The Marquette County Board of Commissioners met in regular session on Tuesday, September 16, 1986 at 7:00 p.m. in Room 231 of the Henry A. Shewis Annex, Marquette, Michigan.

Chairperson Lowe called the meeting to order, roll call was taken and the following roll recorded:

A Salute to the Flag was given followed by the Pledge of Allegiance.

It was moved by Comm. Corkin, supported by Comm. Valente and unanimously carried that the minutes of the County Board of Commissioners regular meeting held on September 2, 1986 be approved.

Chairperson Lowe opened the meeting for public comment. Mr. Peter Embley, Marquette Resident, was present and addressed the Board regarding HMOs. Mr. Embley contended that HMOs would hold U.P. County residents to reduce medical costs and broaden their coverage, but local physicians are interested because they see it as a threat to income. Mr. Embley urged the County Board to form a committee to investigate the matter further and volunteered his assistance. Mr. Joseph Crites, Ishpeming Township Resident and Candidate for the County Commission, asked if he could speak during the Truth and Taxation Hearing under item 6b. There being no further public comment, Chairperson Lowe closed this portion of the meeting.

It was moved by Comm. Valente, supported by Comm. Corkin and unanimously carried that the agenda be approved.

Chairperson Lowe opened the public hearing on the Rezoning Request #140-RZ-EL-37, Raymond Mullins, Rte. 1 #3, U.S. 41 West, Ishpeming, MI 49849, Ely Township, by reading the Rules governing Public Hearings. Mr. James Kippola, Senior Planner, presented the Resource Management/Development staff report and recommendations with a slide presentation. Staff recommends the request not be approved because: a) there are vacant commercial lands in the township which would accommodate the proposed use; and b) the proposal contains characteristics of spot zoning which allows use of land on a relatively isolated piece of property which is incompatible with the surrounding residential zone. Ms. Gwen Timmons, representing the Marquette County Planning Commission, reported they did not approve of the rezoning request on a two-to-two vote.

Mr. John Mullins, son of Raymond Mullins and petitioner in the zoning amendment request, stated this 1.1 acre parcel and the 80 acres surrounding it have been in the Mullins Family for sixty years. This property along U.S. 41 is more suitable for commercial use instead of residential use, especially with the noisy trucks traveling nearby from the Gold Mine. Mr. Ken Tuominen, Ely Township Supervisor, was present and reported the Ely Township Board was unanimously in favor of the rezoning request in that it will provide an economic boost to Ely Township. Mr. Dan Hannigan, Director of the Marquette County EDC, was present and spoke in favor of the rezoning petition stating that Mr. Mullins had the cash, the commitment, the character and the common sense to run a successful muffler and brake shop. After the questioning by Commissioners of the various parties concerned Chairperson Lowe declared the hearing closed.

It was moved by Comm. Corkin, supported by Comm. Berglund and unanimously carried on a roll call vote that the County Board approve Rezoning Petition Request as follows:

#140-RZ-EL-37, Raymond Mullins, Rte. 1, #3, U.S. 41 West, Ishpeming, MI 49849, requests amendment of Section 60.3 Zoning Map of Ely Township of the Marquette County Zoning Ordinance so as to rezone the following described property in Ely Township from Residential (R-2) District to Commercial (C-3) Zoning District.
BOARD OF COMMISSIONERS  COUNTY OF MARQUETTE  SEPTEMBER 16, 1986

Section 12, T47N-R28W, beginning at the NW corner of the NW-1/4 of the SE-1/4 then East 320' thence South 150' thence West 320' thence North 150' to POB Exc. Highway R/W.

The County Board took under consideration a proposed resolution for Truth in Taxation increases. Chief Civil Counsel, Patricia Micklow, explained that it will be necessary to adopt the Truth in Taxation Resolution if the County is to use the increased revenue generated from liquor taxes, otherwise known as the Cobo Hall Act. The revenue reverting back to Marquette County is approximately $133,000.00 or 3.47% of the operating millage which is approximately .2114 mills. Ms. Micklow explained this will not cost the County taxpayers any money, but by law a Truth in Taxation Hearing must be held. It was moved by Comm. Corkin, supported by Comm. Berglund and unanimously carried that the County Board approve of the Truth in Taxation Resolution for increasing Marquette County property taxes.

TRUTH IN TAXATION RESOLUTION
FOR INCREASING MARQUETTE COUNTY
PROPERTY TAXES

WHEREAS, in compliance with the requirements of Act 5, PA 1982, known as the Truth in Taxation legislation, the Marquette County Board of Commissioners will hold a public hearing on September 16, 1986, on a proposed increase in the operating tax millage rate to be levied in 1986; and

WHEREAS, the Act further requires that the proposed additional millage rate be established by a resolution adopted by the governing body of the taxing unit before it conducts the public hearing;

NOW THEREFORE BE IT RESOLVED that the Marquette County Board of Commissioners proposes an increase of .2114 mills in the operating tax millage rate to be levied in 1986.

