

**TUESDAY, JULY 21, 2020**

Pursuant to law, the Board of Commissioners met on Tuesday, July 21, 2020 at 9:00 a.m. in the Board of Commissioner's Room and were called to order by the Chairperson.

Pledge of Allegiance

Invocation

PRESENT: Margaret Batzer (remotely), Mark Bergstrom (remotely), Jeff Dontz, Karen Goodman, Pauline Jaquish, Gene Lagerquist and Richard Schmidt (remotely).

ABSENT: None

The County Board is operating remotely and electronically by Zoom under Executive Order #2020-129 issued by Governor Gretchen Whitmer due to the COVID-19 pandemic.

**APPROVE MEETING AGENDA**

Moved by Goodman, seconded by Jaquish to approve the Meeting Agenda.

Motion Carried

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**CONSENT AGENDA**

Moved by Goodman, seconded by Lagerquist to approve the Consent Agenda which includes the minutes of the June 16, 2020 Board meeting, the Budget Study Session minutes of July 10, 2020 and the July 2020 monthly appropriations and fund transfers.

YEAS: 7 Batzer, Bergstrom, Dontz, Goodman, Jaquish, Lagerquist, Schmidt

NAYS: 0 None

Motion Carried

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**PUBLIC COMMENT**

None, neither in person nor on-line.

**RECOGNITION & ANNOUNCEMENTS**

None.

**TREASURER'S REPORT**

Rachel Nelson, County Treasurer, appeared before the County Board to give her monthly report. Ms. Nelson reported on the Rafaeli lawsuit concerning when property is foreclosed

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on and there are excess monies, currently the General Property Tax Act allows for the County to retain the excess monies. The Court ruled that the General Property Tax Act is unconstitutional. The opinion has not been studied yet as to the potential liability to the local and County governments, but it could be significant. It is unknown whether there will be a statute of limitations. The legislature will need to create laws concerning the profit of this process. In the meantime, this year's Foreclosure Sale will continue as normal with the exception that any new proceeds will be set aside. Ms. Nelson will check with the Land Bank Association to see if this decision could affect the Land Bank Authority.

Ms. Nelson reported on the current foreclosures. The foreclosure process is a three-year process from when the taxes become delinquent to foreclosure. Property owners can also get a one-year extension. There are many notices that are sent and help that is available. There were an average number of foreclosures of 16 in Manistee County. Six (6) properties with Primary Residence Exemption (PRE's) (1 house fire, 2 are deceased owners, 2 no contact and the house at the end of Merkey Road) and the other ten (10) properties were not PRE's ( 1 fire damaged, 3 vacant, 3 deceased, 3 no contact). Ms. Nelson stated that the County does not want to foreclose on properties, and she tries to avoid it if at all possible. As to the property dwelling on the end of Merkey Road in Manistee, where the house is dangerously on the edge of the cliff due to erosion problems, the bid was awarded to Swidorski Brothers Excavating who has been wonderful to work with and Ms. Nelson said she has all the confidence in them. An asbestos survey is being completed and the demolition is scheduled to be done the following week. It is a very serious situation there and we do not want the house falling into Lake Michigan. The bid was awarded to Swidorski Brothers Excavating at a cost of \$26,850, which will be paid from the Foreclosure Fund. The Land Bank is requesting to use the first right of refusal for the piece of property that is in the Village of Bear Lake. The owner of the property has passed away and there are no decedents relatives. There is also a piece (sliver) of property in the City of Manistee. It was a right of way, now it has dropped off the chain of title. The cost to the County would be delinquent taxes in the amount of \$2,000. Ms. Nelson was asked about the \$5,000 loan the County made to the Land Bank Authority at the beginning of its inception. Ms. Nelson indicated that although the loan was approved, the money was never borrowed but rather the money was used from the Foreclosure Fund.

Moved by Jaquish, seconded by Goodman to exercise the first right of refusal under MCL 211.78(m) and take parcel #51-32-221-732-06 in the Village of Bear Lake, and parcel #51-51-664-703-05 in the City of Manistee, to use for public purpose and deed over to the Manistee County Land Bank Authority.

