

MINUTES OF NOVEMBER 9, 2017
PLANNING and DEVELOPMENT COMMISSION

205

AGENDA
November 9, 2017
REGULAR MEETING OF THE PLANNING and DEVELOPMENT COMMISSION
CITY OF LONG BEACH, MISSISSIPPI
5:30 O'CLOCK P.M.
LONG BEACH CITY HALL
MEETING ROOM
201 JEFF DAVIS AVENUE

I. CALL TO ORDER

II. ROLL CALL AND ESTABLISH QUORUM

III. ANNOUNCEMENTS

IV. APPROVE MINUTES

1. October 26, 2017

V. UNFINISHED BUSINESS

1. Special-Use approval for a Half-way House in a C-2, General Commercial, Zone district - Property located at 19037 Pineville Road, Tax parcel 0612C-01-012.000 - submitted by Cristy M. Trehern on behalf of Transitions, Inc.
2. Discussion - public and/or private ingress/egress, perpetual easements and right-of-way.

VI. NEW BUSINESS

1. Certificate of resubdivision - property located at 197 McCaughan Avenue, tax parcel 0611P-04-018.000 submitted by Daisy Duncan.

VII. DEVELOPMENT & RESEARCH

1. Discussion - Available and/or vacant commercial property and buildings.

VIII. ADJOURN until December 14, 2017, due to the Thanksgiving holiday.

*****NOTES*****

**All decisions made at this meeting are subject to a fifteen (15) day appeal for a Public Hearing and/or the Mayor and Board of Aldermen approval on November 21, 2017.

**The agenda for the Planning Commission meeting closes at 5:00 p.m. the Thursday prior to the meeting day (one week before).

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Be it remembered that a regular meeting of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 9th of November 2017, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed for holding said meeting.

There was present and in attendance on said Commission and at the meeting following named persons: Commission Chairman Frank Olaivar, Commissioners Shawn Barlow, Jeff Hansen, Judy Wood, Eddie Seal, Mark McMillan, Mike Gundlach, Randy Fischer, Planning Commission Consultant/Advisor Bill Hessel, and minutes Clerk Veronica Howard.

Commissioner(s) Chris Carrubba was absent the meeting.

There being a quorum present and sufficient to transact the business of this meeting, the following proceedings were had and done.

Commissioner Seal made motion, seconded by Commissioner Gundlach and unanimously carried to approve the regular meeting minutes of October 26, 2017, as submitted.

It came for consideration under unfinished business a public hearing to consider Special Use Approval for property located at 19037 Pineville Road, tax parcel 0612C-01-012.000 submitted by Cristy M. Trehern, Real Estate Solutions on behalf of Transitions, Inc., tabled from the October 26, 2017 public hearing:

* * *

In response to questions asked at the aforementioned public hearing, the applicant submitted the following responses:



Transitions Incorporated
P.O. Box 453
Long Beach, MS 39560

Dear Planning Commission Members,

Thank you so much for the opportunity to share with you about the mission of Ti. We greatly appreciate your graciousness and attentiveness to our presentation.

There were several questions that arose during the meeting that were not answered or answered insufficiently. We have taken the time to research some of them and would like to provide some more information to help you make an informed decision.

