The Board of Education of Jordan School District met in a special Board meeting and study session on Tuesday, August 16, 2016, beginning at 9:05 a.m. at the JATC South Campus (Board Conference Room), 12723 S. Park Avenue (2080 West), Riverton, Utah.

SPECIAL BOARD MEETING

Those recognized or signed-in as present:
   Susan K. Pulsipher, Board President
   Janice L. Voorhies, Board Vice President
   Kayleen Whitelock, Board Secretary
   Jen Atwood, Board Member
   (J. Lynn Crane, Board Member, excused)
   Richard S. Osborn, Board Member
   Matthew Young, Board Member
   Patrice A. Johnson, Superintendent of Schools
   John Larsen, Business Administrator
   Paul Van Komen, Burbidge & White
   Michael Anderson, Administrator of Schools
   Laura Finlinson, Administrator of Curriculum and Staff Development
   Sandy Riesgraf, Director, Communications
   David Rostrom, Director, Facility Services
   Paul Bergera, Staff Assistant, Auxiliary Services
   Scott Iddings, Communications Manager
   Jeri Clayton, Administrative Assistant
   Jack Retallick, AV Maintenance
   Vicki Olsen, President, Jordan Education Association
   Dawn Ramsey, Director, Region VI PTA
   Mike Jones
   Mark Palesh, City Manager, City of West Jordan
   Paul Coates, Office of Development Assistance, City of West Jordan
   Kim Rolf, Mayor, City of West Jordan
   Dirk Burton, Council Member, City of West Jordan
   Zach Jacob, Council Member, City of West Jordan
   Dave Oka, Director of Economic Development, City of West Jordan
   Jeremy Olsen, Supervisor of Economic and Development Assistance, City of West Jordan
   Suzie Becker, Zions Bank
   Natalie Grange, Director of School Finance, Utah State Office of Education
   Billy Hesterman, Vice President, Utah Taxpayers Association
   Howard Stephenson, President, Utah Taxpayers Association
   Evelyn Everton, Americans for Prosperity
   Heather Reich, Teacher, Majestic Elementary School
   Katie McKellar, Deseret News
   Annie Knox, Salt Lake Tribune
   Bryce Dunford
   Marlies Burns
   Ken Olsen
   Gary McDougal

President Pulsipher presided and conducted. She welcomed those present and excused Board Member Lynn Crane who was unable to attend the meeting.

I. Special Business
A. **Consideration of West Jordan EDA**

President Pulsipher invited public comment regarding the West Jordan Economic Development Area known as Project Discus.

**Public Comment**

Vicki Olsen said she wanted it known that she was not speaking on behalf of JEA but for herself as a tax paying resident of Riverton. She said while economic development is critical for the District’s tax base, she felt this EDA goes beyond what the District should have to give up in tax dollars and for too many years. She urged the Board to ask West Jordan officials to work for a better offer.

Howard Stephenson, president of Utah Taxpayers Association, said the biggest concern with the EDA proposal is that Jordan District is being asked to give up too much. He provided his comments in written form which are attached at the conclusion of these minutes. (Attachment 1)

Dirk Burton, a member of the City Council for West Jordan, said he is excited about the EDA proposal and the amount of money it will bring to West Jordan and Jordan School District, as well as the County and State. He said in return for the money, the City Council is only asking the Board to vote in favor of the EDA. Because there are not many jobs associated with the project, there won’t be a need for extra resources to house more children, but the EDA will generate revenue to take care of District students. Mr. Burton said he is in favor of the District’s bond and he has placed approval of a Resolution in support of the bond on the agenda for the next City Council meeting. He invited Board members to attend and speak to the measure. Mr. Burton said the $17 million the District will receive is better than nothing.

Evelyn Everton, director of the Utah Chapter of Americans for Prosperity, said her organization helps people be more engaged in the political process and has made hundreds of phone calls to residents in Jordan District about the EDA. She said the residents her group contacted said they hadn’t heard much about the EDA and suggested that this might be because they hadn’t had time to attend or didn’t know about the public meetings and didn’t feel part of the process. She suggested holding more information meetings about this issue. She also suggested the District and City create a fairer tax policy so every business can take advantage of tax breaks.

