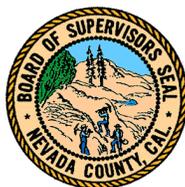


COUNTY OF NEVADA

STATE OF CALIFORNIA

Heidi Hall, 1st District
Ed Scofield, 2nd District (Chair)
Dan Miller, 3rd District
Hank Weston, 4th District
Richard Anderson, 5th District (Vice-Chair)



BOARD OF SUPERVISORS

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Julie Patterson Hunter, Clerk of the Board
Alison Lehman, County Executive Officer
Alison Barratt-Green, County Counsel

SUMMARY MINUTES

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, October 9, 2018	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

REGULAR MEETING: 9:00 AM

Rollcall

The following Supervisors present:

Heidi Hall, 1st District
Ed Scofield, 2nd District
Dan Miller, 3rd District
Hank Weston, 4th District
Richard Anderson, 5th District

STANDING ORDERS:

Chairman Scofield called the meeting to order at 9:00 A.M.

Pledge of Allegiance led by Lieutenant Bill Smethers, Sheriff's Office.

Corrections and/or deletions to agenda.

ACTION TAKEN: Agenda items #17 and #18 pulled from the Agenda by staff.

SCHEDULED ITEMS: 9:01 A.M.**Public Comment:**

ACTION TAKEN: The following members provided comment: Mr. Wade Laughter, District I resident; and Mr. Scott Wales, District IV resident.

1. [SR 18-0909](#) Introduction of Mr. Alonzo "Lon" Henderson, District Ranger, Yuba River Ranger District, and Ms. Liz Berger, Deputy Forest Supervisor, Tahoe National Forest. (Eli Ilano, Forest Supervisor, TNF)

ACTION TAKEN: Chairman Scofield introduced the agenda item and introductions of Mr. Alonzo "Lon" Henderson, District Ranger, Yuba River Ranger District, and Ms. Liz Berger, Deputy Forest Supervisor, Tahoe National Forest were made.

The Board members welcomed Mr. Henderson and Ms. Berger to the County.

2. [SR 18-0829](#) Resolution proclaiming the month of October 2018 as "United Way of Nevada County Campaign Kick-Off Month" in Nevada County. (Ms. Megan Timpany, Executive Director, United Way of Nevada County)

Adopted.

Enactment No: RES 18-480

ACTION TAKEN: Chairman Scofield introduced the agenda item and Ms. Megan Timpany, Executive Director, United Way of Nevada County, reported that this year's focus is to ensure that local residents are able to meet their needs for health care, education, nutrition and income stability. She reviewed their efforts to address gaps in the process, including the purchase of a van for Hospitality House, and the Food Access Saturday Program. United Way's campaign season has started and she thanked the County for encouraging employees to give back to the community. She provided the Board members with a Gold Award, recognizing County employee's donations to United Way.

Supervisor Scofield read the Resolution into the record and the Board members thanked Ms. Timpany for United Way's efforts in the County.

MOTION: Motion made by Supervisor Weston, seconded by Supervisor Anderson, to adopt Resolution 18-480. On a roll call vote the motion passed unanimously.

3. [SR 18-0918](#) Resolution proclaiming October 14, 2018 as the 23rd "Annual Truckee River Day" in Nevada County.

Sponsor(s): Richard Anderson, District V

Adopted.

Enactment No: RES 18-481

ACTION TAKEN: Chairman Scofield introduced the agenda item and Supervisor Anderson reported on the importance of the environment in the Truckee area, the importance of the Truckee River, and the surrounding watershed. Supervisor Anderson read the title of the proclamation into the record.

Mr. Matt Frietas, Program Manager, Truckee River Watershed Council, provided comments regarding the importance of maintaining the health of the Truckee area watershed as well as the Truckee River. He invited everyone to join them at their event next Sunday, October 14, 2018.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Miller, to adopt Resolution 18-481. On a roll call vote the motion passed unanimously.

CONSENT CALENDAR:

Behavioral Health Director: Phebe Bell

4. [SR 18-0870](#) Resolution approving Amendment 3 to the Operational Agreement between the County of Nevada and Sierra Nevada Memorial-Miners Hospital for the provision of crisis stabilization services (Res. 15-067), amending Exhibit "B" Financial Arrangement, as will be reviewed annually and adjusted as required to reflect actual project costs and revenues of the immediate prior year, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 18-482

