

MINUTES OF THE GLADES COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING HELD ON MONDAY, JUNE 24, 2019 AT 6:00 P.M. IN THE
COUNTY COMMISSIONERS MEETING ROOM, GLADES COUNTY COURTHOUSE,
MOORE HAVEN, FLORIDA

The Glades County Board of County Commissioners met on Monday, June 24, 2019 at 6:00 p.m. with the following Commissioners present:

Tim Stanley, Chairman
Weston Pryor, Vice Chairman
John Ahern
Donna Storter Long
Donald Strenth

Others present:

Julie Mann Braddock, Administrative Secretary
Sandra H. Brown, Clerk of Court
Martin Murphy, County Manager
Tiffany Patterson, Finance Director
Connie Vanassche, GAS Governmental Services
Bob Jones, Public Safety Director
Aletris Farnam, Supervisor of Elections
David Hardin, Glades County Sheriff
Lenice Hubbard, HR Director - GCSO
Kari West, GCSO
Angela Snow-Colegrove, Emergency Management Director
Jeffery Patterson, TDC Member
Marty Redovan, CliftonLarsonAllen, LLC
Travis Hendry, Courthouse Custodian
Susan BuChans, Community Development Director
Matthew Howard, Johnson Engineering
Cindy Ricker, SHIP Coordinator
Susan Whidden, Administrative Assistant
Chris Felker, Lake Okeechobee News
20 citizens

Chairman Ahern called the meeting to order at 6:00 p.m.

PRAYER

Commissioner Storter Long gave the invocation.

PLEDGE

Commissioner Ahern led the Pledge of Allegiance.

AMENDMENTS TO THE AGENDA

There were none.

PRESENTATIONS AND AWARDS

1. Presentation on Local Tobacco Retail Policy Changes

Kiyah Coco and Rosemary Rubio, representing the Glades County Chapter of Students Working Against Tobacco – SWAT, made the following presentation to the Commission.

Good evening Chairman, Commissioner Stanley, honorable County Commissioners and other distinguished guests. My name is Kiyah Coco and I am the President of the Glades County Chapter of Students Working Against Tobacco - SWAT. This evening I am being accompanied by Rosemary Rubio, Vice-President, Zorian Tullock, Larry Willis, and former SWAT President and long-time SWAT member, Marcy Rubio.

On behalf of the Glades County SWAT Chapter, I would like to first thank you for this opportunity. We are excited to stand before you this evening to share information about a very important issue.

We as Floridians are encountering something that kills an average of three Floridians an hour, every hour of every day. It's being colorfully promoted and is readily available at a place we visit frequently – our local convenience store or gas station. It's tobacco products like cigarettes, dip and chew. And tobacco companies spend billions of dollars a year to market these addictive products at the “point of sale” – retail locations where tobacco products are sold.

An estimated 32,300 Floridians die from smoking-related illnesses each year and tobacco use remains the leading cause of preventable death in the nation and in our state. Tobacco companies increased their advertising dollars at the point of sale by more than 42 percent in just one year. When it comes to recruiting new youth to use tobacco, studies show this tactic has been effective – the likelihood of starting can more than double for youth who visit a store with point-of-sale tobacco ads at least twice a week.

Tobacco executives view youth – as “replacement smokers,” the next generation of customers replacing those lost by the leading cause of preventable death in our state and our nation. To attract new youth smokers the tobacco industry continues to evolve the market with new products, such as electronic cigarettes (or “e-cigarettes”).

Many e-cigarettes contain nicotine, which is addictive, and have a variety of harmful chemicals. They are also marketed by promoting flavors, including many that are especially appealing to youth. The U.S. Food and Drug Administration recently sent warning letters to 17 manufacturers, distributors and retailers that were selling nicotine-containing e-liquids with labeling or advertising resembling kid-friendly food products, such as juice boxes, candy or cookies that were identified as being false or misleading. Since then, all 17 companies have stopped selling those products. According to the 2016 Surgeon General's Report on e-cigarette use among youth and young adults, more than 85 percent of e-cigarette users ages 12-17 used flavored e-cigarettes, and flavors were the leading reason for youth use. E-cigarettes' popularity has soared in part because people can use them in places where traditional cigarettes have been banned. The

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discreet design of some e-cigarettes, like Juuls – one of the most popular brands – makes them look shockingly like the flash drives most students already carry to class. Students smoke walking around hallways and blow it down their shirts. Use of the restroom for its intended purpose is no longer realistic, as they now belong to the vapors.

Vaping IS an epidemic among US high schoolers. Vaping IS an epidemic in US high schools, to include our high school - right here in little ole Glades County. From, January 8, 2019, after students returned from Winter break, to February 20, 2019, our School Resource Officer reported having confiscated around 23 JUUL devices and issuing a number of citations and disciplinary referrals. That number averages out to about a JUUL, a day. This information has inspired us to find creative ways to educate and heighten awareness in our schools and community about the potential dangers of vaping.