BE IT FURTHER RESOLVED that, if adopted, the proposed additional millage will increase operating revenues from ad valorem property taxes 3.47% over such revenues generated by levies permitted without holding a hearing.

It was moved by Comm. Valente, supported by Comm. Corkin and unanimously carried on a roll call vote that the following proclamation naming October as United Way Month in Marquette County be approved.

PROCLAMATION

WHEREAS, the United Way of Marquette County has been working since its inception in 1974 helping to improve the quality of life for thousands of people in Marquette County; and

WHEREAS, their work has helped to develop for Marquette County an atmosphere of community spirit and has fortified the qualities of charities, goodwill and compassion for our fellowmen; and

WHEREAS, through the United Way thousands in the Marquette County area will join together in this one drive to make this one contribution which will help to carry on the work of twenty local agencies and through one of them, the United Way of Michigan, this same gift will reach out to many thousands more who are served by twenty-two additional agencies throughout the Upper Peninsula and the State; and

WHEREAS, the United Way of Marquette County enlists the time and energies of hundreds throughout the County in business, labor, government, education and those retired, all who devote countless hours to making this fund drive a success;
THEREFORE BE IT RESOLVED, that we, the Marquette County Board of Commissioners hereby proclaims the month of October as United Way of Marquette County, and hereby urges each citizen of the County to give their full support of this fund drive.

It was moved by Comm. Corkin, supported by Comm. Valente and unanimously carried that the following informational items be accepted for file:

a) A letter from Dan Gaboury, Fire Marshall of the Ishpeming Fire Department to Commissioner Frank Valente thanking the County Board of Commissioners for the County Conservation Corp.


c) An analysis from the National Association of Counties on House - Senate Tax Reform Legislation.

d) A memo from Randall M. Johnson, M.D. regarding Health Department Budget Amendment #3.

e) A memo from James Kippola, Senior Planner, advising the County Board that the Resource Management/Development Department has submitted a proposal to the Department of Natural Resources for Clean Water Incentive Program Funds.

The County Board took under consideration a recommendation from the Executive/Intergovernmental Relations Committee regarding the adoption of a new application form for various boards and commissions. The new form was drafted by Randall Girard, Director of Human Resources and reviewed by County Clerk, David Roberts. It was moved by Comm. Berglund, supported by Comm. Corkin and unanimously carried that the new application form be adopted.

The County Board took under consideration a recommendation from the Finance/Personnel Committee regarding adoption of a lease between Marquette County and Simmons Airlines. The new rates would increase County rent approximately by $5,000.00 to $6,000.00, and these rates would be in effect through December 31, 1987. They will be subject to annual review and renegotiation each year thereafter to commence by November 1st of the preceding year. It was moved by Comm. Berglund, supported by Comm. Corkin and unanimously carried that the County Board approve the adoption of the five year lease agreement between Marquette County and Simmons Airlines.

The County Board took under consideration a recommendation from the Executive/IGR Committee to oppose House Bill 5082, which would permit coon dog hunters to run their dogs twelve months of the year. Many years ago the Dept. of Natural Resources and the Michigan Legislature established a quiet period from April 15th to July 15th to protect wildlife. This bill would permit the year-round running of dogs in the woods for which there is no justification. It was moved by Comm. Berglund, supported by Comm. Corkin and unanimously carried on a roll call vote that the County Board go on record as being opposed to House Bill 5082 and request the Marquette County Natural Resources Commission to comment on the bill at their next meeting.

The County Board took under consideration a joint recommendation from the Finance/Personnel Committee and the Executive/IGR Committee to adopt a resolution to establish a Victim Restitution Fund in Marquette County. Mr. James Cihak, Probation and Parole Agent, had explained to both Committees that the State of Michigan has granted Marquette County $1,500.00 as seed money for the fund, and if the resolution is adopted by the County Board a $50.00 assessment would be imposed on all criminal defendants who are placed on probation. This assessment would be in addition to any present court costs being ordered and would be used to pay up to $300.00 immediate restitution to victims. The Victim Restitution Fund would then be self supporting. It was moved by Comm. Berglund, supported by Comm. Corkin and unanimously carried on a roll call vote that the County Board approve the adoption of a Victims Restitution Fund for Marquette County with the following resolution.
RESOLUTION FOR VICTIM RESTITUTION FUND