Public Health Director: Jill Blake

5. [SR 18-0865](#) Resolution approving a renewal contract between the County of Nevada and Wendy Van Wagner, dba In the Kitchen, for Nutrition Education Consultant services for the County's Nutrition Education and Obesity Prevention Program, in the maximum amount of \$26,960, for the period October 1, 2018 through September 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 18-483
6. [SR 18-0864](#) Resolution approving a renewal contract between the County of Nevada and Shaun Havard dba Shaun Havard Consulting for Health Education Community Liaison Consultant services for the County's Nutrition Education and Obesity Prevention Program and the County Medical Services Program - Prediabetes Prevention Program, in the maximum amount of \$50,210, for the period October 1, 2018 through September 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 18-484
7. [SR 18-0863](#) Resolution approving a renewal contract between the County of Nevada and Lynne Lacroix dba Cody Consulting for the provision of consultant services related to the County's Nutrition Education and Obesity Prevention Program and the County Medical Services Program - Prediabetes Prevention Program, in the maximum amount of \$77,570, for the period October 1, 2018 through September 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 18-485

Director of Social Services: Tex Ritter

8. [SR 18-0908](#) Resolution approving an Amendment to the Training Services Agreement EW-2018-24 between the County of Nevada and The Regents of the University of California, UC Davis Extension (Res. 18-266), increasing the total number of training units from 25 to 35 to be provided to the County during Fiscal Year 2018/19, increasing the maximum amount of the County's share of cost from \$95,625 to \$133,875, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
Adopted.
Enactment No: RES 18-486

Child Support Services Director: Mike Dent

9. [SR 18-0904](#) Resolution approving the Housing Preservation Grant Agreement between the County of Nevada and the U.S. Department of Agriculture, Rural Development, to improve the living conditions of low- and very low-income residents of the County in need of repairs or rehabilitation to their housing, in the maximum amount of \$68,928.25, for the period September 30, 2018 through September 30, 2019, authorizing the Chair of the Board of Supervisors to execute the Agreement, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 18-487

10. [SR 18-0792](#) Resolution approving Standard Agreement 17-CDBG-12025 between the County of Nevada and the State Department of Housing and Community Development (HCD) for Community Development Block Grant funds for the rehabilitation and expansion of the Odyssey House, a transitional residential treatment facility for severely mentally ill adults, in the maximum amount of \$3,196,396, effective upon HCD approval through July 31, 2023, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Adopted.

Enactment No: RES 18-488

Sheriff-Coroner/Public Administrator: Keith Royal

11. [SR 18-0889](#) Resolution approving a contract between the County of Nevada and Alta Consulting Services, Inc. to provide consulting services for security upgrades at the Wayne Brown Correctional Facility, in the maximum amount of \$63,325, for the period November 1, 2018 through November 1, 2020, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 18-489

Clerk-Recorder/Registrar of Voters: Gregory Diaz

12. [SR 18-0902](#) Resolution making Appointments In Lieu of the General Election to be held on November 6, 2018 for Special District Boards.

Adopted.

Enactment No: RES 18-490

13. [SR 18-0913](#) Resolution authorizing payment of \$51,113.34 to ESSVR, LLC (“ESSVR”), formerly known as Data Information Management Systems, Inc., for expenditures pertaining to voter data base registration licensed software, support and maintenance services provided during the period October 1, 2017 through June 30, 2018, approving a renewal Agreement for Licensed Software, Services, and Maintenance between the County of Nevada and ESSVR, in an amount not to exceed \$70,195.65, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 18-491

Planning Director: Brian Foss

14. [SR 18-0907](#) Resolution approving Amendment 2 to the grant agreement between the County of Nevada and the City of Nevada City pertaining to Recreation Mitigation funding for the Pioneer Park Picnic Area Improvement Project (Res. 16-205), extending the contract for an additional six months beyond the expiration date of October 12, 2018 to complete the Project, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Dist. I)

Adopted.

Enactment No: RES 18-492

Director of Public Works: Trisha Tillotson

15. [SR 18-0875](#) Review of the Nevada County Active Transportation Plan. (Pulled from consent by Supervisor Anderson)

Approved.

16. [SR 18-0923](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Cascade Software Systems, Inc. for software maintenance, installation, training, and custom programming (Res. 18-373), revising the contract to require commercial automobile insurance with an endorsement naming the County as an additional insured, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 18-493