1. **Why is this good for Long Beach?** Transitions Incorporated will bring human capital to the city that will add purchase dollars to local businesses and generate additional tax revenue. We will provide dependable employees for local businesses and future home owners and renters. This program will be part of a bigger picture to reduce the recidivism rate in our county and city by producing well-functioning citizens. In turn, this could, even in a small part, decrease the crime rate in the area, one woman at a time.
2. **What type of ex-offender will you be accepting into your program?** We will not be accepting any violent offender, sex offender, or repeat petty theft offender. We will be looking for women who have expressed and demonstrated a desire to change. They will have participated in the Chaplain's programs and stayed out of trouble with the jail staff.
3. **How many times has the Ocean Springs Police been called out to Sue's House for a disturbance?** We called Diane Easley, the founder and director, and she reported that in the past 5 years the police have not had to come out for a disturbance. They came once looking for someone but none of the women were who they were looking for. Sue's House has a good rapport with the local police. They invite them, at least every other year, to do a walk through with their drug dogs. They also invite them to an appreciation breakfast with the sheriff's office in Jackson County.
4. **Will we be taking women just from Harrison County or from other local counties?** The legal requirements of our 501c3 and the State of Mississippi nonprofit status requires us to accept applications from other counties. Because the Good News Jail & Prison Ministry is in all three southern counties we have liaisons in the two other jails. We will be able to selectively choose women who truly want to change from these other two areas. It is very important, however, that you hear us say that we believe we will be able to keep the program full with Harrison County women.
5. **Wouldn't it be a violation of an ex-felon's probation to live in a house with other ex-felons?** We have checked with the local probation office and they will give consent if and when the woman is accepted into this program. They will be monitoring her progress in the program.
6. **What age child will be able to visit the client's?** Only minor children will be able to visit. All children will be required to obey the house rules while visiting the home.
7. **How will you ensure that the women in the program won't leave the house at night without permission?** We will have a curfew of 10 P.M. each evening, with the exception of work. There will be a ADT security system (or comparable) in place that will not only alert the house mother but also be monitored by an offsite location. No woman will leave the premise without supervision.

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8. **How will you ensure that the women don't bring in contraband into the house either upon entering the program or when they come home from work?** When the women enter the program, they will be coming straight from the jail. We will log in all of her possessions. (We don't take women off the street.) There will also be random searches of the client's possessions, in which they have given prior permission to do so. We will also train the house mother and office manager to spot any suspicious drug/alcohol related behavior.
9. **What security precautions will you put in place if a client has to be removed from the program?** Upon entry into the program, the client will sign a waiver form agreeing to leave the program peaceably if the program rules are violated. She will give a list of contact information. If a woman is dismissed, she will be allowed to call these contacts and arrange a ride to leave the area. A volunteer will drive her to where she wants to go if she can't secure a ride. The clients in this program will not be considered renters but participants in a program. This policy has been confirmed with our lawyer. Renter's rights do not apply.
10. **Will the house mother of this program be qualified to perform this function?** This person will have a degree and/or sufficient experience to lead and supervise the women in this facility. She will receive training, not only from the board of directors in all areas of house rules and operating procedures but from Keith Switzer, the coordinator assisting with the Sheriff's reentry program and manager/owner of ASAP. Many of our volunteers have degrees and valuable experience for the positions they will hold. (See attachment) All volunteers will undergo a background check.
11. **How will you meet the requirements of the Fire Marshall?** The home will be a smoke-free facility. Once we have purchased the property, John Eustace, from the zoning office, and the Fire Marshall will walk through the property and give the requirements. We will meet the requirements before ever opening the program.
12. **Are there any state regulations to govern this type of operation?** We would be regulated as a 501c3 nonprofit by the IRS and the Secretary of State of Mississippi on how we can receive and spend monies for this program. These regulations are strict and well monitored by both entities. Other than that, there are no state regulations that governs our operating procedures. We have patterned ourselves, however, after a very successful program; Community Care Network (Sue's House) in Ocean Springs.
13. **Have you exhausted your options? Could you secure a property somewhere else?** Leading up to the request for the Pineville property we looked at many properties along the coast. Since the Planning Commission meeting we have continued to look for other options; working with a local realtor. Every other option is either too expensive, too dilapidated, not zoned properly, too small or too isolated from our support base.

We hope that the work that we have done to answer your questions about this program has helped you to make an informed decision. We very much appreciate the work that you do for the city of Long Beach. Thank you for your consideration of our program. We firmly believe that the Pineville property would serve us well and be a blessing to this community. We also believe God is directing us to be a part of the solution to this very serious problem. We know that God is a big God and He will supply all of our needs.

