC 14 19 13

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Case No. 21167-Tulsa Public Schools

Action Requested:

Variance of the requirement that illumination of a sign shall be by constant light to permit an LED element on a sign for a school in the RS-3 district (Section 402.B.4); and a Variance of the maximum permitted display surface area for a sign in the R district from 32 sq. ft. to 112 sq. ft. (Section 402.B.4). **Location:** 1919 West 40th Street

Presentation:

Jerry Compton, P. O. Box 1602; Owasso, OK; stated he is representing Tulsa Public Schools. This sign will be similar to the two previous presented signs but this one will be one-sided and will face Southwest Boulevard. This sign is also designed as a full color video and full motion sign but the motion will not be activated.

Interested Parties:

Bill Parker, 3928 South Union, Tulsa, OK; stated that school maintenance issues, i.e., guard rail repairs, should be addressed before a new sign is erected. Mr. Parker was concerned the sign would impact the neighborhood. It was determined the sign would not face the neighborhood.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the Variance of the requirement that illumination of a sign shall be by constant light to permit a single sided LED element on a sign for a school in the RS-3 district (Section 402.B.4); and **APPROVE** a Variance of the maximum permitted display surface area for a sign in the R district from 32 sq. ft. to 112 sq. ft. (Section 402.B.4), subject to the conditions of Section 1221.C.2 except for Items B and C. The sign shall be oriented in the northwest direction as shown in exhibit page 6.7, which also pertains to the location of the sign; the sign shall be constructed per conceptual plan on page 6.8; subject to the condition that the LED display may be

full color but the full motion video display will not be used, and any scrolling of text shall be horizontal not vertical. The sign is also subject to the requirement that there will be no running or twinkling lights, animation, rotating or revolving sign. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

LTS 4 THRU 23 BLK 1 & LTS 7 THRU 26 BLK 2 & ALL BLKS 3 & 4 & LTS 8 THRU 27 BLK 5 & VAC STREETS ADJ THEREOF & W10 VAC ALLEY ADJ LT 4 BLK 1 ON E & W10 VAC ALLEY ADJ LTS 8 & 27 BLK 5 ON E, CLINTON HOMESITES

Case No. 21168-Lamar Outdoor Advertising

Action Requested:

Verification of the spacing requirement for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway (Section 1221.F.2); and a Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way (Section 1221.G.10). **Location:** 10322 East 71st Street South

Presentation:

Lorinda Elizando, Lamar Outdoor Advertising, 7777 East 38th Street, Tulsa, OK; stated she is before the Board today to request another spacing verification. The board has approved a couple of spacing verifications for this site but the pole has been moved back to support a digital sign. The code stipulates that measurements must be made from center pole to center pole.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION of STEAD**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **ACCEPT** the Verification of the spacing requirement, based on the survey on page 7.6, for an outdoor advertising sign. Based upon the facts of this matter as they presently exist the Board accepts the applicant's verification of spacing between outdoor advertising signs for a one-sided digital outdoor advertising sign, subject to the action of the Board being void should another outdoor

advertising sign be constructed within the spacing requirement prior to this sign; for the following property:

LT 4 BLK 1, VALLEY CROSSING

Case No. 21169-Lamar Outdoor Advertising

Action Requested:

Verification of the spacing requirement for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway (Section 1221.F.2); and a Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way (Section 1221.G.10). **Location:** West of the southwest corner of North Mingo Road and I-244

Presentation:

Lorinda Elizando, Lamar Outdoor Advertising, 7777 East 38th Street, Tulsa, OK; was present to answer any questions.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **ACCEPT** the applicant's spacing Verification, based on the facts of this matter as they presently exist, of the outdoor advertising signs for a one-sided digital sign subject to the action of the Board being void should another outdoor advertising sign be constructed within the spacing requirement prior to this sign; for the following property:

**BEG 40W SECR SE TH W1614.17 N166.38 TO PT ON SL HWY R/W NE618.10
NE313.14 E275.05 SE433.01 SE331.31 POB SEC 36 20 13 11.634ACS**

Case No. 21170-Chris Penn

Action Requested:

Special Exception to permit a crematory (Use Unit 2) in a CH district inside an existing funeral home (Section 701); and a Variance of the parking requirement from

50 spaces to permit a crematory and existing funeral home (Section 1211.D).
Location: 2570 South Harvard Avenue East

Mr. Tidwell recused himself from this case and left the room at 1:45 P.M.

Presentation:

Chris Penn, Moore Funeral Home, 2570 South Harvard, Tulsa, OK; stated he is before the Board to ask for a Variance on the parking space requirement for the funeral home and to answer any questions the Board may have regarding the request for the crematory. The funeral home is surrounded by the Broken Arrow Expressway, 26th Street and South Harvard. Moore Funeral Home is increasing the cremations performed and currently the cremations are contracted to an outside crematory. The proposed crematory will be within the existing funeral home located on the garage side which is the northwest corner. Moore Funeral Home wants to serve the families better and by having a crematory on site would allow this.