YEAS: 7 Bergstrom, Dontz, Goodman, Jaquish, Lagerquist, Schmidt, Batzer  
NAYS: 0 None

Motion Carried

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**PUBLIC SAFETY COMMITTEE MINUTES/JULY 10, 2020**

Pauline Jaquish presented the Public Safety Committee Minutes of July 10, 2020.

No Action Items.

Items not requiring action.

Sheriff Falk updated the Public Safety Report that all three (3) new Tahoe vehicles were received and equipment switching has been done from Telrad and all are now in operation.

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Holding cells 1 and 2 at the Jail are being converted into Negative Pressure Cells. Negative Pressure Cells are used to prevent cross contamination from room to room and used to isolate people with airborne diseases. Bids received are approximately \$16,000. Complaint writing was looked into by Sheriff Falk, but he only heard from one (1) surrounding County concerning their method on how they track statistics. On August 10, 2020 at 5:30 p.m., there will be a bike riding group in Manistee to honor police survivors and to honor Deputy Robin Arnold who lost her life in 1994.

The dispatch system at 911 was discussed. The system is called PRO QA which cost approximately \$110,000-\$115,000 which was implemented one year ago is not working how Dispatchers need it to work. The system cannot transfer a call from one dispatcher to another. An RFP was done before the system was purchased. This was not the information that was given to 911 when it was purchased. There are only two (2) companies that sell PRO QA so that was another issue. The 911 board voted to go back to the card system for an annual fee of \$9,700, and the card system is approximately \$250 per year. The card system is a high-quality system. It was noted that the PRO QA system is mostly for larger counties where Dispatchers or call takers are not one in the same. Therefore, they don't need to transfer calls.

A conditional offer was extended to Kylee Rogers a recent graduate from WSCC. Sheriff Falk hopes to employ her by mid-August 2020.

Moved by Goodman, seconded by Batzer to accept the Public Safety Committee Meeting Minutes of July 10, 2020.

Motion Carried

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**DISCUSSION AND APPROVAL OF THE COUNCIL ON AGENDA PROPOSED  
MILLAGE REQUEST**

Sarah Howard, Director, Manistee Council on Aging (COA) appeared before the Board to present language for a possible millage request. Proposed millage verbiage was drafted by the COA Attorney but there was some confusion as to what was being requested. After review and explanation of the submitted ballot language, it was suggested to add "informational use only" area to the ballot to further explain the details of the request.

Moved by Goodman, seconded by Lagerquist to approve the following millage request be submitted to the voters at the November 3, 2020 General Election ballot; in addition, an "Informational Use Only" area will be submitted by the COA and authority was given to the County Board Chair to approve such language. The approved proposal language is as follows:

**COUNTY OF MANISTEE**

**PROPOSITION NO. 1**

**SERVICES FOR THE AGED  
PROVIDED THROUGH MANISTEE COUNTY COUNCIL ON AGING**

Shall the County of Manistee, Michigan, increase the constitutional limitation on the total amount of general ad valorem taxes imposed upon real and tangible personal property for all purposes in the

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County of Manistee, Michigan, by 0.475 mills (\$0.475 per \$1,000 of taxable valuation) and levy the amount of 0.475 mills (\$0.475 per \$1,000 of taxable valuation) for a period of six (6) years (2021 – 2026, inclusive) to provide services to the aged through the Manistee County Council on Aging including the Senior Nutrition Program/Meals on Wheels.

This is a renewal of the prior 0.3 mill levy, (\$0.30 per \$1,000 of taxable valuation) which expires in 2020, and a request for new additional millage of 0.175 mill (\$0.175 per \$1,000 of taxable valuation) If approved, it is estimated that the revenue generated by this proposal in the first year would be \$563,266.49. The revenues generated will be disbursed to Manistee County, which contracts with the Manistee County Council on Aging, Inc. to provide services to the aged. A portion of the millage may be subject to capture by and disbursed to one or more tax increment financing entities, including the City of Manistee Downtown Development Authority, the Charter Township of Filer Downtown Development Authority and the City of Manistee and County of Manistee Brownfield Redevelopment Authorities.

Yes \_\_\_\_\_

No \_\_\_\_\_

YEAS: 7 Dontz, Goodman, Jaquish, Lagerquist, Schmidt, Batzer, Bergstrom

NAYS: 0 None

Motion Carried

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(recess 9:58 a.m. – 10:10 a.m.)