Sincerely,
The Transitions Team

Attachment: Transitions Incorporated Qualified Volunteers

1. Evelyn Daniels-President
 - 2 years college majoring in accounting
 - 10 years Accounting Technician
 - 25 years Restaurant Manager-Serve-Safe Certified
 - 20 years Licensed and Ordained Minister of Sound of Praise Ministry and Empowerment Ministry Christian Center
 - 10 years experience as a volunteer at the Harrison County Jail
2. Kathy Drummond-Vice President
 - Master's degree in Secondary Education specializing in government and civics
 - 30 years as a secondary teacher
3. Lynn Sandberg-treasurer
 - BA degree Speech Pathology
 - Author of Heaven on Earth: A Biblical Model for Parenting
 - 12 years of experience as a volunteer at the Harrison County Jail
4. Judy Smith-board member
 - BA Music Education K-12
 - Master's degree K-12
 - 62 hours of Women's Ministry from the New Orleans Baptist Theological Seminary
 - 2 years volunteer chaplain at the Women's Prison Work Release in Alabama
 - 2+ years volunteer at the Harrison County Jail
5. Dr. Evelyn Redding
 - Master's Degree Family Relations & Child Development
 - Doctorate Degree Family Relations & Child Development
 - Master's Degree Pediatrics and nursing Administration
 - 30 years Nursing Education administration in universities
 - 6 years Biblical counseling of women in crisis
 - 5 years jail/drug rehab counselor-Teen Challenge and David Wilkerson ministry
6. Antoinette Patrick-Senior Residential Advisor/Supervisor, Gulf Coast Center for Nonviolence-Biloxi, MS
 - BA Social Services
 - Master of Arts, Human Services
 - Working on Master of Arts, Pastoral Counseling-Expected Graduation May 2018
 - 15 years Life Skills Instructor, Sim's House Transitional Program-Jackson, MS
 - 9 years Women's Program Director, New Day Rehabilitation Program-Jackson, MS
 - 4 years Director of Women's Services, New Way Mississippi, Inc.-Jackson, MS
 - Certified Alcohol/Drug, & Grief Counselor
 - 25 years Licensed and Ordained Minister of the Gospel
7. Eric Meyerchick-Assistant Branch Manager of Regions Bank-Airport
 - BA degree Business Administration and Human Resources
 - 9 years AHS Inc. owner and principal-leadership training; job readiness skills
 - 1-year Strategic Training Coordinator-Computer Learning Centers (2016-2017)
8. Cindy Foxworth-PHR, SHRM-CP
 - BS Education
 - 30+ years HR Management
 - Assisting with resume writing, interviewing skills and techniques
9. Allen Massey-Owner of Sicily's Pizza in Gulfport and St Martin, Ms and Slidell, La
 - Dave Ramsey financial planning instructor

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* * *

The Commission Chairman recognized the City of Long Beach’s Police Chief Billie Seal to give a statement. Chief Seal reported that during his research into similar facilities he found no problems.

The Commission Chairman recognized the City of Long Beach’s Fire Chief, Mike Brown to give a statement. Chief Brown reported that if approved, the house would be inspected by the Fire Department, and all fire codes would have to be adhered to.

The Commission Chairman recognized the City of Long Beach’s Building Official, John Eustace to give a statement. Mr. Eustace reported that if approved, the house would be inspected and all Building Codes would have to be adhered to.

* * *

After considerable discussion Commissioner Fischer made motion, seconded by Commissioner Hansen to deny the request, as submitted, in accordance with Ordinance 598, Section 43: Special Use Permits (c) “. . . the development, more probably than not:” (2) will substantially injure the value of adjoining or abutting property, (3) will not be in harmony with the area in which it is to be located.

The question being put to a roll call vote, the results were as follows:

COMMISSIONER BARLOW	AYE
COMMISSIONER HANSEN	AYE
COMMISSIONER WOOD	NAY
COMMISSIONER SEAL	AYE
COMMISSIONER McMILLAN	AYE
COMMISSIONER GUNDLACH	NAY
COMMISSIONER FISCHER	AYE
COMMISSIONER CARRUBBA	ABSENT, NOT VOTING