President Pulsipher and Mrs. Whitelock explained to Ms. Everton that this issue came to their attention only a short time ago and the time-frame for this project was not the Board’s decision. In response to Ms. Everton’s comments that the District invite residents to be part of the process, Mrs. Whitelock said the District can’t afford the robo-calling systems that her organization has at their disposal. She also explained that at the last Board meeting a week ago the public was invited to comment and at the end of that meeting a request was made by Board members for residents to contact them during the coming week to express how they felt about this issue. Mrs. Whitelock noted that Board members were contacted by very few residents. President Pulsipher informed Ms. Everton that last week’s Board meeting and today’s meeting were legally noticed to the newspapers, Utah’s Public Notice website and the District website and Facebook page and all means available to the Board were used to engage the public.

Heather Reich said she lives and teaches school in West Jordan and urged the Board to vote against the EDA because she believes it offers far less to the District than was offered in other states and she felt it was taking too much away from the kids.

Susan Becker, Zions Public Finance, said she is working with West Jordan City on Project Discus. She showed a PowerPoint presentation and explained the fiscal and economic impacts of the EDA. She said Project Discus encompasses 232 acres and the taxable value will average $4.6 million per acre which means this property will generate six to seven times the taxable value on a per acre basis than what is being seen on property without incentives. She stated that if Discus is
brought in and the remaining 800 acres is developed as a business park rather than residential, it would generate $1 million more annually in tax revenue. She presented statistics that showed that property values increase in areas that surround a big name company. She also noted that jobs are created both for facility construction and operation of the facility and she has found that often big name companies give back to the community through education and technology programs.

Mr. Young asked Ms. Becker about the tax increment percentage of the Adobe project but she didn’t have the information available. In response to his question, Mrs. Pulsipher said the business administrator of Alpine School District confirmed that they received 25 percent over 20 years. Mr. Howard Stephenson added that the point he tried to make earlier is that the taxing entities on that project got the same 25 percent that they got to keep and what he is saying is that if this goes forward the District should ask that the formula be changed and if it needs to give Discus 75 percent overall, then the other entities should give 100 percent and the District should give 50 percent because no one can say that cities and counties are underfunded but the same can’t be said for Utah Schools, they are dead-last in the nation and the District is justified in saying that if they are going to participate, then it will be after everyone else gives 100 percent and they will give 50 percent, which is a reasonable request for the District to make of the West Jordan EDA.

Mr. Young asked whether the City of West Jordan officials are interested in entertaining Senator Stephenson’s suggestion to make the District more whole by contributing a larger portion. Mr. Palesh, City manager, before responding to this question, said he wanted to respond first to earlier claims that if the same amount of property were developed into homes, the District would get the same amount of tax revenue after 20 years as the Project Discus proposal but it would have an additional 1,200 students to educate. In response to Mr. Young’s question, he said the City is taking less of a cut than the District and the City needs the increment to provide infrastructure. Mr. Palesh also responded to a previous comment made by Senator Stephenson about water usage by stating that Fairchild closed its doors in West Jordan and its water usage was 1 million gallons per day and even with all six Project Discus buildings in use, the water usage will be far less than that.

Mr. Young asked if his statement is accurate that Project Discus has made no commitments to supporting education programs if they move to West Jordan. In response, Mr. Palesh said Project Discus representatives said unless they have a deal, they don’t talk about supporting education programs; however, they have a separate group with a separate budget that comes in immediately after the deal is made and assesses the needs of the community, school district, etc.

Kim Rolf, mayor of West Jordan, said the City believes Project Discus will be an anchor and bring in additional companies and the responsible move for the Board would be to vote in favor of this project.

Zach Jacob, West Jordan City Council member, said it continues to be mentioned that because of this deal, Project Discus will be given a lot of money which is not true. Project Discus will be giving the County, City, State, and School District a lot of money. He said other non-incentivized projects may come along but can’t compare with Project Discus which will produce a lot of revenue very quickly but Project Discus won’t happen without the incentive.

