A Regular Meeting of the Board of Park Commissioners of Mill Creek MetroParks was held on Monday, September 21, 2020. The Meeting was video recorded and broadcast live via Facebook Live Video.

The meeting opened at 6:00 p.m., with recitation of The Pledge of Allegiance.

Roll Call was as follows:

- Germaine Bennett; Present
- Lee Frey; Present
- Tom Frost; Present
- Jeff Harvey; Present
- Paul Olivier; Present

The Board was presented with the Minutes of the Meeting of August 10, 2020. Commissioner Frey accepted the minutes into the records as written.

Kevin Smith, Finance Director/Treasurer presented the Department Report for Finance and requested that disbursements #82923 - #83137 for a total of $675,123.02 be approved. Lee Frey moved, at the request of the Finance Director, the funds having been certified as on hand and duly appropriated, that disbursements #82923 - #83137 for a total of $675,123.02 be approved. The motion was seconded by Tom Frost, after discussion, the roll being called upon its adoption, the vote resulted as follows:

- Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
- Voting Nay: None

Kevin Smith, Finance Director/Treasurer requested to increase appropriations to account 100-3720-5097 – Farm and Outlying Areas Appropriations by $11,345.24. The Farm Operations Department sold farmed grain for this amount and would like to spend the proceeds on farming equipment. Lee Frey moved, at the request of the Finance Director, to increase appropriations to account 100-3720-5097 – Farm and Outlying Areas Appropriations by $11,345.24 as requested. The motion was seconded by Jeff Harvey, after discussion, the roll being called upon its adoption, the vote resulted as follows:

- Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
- Voting Nay: None

Kevin Smith, Finance Director/Treasurer requested to increase appropriations to account 100-0520-5040 – Land Management Materials by $1,459.85. The Natural Resource Manager received this amount from the Mill Creek MetroParks Foundation for bird box replacement. Lee Frey moved, at the request of the Finance Director, to increase appropriations to account 100-0520-5040 – Land Management Materials by $1,459.85 as requested. The motion was seconded by Germaine Bennett, after discussion, the roll being called upon its adoption, the vote resulted as follows:

- Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
- Voting Nay: None

Kevin Smith, Finance Director/Treasurer requested approval of Resolution R-20-05 accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. Lee Frey moved, at the request of the Finance Director to Resolution R-20-05 accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor as requested. The motion was seconded by Paul Olivier, after discussion, the roll being called upon its adoption, the vote resulted as follows:
R-20-05

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Revised Code Sections 5705.34-5705.35

The Board of Park Commissioners of Mill Creek Metropolitan Park District, Mahoning County, Ohio, met in ________________ Session on the ______ day of ______________ , 2020, at the office of ____________________________ with the following members present:

Mr./Ms. ____________________________ moved the adoption of the following Resolution:

RESOLVED, By the Board of Park Commissioners of Mill Creek Metropolitan Park District, Mahoning County, Ohio, in accordance with the provisions of law has previously adopted a Tax Budget or has been granted the authority by the Mahoning County Budget Commission to waive this requirement for the next succeeding fiscal year commencing January 1, 2021; and

WHEREAS, The Budget Commission of Mahoning County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill limitation; therefore, be it

RESOLVED, By the Board of Park Commissioners of Mill Creek Metropolitan Park District, Mahoning County, Ohio, that the amounts and rates as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further
RESOLVED, That there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A**

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX**

**APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR’S ESTIMATED TAX RATES**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount Approved by Budget Commission Inside 10 Mill Limitation</th>
<th>Amount To Be Derived from Levies Outside 10 Mill Limitation</th>
<th>County Auditor’s Estimate of Tax to be Levied Inside 10 Mill Limit</th>
<th>County Auditor’s Estimate of Tax to be Levied Outside 10 Mill Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>8,031,058</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$8,031,058</td>
<td></td>
<td></td>
<td>2.00</td>
</tr>
</tbody>
</table>
SCHEDULE B
CURRENT PROPERTY VALUES AND
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES
(see attached)

And be it further

RESOLVED. That the Secretary of this Board be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr./Ms. ____________________________ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr./Ms. ____________________________
Mr./Ms. ____________________________
Mr./Ms. ____________________________
Mr./Ms. ____________________________
Mr./Ms. ____________________________

Adopted the ______ day of _________, 2020.

________________________________________
Finance Director of the Board of Park Commissioners of
Mill Creek Metropolitan Park District
Mahoning County, Ohio
CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, Mahoning County, ss.