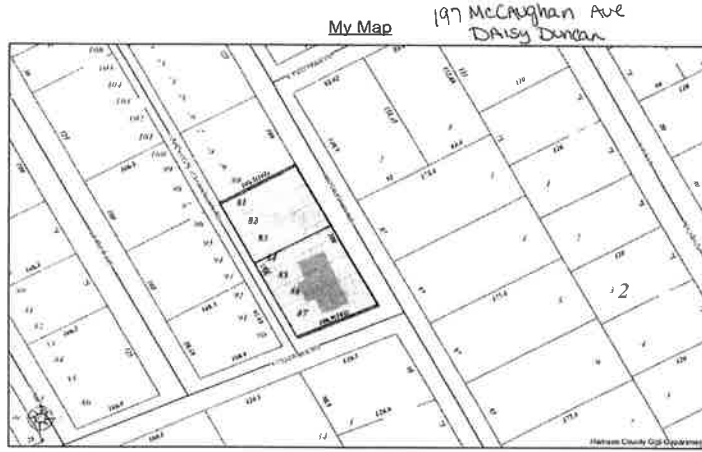
The vote having received the affirmative of the members present and voting the Chairman declared the motion to Deny the request as submitted carried.

It came for discussion under unfinished business public and/or private ingress/egress, perpetual easements and rights-of-way.

No action was taken.

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It came for discussion under new business a certificate of resubdivision for property located at 197 McCaughan Avenue, tax parcel 0611P-04-018.000 submitted by Daisy Duncan as follows:



HARRISON COUNTY, MISSISSIPPI

THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. IT WAS CONDUCTED FROM PROPOSED INFORMATION PROVIDED BY THE CITY OF THE RECORDS OF THE COUNTY AND DOES NOT CONSTITUTE A GUARANTEE OF PROPERTY OR VALUE. CONTACT THE PLANNING AND DEVELOPMENT COMMISSION FOR MORE INFORMATION.



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228-896-7155 1250.00



CITY OF LONG BEACH
PLANNING DEPARTMENT
201 JEFF DAVIS AVENUE
PO BOX 929
LONG BEACH, MS 39860
(228) 863-1854
(228) 863-1558 FAX

Office use only
Date Received 10/24/17
Zoning R-1
Agenda Date 11/9/2017
Check Number 1883

APPLICATION FOR CERTIFICATE OF RESUBDIVISION

- I. TYPE OF CASE: CERTIFICATE OF RESUBDIVISION
- II. AD VALOREM TAX PARCEL NUMBER(S): D101P-04-018.000
- III. GENERAL LOCATION OF PROPERTY INVOLVED: N/W CORNER OF East Old Pass Road and McCaughan Ave.
- IV. ADDRESS OF PROPERTY INVOLVED: 197 McCaughan Dr Long Beach, MS
- V. GENERAL DESCRIPTION OF REQUEST: Resubdivision of _____

- VI. REQUIRED ATTACHMENTS:
 - A. Resubdivision Survey and Certificate (see attached example) on no less than 11" X 17" paper
 - B. Cash or Check payable to the City of Long Beach in the amount of \$250.00
 - C. Proof of ownership (copy of recorded warranty deed), if applicable proof of authority to act as agent for owner.

*****NOTE*** APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.**

- VII. OWNERSHIP AND CERTIFICATION:
READ BEFORE EXECUTING, the applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than fifteen (15) days before the 2nd or 4th Thursday of each month. Receipt of fees does not constitute receipt of a completed application.

Ownership: I the undersigned do hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges as stated.

Daisy Dunbar
Name of Rightful Owner (PRINT)
3475 Nc Hwy 304
Owner's Mailing Address
Baytown, NC 28515
City State Zip
253 474 6410
Phone
Daisy Dunbar
Signature of Rightful Owner Date

Name of Agent (PRINT)

Agent's Mailing Address

City State Zip

Phone

Signature of Applicant Date

CERTIFICATE OF RESUBDIVISION
 197 McCAUGHAN AVENUE
 LOTS 81-87, BLOCK 1, DAVIS ADDITION
 LONG BEACH, HARRISON COUNTY, MISSISSIPPI
 PARCEL #0611P-04-018.000

CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the property described hereon, which property is within the subdivision regulation jurisdiction of the City of Long Beach, and that I freely adopt this plan of subdivision.