Ken Olsen said he supports this project and sees its approval as a no brainer because the land is currently greenbelt and not producing taxes for the school district. He said Project Discus is a clean industry and it makes sense to approve the project.

Gary McDougal said he, like Ken Olsen, attended this meeting as a member of the public. He said in 1975 he moved to West Jordan off 7800 South and began working as a realtor. A large industrial park was started just west of where he lived and it was said that this area would have a lot of big buildings and property taxes would be paid, but he doesn’t believe it met the
expectations and if there had been some tax incentives at the time it was developed, then perhaps more companies would have moved into the area and more infrastructure could have been put in place to encourage development. He said now is the time to take advantage of this opportunity and if the Board doesn’t approve it, it could be ten to thirty years before something else comes along.

Michael Jones said he and his family members are the owners of 1,900 acres in West Jordan which includes the Project Discus parcel and he wanted it known that this property was not for sale and that they are under no pressure to sell. He said Project Discus representatives approached the family to see if they were interested in selling the property and his aunt who is the owner of that particular acreage agreed to consider an offer.

Board Discussion

Mr. Young said no matter the result of the vote he is proud to serve on the Board and knows each member has taken this matter seriously and has considered all sides of the issue. He said he wanted to attest to the fact and declare to the public that there are no backroom deals with the School District and that the Board has considered this matter thoroughly and has diligently sought input from the public. He said the Board has been put in this position by an economic engine that none of them signed up to be a part of and they have been thrown into the middle and to be accused of not putting this matter before the public and doing this behind closed doors is not fair and not right. Mr. Young said he is appreciative of the feedback received from conscientious patrons who have taken the time to contact him to engage in a dialogue that has provided him with a broader perspective. Mr. Young said he wonders how the State got to this point that School Board members, who are so desperate for funding to educate the kids, are willing to look at a plan that requires the District to forego 85 percent of its right to property tax. For anyone to discount the fact that the District is giving up that right is tone deaf and not understanding of the nature of what is going on. Because of the way things are currently set up in this State, the District is willing to look at doing what is necessary to get $17 million over 20 years. Mr. Young said he doesn’t fault anyone for saying that that amount of money is too much to pass up, but for a City to lack any kind of empathy and understanding and infer that the District should be grateful to them is tone deaf, arrogant, and wrong and he doesn’t appreciate that attitude. He said he knows the District and cities are trying to work together but he hopes this is an opportunity to come together in a more meaningful way with a higher level of understanding and respect from City officials that this is a partnership because he hasn’t felt like Project Discus has been a partnership. Mr. Young said the time has come for the District to stand and say enough is enough and that children deserve better and until a stand is taken this will continue to happen. Corporations, developers, and those who said this is a great deal say that because it benefits their pocketbooks in the long run. Cities, counties, and school districts are being asked to give up revenue to make it easier for corporations to come to this state and the next company may ask for more incentives. Mr. Young said two business parks were mentioned that were struggling to develop without incentives, 21st Century and Bingham Park, and yet both of those have projects within them that were incentivized to come here with the idea that it would flourish the growth. The City’s own examples prove that the only thing the District can assume is that Discus will come and build one building because the examples don’t prove it true that when anchor tenants come in the whole project balloons. Mr. Young said he understands that tax incentives are part of the current system but this one has gone too far and for these reasons he will be voting “no” on this proposal.