I, ___________________________________, Secretary of the Board of Park Commissioners of
Mill Creek Metropolitan Park District in said County, and in whose custody the Files and
Records of said Board are required by the laws of the State of Ohio to be kept, do hereby certify
that the foregoing is taken and copied from the original ____________________________________________

__________________________________________

now on file with said Board, that the foregoing has been compared by me with said original
document, and that the same is a true and correct copy thereof.

WITNESS my signature this ___________ day of ________________ , 2020.

__________________________________________
Finance Director of the Board of Park Commissioners of
Mill Creek Metropolitan Park District
Mahoning County, Ohio

A copy of this resolution must be certified to the Mahoning County Auditor within the time prescribed by section
5705.34 of the Ohio Revised Code, or at such a later date as may be approved by the Board of tax appeals.

Filed ________________ , 2020

Ralph T. Meacham, County Auditor

By     Bob Macala

Deputy Auditor
<table>
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<tr>
<th>District Name</th>
<th>District Number</th>
<th>Residential Agricultural</th>
<th>All Other</th>
<th>Public Utility</th>
<th>Totals</th>
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</thead>
<tbody>
<tr>
<td>County Total</td>
<td></td>
<td>2,967,515,520</td>
<td>941,183,930</td>
<td>2,065,260</td>
<td>277,426,280</td>
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<tr>
<td>District Totals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>INSIDE</th>
<th>Rate</th>
<th>Residential</th>
<th>All Other</th>
<th>Public Utility</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Agricultural</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Inside</td>
<td>0.00</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OUTSIDE</th>
<th>Full Rate</th>
<th>R/A Rate</th>
<th>CO Rate</th>
<th>Residential Agricultural</th>
<th>All Other</th>
<th>Public Utility</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mill Creek Metropolitan FY20</td>
<td>1.73</td>
<td>1.621352</td>
<td>1.609270</td>
<td>6,868,747</td>
<td>2,574,742</td>
<td>285,495</td>
<td>10,730,008</td>
</tr>
<tr>
<td>Mill Creek Metropolitan Additions FY20</td>
<td>0.23</td>
<td>0.246712</td>
<td>0.249067</td>
<td>701,639</td>
<td>214,962</td>
<td>49,327</td>
<td>1,075,567</td>
</tr>
<tr>
<td>Total Outside</td>
<td>2.96</td>
<td>1.8683</td>
<td>1.9183</td>
<td>5,540,356</td>
<td>2,790,704</td>
<td>354,823</td>
<td>17,804,952</td>
</tr>
</tbody>
</table>

Page 5
Aaron Young, Executive Director requested approval from the Board to waive all rental and profit sharing payments associated with Garden Café and Inspired Catering Lessee at the D.D. & Velma Davis Education and Visitors Center for the months of September through December as a result of the COVID-19 pandemic. Lee Frey moved, at the request of the Executive Director to waive all rental and profit sharing payments associated with Garden Café and Inspired Catering Lessee at the D.D. & Velma Davis Education and Visitors Center for the months of September through December as a result of the COVID-19 pandemic as requested. The motion was seconded by Tom Frost, after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
Voting Nay: None

Aaron Young, Executive Director provided an update on the East Newport Drive Slope Failure. A copy of the East Newport Drive Slope Remediation Study/Report, dated August 26, 2020 as prepared by CT Consultants was available for review. Estimated construction costs for repair range from approximately $374,400 to $436,800. CT has been retained to prepare construction documents for the repairs. Bidding & Construction is anticipated to take place in Spring 2021.

Jim Willock, Chief of Police provided an update on the West Newport Drive Traffic Review. Officers have recorded 168 vehicle speed tracking checks from 08-24-20 to 09-01-20 with an average speed of 22.5 mph, with one vehicle being addressed with a speed that was 10 mph over the posted limit of 25 mph. The review is expected to continue through the month of September to fully evaluate whether an issue is present. Use of an electronic speed device that displays speed may be appropriate. Police to inquire if a unit can be borrowed from another Police Department.

Jim Willock, Chief of Police presented and requested approval of the Ohio Community Law Enforcement Accreditation Collaborative (OCLEAC) Policy Updates, dated September 2020. A copy of the updates was provided. Lee Frey moved, at the request of the Chief of Police to approve the Ohio Community Law Enforcement Accreditation Collaborative (OCLEAC) Policy Updates, dated September 2020 as requested. The motion was seconded by Tom Frost, after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
Voting Nay: None
New Subsection for Certification Standards to include the OCLEAC (Ohio Community Law Enforcement Accreditation Collaborative)

**Training:** CERTIFICATION STANDARDS has been updated to include the newest OCLEAC Checklist. The standard number has been removed as it was superfluous information, and the Edit Level has been changed from “Discretionary” to “State.”