Daisy Duncan
 DAISY DUNCAN

Oct 24, 2017
 DATE

Subscribed and sworn to before me, in my presence this 24th day of October, 2017, a Notary Public in and for the County of Harrison, State of Mississippi.

Rikkil L. Allen
 NOTARY PUBLIC



CERTIFICATE OF SURVEY AND ACCURACY

I hereby certify that this map drawn by me or drawn under my supervision for actual survey made by me or actual survey made under my supervision and a deed description recorded in the 2006-4153-D-1, in accordance with all applicable codes and ordinances, Witness my hand and signature, registration number, and seal this the 23rd day of October, 2017.

Gary A. Durbin
 GARY A. DURBIN P.L.S. 2401



Subscribed and sworn to before me, in my presence this 23rd day of OCT, 2017, a Notary Public in and for the County of Harrison, State of Mississippi.

Timothy J. McLaugh
 NOTARY PUBLIC

21st September 2018
 My Commission Expires



CERTIFICATE OF APPROVAL

I hereby certify that the minor subdivision shown on this plat does not involve creation of new public street, or any change in existing public street, the extension of public water or sewer system or the installation of drainage improvements through one or more lots to serve one or more lots. That the subdivision shown is in all respects in compliance with the City ordinances of Long Beach and that therefore this plat has been approved by the administrator subject to its being recorded in the Harrison County Courthouse within (60) days of the date below.

ADMINISTRATOR _____ DATE _____

PLANNING COMMISSION

Approved by the City of Long Beach Planning Commission at the regular meeting of said Commission held on the _____ day of _____, 2017.

PLANNING COMMISSION CHAIRMAN _____ DATE _____

ACCEPTANCE

Submitted to an approved by the City of Long Beach, Board of Aldermen, at the regular meeting of said Board of Aldermen held on the _____ day of _____, 2017.

ADOPT: _____ ATTEST: _____

MAYOR _____ CITY CLERK _____

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**MINUTES OF NOVEMBER 9, 2017
PLANNING and DEVELOPMENT COMMISSION**

**CERTIFICATE OF RESUBDIVISION
197 McCAUGHAN AVENUE
LOTS 81-87, BLOCK 1, DAVIS ADDITION
LONG BEACH, HARRISON COUNTY, MISSISSIPPI
PARCEL #0611P-04-018.000**

CERTIFICATE OF RESUBDIVISION

In accordance with Article II, Section 3 of the Code of Ordinance (Subdivision Regulations) of the City of Long Beach as amended, it is hereby certified that the Long Beach Planning Commission Chairman and Long Beach mayor and Board of Aldermen have reviewed and approved the attached Final Plat. The following property has been subdivided from Harrison County ad valorem tax parcel #0611P-04-018.000 into two (2) new parcels. The subject property is generally described as being located at 321 McCaughan Avenue.

**LEGAL DESCRIPTION OF LAND PRIOR TO THIS RESUBDIVISION
(DR 2005-17073-D-J1)**

Lots 81 to 87, Inclusive, Block 1, Davis Addition, Long Beach, Harrison County, Mississippi, as per the map or plat thereof on file and of record in the Plat Book 3, Page 73, in the Office of the Chancery Clerk of Harrison County, Mississippi, First Judicial District.

LEGAL DESCRIPTION OF PARCEL "A" AS PER SURVEY

A parcel of land being a part of Lots 81 to 84, Inclusive, Block 1, Davis Addition, Long Beach, Harrison County, Mississippi, as per the map or plat thereof on file and of record in the Plat Book 3, Page 73, in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Beginning at the Northeast corner of Lot 81, thence S 28°09'56" E along the south margin of McCaughan Avenue 96.13 feet to an iron rod set, thence S 66°11'39" W 106.42 feet to an iron rod set, thence N 28°02'18" W 86.28 feet to an iron rod found, thence N 60°53'02" E 105.93 feet to the Point of Beginning. Said parcel contains 9,669 square feet or 0.22 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle of -0.130449, scale factor 0.999960, per survey by Gary A. Durbin, P.L.S. dated: October 20, 2017.