17. [SR 18-0892](#) Resolution approving Program Supplement Number F062 to Administering Agency-State Agreement Number 03-5917F15 - Federal Contract No. ER-32L0(472), in the amount of \$5,407.32 for emergency repairs on Brunswick Road from Loma Rica to Whispering Pines, and authorizing the Chair of the Board of Supervisors to execute the supplemental documents. (Dist. III) (Pulled from the Agenda)
18. [SR 18-0894](#) Resolution approving Program Supplement Number F064 to Administering Agency-State Agreement Number 03-5917F15 - Federal Contract No. ER-32L0(431), in the amount of \$679,429.50 for emergency repairs on Brunswick Road from the Greenhorn/Bennett intersection to 1000 feet south, and authorizing the Chair of the Board of Supervisors to execute the supplemental documents. (Dist. III) (Pulled from the Agenda)
19. [SR 18-0893](#) Resolution approving Program Supplement Number F063 to Administering Agency-State Agreement Number 03-5917F15 - Federal Contract No. ER-32L0(477), in the amount of \$17,042.84 for emergency repairs on Pleasant Valley Road, and authorizing the Chair of the Board of Supervisors to execute the supplemental documents. (Dist. IV)
Adopted.
Enactment No: RES 18-494
20. [SR 18-0906](#) Resolution approving Amendment 2 to the contract between the County of Nevada and HF&H Consultants LLC for Eastern Nevada County Municipal Solid Waste Contract Consulting and Negotiation Services, increasing the maximum contract amount to a not-to-exceed amount of \$76,805, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 budget. (4/5 affirmative vote required) (Sanitation)
Adopted.
Enactment No: RES 18-495
21. [SR 18-0873](#) Resolution accepting the Department of Resource Recycling and Recovery (CalRecycle) Household Hazardous Waste grant funding in the amount of \$50,000 (Res. 17-118), with the grant term ending on September 30, 2021, and authorizing the Director of the Department of Public Works to execute additional documents as necessary. (Sanitation)
Adopted.
Enactment No: RES 18-496

22. [SR 18-0872](#) Resolution approving a contract between the County of Nevada and the California Product Stewardship Council for education and outreach activities to promote use of refillable 1 lb. propane cylinders in the County, in an amount not to exceed \$50,000, for the period October 1, 2018 through September 30, 2021, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 budget. (4/5 affirmative vote required) (Sanitation)

Adopted.

Enactment No: RES 18-497

Chief Information Officer: Stephen Monaghan

- 23a. [SR 18-0915](#) Resolution continuing the declaration of a Local Emergency in Nevada County due to the Airport Hangar Fire. (4/5 affirmative vote required) (Airport)

Adopted.

Enactment No: RES 18-498

- 23b. [SR 18-0930](#) Resolution approving the plans and specifications for the Airport Hangar Repair. (4/5 affirmative vote required) (Airport)

Adopted.

Enactment No: RES 18-499

24. [SR 18-0876](#) Resolution approving the Notice of Acceptance and Final Completion of the contract between the County of Nevada and SunPower Corporation, Systems for the Nevada County Energy Conservation Project, with contract costs totaling \$10,365,691, authorizing the Chair of the Board of Supervisors to execute the Certificates of Final System Completion for the Solar Energy Systems located at the Lake of the Pines Wastewater Treatment Plant and the Highway 49 Ranch Property, and directing the Clerk of the Board to record this Notice in accordance with Civil Code Section 9208. (Facilities)

Adopted.

Enactment No: RES 18-500

25. [SR 18-0877](#) Resolution approving Amendment 1 to Agreement 5 “Solar Operations and Maintenance” between the County of Nevada and SunPower Corporation, Systems (Res. 16-178), pertaining to the identification of newly installed equipment, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)

Adopted.

Enactment No: RES 18-501

26. [SR 18-0878](#) Resolution approving Amendment 1 to Agreement 3 “Solar System Performance Guarantee” between the County of Nevada and SunPower Corporation, Systems (Res. 16-180), reflecting a change in equipment that will affect the energy output originally anticipated at the Lake of the Pines Wastewater Treatment Plant and the Carl F. Bryan II Juvenile Hall, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)
Adopted.
Enactment No: RES 18-502
27. [SR 18-0879](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Climatec LLC "Non-Solar Installation Agreement" to provide an Energy Conservation and Solar Energy Generation Program and to implement energy conservation measures at various County facilities (Res. 16-175), with contract costs totaling \$2,361,991, and directing the Clerk of the Board to record this Notice in accordance with Civil Code Section 9208. (Facilities)
Adopted.
Enactment No: RES 18-503
28. [SR 18-0914](#) Resolution approving a contract between the County of Nevada and Disability Access Consultants for the Nevada County Facilities ADA Self Evaluation and Transition Plan (Res. 18-196), in the maximum amount of \$60,000, for the period October 9, 2018 through September 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)
Adopted.
Enactment No: RES 18-504

Individual Board Member Item:

29. [SR 18-0941](#) Request to send a letter of support to the California Highway Patrol for grant funding to provide additional resources in the Grass Valley area for public affairs, increased enforcement and education along Highway 49 and other Nevada County roadways.