Ms. Stead asked Mr. Boulden if the crematory is permitted by right since the funeral home is permitted by right. Mr. Boulden stated the answer would be no at this time because he had not specifically looked at that.

Ms. Stead stated she understood that the code had no standard for parking for the crematory. Mr. Cuthbertson stated that was correct. Ms. Stead stated if the code had no standard, then the Board should not have to consider additional parking because it is not provided for in the code.

Mr. Cuthbertson stated the parking variance request is a result of a zoning clearance review. Plans were submitted to the permit office and they stated that a special exception would be needed for the crematory and a variance would be needed for the combined uses. Mr. Cuthbertson thought the reason for this was that the funeral home is establishing a new use so the permit office looked at the combined parking requirement. The 50 spaces is actually a reflection only of the funeral homes requirement.

Ms. Stead stated the Board was not approving the funeral home because it is already there and has been for years. Mr. Cuthbertson stated Ms. Stead was correct and after speaking with the permit office it was determined the variance for the parking was not necessary.

Mr. White stated there was no previous action listed and if it is legally non-conforming as to parking then adding the crematory can be a cancellation of the legal non-conforming status, and that is why the Board is being requested to consider a second variance of 50 spaces to permit a crematory and an existing funeral home.

Mr. Boulden stated there needs to be an assessment made by the Board of Adjustment that none is required. If parking is required and the funeral home does not have it, then the funeral home has to ask for a variance.

Mr. Cuthbertson asked Mr. Penn to address the environmental externalities that may come from a crematory. Mr. Penn presented a letter from the Crematory Manufacturing Services to the Board; this letter pertained to the EPA standards.

Mr. Boulden asked Mr. Penn what source was used for the cremations and Mr. Penn stated that it is natural gas and the exhaust would be vented straight up and would be basically heat. Mr. Penn said the exhaust emits less product than a fireplace.

Mr. Boulden asked how frequently the chamber would be used for a cremation and Mr. Penn stated Moore Funeral Home performs approximately 400 cremations a year; therefore, it would be used every day.

Mr. White asked Mr. Penn if there were exhaust monitoring elements on the chamber and Mr. Penn stated there were not but there is a computer set up by EPA standards that will shut the chamber down should something go wrong.

Interested Parties:

Kirk Harlton, 2451 South Gary Place, Tulsa, OK; stated he is opposed to the crematorium. Mr. Harlton does not want his property value to decrease and he has emission concerns.

Katy Brocksmith, 2205 South Florence Avenue, Tulsa, OK; stated she is opposed to the crematorium. Ms. Brocksmith is concerned about quality of life issues; when a body is burned it is the same as burning meat and that action creates many bodily chemicals and trace elements to be released because they do not turn into carbon.

G. T. Bynum, City Councilor, City of Tulsa, 175 East 2nd Street, Tulsa, OK; stated his concerns regarding the crematorium are the impact on the surrounding neighborhood. There is a great perception problem and in this instance the crematorium has taken every step possible to make the crematorium feasible from the environmental standpoint. The reason the code is in place is to give people reasonable expectations of stability of a neighborhood. There are many places within Tulsa that can perform cremations and be done without negatively impacting property values. Mr. Bynum stated he does not believe this area is an area for a crematorium; therefore he would encourage the Board not to approve the variance.

Ben Stewart, 2267 South Delaware Court, Tulsa, OK; stated he is opposed to the crematorium. Mr. Stewart does not want his property value to be decreased and has emission concerns.

Beverly Sipes, 2445 South Gary Place, Tulsa, OK; stated she is opposed to the crematorium. She does not understand how this chamber could be built without a

permit, because it is already in place. Ms. Sipes does not want to see an unsightly smoke stack in the skyline view. Ms. Sipes also has emission concerns; she asked what consequences will there be if something does go wrong.

Larry Hutchings, 1763 East 61st Street, Tulsa, OK; stated he works for Moore Funeral Home and has operated a crematorium for Stanley's Funeral Home for 18 years. In 18 years of service with Stanley's he never had a problem with the issues the opposition has brought forth. Mr. Hutchings stated that technology has totally changed; there are no particles, no odors, and no smoke. The only visual that comes from the stack is a heat shimmer because of the 2000 degrees required to cremate a body. The unit that is in Moore Funeral Home is a chamber with an afterburner. The afterburner is at 1800 to 2000 degrees prior to a body being placed inside. The computers for the unit are regulated by thermocouples; there are several thermocouples in the actual chamber that regulate it, there is a thermocouple in the afterburner, and there is a thermocouple in the stack. If there are any variances the computers will adjust the unit to add to or reduce the temperature. The machine that is at Moore Funeral Home meets EPA standards, and has been tested to meet the EPA standards.

Mr. Van De Wiele asked Mr. Hutchings what type of maintenance is performed to ensure a proper functioning machine. Mr. Hutchings stated there were flame rods which ignite the gas and they are changed out periodically; if a flame rod does not ignite the unit shuts down and self-purges the gas.

Mr. Hutchings stated that if the neighborhood had any problems or concerns with the crematory, they were welcome to come to the office to voice their concerns and the funeral home staff would help them.