LEGAL DESCRIPTION OF PARCEL "B" AS PER SURVEY

A parcel of land being a part of Lots 84 to 87, Inclusive, Block 1, Davis Addition, Long Beach, Harrison County, Mississippi, as per the map or plat thereof on file and of record in the Plat Book 3, Page 73, in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

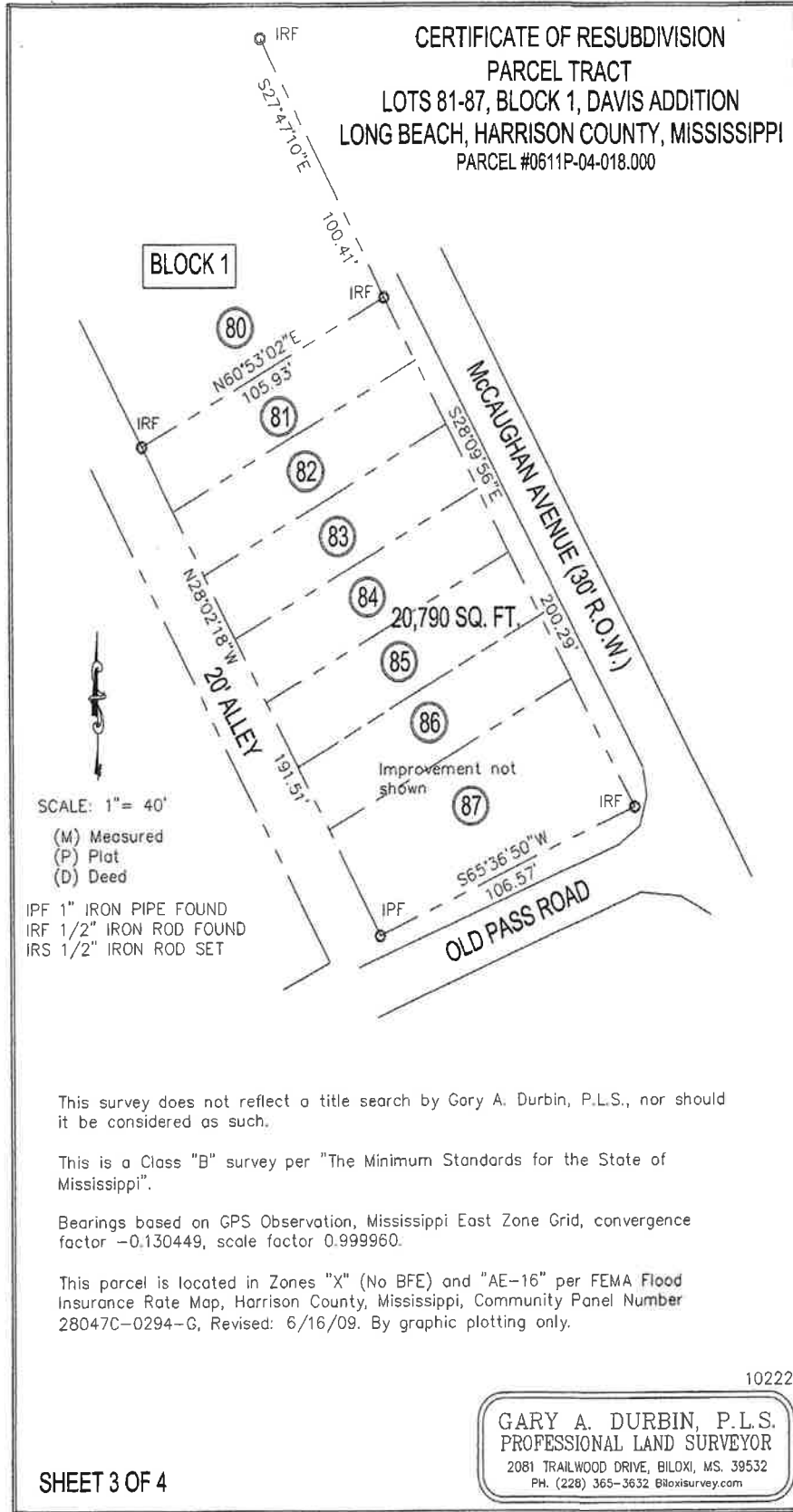
Commencing at the Northeast corner of Lot 81, thence S 28°09'56" E along the south margin of McCaughan Avenue 96.13 feet to an iron rod set and the Point of Beginning, thence S 28°09'56" E 104.16 feet to an iron rod found at the Southeast corner of Lot 87, thence S 65°36'50" W 106.57 feet to an iron pipe found at the Southwest corner of Lot 87, thence N 28°02'18" W 105.22 feet to an iron rod set, thence N 66°11'39" E 106.42 feet to the Point of Beginning. Said parcel contains 11,121 square feet or 0.25 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle of -0.130449, scale factor 0.999960, per survey by Gary A. Durbin, P.L.S. dated: October 20, 2017.