Mrs. Whitelock said she shares many of Mr. Young’s frustrations and feels that City of West Jordan officials have been unresponsive to the Board because the only time she has heard from the City manager, even though she has reached out to him many times, is for this project. Mrs. Whitelock said she received many phone calls about this issue, some from individuals who called on their own and some that were patched through, but she appreciated hearing from all of them. Mrs. Whitelock said to Senator Stephenson that tax incentives for big business is a legislative decision and perhaps the legislature should not be putting school boards in this position since boards don’t have the authority to change legislation. Mrs. Whitelock said Jordan District needs
more commercial base because businesses pay 100 percent property tax where residents pay 55 percent and while some residents have said the District is giving away money, she believes by saying “yes” to this project the tax base is being increased. She stated that currently the District receives about $100 per year in taxes for the subject land and if Discus is approved, the District will receive about $300,000 for 20 years. If Project Discus builds more, the District will be paid more. Mrs. Whitelock stated that the Utah Taxpayers Association has said $94 million is being taken from students and she finds this interesting logic because the money can’t be taken if it hasn’t been received. She said she sees approval of this project as securing an area for commercial development for an increased tax base and far more patrons that contacted her were in favor of the project rather than opposed to it once she educated them on the facts. Mrs. Whitelock said it troubles her when a special interest organization started by the Koch brothers has people patching calls to her. In contrast, she and two other Board members were invited to attend a meeting in Copperton with 13 residents who stated, among other things, that they are not anxious to have West Jordan develop this property. She said Copperton is an oasis and she understands the concerns these citizens expressed about having more development closer to them. Mrs. Whitelock said originally the Board only discussed the financial impacts; however, after listening to a Doug Wright Show she became alarmed about the Project Discus water consumption data and realized she needed more information. She found that the water usage figures being touted were false and noted that a similar plant in South Carolina uses 33 million gallons per year and the Oregon facility uses 18 million gallons per year. She also found that in Utah, the highest water users are golf courses. In Salt Lake, the usage is 430 million gallons per year, the University of Utah uses 481 million gallons a year, and the Zoo reduced its usage from 101 million gallons per year in 2002 to its current 35 million per year. Mrs. Whitelock said she sees approval of this project as a way to provide a greater tax base for the school district and as a way to limit residential construction; however, when she reached out to West Jordan City to discuss the need for the District to receive more for students, they got nothing in return from them or the County. She said the District desperately needs even the $300,000 per year that Project Discus will provide for students.

Mrs. Voorhies said she attended many meetings about this issue including the meeting with Copperton residents and it was interesting that in Copperton everyone was civil to each other, they weren’t happy, but they were kind and thoughtful and she admired that about the Copperton community. She said the small Copperton population is engaged in community issues and expressed concerns such as the project ruining their view and whether an ammonia cooling system will be installed. Mrs. Voorhies said she is a long-time teacher who was long-time underpaid for the work she did and she is anxious to improve that situation. This won’t be improved until commercial development is improved in West Jordan and the state generally. She said from her point of view this project may not be the perfect situation but it is better than what the District currently has.

Mr. Osborn said he was sorry to see that the mayor of West Jordan left the meeting and wanted his comments passed on that he feels City officials have been lousy at communicating. He said he read an editorial yesterday that this project has been in development for a year and the first the Board heard about it was just a short time ago. He said he is not happy with the terms of the project but increasing the tax base has to start somewhere. He said his two largest questions about water and the tax increment have been answered and while he would like to see more money for the students and more input into firm dates, etc., he will support the project. Mr. Osborn also questioned why, if the County started this project, they are now against it?

Mrs. Atwood said it has been mentioned by other Board members that there is a concern about increasing residential properties and while this is not an ideal situation, she would like to make sure that a standard is not being set for future commercial tax breaks. She said she feels the County has tied the District’s hands with the amount they set from the beginning and the District has been trying to push it higher, but she won’t be okay in the future going this low again. She said the Board has been trying hard to pass a bond in order to provide housing for the large number of students and it seems the public has lumped the Bond and this issue together. She
said the Board has worked too hard to allow this to happen and needs the support of the City of West Jordan to show patrons that the bond is just as important to them as Project Discus. Mrs. Atwood said she doesn't know if the West Jordan patrons feel that the City supports the bond and asked City officials to make that loud and clear. She said commercial property is important to the District and her greatest concern is the increase in residential properties. She also said she hasn’t heard much from the patrons in her area even after reaching out to them, but those she did hear from were in favor of Project Discus so for these reasons she will be voting for the project.

Mrs. Whitelock added a comment that Senator Stephenson's thoughts about asking the other taxing entities to take a smaller percentage of the tax increment so the students can have a larger percentage is not a bad idea. She asked City officials if they would be willing to plead the District’s case with these entities. Mr. Palesh said the City can’t give up their tax increment because of all the infrastructure that needs to be put in place but he would discuss this with the other taxing entities. Mr. Palesh also said he gave his word to the mayor and council that he would never support a project like this again and had Salt Lake County not started the terms of the project they would be in a different place.