WHEREAS, Marquette County is a participant in the Probation Enhancement Program as authorized by P.A. 126 of 1983; and

WHEREAS, the Marquette County Circuit Court wishes to establish a Victim Restitution Fund to be initially funded by a $1,500.00 disbursement from Probation Enhancement Grant funds, as authorized by the Marquette County Community Corrections Board; and

WHEREAS, the Victim Restitution Fund would thereafter be funded entirely by a standard assessment of $50 to be included as an additional portion of the Court Costs for every criminal defendant adjudicated in the Circuit Court after October 1, 1986; and

WHEREAS, the standard assessment shall be collected through the offices of the Circuit Court Probation Department and placed in a specific account with the Marquette County Treasurer's Office; and

WHEREAS, restitution payments shall be made from the Victim Restitution Fund to specific crime victims following an appropriate recommendation from the Probation Department, and subject to approval and authorization from the presiding Chief Judge of the Circuit Court; and

WHEREAS, the financial status and disbursements from this Fund shall be reported to the Marquette County Board of Commissioners on a quarterly basis by a representative of the Probation Department;

NOW THEREFORE, BE IT RESOLVED that this Board hereby authorizes the establishment of the Marquette County Victim Restitution Fund, to be administered through the Probation Department and the Circuit Court; and for the ongoing financial support of this Fund, the Board further authorizes the Judges of the Circuit Court to impose a standard assessment of $50 on all criminal defendants who are placed on probation, with this assessment to be an additional portion of Court Costs and payable to the County Treasurer's Office for deposit in a Victim Restitution Account to be established after October 1, 1986.

The County Board took under consideration a resolution amending the General Fund Budget in the amount of $5,391.00 to be taken from the Contingency Fund in order to finance the reinstatement of the position of District Court Probation Secretary. It was moved by Comm. Corkin, supported by Comm. Valente and carried on a roll call vote three-to-one, with Comm. Lowe voting nay, to adopt the following budget amendment resolution.

RESOLUTION AMENDING GENERAL FUND
Fiscal Year 1986 Amendment No. 25

WHEREAS, budgets were adopted by the County Board on October 8, 1985 to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:
<table>
<thead>
<tr>
<th>Fund and Expense Budget Acct.</th>
<th>Previous Budget Amt.</th>
<th>Amended Budget Amt.</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Court</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salary - Permanent</td>
<td>261,638</td>
<td>266,543</td>
<td>+4905</td>
</tr>
<tr>
<td>Social Security</td>
<td>19,907</td>
<td>20,257</td>
<td>+350</td>
</tr>
<tr>
<td>Hospitalization</td>
<td>41,412</td>
<td>42,104</td>
<td>+692</td>
</tr>
<tr>
<td>Life Insurance</td>
<td>2,070</td>
<td>2,103</td>
<td>+33</td>
</tr>
<tr>
<td>Workers Comp</td>
<td>2,020</td>
<td>2,031</td>
<td>+11</td>
</tr>
<tr>
<td>Contingency</td>
<td>51,607</td>
<td>45,616</td>
<td>-5991</td>
</tr>
<tr>
<td>Rev. Budget Acct.</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

Motion was made by Comm. Corkin, Seconded by Comm. Valente, to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

<table>
<thead>
<tr>
<th>Aye</th>
<th>Nay</th>
<th>Aye</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. Berglund</td>
<td>X</td>
<td>T. Lowe</td>
<td>X</td>
</tr>
<tr>
<td>G. Corkin</td>
<td>X</td>
<td>F. Valente</td>
<td>X</td>
</tr>
<tr>
<td>G. DeFant</td>
<td>Absent</td>
<td></td>
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</tbody>
</table>

The Chairperson declared the motion carried and the resolution duly adopted.

The County Board took under consideration a request from Barryll L. Sundberg, Drain Commissioner, for the second increment of $50,000.00 of the Whetstone Brook Drainage District. It was moved by Comm. Berglund, supported by Comm. Corkin and unanimously carried on a roll call vote that the County Board authorize the second increment of the loan in accordance with the previously executed loan agreement dated July 17, 1985, for the second increment of $50,000.00 to pay preliminary costs for the Whetstone Brook Drainage District.