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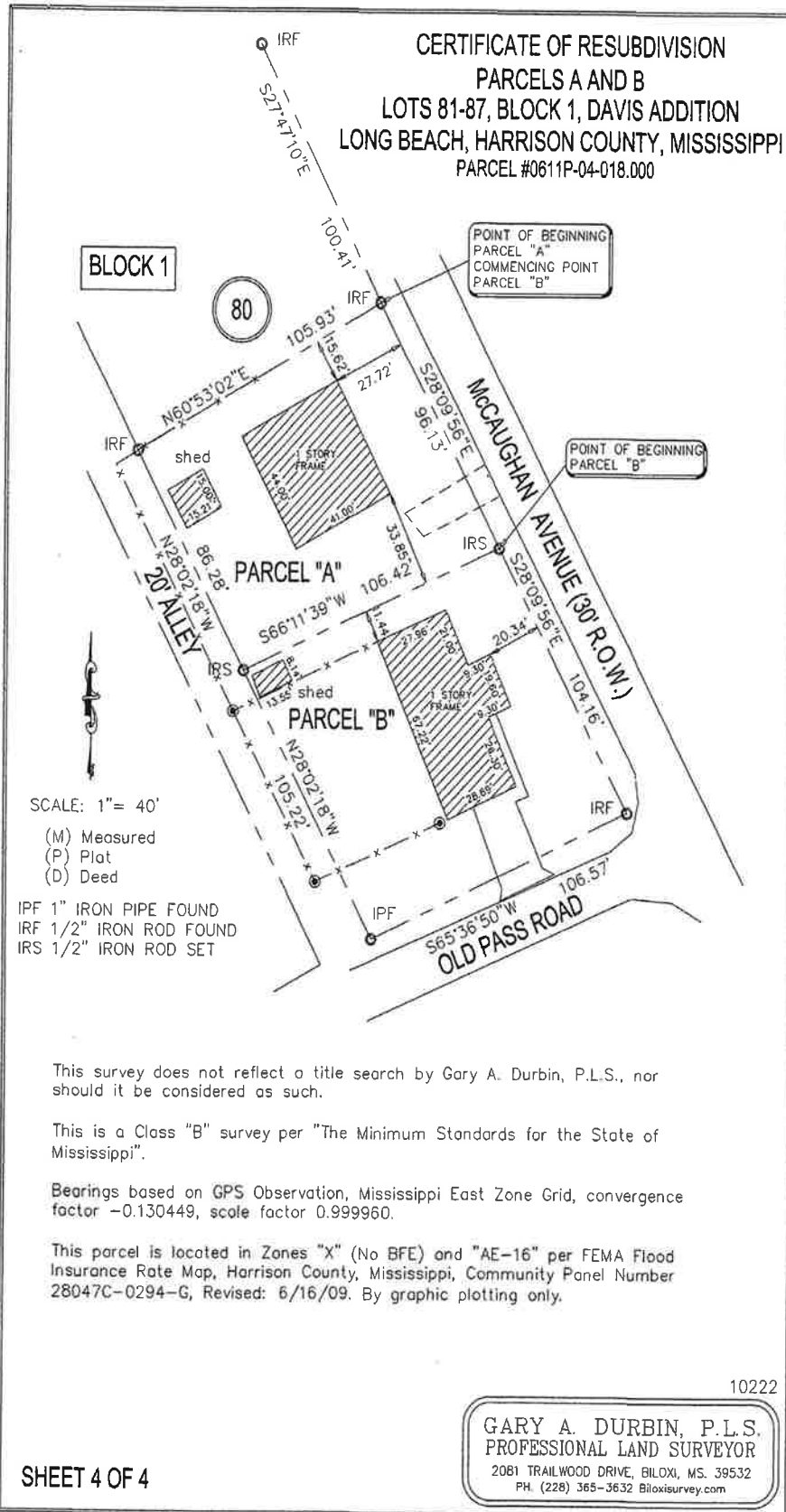
**GARY A. DURBIN, P.L.S.
PROFESSIONAL LAND SURVEYOR
2081 TRAILWOOD DRIVE, BILOXI, MS. 39532
PH. (228) 365-3632 Biloxisurvey.com**

