



**DRAFT MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA**

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

**Regular Meeting
February 12, 2019**

| | |
|----------------------|----------------------------|
| Flash Drive | Board Room Recorder |
| Minute Orders | M19-32 – M19-36 |
| Resolutions | R19-04 – R19 -06 |
| Ordinance | ORD19-01 Not Used |

9:06 AM Meeting called to order by Chair Peters.

Supervisors Present: Corless, Gardner, Halferty, Peters, and Stump.

Supervisors Absent: None.

The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>.

Pledge of Allegiance led by Supervisor Stump.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

Leslie Chapman, CAO:

- Gave update on the storm; Mammoth has been making great effort removing snow.
- Thanked Becky Buccowich and others in June Lake – a shelter was opened for a bus of college students.
- Public Works crews – they are all doing a great job.
- Strategic Plan categories – spreadsheet created; on Share Point for Dept. Heads to access and update.

Note:

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- Kevin Carunchio has been gathering data and meeting with people regarding services offered in our county.
- List of 200 parcels, owned by our county; trying to determine how many might be used for an affordable housing project.
- Sexual Harassment training held in last couple of weeks; always something new; thanked parties involved.
- Dr. Beth Cohen – organizational psychologist. Will be working with managers, etc. on departmental needs assessments.
- Labor negotiations have kicked off with MCPE. Wrapping up EMS negotiations. Preparing to meet with management group.
- Received a good briefing regarding Owens Valley Groundwater group; hoping to resolve some issues in an upcoming meeting.

4. DEPARTMENT/COMMISSION REPORTS

Sheriff Braun:

- Followed up on June Lake bus incident; Sgt. Beard went above and beyond during this event.
- Working with Robin Roberts on plan for multi-jurisdictional response team for mental health issues in the county.

Tony Dublino:

- Quick update on snow removal activities:
 - Preparing for next round of storms; have been trying to do as much outreach as possible; Sheriff's Dept. issued Red Alerts to assist. They've been eating into overtime budget due to the timeframe that the storms are hitting. Discussed the fleet that Public Works is currently using.
 - Been moving equipment from less snowy districts to more snowy districts.
 - Wanted to make sure Board understands where Public Works is with everything.

Amber Hise (WIC Program Director):

- Here in her capacity working with Worksite Wellness Committee – planning a spring event:
 - Chili cookoff/game day; theme: taking a break (spring break).
 - Asked Board to judge the cookoff.
 - March 14th – rough date. More information to come out soon.

Wendy Sugimura:

- RPACS update: hard to get a quorum at some of them. Explained that due to weather, circumstances might constitute cancellations at scheduled RPAC meetings.

5. CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

A. Board Minutes

Departments: Clerk of the Board

Approval of the Board Minutes for the regular meeting on January 22, 2019.

Action: Approve the Board Minutes for the regular meeting on January 22, 2019.

Gardner moved; Halferty seconded

Vote: 5 yes; 0 no

M19-32

B. Public Health Department Staff Allocation

Note:

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Departments: Public Health

Proposed resolution authorizing the County Administrative Officer to amend the County of Mono list of allocated positions for the Department of Public Health.

Action: Approve the proposed resolution R19-04, Authorizing the County Administrative Officer to amend the County of Mono list of allocated positions for the Department of Public Health to remove one WIC Nutrition Assistant Health Program Coordinator (WNA HPC), remove one FTS IV, and add two FTS IV WIC Nutrition Assistant (FTS IV WNA) positions.

Gardner moved; Halferty seconded

Vote: 5 yes; 0 no

R19-04

C. Inmate Welfare Fund Annual Report, Fiscal Year 2017-2018

Departments: Sheriff/Coroner

California Penal Code Section 4025 (e) states: The money and property deposited in the inmate welfare fund shall be expended by the sheriff primarily for the benefit, education, and welfare of the inmates confined within the jail. An itemized report of these expenditures shall be submitted annually to the Board of Supervisors.

Action: Receive the Inmate Welfare Fund Annual Report for Fiscal Year 2017-2018.

Gardner moved; Halferty seconded

Vote: 5 yes; 0 no

M19-33

6. CORRESPONDENCE RECEIVED

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

A. California Board of Forestry and Fire Protection Notice of Preparation

This Notice of Preparation of an Environmental Impact Report (EIR) is from the California Board of Forestry and Fire Protection for the California Vegetation Treatment Program Draft Environmental Impact Report. The public comment period is January 30, 2019 to March 1, 2019.

Supervisor Stump:

- Will be considering our legislative package later; this relates directly to this.