**Domestic Violence:** In INVESTIGATIONS, additions have been made for consistency with other policies that include protected-class language. Non-protected-class language has been moved to a separate item in the list, and punctuation has been corrected.

**Discriminatory Harassment:** This policy has been updated to include current terminology for the list of protected classifications and statuses. The policy’s definition of the supervisors’ role in relation to discriminatory harassment has also been simplified. Changes to this policy include:

- Best-practice language has been added in **PURPOSE AND SCOPE**.
- In **DEFINITIONS**, content has been added for consistency with other Lexipol policies.
- **DISCRIMINATION** has been updated with current terminology regarding protected classifications or statuses, a word has been added for clarity, and punctuation has been corrected.
- Punctuation changes have been made and content has been updated to add gender-neutral language in **RETRIAL, ADDITIONAL CONSIDERATIONS, RESPONSIBILITIES**, and **TRAINING**.
- Punctuation changes have been made in **SEXUAL HARASSMENT,** and **INVESTIGATION OF COMPLAINTS**.
- **QUESTIONS OR CLARIFICATION** has been added as a new subsection in **RESPONSIBILITIES**. There have been no substantive changes to the content from its previous location. KMS automatically adds all new subsections to the bottom of the section, so as not to alter any agency-specific customization. To move the new subsection to the location Lexipol recommends (above **SUPERVISOR RESPONSIBILITIES**), first, accept all updates. Then, while in the edit mode, hold the cursor over **QUESTIONS OR CLARIFICATION**, right-click for options and select the option “Move.” The subsection titles will appear. Select **SUPERVISOR RESPONSIBILITIES**, and click “Move” once more. You will be prompted to select “Move Above” or “Move Below.” Select “Move Above.” KMS will refresh and the new subsection will be in the correct location and the other subsections will be renumbered accordingly. Your agency can also accept all updates without relocating the subsection, but that is not recommended.
- Punctuation and wording changes have been made in **SUPERVISOR RESPONSIBILITIES**, and best-practice content has been added.
- Unnecessary content has been removed and punctuation changes have been made in **SUPERVISOR’S ROLE**.
- The section name has been updated for consistency within the manual and content has been updated to add gender-neutral language in **SUPERVISOR RESOLUTION**.
- Grammatical and punctuation changes have been made in **FORMAL INVESTIGATION** and **ALTERNATIVE COMPLAINT PROCESS**.
- **NOTIFICATION OF DISPOSITION** has been deleted from its current location. The content has been added as a subsection in **DOCUMENTATION OF COMPLAINTS**. There have been no substantive changes to the content from its previous location. Your agency can also accept all updates without relocating the subsection, but that is not recommended.
- Punctuation has been changed in **DOCUMENTATION OF COMPLAINTS**, and wording has been updated for consistency with other Lexipol policies.
- In **DOCUMENTATION OF COMPLAINTS**, content has been updated for clarity and for consistency with other policies.
• QUESTIONS OR CLARIFICATION has been deleted from its current location as a subsection in TRAINING, as it is being added as a new subsection in RESPONSIBILITIES.

Unrelated to the protected-class language update, changes include:

• CERTIFICATION STANDARDS has been updated to include the newest OCLEAC Checklist. The standard number has been removed as it was superfluous information, and the Edit Level has been changed from “Discretionary” to “State.”

Standards of Conduct: This policy has been updated to address protected-class language and Lexipol’s current best practice content. Changes include:

• Capitalization and punctuation have been corrected in GENERAL STANDARDS.
• In DISCRIMINATION, OPPRESSION, OR FAVORITISM, additions have been made for consistency with other policies that include protected-class language.
• In ATTENDANCE, grammar has been corrected.
• In UNAUTHORIZED ACCESS, DISCLOSURE, OR USE, punctuation has been corrected and a reference to the unauthorized use of badges and identification cards has been removed since this issue is covered in the [Department/Office] Badges Policy.
• In EFFICIENCY, “marital status” has been removed from the requirement to make certain notifications within 24 hours of the change. It has been replaced with a requirement that members keep personnel files up to date with information critical to organizational effectiveness. The reference to “contact telephone numbers” has been simplified to allow for different forms of technology.