**LOCATION OF THE ONEKAMA TOWNSHIP RECYCLING TRAILOR**

Sarah Archer, Iris Waste Diversion Specialist and PA 69 Coordinator for Manistee County, appeared before the Board to discuss the location of the recycling trailer at the Onekama Township Hall. The Township has requested the recycling trailer be moved due to space limitations, people not complying with recycling requirements and being disrespectful and confrontational to others. Cardboard that should be placed in the PCA trailer (located near the recycling trailer) and supports Onekama Schools is being put in the recycling trailer (not the PCA trailer) and trash is also contaminating the recycled materials or being left outside the trailers. There were two containers that were contaminated in July by motor oil and both loads had to be taken to the landfill and there was an additional \$2,000 assessed for contamination costs. The Sheriff was called and a report was sent to the Prosecutor’s Office, but it is reportedly difficult to prosecute and it wasn’t pursued. Ms. Archer suggested the recycling trailer and the cardboard trailer be kept together and relocated to the County Fairgrounds. This location has held scrap tire events previously and is close to the existing location. Onekama Township represents 28% of County revenue and generates 40% of tonnage which is the highest use County-wide. Advantages in moving the recycling trailers to the County Fairgrounds is the trailers would be behind a fenced in area, specific days (maybe 3 days) and hours could be set, and a site monitor could be there during these hours. Extra pickup service that are currently being requested from the hauler could be eliminated by putting extra containers inside the fence and this move could also control litter and control users (those from non-PA 69 Townships could be identified) and/or charge them appropriately. This is an opportunity for a more controlled site and could possibly bring about consolidation of other sites. The disadvantages are the site would no longer be available 24/7, people could still dump at the fence, push back from non-PA 69 users to pay

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or push back of consolidation of locations. Ms. Archer explained that due to COVID 19, site monitors were stopped for a period which did free up some money in the budget. Questions like what happens when the fair is on, effects on the Lions Pavilion, lighting, surveillance cameras, putting a fence inside the fence. Jones Road is an improved road but is there more chance of abuse because the location will not be in downtown Onkama and move to a lesser traffic area? Nipper Wisneski, Onkama Township Trustee state the Onkama Township Board is tired of it, move it or take it out. Ms. Archer agrees that the system is broken but hopes that the change could be evaluated and go from there. Commissioner Lagerquist agreed that we are spending County and township monies to collect most products that have no value, there must be a better way. 10-15% is trash that has to be sorted which costs money and then ship to other states that costs fuel equals minimal benefits.

After a lengthy discussion, Mr. Dontz asked that Ms. Archer communicate with Ms. Jaquish who is the County Commissioner Liaison on the Fair Board to address this idea with the Fair Board. Bay Area Recycling was also mentioned in that could they assist in this matter.

**WAYS & MEANS COMMITTEE REPORT/JULY 1, 2020**

Mark Bergstrom presented the Ways & Means Committee Report of July 1, 2020.

**REQUEST FOR FOUR (4) LAPTOPS FROM CONTINGENCY FUNDS**

Moved by Bergstrom, seconded by Batzer to approve four (4) laptops to be paid out of Department Contingency Funds. Two (2) laptops in the amount of \$3,585.12 to be paid from the FOC Contingency Fund line item #216 000 390.005, and two (2) laptops in the amount of \$3,585.12 to be paid from the Juvenile Court Contingency Fund line item #216 000 390.022.

YEAS: 7 Goodman, Jaquish, Lagerquist, Schmidt, Batzer, Bergstrom, Dontz

NAYS: 0 None

Motion Carried

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**FINANCE REPORT**

Board of Commissioners  
Manistee County  
Manistee, Michigan 49660

We hereby submit claims for June 2, 2020 through June 30, 2020, and a summary of the On-Demand checks for their review and approval. The totals are as follows:

101 General Fund .....	\$267,984.94
201 County Road Fund.....	0.00
208 Parks/Recreation Trails Fund .....	0.00
215 Friend of the Court Fund .....	0.00
216 Department Contingency Fund .....	0.00