B. Mono Lake Committee (MLC) Response to the Los Angeles Department of Water and Power Temporary Urgency Change Petition

A letter from MLC in response to the January 22 Temporary Urgency Change Petition from the Los Angeles Department of Water and Power.

Geoff McQuilkin:

- Offered some background and context.

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- Hoping for implementation on licenses.

General comments by Supervisors Stump and Halferty.

The Board acknowledged receipt of correspondence with various comments.

7. REGULAR AGENDA - MORNING

A. PUBLIC HEARING: General Plan Amendment 19-01

Departments: Wendy Sugimura

(Wendy Sugimura, Bentley Regehr) - General Plan Amendment 19-01 A & B: A) Multi-Family Land Use Designation: modifications to reduce minimum lot sizes for certain types of developments (e.g., condominium uses) and add language permitting historically allowed transient rental uses with no new construction, and B) Short-term rental regulations: eliminate Type II (non-owner occupied rentals) and modify area plan policies to reflect community-specific permitting which would result in Type III (non-owner occupied rentals, with valid use and activity permits - except in Antelope Valley) being allowed in certain areas of the County. Non-owner occupied rentals would not be allowed in Mono City, parts of June Lake, Crowley Lake, Tom's Place/Sunny Slopes, Paradise, Swall Meadows, and the Tri-Valley.

Action: Find that the General Plan Amendment, including all text changes to the Land Use Element of the Mono County General Plan pertaining to A) Multi-Family Residential Land Use Designation and B) Short-Term Rentals, is consistent with the General Plan and all applicable area plans; and b. That the proposed area plan text amendments are consistent with the countywide General Plan. 3. Adopt the Addendum for GPA 19-01 A & B. 4. Introduce, read title, and waive further reading of proposed ordinance ORD19-01, adopting GPA 19-01 A & B, with the following modifications: Under A) Multi-Family Land Use Designation: Transient rentals (fewer than 30 consecutive days) are prohibited in MFR-L and MFR-M, except in the following complexes: Aspen Meadows, Hideaway Down Canyon, Interlaken, Birch Creek, Edgewater, Sierra Suns, or in complexes where transient use is not specifically addressed in the use permit and/or parcel map of an existing development and can be demonstrated as a non-conforming use prior to the adoption date of this General Plan Amendment. Under B) Short-Term Rentals: Remove Antelope Valley from the exemption in Chapter 25, and require owner-occupied and not-owner occupied short-term rentals in Antelope Valley to be subject to the permitting process (use permit and short-term rental activity permit). Remove the exemption language from the Antelope Valley Area Plan policies.

Halferty moved; Gardner seconded

Vote: 5 yes; 0 no

M19-34

Wendy Sugimura (Community Development):

- Two General Plan Amendment items before Board today.
- Concerned that there wasn't outreach in June Lake about MFR issue.

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- P. 75 of board package – changed wording to “prohibited, except in the following complexes...” and then they can do individual outreach to June Lake residents and see if there are any comments/issues.
- Introduced Bentley Regehr of her Department to present Multi-Family Residential Land Use Designation portion of General Plan Amendment (item A).

Bentley Regehr (Community Development):

- Multi-Family Land Use Designation.
- Gave introduction/explanation of part A of the GPA.
- Planning Commission – Multi-Family; been assumed it’s ok for June Lake to do Short-Term Rentals.
- Moving forward, they wanted to keep that assumption.

Board Comments:

Supervisor Halferty:

- Still a commercial designation? Supportive of owner-occupied short-term rentals but doesn’t generally support the STR idea; they still need affordable, long-term housing.
- She does not support the Planning Commission’s recommendation. MFR should not be STR.

Supervisor Gardner:

- Supportive of Planning Commission’s approach. Interested in why Planning Commission disagreed with Community Development’s approach.

Supervisor Stump:

- Does snow storage itself have to be a GPA?
- Wants condos in June Lake to be on a list of prohibited short-term rentals.

Supervisor Corless:

- Issue of clarity – do we want to leave this type of thing up for interpretation?
- Feels lack of clarity is hard for staff, may not be best; up for discussion but otherwise supports recommendation.

Supervisor Peters:

- Sees benefit of clarity.

Stacey Simon:

- Reminded Board that public comment needs to be heard.

Public Comment:

Timothy Thompson (Antelope Valley resident):

- Asked if June Lake was fully occupied right now? Was curious about lodging needs.

Break: 10:30 a.m.

Reconvene: 10:36 a.m.