Unrelated to the protected-class update, this policy has also been reviewed for OCLEAC standards, changes include:

• CERTIFICATION STANDARDS has been updated to include the newest OCLEAC Checklist, the standard number has been removed as it was superfluous information, and the Edit Level has been changed from “Discretionary” to “State.”
• Index terms have been removed, and spacing issues have been corrected throughout the policy.

Community Relations: A review of this policy resulted in updates to two sections. Changes include:

• CERTIFICATION STANDARDS has been updated to include the newest OCLEAC Checklist. The standard number has been removed as it was superfluous information, and the Edit Level has been changed from “Discretionary” to “State.”
• In MEMBER RESPONSIBILITIES, a policy reference has been updated.

Bias-Based Policing: This policy has been updated to address protected-class language. Changes include:

• In DEFINITIONS, additions have been made for consistency with other policies that include protected-class language, and punctuation has been corrected.

Unrelated to the protected-class language update, changes include:

• Formatting has been corrected in SUPERVISOR RESPONSIBILITIES.

Portable Audio/Video Recorders: A review of this policy has resulted in an update to one subsection. Changes include:
• **CERTIFICATION STANDARDS** has been updated to include the newest OCLEAC Checklist. The standard number has been removed as it was superfluous information, and the Edit Level has been changed from “Discretionary” to “State.”

**First Amendment Assemblies:** This policy has been updated to address protected-class language. Changes to this policy include:

• In **INFORMATION GATHERING AND ASSESSMENT**, additions have been made for consistency with other policies that include protected-class language, and punctuation has been corrected.

Unrelated to the protected-class language update, changes include:

• In **MUTUAL AID AND EXTERNAL RESOURCES**, a policy reference has been corrected.

**Sexual Assault Investigations:** This policy has been updated because legislative action impacts its content. The update should be accepted and implemented as soon as possible. 2020 OH REG TEXT 542167 added new regulations relating to testing and tracking sexual assault evidence kits. Changes to this policy include:

• In **COLLECTION AND TESTING REQUIREMENTS**, content and a citation to the new regulation have been added to reference the requirement that information relating to sexual assault evidence kits needs to be entered into the state tracking system.

Unrelated to the new regulations, additional changes include:

• **DEFINITIONS** has been updated to include sexual assault forensic examiners (SAFEs) in the definition of Sexual Assault Response Team (SART) and to correct punctuation.
• Grammar and punctuation have been corrected in **COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE**.
• An unnecessary word has been removed in **DNA TEST RESULTS**.
• Punctuation has been corrected in **TRAINING**.

**Recruitment and Selection:** This policy has been updated to address protected-class language. Changes include:

• In **POLICY**, additions have been made for consistency with other policies that include protected-class language.

Unrelated to the protected-class language update, additional changes include:

• **CERTIFICATION STANDARDS** has been updated to include the newest OCLEAC Checklist. The standard number has been removed as it was superfluous information, and the Edit Level has been changed from “Discretionary” to “State.”
• Punctuation has been corrected in **SELECTION PROCESS**, and an initialism has been removed since it is not used again in this policy.
**Grievance Procedures:** This policy has been updated to address protected-class language. Changes include:

- In **GRIEVANCE DEFINED**, language has been simplified to make it clear that discrimination and harassment complaints are not considered grievances. The content also has been updated to avoid duplicate language and inconsistencies across policies, and punctuation has been corrected.

**Personal Appearance Standards:** A review of protected-class language across other policies has resulted in an update to this policy. Changes include:

- **TATTOOS** has been updated for clarity and consistency with other related policies, and punctuation has been corrected.

Unrelated to the protected-class update, changes include:

- **JEWELRY AND ACCESSORIES** has been renamed **JEWELRY**. The content has been updated for clarity and consistency. Additional changes were made regarding the wearing of earrings to better align with current societal standards. Please note a change to the Guide Sheet for this section. This should be reviewed for information related to possible modifications needed pursuant to agency preference.

**Use of Force:** Best practices for this policy have been revised. The national discussion regarding use of force involves a variety of topics, perspectives, and laws across the country. It is Lexipol's commitment to continuous improvement that mandates comprehensive consideration of all of these factors to provide a policy that is legally sound and reflects best practices in order for agencies to fulfill their duties better and more safely.