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220 Local Revenue Sharing Grant Fund .....	0.00
225 Recycling Fund.....	2,420.00
234 Judicial Technology Fund .....	0.00
235 District Court Services Fund .....	0.00
236 Maintenance of Effort Fund .....	12,622.67
238 Land Bank Authority Fund.....	0.00
239 NF&W Foundation Grant.....	0.00
241 AIS Grant Fund .....	0.00
242 Bear Lake Improvement Fund.....	0.00
243 Brownfield Redevelopment Authority Fund.....	0.00
244 Brownfield Redevelopment-Joslin Cove.....	0.00
245 Public Improvement Fund .....	0.00
246 Township Improvement Revolving Fund.....	0.00
251 Capital Improvement Fund.....	0.00
252 PRE Audit Fund .....	0.00
253 Remonumentation Fund .....	0.00
254 Medical Care Depreciation Fund .....	0.00
255 Brownfield Site Assessment Fund .....	0.00
256 Register of Deeds Automation Fund .....	1,516.79
257 Budget Stabilization Fund .....	0.00
258 Mounted Search and Rescue .....	0.00
259 Indigent Defense Fund .....	6,561.22
260 Health Insurance Fund.....	156,297.00
261 9-1-1 Service Fund .....	0.00
262 Dive Equipment Fund .....	0.00
263 Sheriff's Office Forfeited Assets Fund .....	0.00
264 Family Counseling Services Fund.....	0.00
265 Juvenile Drug Court Fund .....	0.00
266 Law Enforcement Training Fund .....	0.00
267 Concealed Pistol Licensing Fund .....	0.00
268 Homeland Security Grant Fund.....	0.00
269 Law Library Fund.....	1,918.27
270 Corrections Officer Training Fund.....	0.00
271 County Library Fund.....	0.00
272 County Library Trust Fund.....	0.00
274 OHSP Grant Funds.....	0.00
275 Dial-A-Ride Fund.....	0.00
276 Forestry Fund .....	0.00
277 Air Photo Fund .....	0.00
278 LEPC Grant Fund.....	0.00
279 Economic Development - Housing Fund .....	0.00
280 MSHDA Grant Fund .....	0.00
281 Law Enforcement Technology Fund.....	0.00
282 Community Wildfire Grant Fund .....	0.00
283 F.I.A. Benzie County.....	0.00
284 Community Corrections Fund .....	0.00
285 Drunk Driving Case Flow Fund.. ..	0.00
286 Juvenile Intervention Fund.....	0.00
287 Juvenile Accountability Fund.....	0.00
290 Department of Human Services Fund .....	0.00
292 Child Care Fund .....	7,393.40
293 Soldiers & Sailors Relief Fund.....	1,057.77
294 Veterans Trust Fund .....	0.00
295 Airport Authority Fund .....	80,858.28
296 Juvenile Justice Fund.....	1,250.00
297 Compensated Services Fund .....	129,541.01
298 County Employee Separation Fund.....	0.00
299 Unemployment Fund.....	0.00
356 Fair Board Debt Fund.....	0.00
360 9-1-1 Expansion Construction Fund.....	0.00
361 Jail Expansion Construction Fund.....	0.00

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362 Jail Building Bond.....	0.00
368 Library Loan Fund.....	0.00
369 Building Authority Debt Fund .....	0.00
370 County Road Building Debt Fund.....	0.00
461 Building Authority Construction Fund.....	0.00
462 County Road Construction Fund.....	0.00
512 Medical Care Facility Fund.....	0.00
606 Tax Revolving Fund.....	0.00
609 2009 Tax Revolving Fund.....	0.00
610 2010 Tax Revolving Fund.....	0.00
611 2011 Tax Revolving Fund.....	0.00
612 Delinquent Taxes.....	0.00
613 2013 Tax Revolving Fund.....	0.00
614 2014 Tax Revolving Fund.....	0.00
615 2015 Tax Revolving Fund.....	0.00
616 2016 Tax Revolving Fund.....	0.00
617 2017 Tax Revolving Fund.....	0.00
618 2018 Tax Revolving Fund.....	0.00
618 2018 Tax Revolving Fund.....	0.00
619 2019 Tax Revolving Fund.....	250.00
620 Foreclosure Fund.....	0.00
701 Trust and Agency .....	0.00
702 OPEB Trust Fund.....	0.00
801 Drain Fund.....	0.00

Total: .....\$669,671.35  
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(includes 2 acct. payable runs; on demand checks): \$199,930.79

Payroll for the period of June 2, 2020 thru June 30, 2020 + \$521,950.60  
(incl. 2 payrolls; \$24,000 Hazard Pay)

. Total to be Claimed and allowed July 21, 2020 \$1,191,621.95

Moved by Bergstrom, seconded by Batzer to approve the on-demand checks, bills and payroll, be accepted in the amount of \$1,191,621.95; and that the same be placed on file.