Wendy Sugimura (Community Development):

- Gave introduction/explanation of second part of GPA item (Short-term rental regulations, part B).
- Transient (rentals in multi-family unit) vs. STR (refers to a rental of a single-family unit).
- Today’s item is not about revisiting the whole June Lake scenario.
- Mentioned that Antelope Valley is requesting minimized regulations.
- How it works now: Citizens do self-inspections and sign under penalty of perjury. This is part of business license process.
- To sum up: before the Board today for both A and B are: Planning Commission’s recommendation and their resolution, a public hearing notice; an addendum to 2015 GP EIR; the redline versions of proposed modifications; and proposed ordinance, with changes she’s noted to part A.
- Regarding transient rental overlays: our county historically began with set regulations everywhere and then we started doing additional regulations by area.

Board Comments:

Supervisor Halferty:

- Asked for clarification between old type II/type III.

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Supervisor Stump:

- How do we get community to notify prospective buyers?

Supervisor Peters:

- Antelope Valley residents felt that business owners would comply with requirements.
- They are adamant about their identity in Mono County; they stick to their ability to recognize their unique differences. Gave history on why Antelope Valley had exception to adhering to certain regulations/permits.

Supervisor Corless:

- Has issues with making an exception for Antelope Valley; it complicates things.
- Chapter 25 doesn't apply to one whole area of the county? Are we ok standing behind that?

Supervisor Gardner:

- In all June Lake discussions, there was never any mention about payment of fees.
- Feels like we are establishing a precedent here: why is Antelope Valley getting a pass on this? May need to readdress this.

Stacey Simon:

- Mono County is not responsible for the acts of private citizens; does not have liability. Any claim brought against the county would get dismissed.
- Additionally, since MFR wasn't an option per Planning Commission, it would need to go back there first.

Public Comment:

Patricia Thompson (AV resident):

- Are there health and safety requirements for long-term rentals? What's there to keep people from slum lording?

Recess: 12:00 p.m.

Reconvened: 12:08 p.m.

Public Hearing Opened: 9:49 a.m.

Public Hearing Closed: 12:13 p.m.

B. Elimination of Septic Tank Destruction Permit Fee

Departments: Health Department

(Louis Molina) - Elimination of permit fee for the destruction or removal of septic tanks. A permit would still be required for the destruction of a septic tank, and an inspection conducted, but the permit fee would no longer be charged.

Action: Adopt proposed resolution R19-05, Eliminate Septic Tank Destruction Permit Fee.

Corless moved; Halferty seconded

Vote: 5 yes; 0 no

R19-05

Louis Molina, Environmental Health Manager:

- Asking for the elimination of tank destruction fees.
- Doing away with this requirement would encourage people to get rid of their outdated septic tanks.

Supervisor Corless:

- This came up in her district and needed to be addressed; thanked Louis and Stacey Simon.

C. Resolution Approving Caltrans Agreements for Federal-Aid Projects (including Airport Rd Rehab Project)

Departments: Public Works

Note:

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(Garrett Higerd) - Resolution approving and directing the Mono County Public Works Director to execute and process agreements with the California Department of Transportation necessary for the County receiving federal-aid funding for transportation projects, including the Airport Road Rehab Project.

Action: Adopt attached resolution R19-06, Authorizing the Execution of Agreements with the California Department of Transportation for Federal and State Aid Funding for the Airport Road Rehabilitation Project.

Halferty moved; Stump seconded

Vote: 5 yes; 0 no

R19-06

Garrett Higerd, Engineer:

- Administrative item; looking to get traffic moving more smoothly.
- Two agreements with Caltrans – one is a master that needs revising, the other sets the framework for our ability to receive the state funds from Caltrans.
- Current phase is environmental phase.

D. Schedule for the Inyo National Forest Plan Revision Objection Resolution Process

Departments: Community Development

(Wendy Sugimura) - The Inyo National Forest transmitted the schedule for the Forest Plan revision objection resolution process on Feb. 1, 2019. The topics the County objected to are scheduled for Wed., Feb. 20.

Action: None.

Wendy Sugimura:

- New schedule.
- We need to move forward expecting we'll be able to conduct business.
- Community Development are not experts on this subject matter; they would not have been able to put the objection letter together without Jora Fogg and Lynn Boulton's help.
- She'll work with board members that will be attending the public meeting on the objections.
- Supervisor Peters: received correspondence, objection meeting will be on 2/20. Board member needs to attend. Supervisor Gardner intends to go; Supervisor Halferty would also like to go.