Mrs. Pulsipher said Jordan District is in need of a larger commercial base to provide services to the residents which makes this project needed. The difficult part is the terms of the deal are not fair to the kids in Jordan School District nor the taxpayers. She said the District's position is to either say “no” because of bad terms or say “yes” because it will provide at least a limited amount of money that is so desperately needed. She said the Board keeps asking City officials if something more can be done but she’s not feeling a lot of buy-in from the City who should be working together with the District as partners. Mrs. Pulsipher said another frustration is the large amount of wrong information perpetuated throughout the media and it was frustrating to have the people whose calls were forwarded to her by another entity say they were told this would raise their taxes when it will not raise Jordan School District taxes. This is bad information being circulated. She said the Board has tried to get correct information to the public. The other situation is that many feel that tax increment financing is bad and a strong case can be made for that, but that is not the Board’s choice. All they can do is vote on the deal placed before them that was brokered by others and it puts them in a difficult situation.

Mr. Young added that he wanted to echo Mrs. Atwood’s comment that it is amazing how residential development has been used as a weapon to cajole the School District into this deal because the Board knows the economic impacts of residential housing and the services that will need to be provided to the students that live in those developments. He said something has to be done to eliminate residential development as a tool and weapon because it is lazy and underhanded. He said he has been convinced that this State has to go back to the drawing board and figure out a better way to do this type of business.

President Pulsipher called for a motion.

**MOTION:** It was moved by Janice Voorhies and seconded by Richard S. Osborn to direct District representatives on the Taxing Entity Committee to vote in favor of the plan on the following conditions: 1) that the agreement explicitly state that this EDA is non-transferable to any other entity, (2) that the trigger date be on or before January 1, 2019, and (3) that West Jordan City officials, prior to the vote, discuss with the other TEC entities giving up a larger portion of their share of the tax increment to Jordan District students. Motion passed with a vote of five to one as follows:

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<tr>
<td>Susan K. Pulsipher</td>
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<td>Janice L. Voorhies</td>
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<td>Kayleen Whitelock</td>
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<td>Jen Atwood</td>
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<td>J. Lynn Crane</td>
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<td>Richard S. Osborn</td>
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<td>Matthew Young</td>
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President Pulsipher stated that Mr. Crane indicated to her earlier that he has similar feelings to those expressed by other Board members and would find the vote just as difficult.

President Pulsipher called for discussion about a possible motion to state that the Board will not look at any tax increment lower than 25 percent and for the full term.

Mr. Young said about a year ago the School Board took a significant step forward by developing a list of acceptable criteria for approving EDA projects. He added that he is sorry that he didn’t have the foresight to add a minimum acceptable tax increment percentage and feels he let the students down. He said given the nature of this EDA, he feels the Board needs to revisit its criteria for approval of economic development projects and to gather historical data about prior tax increment projects. Mr. Young said given the upcoming bond election and the amount of work staff is being asked to accomplish in the next six months it is only fair to postpone consideration of any other tax increment plans for a minimum of six months which will give the Board time to review its criteria list. He made the following motion:

**MOTION:** It was moved by Matthew Young and seconded by Kayleen Whitelock that the Board not consider another tax increment proposal for a minimum of six months. Motion passed with a unanimous vote.

At 11:10 a.m., the meeting adjourned. The study session started at 11:37 a.m.

**STUDY SESSION**

Those recognized or signed-in as present:
- Susan K. Pulsipher, Board President
- Janice L. Voorhies, Board Vice President
- Kayleen Whitelock, Board Secretary
- Jen Atwood, Board Member
- (J. Lynn Crane, Board Member, excused)
- Richard S. Osborn, Board Member
- Matthew Young, Board Member
- Patrice A. Johnson, Superintendent of Schools
- John Larsen, Business Administrator
- Paul Van Komen, Burbidge & White
- Michael Anderson, Administrator of Schools
- Laura Finlinson, Administrator of Curriculum and Staff Development
- Jeri Clayton, Administrative Assistant
- Jack Retallick, AV Maintenance
- Marlies Burns
- Bryce Dunford