YEAS: 7 Jaquish, Lagerquist, Schmidt, Batzer, Bergstrom, Dontz, Goodman

NAYS: 0 None

Motion Carried

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**REQUEST FOR FOUR (4) SURFACE PRO LAPTOPS FROM CONTINGENCY FUNDS**

Moved by Bergstrom, seconded by Batzer to approve four (4) Surface Pro laptops with accessories in the amount of \$6,518.96 from Provantage; to be paid from the Equalization Department's Contingency Fund line item 216 000 390.008.

YEAS: 7 Lagerquist, Schmidt, Batzer, Bergstrom, Dontz, Goodman, Jaquish

NAYS: 0 None

Motion Carried

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**CONSULTING ENGINEER COSTS FOR THE HEALTH DEPARTMENT  
BUILDING AT 385 THIRD STREET**

Moved by Bergstrom, seconded by Batzer to approve the work and contract from Nordlund and Associates Inc. for engineering and consultation costs for the County building at 385 Third Street, Manistee, in the amount of \$5,080; to be paid from the Buildings and Grounds Budget.

YEAS: 7 Schmidt, Batzer, Bergstrom, Dontz, Goodman, Jaquish, Lagerquist

NAYS: 0 None

Motion Carried

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Moved by Batzer, seconded by Schmidt to accept the Ways & Means Committee Minutes of July 1, 2020.

Motion Carried

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**PERSONNEL COMMITTEE MINUTES/JULY 10, 2020**

Karen Goodman presented the Personnel Committee Minutes of July 10, 2020.

Items not requiring action.

Lisa Sagala, Interim County Administrator/Controller, reported that she has a meeting with 44 North regarding Health Insurance Renewal on July 24, 2020. More information will be received on rates.

The Grant application for reimbursement of Hazard Pay and April and May wages for the Sheriff's Office has been submitted.

Discussion concerning the County Administrator/Controller position was had. Although Ms. Sagala has done a great job with consistent leadership, it was discussed to move forward with the process to fill the position permanently rather than wait until September. Conversation as to spend the money to hire an outside company to do a search for the best candidate or a simpler application, interview and a validation process. The process should be fair to applicants and Ms. Sagala, as well as transparent as we represent constituents to do what is best. Using a process to fill the position would validate the process and the competency and confidence of the person hired for the position.

Moved by Goodman, seconded by Jaquish to advertise for the County Administrator/Controller position in the local newspapers in Traverse City, Ludington and Cadillac; with the Michigan Association of Counties, Networks Northwest, MI Works, as well as online companies such as Indeed (through the Chamber of Commerce) or Glass

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Door; to publish the ad for two (2) weeks with a deadline one (1) week later (August 7, 2020) to be reviewed at the August 14, 2020 Personnel Meeting; then to full County Board on August 25, 2020. Resumes are to be sent to Chairman Dontz; electronic mail is accepted.

YEAS: 7 Batzer, Bergstrom, Dontz, Goodman, Jaquish, Lagerquist, Schmidt

NAYS: 0 None

Motion Carried

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Moved by Bergstrom, seconded by Goodman to accept the Personnel Committee Minutes of July 10, 2020.

**POLICY COMMITTEE MINUTES/JUNE 26, 2020**

Karen Goodman presented the Policy Committee Minutes of June 26, 2020.

**DISCUSSION REGARDING UPDATING VACATION POLICY (PTO)**

Lisa Sagala asked that the recommendation be delayed in order to hear from Judge Thompson concerning the policy.

Ms. Sagala will prepare a chart of examples for review by the Committee as well as discussion from feedback received from employees about the draft PTO policy.

Moved by Batzer, seconded by Lagerquist to accept the Policy Committee Minutes of June 26, 2020.