Public Comments:

Lynn Boulton:

- Representing Range of Light Group; this will be a three-day meeting; not expecting the county to be there the whole time.

Jora Fogg:

- Putting a pitch in for staff to attend.
- Maybe have Michael Draper attend?
- Will be an active conversation with everyone who objected.

Leslie Chapman:

- Unrelated to this issue, she thanked Jora Fogg for showing up to the June Lake Shelter where she assisted Becky.

E. Mono County Law Library Board of Trustees

Departments: County Counsel

(Stacey Simon) - Presentation regarding Mono County Law Library and appointments to the Law Library Board of Trustees.

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Action: Re-appoint Tim Kendall and Stacey Simon, and appoint Sophie Bidet, to the Mono County Law Library Board of Trustees for a one-year term expiring in January 2020.

Gardner moved; Corless seconded

Vote: 5 yes; 0 no

M19-35

Stacey Simon, County Counsel:

- Is happy to forego any update; just needs action item taken care of.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

9. CLOSED SESSION at 12:40 p.m.

The Board gave direction on Closed Item 9b below.

A. Closed Session - Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

B. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Mineral County, et al. v. Lyon County (NV), Centennial Livestock, et al.

Action: The Board directed its legal counsel to participate in the Nevada Supreme Court proceeding of Mineral County et al. v. Lyon County et al., NV Supreme Court Case No. 75917, involving the determination of the questions certified to the Court by the United States Court of Appeals for the Ninth Circuit related to, among other things, whether the Nevada Public Trust Doctrine applies to appropriative water rights adjudicated by judicial decree and, if so, to what extent.

Vote or abstention of each member:

Ayes: Supervisors Corless, Gardner, Halferty, Peters and Stump.

Nos: None.

Abstain: None.

Absent: None.

Vote: 5 yes; 0 No

M19-36

C. Closed Session - Performance Evaluation, County Counsel

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PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Counsel.

THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 1:00 P.M.

Reconvened: 2:11 p.m.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

11. REGULAR AGENDA - AFTERNOON

A. Legislative Platform Update

Departments: CAO

(Leslie Chapman) - Mono County Legislative Platform annual update.

Action: None.

Leslie Chapman:

- Introduced item, explained timeline for getting finalized and bound.
- She handed out copy with track changes;
- Walked through the changes, page by page (as submitted in board packet) as indicated by board members.
- Changes will be reflected on new version to be adopted at next board meeting.

12. BOARD MEMBER REPORTS

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

Supervisor Corless:

- 1/23: Harassment Training.
- 1/25: California Association of Local Behavioral Health Boards/Commissions Call, discussing behavioral health issues, opportunities for training and education.
- 1/28: Sierra Nevada Conservancy Board Orientation/Auburn Office.
- 1/30: Dinner for Federal employees at Mammoth Brewing—thank you Chamber of Commerce.
- 1/31/-2/1: Mammoth Lakes Housing Strategic Planning—two day facilitated session, will finalize plan in March. Thanks to ED Patricia Robertson for organizing.
- 2/8: Eastern Sierra Council of Governments; Recreation Partnership meetings.
- 2/11: Behavioral Health Advisory Board—recruiting new members, staff updates, report on Sheriff/MCBH response team well received.
- Update from YARTS post-shutdown: the agency was paid by the Park Service for providing bus service during the shutdown.

Supervisor Gardner:

- Yesterday, he prepared another email to the NACO Tourism/Resorts/Gateway Working Group. The email again noted the NACO Legislative Conference in early March and encouraged attendance and participation at the Public Lands Policy Committee meetings. The Working Group now has 21 participants from all over the US.
- On Friday Feb 1, met with Eric Huber of Cal Trout to talk about their interest in the Eastern Sierra. They are involved in a major project at June Mountain to cut down many of the dead white bark trees.

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- Also, on Friday met with Matt Paruolo, who was recently hired to support Mono County and Town of Mammoth Lakes recreation projects. Matt will be coming to a future Board meeting to meet us and talk about his work. It is exciting to finally be at this point with this initiative.
- On Wednesday Feb. 6, attended the June Lake Citizens Advisory Committee meeting. We had a good presentation and discussion about the Housing element in the Mono County General Plan.
- On Thursday Feb. 7, attended an event at the T-Bar Social Club in June Lake about avalanche awareness.
- On Friday Feb. 8, attended a meeting of the ESCOG in Mammoth. We heard updates on the recreation grant application for the Sierra Nevada Conservancy, the status of the creation of a Joint Powers Authority, and the status of Mammoth and Bishop airports.