President Pulsipher presided and conducted. The Board of Education met in a study session to discuss the following:

A. **Charter School Considerations**

Mr. Young, chair of the Charter Relations Committee, led a discussion about the District's involvement in becoming a charter school authorizer. He stated that charter schools have become part of the Utah education system and asked for input about how Jordan District should move forward with developing relationships with charter schools and whether Board members have any reservations about the opportunity to become a charter authorizer.
Mrs. Voorhies expressed concern that charter boards are not elected by taxpayers which may lead to transparency issues and she expressed concern about an increased workload for District personnel for oversight.

Board members developed the following list of concerns and potential benefits of charter schools. They also invited input from Marlies Burns, former executive director of charter schools at the Utah State Office of Education.

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<th>Concerns</th>
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<td>Cost for services</td>
<td>Specialized offerings that JSD can't provide</td>
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<td>Added workload and stress on employees</td>
<td>Increased high-quality opportunities for students</td>
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<td>Charter board not elected by taxpayers</td>
<td>Smaller school size</td>
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<td>Dilute our focus</td>
<td>Opportunity to prove innovation</td>
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<td>What happens if it fails</td>
<td>Magnet schools</td>
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<td>Long-term sustainability</td>
<td>Being &quot;in the game&quot;</td>
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<td>Financial responsibility</td>
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<td>Expenditure of current resources</td>
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<td>Increases competition for students</td>
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Board attorney, Paul Van Komen, provided Board members with the Utah State Charter School Board’s Charter School Performance Standards for School Achievement, Financial Performance & Sustainability, and Governing Board Stewardship. He also provided Board members with copies of the draft Charter Agreement between the Board of Education of Jordan School District and Real Academy High School Board of Directors, and copies of Exhibit A, and asked for Board input related to the parameters of the Agreement.

B. Parent University

Mrs. Voorhies said the Board has been discussing parent engagement and considering the types of activities that will promote more parent involvement in the schools. Board members discussed the types of activities that are currently being done in the schools and made recommendations for ideas to engage parents and provide them with helpful information.

Mrs. Atwood, chair of the Community Council Advisory Committee, agreed to have the Committee begin talking with school personnel to assess interest in the parent university concept and to gather ideas for topics of discussion or activities that will benefit parents.

C. New Building Design

Mrs. Whitelock, chair of the Facilities Committee, said Board members have had an opportunity to review the VCBO design and cost-saving recommendations for a future middle school in South Jordan and asked for Board input.

Mr. Young asked about the working relationship with VCBO. Mrs. Whitelock said they have been very willing to work with the Committee on cost-saving measures and to provide recommendations on items that they felt should not be changed. She also noted that there has been a great collaborative effort between staff and VCBO.

Mrs. Whitelock said she would like to have a Board vote on this issue and made the following motion:
MOTION: It was moved by Kayleen Whitelock and seconded by Richard S. Osborn to accept the Facility Committee’s recommendation of the VCBO Sunset Ridge model for a future middle school in South Jordan, and direct the Committee to continue the work on this project. Motion passed with a unanimous vote.

D. Budget Process

Mr. Young, chair of the Finance Committee, said he believes the Budget Book in its current form, even though it meets legal requirements, does not give the Board a real sense of where the money is being spent and he would like to recommend that during the coming year the Board consider crafting a more useful budget document that shows, for instance, what teachers are being paid and anticipated fund balances. Following the discussion, Board members agreed to have Mr. Young and the Finance Committee continue discussions about meeting the legal requirements and at the same time provide Board members with a working budget document.

Concern was expressed about the rating agencies wanting to see the District’s budget book in its current form and Mr. Larsen stated that he has discussed this with Zions Public Finance personnel and was told that rating agencies give points for the budget book, but it is not a deal breaker. He also suggested keeping some of the financial charts in the new budget document for the benefit of the public.

MOTION: At 3:17 p.m., it was moved by Kayleen Whitelock to adjourn the meeting. Motion passed with a unanimous vote.

JL/jc
Attachment

[Minutes approved 8-30-16]