The County Board took under consideration the Central Dispatch/Forsyth Township Tower Project and Equipment Lease. County Administrator, Dennis Aloia, reviewed past action by the County Board in regards to this matter. Approximately ten months ago the County Board signed a letter of intent and sent it to Michigan Bell, but Michigan Bell never returned a signed lease. In the meantime Forsyth Township constructed a building, and the County purchased $8,600.00 in hardware but now in order to complete the tower project an additional $6,300.00 is needed as described in a letter from Steven Perucco, Chair of the Marquette Central Dispatch Policy Board, and a memo from Mr. David Savalainen, President of Range Telecommunications. The Commissioners were concerned that this emergency system has not been installed and the lease was not signed. Now it is costing additional funds. Mr. Aloia explained that the Central Dispatch Policy Board and the Central Dispatch Operations Board met separately and did not necessarily communicate with each other, but the problem will be eliminated because; a) the two Boards are now meeting together; and b) the County is providing more staff support. In the meantime the County has no choice but to approve the $6,300.00 expenditure to get the system working, or the southern part of Marquette County will continue to have communication problems. It was moved by Comm. Berglund, supported by Comm. Valente and unanimously carried that the County Board concur with the request for $6,300.00 for the hardware and installation for the Forsyth Communication Tower and that the money be taken from the Public Improvement Fund by adopting the following budget resolution.
BOARD OF COMMISSIONERS       COUNTY OF MARQUETTE       SEPTEMBER 16, 1986

RESOLUTION AMENDING PUBLIC IMPROVEMENT FUND Fiscal Year 1986 Amendment No. 27

WHEREAS, budgets were adopted by the County Board on October 8, 1985 to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

<table>
<thead>
<tr>
<th>Fund and Expense Budget Acct.</th>
<th>Previous Budget Amt.</th>
<th>Amended Budget Amt.</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Dispatch Expansion</td>
<td>6,253.00</td>
<td>12,553.00</td>
<td>+6300</td>
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<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Rev. Budget Acct.</td>
<td>Use of Fund Equity</td>
<td>Previous Budget Amt.</td>
<td>924,513.75</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Amended Budget Amt.</td>
<td></td>
</tr>
</tbody>
</table>

Motion was made by Comm. Berglund, Seconded by Comm. Valente, to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

<table>
<thead>
<tr>
<th>Aye</th>
<th>Nay</th>
<th>Aye</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. Berglund</td>
<td>X</td>
<td>T. Lowe</td>
<td>X</td>
</tr>
<tr>
<td>G. Corkin</td>
<td>X</td>
<td>F. Valente</td>
<td>X</td>
</tr>
<tr>
<td>G. Defant</td>
<td>Absent</td>
<td></td>
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</table>

The Chairperson declared the motion carried and the resolution duly adopted.

The County Board took under consideration a request by the Planning Commission to adopt a Coastal Recreation Supplement to the County Recreation Plan. Mr. James Kippola, Senior Planner, was present and explained the plan is intended to guide future public involvements while insuring recreational opportunity for County residents and tourists along Lake Superior shoreline. This document was prepared in order to update the 1979 Marquette County Coastal Recreation Plan and incorporate into it the 1986 County Recreation Plan. The updated Plan will enable the County to participate in the State Coastal Zone Management Program which provides funds for maintenance and construction of projects at existing facilities such as Perkins Park, Sugar Loaf, Big Bay Harbor, as well as acquiring new sites. It was moved by Comm. Corkin, supported by Comm. Berglund and unanimously carried on a roll call vote that the County Board adopt the Coastal Recreation Supplement to the County Recreation Plan.
The County Board took under consideration a recommendation from Ron Koshorek, Director of the Resource Management/Development Department, regarding bids for the Renovation – Stonegate Project. Mr. Koshorek was present and explained that Marquette County received two bids on September 12, 1986 for the masonry work which was designed to support the iron gate at the Third Street entrance to the Courthouse. The project was budgeted at an estimated $18,000.00, but the low bid from W.C. Smyth was $19,360.00. After consulting with the Architect, Lincoln Poley, the County Administrator, and reviewing the funds available, Mr. Koshorek recommends that the County Board award the contract to W.C. Smyth and add $1,360.00 from uncommitted Courthouse Renovation Funds to the Artwork Budget. It was moved by Comm. Berglund, supported by Comm. Corkin and unanimously carried that the County Board approve and award the contract to W.C. Smyth in the amount of $19,360.00 for the Stonewall/Gate Project and adopt the necessary budget amendment resolution to provide funding as follows.