Supervisor Halferty:

- Completed AB 1825 Sexual Harassment Prevention Training.
- On the morning of January 24, she along with many local elected officials, attended the grand opening of the new Grocery Outlet in Mammoth Lakes.
- Later that evening, worked with Amanda Greenberg from Behavioral Health on the HUD Point In Time Count.
- Also attended the Mammoth Unified School District Board meeting that night in support of the Behavioral Health Departments request of the School Board to consider a proposal for affordable and supportive housing on their land.
- On January 25th, met with Friends of the Inyo Executive Director, Wendy Schneider and Jora to learn more about the work they are undertaking.
- Later that evening, attended Green Drinks @ the Fort which highlighted the work of Friends of Inyo and Mono County with regard to preservation of water and sensitive ecosystems under threat by LADWP in Long Valley.
- On January 31, participated in "When Bad Things Happen: Managing the Media in Crisis and Emergencies" put on by CSAC.
- On Friday February 1, participated in the CCRH Disaster Relief/Prevention Sub-Committee call. The group debriefed from their meeting HCD Director and high-level staff meeting they had the day before. The Committee has put together a handful of next steps as a result, including a meeting with the Governor's disaster czar, Rhys Williams, and perhaps even the Governor to push for new funding for disaster housing relief and emergency authorities at HCD to waive rules and expedite funding through existing programs.
- Yesterday, Monday February 11th, attended the Local Transportation Commission and the Behavioral Health Advisory Board meeting.

Supervisor Peters:

- 7th WRID
- Hospice
- AV RPAC
- 11th LTC
- Grocery Outlet Grand Opening
- Sexual Harassment Training

Upcoming:

- CSA #5 tonight
- BP RPAC tonight
- CSAC/CBHDA Joint OIG(Officer Inspector General) Audit Allocation Working Group
- IHSS Working Group Co-Chair
- CSAC BOD Meeting

Supervisor Stump:

- 1-22 : Attended the CSA 1 meeting. Reported on the Board action on TV service. Also reported on the Board discussion around events at the Crowley Community Center.

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Another problem has developed at the Crowley Community Center. That problem is that vehicles are being left in the parking area when no events are occurring making it difficult for snow removal to occur so the center can be used.

- 1-23 : Attended Harassment Training (AB 1825) in Mammoth.
- 1-23 : Attended the Tri Valley Water Commission meeting. That Commission has started accepting letters of interest to fill the vacant voting seat resulting from the changes to the Commission created by the State Legislature last year.
- 1-28 : Participated in the Health Care needs survey.
- 1-29 : Attended the orientation to the new County phone system.
- 1-29 : Attended the "Keep Long Valley Green Coalition" conference call update at the County Counsel's Office. Thanks to Jason Canger for Chairing the meeting.
- Thanks to Leslie Chapman, Wendy Sugimura and Jason Canger for all their work on Owens Valley Groundwater Authority Issues. This JPA is demanding time from both Staff and him.
- Thanks to Tony Iniguez and Eric Eilts for their work on the water system that serves the Crowley Sheriff Substation, Crowley Library, and Long Valley fire Department. Working on water lines at 7000 feet in January is not fun especially when old plumbing is involved. They pulled it off.
- Thanks also to IT for being flexible in setting up a remote meeting location for the Board.
- Road Crews doing an amazing job in South County.
- 2-11 : Attended the LTC meeting. Was elected Chair. Received updates on Draft Electric Vehicle Charging Stations Policy, Town Airport Development, and a history of Mono LTC MOU participation. ESTA gave update on how the weather has been impacting their operations. They are doing a remarkable job.
- 2-11 : Attended the Wheeler Crest Fire Safe Council meeting. The Swall Meadows/Paradise joint Community Wildfire Protection Plan is finished and signed off by all required agencies. Plan was grant funded with several visits to the area by the consultants. Community Development has a copy.
- A huge thanks to the Road folks. Coming to work in Crowley when it was 19 below last week and getting the equipment to start was not fun.
- Thank you to Tony Dublino for responding to an email from him on Saturday. There have been PW Department Heads in the past who would not do that.
- With good snow cover folks are now parking on County Roads or in resident's driveways in Swall Meadows to go skiing. The roads are in a "No on street parking" designated area. Parking on the roads causes problems for snow removal operations. Parking in resident's driveways without permission is trespassing. Please do not do it.

ADJOURNED at 3:20 p.m.

ATTEST

JOHN PETERS
CHAIR OF THE BOARD

SHANNON KENDALL
CLERK OF THE BOARD