SHEET 2 OF 4

**MINUTES OF NOVEMBER 9, 2017
PLANNING and DEVELOPMENT COMMISSION**



MINUTES OF NOVEMBER 9, 2017
 PLANNING and DEVELOPMENT COMMISSION



This survey does not reflect a title search by Gary A. Durbin, P.L.S., nor should it be considered as such.

This is a Class "B" survey per "The Minimum Standards for the State of Mississippi".

Bearings based on GPS Observation, Mississippi East Zone Grid, convergence factor -0.130449, scale factor 0.999960.

This parcel is located in Zones "X" (No BFE) and "AE-16" per FEMA Flood Insurance Rate Map, Harrison County, Mississippi, Community Panel Number 28047C-0294-G, Revised: 6/16/09. By graphic plotting only.

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GARNER RUSSELL & ASSOCIATES



CONSULTING ENGINEERS

520 33rd Street, Gulfport, MS 39507

Tel 228.863.0667 Fax 228.863.5232

November 9, 2017

City of Long Beach
P.O. Box 929
Long Beach, MS 39560

RE: Certificate of Subdivision - Tax Parcel 0611P-04-018.000

Ladies and Gentlemen:

We have received a Certificate of Subdivision for the referenced parcel at the northwest corner of E. Old Pass Rd. and McCaughan Ave., which proposes to create two parcels from one existing parcel containing two existing structures. Upon our review of the proposed changes for conformance with the City's ordinance, we found that the front setback for Parcel B will not meet the requirements of the zoning ordinance. The proposed front setback is 20.34 ft., which is less than the code requirement of 25 ft. However, this is an existing structure on an existing parcel so the setback is an existing condition, and should perhaps be considered a "grandfathered" condition. If it is not to be considered "grandfathered", perhaps a variance is required. We must leave that decision to the City.

Other than the issue of the front setback, the subdivision appears to be in order. We therefore take no exception to this subdivision, subject to the City's acceptance of the deficient front setback. The City's approval should also be subject to payment of any required tapping fees or special connection fees as determined by the City's public works department.

Sincerely,

David Ball, P.E.

DB:539

161 Lameuse Street, Suite 203, Biloxi, MS 39530 • Tel: 228.207.6574 • Fax: 228.207.6513
633 Delmas Avenue, Suite B, Pascagoula, MS 39567 • Tel: 228.207.6574 • Fax: 228.207.6513
SERVING THE GULF COAST SINCE 1969 CONTACT@GARNERRUSSELL.COM

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After considerable discussion Commissioner Hansen made motion, seconded by Commissioner Seal and unanimously carried recommending approval of the resubdivision, as submitted, in accordance with the City of Long Beach Subdivision Ordinance Article II. Section 3. Minor Subdivision Approval and the City Engineer's recommendation.

It came for discussion under Development and Research available and/or vacant commercial property and buildings.

No action was taken or needed.

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There being no further business to come before the Planning Commission at this time Commissioner Hansen made motion, seconded by Commissioner Wood and unanimously carried to adjourn the meeting until December 14, 2017, due to the Thanksgiving Holiday.

APPROVED:

Commission Chairman, Frank Olaiivar

Date: _____

ATTEST:

Veronica Howard, Minutes Clerk