Mr. White asked Mr. Hutchings if there was an inspection procedure for the unit, and Mr. Hutchings stated the only procedure was for the City, electric company and gas company ensuring the gas line or the electrical is functioning properly, efficiently and up to code.

Mr. Boulden asked Mr. Hutchings if there had been any complaints lodged against the funeral home, and Mr. Hutchings stated he was before the Board today because the State Board requires certification. Mr. Hutchings stated the unit was built in West Tulsa and the manufacturer will transport from factory to the funeral home, set up and test the unit to guarantee everything is functioning properly.

Rebuttal:

Mr. Penn stated he has read everything available to him and this unit is very efficient. The reason the funeral home installed the unit with no permit is because it is just a box. It is rolled into the garage, and they cut a hole in the roof of the building and the unit is installed.

Ms. Stead asked Mr. Cuthbertson why if there was no relevant action, was it always by right? Mr. Cuthbertson answered a Use Unit 11 funeral home use has always been a permitted use in a commercial district, at least from 1970.

Comments and Questions:

None.

Board Action:

On **MOTION of STEAD**, the Board voted 3-0-0 (Stead, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the Special Exception to permit a crematory (Use Unit 2) in a CH district inside an existing funeral home (Section 701); and **APPROVE** a Variance of the parking requirement from 50 spaces to permit a crematory and existing funeral home (Section 1211.D). It is the Board's opinion that the additional parking requirement is not necessary as the crematory should not generate the need for additional parking spaces therefore no more than 30 parking spaces will be needed. The Board finds there are extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan. In granting the Special Exception The Board has found that it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

**BLK 1 LESS BEG NEC BLK 1 S86.1 NW266.1 N55.1 SELY251.5 POB BLK 1,
SHEILA TERRACE**

Mr. Tidwell reentered the meeting at 2:34 P.M.

Case No. 21171-Dick Alaback

Action Requested:

Variance of the building setback from a non-arterial street (East 67th Street) to permit an existing building in a CS district (Section 703). **Location:** 6702 South Lewis Avenue East

Presentation:

Tanda Francis, Beacon Commercial Group, Ltd., 8242 South Harvard, #1, Tulsa, OK; stated she represents the new owner of the property. The application for variance was

made during the due diligence period of a contract for sale of real estate. One of the requirements of the buyer was that the seller, represented by Dick Alaback, file for a variance for the building setback. The building has since transferred ownership; the warranty deed has been filed of record.

Interested Parties:

No interested parties were present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the Variance of the building setback from a non-arterial street (East 67th Street) to permit an existing building in a CS district (Section 703); finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, subject to the as-built diagram shown on page 10.6; for the following property:

LT 1 LESS BEG NEC LT 1 TH S20 NW28.28 E20 POB BLK 2, SOUTHERN CROSS ADDN B1, SOUTHERN CROSS ADDN B2-3

Case No. 21178-Timothy J. Pooler

Action Requested:

Minor Special Exception to reduce the required front yard in the RS-2 district from 30 ft. to 25 ft. (Section 403.7). **Location:** 32 East 26th Street South

Mr. White recused himself at 2:40 P.M.

Presentation:

Brady Whitaker, Whitaker Architects, PC, 16 West 2nd Street, Sand Springs, OK; stated he is the architect on the project for Mr. Pooler. Mr. Pooler wants to build an English Tudor home that will fit into the neighborhood. Mr. Pooler had the home designed to respect the architectural character of the neighborhood, so the garage is in

the rear of the home so as not to show the garage from the street view as much as possible. The owner would also like to have a private pool in the rear yard, and to create privacy a courtyard is needed.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 3-0-0 (Stead, Tidwell, Van De Wiele, "aye"; no "nays"; no "abstentions") to **APPROVE** the Minor Special Exception to reduce the required front yard in the RS-2 district from 30 ft. to 25 ft. (Section 403.7). It is noted that this lot is only 75 feet wide; finding the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, subject to conceptual plan on page 11.6 as to the footprint of the house; for the following property:

LT 1 BLK 13, RIVERSIDE DRIVE ADDN THIRD AMD

Mr. White reentered the room at 2:47 P.M.

Case No. 21148-Curtis Connors

CONTINUED from the beginning of the meeting.

Presentation:

Applicant has not shown.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **CONTINUE** this matter to the meeting of January 11, 2011; for the following property:

**S990 W/2 SW NE & A TRACT BEG SECR SE NE TH N593.27 SW148.53 SW88.57
SW63.06 SW161.24 SW46.16 SW877.58 S405.06 E1322.31 POB LESS BEG SECR**

NE TH SW134.19 NE344.98 NE695.92 NE68.74 NE174.14 NE52.65 NE69.50
NE136.45 S533.27 POB SEC 12 19 14

OTHER BUSINESS

NEW BUSINESS:

None.

BOARD MEMBER COMMENTS:

None.

There being no further business, the meeting adjourned at 2:49 p.m.

Date approved: 12/14/10

Frank X. [Signature]

Chair