Sponsor(s): Ed Scofield, District II

Approved.

Clerk of the Board: Julie Patterson Hunter

30. [SR 18-0920](#) Appointment of Ms. Anne Rarick to the Mental Health Advisory Board as a District V representative, for an unexpired 3-year term ending June 30, 2020.
Appointed.

31. [SR 18-0910](#) Acceptance of Board of Supervisors Summary Minutes for September 11 and 25, 2018.
Accepted.

ACTION TAKEN: Chairman Scofield introduced the consent calendar and mentioned that Agenda Items #17 and #18 were already removed. Agenda Item #15 pulled from consent by Supervisor Anderson.

Approval of the Consent Agenda

Adopted.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Miller, to approve the consent calendar less Agenda Items #15, 17 and 18. On a roll call vote, the motion passed unanimously.

ITEMS PULLED FROM THE CONSENT CALENDAR:

Director of Public Works: Trisha Tillotson

15. [SR 18-0875](#) Review of the Nevada County Active Transportation Plan. (Pulled from consent by Supervisor Anderson)

ACTION TAKEN: Supervisor Anderson reported that he pulled the item for informational purposes only, noting the dates of the public meetings.

Mr. Michael Woodman, Transportation Planner, Nevada County Transportation Commission (NCTC), reported on the upcoming public Workshops. The first in Truckee: Wednesday October 17, Truckee Town Council Chambers 5:00-7:00 p.m.; the second in Western County: Thursday October 18, Grass Valley City Council Chambers 5:00-7:00 p.m. He reported that there is further information on the NCTC website.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Hall, to review the Nevada County Active Transportation Plan. On a roll call vote the motion passed unanimously.

DEPARTMENT HEAD MATTERS:*Agricultural Commissioner: Chris de Nijs**

32. [SR 18-0911](#) Report from Mr. Jeff Jenkins, Chair of the Nevada County Fish and Wildlife Commission, regarding recent accomplishments of the Commission as well as concerns facing fish and wildlife resources in Nevada County.

ACTION TAKEN: Mr. Chris de Nijs, Agricultural Commissioner, introduced Mr. Jeff Jenkins, Chair, Nevada County Fish and Wildlife Commission (F&WC), who provided a PowerPoint presentation regarding the Commission's recent accomplishments, as well as concerns facing fish and wildlife resources in Nevada County. He reviewed highlights of the past two years, including the Fish and Wildlife Propagation Fund plus grant funding received and the amount awarded per the Board of Supervisors approval, and the revision to the F&WC bylaws, which reduced the number of members from 9 to 5. They conducted an investigation of wildlife citations issued in Nevada County and reported on current issues facing Nevada County including illegal cannabis grows; environmental degradation; wildfire; and human vs. wildlife interactions.

Mr. Jenkins and Mr. de Nijs responded to Board questioning.

The Board thanked Mr. Jenkins and Mr. de Nijs for their report and the Commissioners for their service and dedication.

***ANNOUNCEMENTS:**

Pursuant to Government Code Section 54954.2, Board members and County Executive Officer may make a brief announcement or brief report on his or her activities. Board members and County Executive Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

ACTION TAKEN: Updates were provided by members of the Board.

***CLOSED SESSIONS:**

[SR 18-0933](#) Pursuant to Government Code Section 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss one matter in which there is a significant threat of litigation against the County.

[SR 18-0934](#) Pursuant to Government Code Section 54956.9(d)(4), County Counsel is requesting a closed session to determine whether litigation should be initiated by the County in one matter.

ACTION TAKEN: With regard to the first closed session (SR 18-0933), nothing occurred in closed session that is required to be reported out by law.

For the second closed session (SR 18-0934), the Board voted to join a consortium of Counties in litigation against Pacific Gas and Electric (PG&E), by a 4-1 vote, Supervisor Miller, No.

Recess for lunch: 10:59 A.M.

AFTERNOON SESSION: 1:30 P.M.**SCHEDULED ITEM: Brian Foss, Planning Director**

33. [SR 18-0919](#) Public hearing continued from the October 27, 2015 Board of Supervisors meeting regarding Project No. GP12-002; Z12-002; EIR12-002 for the following actions:
- a. Approve a Resolution approving the site specific General Plan Land Use Map Amendment (GP12-002) to re-designate "Tier 1" Sites 3 (APN: 035-412-015) and Site 5 (APN: 035-412-018) to Urban High Density, including utilizing the Certified Final Environmental Impact Report for this project (EIR12-002/SCH NO. 2009072070/Board Resolution 15-503); and
 - b. Introduce, waive further reading and adopt an Ordinance approving Zoning Map Amendments (Z12-002) to amend Zoning District Map No. 052c to change the existing zoning of "Tier 1" Sites 3 (APN: 035-412-015) and 5 (APN: 035-412-018) to High Density Residential (R3) including adding the Regional Housing Need (RH) Combining District to increase the density of those properties to provide zoning for 189-units of multifamily housing utilizing the Certified Final Environmental Impact Report for this project (EIR12-002/SCH NO. 2009072070/Board Resolution 15-503).