Motion Carried

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**GREEN TEAM/RECYCLING COMMITTEE MINUTES/JUNE 25, 2020**

Margaret Batzer presented the Green Team/Recycling Committee Minutes of June 25, 2020.

**MICHIGAN RECYCLING COALITION MEMBERSHIP**

Moved by Batzer, seconded by Bergstrom for Manistee County to renew membership in the Michigan Recycling Coalition at a fee of \$200.

YEAS: 7 Bergstrom, Dontz, Goodman, Jaquish, Lagerquist, Schmidt, Batzer

NAYS: 0 None

Motion Carried

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Moved by Batzer, seconded by Lagerquist to accept the Green Team/Recycling Committee Minutes of June 25, 2020.

Motion Carried

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**MISCELLANEOUS CONTROLLER AND BOARD ITEMS**

**MICHIGAN INDIGENT DEFENSE COMMISSION (MIDC)  
FY 2021 GRANT CONTRACT**

Jared Henry, Chief Public Defender, appeared before the Board to answer questions and request approval of the Michigan Indigent Defense Commission (MIDC) FY 2021 Grant Contract.

Moved by Schmidt, seconded by Lagerquist to approve the FY 2021 Grant between the State of Michigan Michigan Indigent Defense Commission (MIDC) Department of Licensing and Regulatory Affairs (LARA) and Manistee County for a total authorized budget of \$766,610.24 for the period of October 1, 2020 to September 30, 2021; and authorize the County Board Chair to sign the same.

YEAS: 7 Dontz, Goodman, Jaquish, Lagerquist, Schmidt, Batzer, Bergstrom

NAYS: 0 None

Motion Carried

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**CONSERVATION DISTRICT REQUEST FOR THEIR EMPLOYEES TO BE ON  
MANISTEE COUNTY'S INSURANCE PLAN**

Renee Mallison, Conservation District Executive Director, appeared before the Board to request if Manistee County would allow the Conservation District to add their employee group on to Manistee County's insurance plan. They would have no more than 7 policies. There would be an administrative fee if this were allowed. This arrangement would be like the County has with the Library, 911 and Benzie County.

Ms. Mallison explained that some employees have HRA's but because of the small pool, it is difficult to get health insurance. The current stipend is \$4,000 and they are asking for \$6,000. Ms. Mallison explained there are three (3) grant funded employees and one (1) Staff (herself) who is funded by the millage. Using the administrative portion of grants, this covers only single coverage for health, dental and optical. The millage also pays for lights, heat, and vehicles. Other Conservation Districts provide no benefits (Mason/Lake), Benzie provides a stipend to its Executive Director only, it was unknown what Wexford County provides. It was also asked, what happens if a grant expires and is no longer funded and the millage couldn't support it. Currently, 3 of 4 employees are using the Marketplace for their stipend but have a very high deductible. The County would only be providing a service for a small administrative cost, no other costs would be involved. It was a consensus to have the Personnel Committee discuss this request and gather more detail. Also, it was suggested for Ms. Mallison to talk with the Conservation District Board concerning this and get details on the Plan, i.e. millage funds, is it \$6,000 in an HRA or \$6,000 towards benefits. A recommendation from the Personnel Committee will be awaited.

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**AREA 31 SERVICE AGREEMENT/ADDENDUM FOR EXTRA PICKUP SERVICE**

Discussion concerning the Area 31 Service Agreement/Addendum for extra pickup service was so be addressed under the Green Team Committee Minutes but was not. Ms. Archer provided this Addendum under Appendix D in the Green Team Minutes. The current contract does not address the special service fees. Ms. Archer proposes to remove items d and e, and item b would read from \$450 to \$500. Ms. Sagala recommended this matter be referred back to the Green Team for further clarification.

A reminder of the upcoming Budget Study Sessions scheduled for Friday, July 24, 2020 at 3:30 p.m. at City Council Chambers, City Hall, 70 Maple Street, the Policy Meeting will be rescheduled from that day; and then Friday, August 14, 2020 at 3:30 p.m. location to be determined.

**PUBLIC COMMENT**

None

Adjourn at the Call of the Chair at 12:10 p.m.

\_\_\_\_\_ Clerk