RESOLUTION AMENDING COURTHOUSE RENOVATION BUDGET
Fiscal Year 1986 Amendment No. 28

WHEREAS, budgets were adopted by the County Board on October 8, 1985 to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

<table>
<thead>
<tr>
<th>Fund and Expense Budget Acct.</th>
<th>Previous Budget Amt.</th>
<th>Amended Budget Amt.</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Courthouse Renovation</td>
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<tr>
<td>Artwork</td>
<td>40,000.00</td>
<td>41,360.00</td>
<td>+1360</td>
</tr>
<tr>
<td>Rev. Budget Acct.</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Use of Fund Equity</td>
<td>-0-</td>
<td>1,360.00</td>
<td>+1360</td>
</tr>
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</table>

Motion was made by Comm. Berglund, Seconded by Comm. Corkin, to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

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<thead>
<tr>
<th></th>
<th>Aye</th>
<th>Nay</th>
<th></th>
<th>Aye</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. Berglund</td>
<td>X</td>
<td></td>
<td>T. Lowe</td>
<td>X</td>
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<tr>
<td>G. Corkin</td>
<td>X</td>
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<td>F. Valente</td>
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<td></td>
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<tr>
<td>G. DeFant</td>
<td>Absent</td>
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</table>

The Chairperson declared the motion carried and the resolution duly adopted.
BOARD OF COMMISSIONERS  COUNTY OF MARQUETTE  SEPTEMBER 16, 1986

The County Board took under consideration the scheduling of future budget hearings. After a brief discussion the consensus of the Board was to schedule a budget hearing work session on Friday, September 19, 1986 at 4:00 p.m. in the Commissioners Room.

Chairperson Lowe opened the meeting for public comment. Mr. James Cihak, Probation and Parole Agent for Marquette County, was present and thanked the County Board for their support on behalf of the Probation Department and the Circuit Court of the Victims Restitution Fund Resolution.

Roxanne Fox, a Marquette Resident, expressed her concern to the County Board regarding MarqTran's responsibility towards children passengers. It was requested by the County Board to put her concerns in writing. There being no further public comment, Chairperson Lowe closed this portion of the meeting.

There being no further business to come before the County Board, the meeting was adjourned.

Respectfully submitted,

[Signature]
David J. Roberts
Marquette County Clerk
MARCUTTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, September 16, 1986, 7:00 PM
Room 231, Henry A. Skewis Annex
Marquette, Michigan 49855

1. ROLL CALL.
2. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE.
4. PUBLIC COMMENT. (time limit 20 minutes total)
5. APPROVAL OF THE AGENDA.
6. PUBLIC HEARINGS:
   a. Rezoning request #140-RZ-EL-37, Raymond Mullins, Rte. 3, U.S. 41
      West, Ishpeming, MI 49849, Ely Township.
   b. Truth in Taxation Hearing on proposed increase of .2114 mills for County of Marquette operating millage.  Resolution #14. \( \text{Resolution} \)
7. PRIVILEGED COMMENT:
   a. Proclamation naming October United Way Month in Marquette County.
   b. 
8. INFORMATIONAL ITEMS:
   a. A letter from Dan Gaboury, Fire Marshall of the Ishpeming Fire Department to Commissioner Frank Valente thanking the County Board of Commissioners for the County Conservation Corp.
   c. An analysis from the National Association of Counties on House – Senate Tax Reform Legislation.
   d. A memo from Randall M. Johnson, M.D. regarding Health Department Budget Amendment #3.
   e. A memo from James Kippola, Senior Planner, advising the County Board that the Resource Management/Development Department has submitted a proposal to the Department of Natural Resources for Clean Water Incentive Program Funds.
   f. 
   g. 
9. ACTION ITEMS:
   a. A recommendation from the Finance/Personnel Committee to adopt a budget resolution to finance the position of District Court Probation Secretary.
   b. A recommendation from the Executive/IGR Committee regarding a new application form for various boards and commissions.
   c. A recommendation from the Finance/Personnel Committee regarding adoption of a lease between Marquette County and Simmons Airlines.
   d. A recommendation from the Executive/IGR Committee to oppose House Bill 5082.
   e. A joint recommendation from the Finance/Personnel Committee and the Executive/IGR Committee to adopt a resolution for a Victim Restitution Fund.
9. ACTION ITEMS: Cont'd.

A. A request from Darryll L. Sundberg, Drain Commissioner, for the second increment of $50,000 of the Whetstone Brook Drainage District.

B. Central Dispatch/Forsyth Township Tower Project and Equipment Lease.

C. A memo from James Kippola, Senior Planner, regarding request by the Planning Commission to adopt Coastal Recreation Supplement to the County Recreation Plan.

D. A recommendation from Ron Koshorek, Director of Resource Management/Development Department, regarding bids for renovation — Stonegate Project. (materials forthcoming) [here]

10. REPORTS OF SPECIAL & SELECT COMMITTEES:

   a.

   b.

11. LATE ADDITIONS:

   a.

   b.

12. PUBLIC COMMENT. (time limit 20 minutes total)

13. ANNOUNCEMENTS.

14. ADJOURNMENT.