ACTION TAKEN: Chairman Scofield called the meeting back to order and introduced the public hearing, continued from the October 27, 2015 meeting, reading the title of the Ordinance into the record.

Mr. Brian Foss, Planning Director, introduced Mr. Tyler Barrington, Principal Planner, who provided a PowerPoint presentation regarding the County's Housing Element. He gave a brief history and reviewed the actions taken by the Board in 2015. He reported that in the summer of 2018 the County was contacted by the State Department of Housing and Community Development citing AB72 which allows the State to check in with jurisdictions that had a rezone program and review their Housing Element for compliance. The State advised Planning that it would commence the Housing decertification process if the rezoning project was not completed prior to the next Housing Element update. This decertification would disqualify the County from receiving State funding, and would invalidate the County's General Plan. Mr. Barrington reviewed Sites 3 and 5, located within the Grass Valley City limits, and their potential viability for growth. Staff is recommending that the Board find that the Environmental Impact Report (EIR) certified by the Board of Supervisors on October 27, 2015 as adequate for this action with no further EIR required; support and approve the General Plan Amendment rezone of Sites 3 and 5 to Urban High Density; and approve the site specific rezone of Sites 3 and 5 to High Density Residential (R3) and adding the Regional Housing Need (RH) Combining District.

Chairman Scofield provided an opportunity for public comment and the following members of the public provided comments: Mr. Ralph Silberstein, District III resident and Community Environmental Advocates representative; Mr. Don Rivenes, District III resident; and Ms. Barbara Rivenes, District III resident.

There being no further public comment, Chairman Scofield closed public comment.

Supervisor Miller stressed the need for additional housing for County residents, as well as the need to meet State mandates. He explained that rezoning the parcels did not mean that the property would immediately be developed. He noted that the City of Grass Valley is in agreement that the rezone needs to move forward.

Supervisor Hall commented that the housing density issue is a State requirement and has to be addressed, and the best place for this housing is in the areas near infrastructure. She had hope that the cities and the county would work together better in the future so that the the jurisdictions would not be in this pressured situation again in the future. Supervisor Scofield agreed and added that rezoning has been done in District II and IV for the same reason.

Board discussion ensued.

Supervisor Hall recognized Mr. Ralph Silverstein, who provided further comments.

MOTION: Motion made by Supervisor Weston, seconded by Supervisor Miller, to find that the Environmental Impact Report (EIR12-002/SCH200907270) certified by the Board of Supervisors on October 27, 2015 per Board Resolution 15-503, is adequate for this action and no further Environmental Review is required. On a roll call vote the motion passed unanimously.

33a. [SR 18-0926](#) Resolution amending the Nevada County General Plan Land Use Map Designations for two properties (Assessor's Parcel Numbers 035-412-015 and 035-415-018), which is in addition to the Board-adopted Resolution 15-504, adopted on October 27, 2015, to increase the County's Urban High Density Land Use designation, effectively implementing the Housing Element Rezone Program Implementation Project. (Nevada County 2014-2019 Housing Element Program HD-8.1.1); (GP12-002)

Adopted.

Enactment No: RES 18-505

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Miller, to adopt Resolution 18-505. On a roll call vote the motion passed unanimously.

33b. [SR 18-0927](#) (Introduce/Waive further reading/Adopt) An Ordinance amending Zoning District Map No. 52c as an addition to Board-adopted Ordinance 2401, adopted on October 27, 2015, to perform site specific rezoning of Assessor's Parcel Numbers 035-412-015 and 035-412-018 to add the Regional Housing Need (RH) Combining District and increase the County's High Density Residential (R3) Zoning in connection with the Housing Element Rezone Program Implementation Project (Z12-002).

Adopted.

Enactment No: 2455

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Hall, to waive further reading and adopt Ordinance 2455. On a roll call vote the motion passed unanimously.

ADJOURNMENT:

ACTION TAKEN: Chairman Scofield adjourned the meeting at 2:10 P.M.

Signature and Attestation

Edward C. Scofield, Chairman

ATTEST:

By:

Lelia Loomis, Deputy Clerk to the Board