Among the several changes below are significant revisions to the guidance on carotid control holds. Lexipol is providing a policy option for agencies choosing to limit the use of the carotid control hold to circumstances in which deadly force is authorized. While medical research does not support categorizing a properly applied carotid control hold as lethal force, determining the best practice for agencies involves careful consideration of evolving state and federal law as well as relevant national conversations that impact the realities law enforcement officers face in all aspects of their profession. There are jurisdictions in which this technique is entirely prohibited, criminalized, or limited to deadly force as well as confusion on the layperson's level of understanding between respiratory and vascular restraints. The best practice policy for carotid control holds section has been accordingly updated. Please refer to the Guide Sheet if the technique is not permitted in your specific agency or there are training limitations. Changes to this policy include:

- In **PURPOSE AND SCOPE**, content has been added to better convey the application of use of force relative to other policies.
- **DEFINITIONS** has been updated with additional terms to enhance understanding of this policy.
- A text entity and punctuation have been updated in **POLICY**.
- **DUTY TO INTERCEDE** has been renamed **DUTY TO INTERCEDE AND REPORT**, and content has been updated to require an officer to intervene in and report situations where another law enforcement officer or a member is using unreasonable force.
- **PERSPECTIVE** has been added as a new subsection in **POLICY** to provide guidance for officers who are deciding whether to intervene, namely, to account for the fact that other involved officers may have a different perspective based on additional information or based on each officer's individual assessment of the ongoing situation.
Megan Millich, Human Resources Director presented the 2021 Healthcare Coverage Rates Summary as submitted by Oswald Companies. Anthem provided healthcare coverage rates at a 4% annual increase over 2020. Megan recommended that the healthcare coverage rates submitted by Anthem be approved for 2021. Lee Frey moved, at the request of the Human Resources Director to approve the 2021 Healthcare Coverage Rates as requested. The motion was seconded by Germaine Bennett, after discussion, the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
Voting Nay: None

Justin Rogers, Planning & Operations Director presented the bids for the 2020 Drive Improvements Project which includes East Newport Drive from Shields Road to Kreider’s Entrance and Valley Drive from East Park Drive to the Suspension Bridge. Justin recommended that Lindy Paving, Inc. the apparent low bidder be awarded the contract for the project at a grand total amount bid of $273,026.40. Lee Frey moved, at the request of the Planning & Operations Director to award the contract for the 2020 Drive Improvements Project to Lindy Paving, Inc. at a grand total amount bid of $273,026.40 as requested. The
motion was seconded by Paul Olivier, after discussion, the roll being called upon its adoption, the vote resulted as follows:

- **Voting Aye:** Bennett, Frey, Frost, Harvey, Olivier
- **Voting Nay:** None

Justin Rogers, Planning & Operations Director provided an update to the Board on the Sanctuary Raccoon Survey. The previously approved USDA removal program was conducted and the findings show it to have been successful. Current numbers are within the USDA’s recommended carrying capacity for the property. The recommendation is to not conduct any additional removal activities for the remainder of 2020. Future removal efforts may be needed after the appropriate surveys.

Aaron Young, Executive Director provided a summary of the monthly deposit report on behalf of Chris Litton, Development Director. The monthly deposit report for the period of 08-10-20 to 09-08-20 was $10,900.

Commissioners Comments:

- Germaine Bennett – Wasn’t aware that the Chief was leaving the MetroParks. She wished him well. Germaine also thanked the staff for their work.
- Lee Frey – Thanked all present for their work and keeping the Board informed. Lee wished good luck to Chief Willock as he moves on to another position outside of the MetroParks. Lee requested that future communications by the Board to individuals regarding the issue on West Newport be directed to the Executive Director.
- Tom Frost – Agreed with Lee’s comments. Thanked staff for their work on the improvements within the Parks.
- Jeff Harvey – Thanked the staff and wished the Chief well as he moves forward in his career.
- Paul Olivier – Echoed the thanks for the staff.

Public Comments to the Board:

- None

Lee announced that the next meeting is scheduled for Tuesday, October 13, 2020, at 6 p.m., at the MetroParks Farm.

Lee Frey moved at 6:39 p.m. to exit regular session and to go into Executive Session for the purpose of to consider the appointment, employment, discipline, or compensation of public employees. The motion was seconded by Tom Frost, after discussion, the roll being called upon its adoption, the vote resulted as follows:

- **Voting Aye:** Bennett, Frey, Frost, Harvey, Olivier
- **Voting Nay:** None

Lee Frey moved at 7:47 p.m. to exit Executive Session and to go into Regular Session. The motion was seconded by Germaine Bennett, after discussion, the roll being called upon its adoption, the vote resulted as follows:

- **Voting Aye:** Bennett, Frey, Frost, Harvey, Olivier
- **Voting Nay:** None
There being no further business, the meeting adjourned at 7:48 p.m.

Presiding Officer

Secretary