The front line in the ongoing work to save these lives is at the point of sale. The Glades County Tobacco Free Partnership and Students Working Against Tobacco are working to counteract the millions of dollars being spent marketing cigarettes and other tobacco products, to include e-cigarettes, at retail locations near our schools. We are taking action to combat the impact of tobacco retail marketing by working to create a “school” buffer zone ordinance that aims to protect the health and well-being of the Glades community – youth in particular – by reducing the probability that youth will consume tobacco products that are marketed to them by tobacco companies. In Florida, bars must be located at least 500 feet from schools, and in some counties alcohol retailers must be at least 400 feet from schools. However, there are no restrictions on how close tobacco retailers can locate to schools. The ordinance would **restrict tobacco retailers from operating** within 1,000 feet of K-12 schools in Glades County, through conditional use permits. The law would grandfather in retailers currently operating within this buffer zone. Research shows that schools with more tobacco retailers within walking distance have higher rates of tobacco use.

Our intentions were to have a draft ordinance available for your review, long before tonight’s meeting. However, our Public Health Consulting Services, are still working to finalize the document. As with anything provided during the policy change process, it is important that what is being provided is the best version possible. This includes taking the time necessary to ensure that they are mitigating any potential pitfalls by intercepting any errors or unclear language in the document. While the language drafting process has taken longer than any of us would’ve liked, we are confident that the final product will meet the needs of you, our local government, and municipalities around the state.

Nevertheless, we deemed it VITAL to come before you tonight to educate you on the matter, and share our efforts and plans to protect our peers from a lifetime of nicotine addiction, through point of sale policy change.

In closing, we encourage you to support any future tobacco free policies/ordinances presented. Thank you for the opportunity to share this important information, and special thanks for all that you do for Glades County!

PUBLIC HEARINGS

There were none.

CONSENT AGENDA

2. **County Warrants (Exhibit A)
General Fund: 85809 – 85905
Intergovernmental Radio: 10385
ACH: 155 - 159**
3. **Approved the minutes of the May 14, 2019 Regular Meeting**
4. **Consider deleting surplus property record items from the Public Works Department, Community Development, Library, and Property Appraiser. (Exhibit B)**

ON MOTION of Commissioner Ahern seconded by Commissioner Strenth the Board approved the Consent Agenda items.

Motion carried by 5 – 0 vote.

PUBLIC INPUT ON BUSINESS AGENDA ITEMS

(Anyone wishing to provide public comment on an Agenda Item please fill out a comment card on the table at the entrance to the Commission Chambers)

There was no public input.

BUSINESS AGENDA

5. Basic Financial Statements of Year Ended September 30, 2018

Marty Redovan, CliftonLarsonAllen, LLC, presented the Basic Financial Statements for Year Ended September 30, 2018. He stated the County had received an Unmodified Opinion on its financial statements this year. He stated this a clean opinion. He stated on page 2 there was an Emphasis of Matter change noted that was due to a change in accounting pronouncements that must be followed. He stated this was related to the new reporting for Other Post-Employment Benefits. He stated this was a significant change that added approximately a \$300,000.00 liability to the County's overall county wide statement. He stated this was described more in the notes. He stated this did not change funding mechanisms or the County's budget. He referred to pages 76 and 77 that showed the Report on Internal Control and Financial Reporting. He stated there were some material weaknesses in internal control. He stated these were items the Board had seen in the past. He stated there were no items of non-compliance. He stated a lot of these findings had to do with the limited number of employees in the finance department. He stated on page 88 there were a number of previous comments that had been cleared. He referred to the companion document, which was the Letter of Governance. He stated this letter covered several things. He stated there were no disagreements with management and no outside consultations. He reminded the Board that if the comments that were listed continued for 3 years, the County would receive a letter from the Joint Legislative Audit Committee. He stated he believed the County had received this letter in the past and had explained the reasons for the continued comments. He stated it was not unusual for small counties to receive this letter.

Commissioner Ahern stated he appreciated of the help from Mr. Redovan and his staff and all of the work Sandra Brown and Tiffany Patterson did throughout the audit process.

Mr. Redovan stated Tiffany and her team had worked hard to clear the comments.

ON MOTION of Commissioner Storter Long seconded by Vice Chairman Pryor the Board approved the Basic Financial Statements for Year Ended September 30, 2018 as presented by Martin Redovan, CliftonLarsonAllen, LLC.

Motion carried by 5 – 0 vote.

6. County Manager

Vice Chairman Pryor commented on having the ability to add items to the agenda.

ON MOTION of Vice Chairman Pryor seconded by Commissioner Ahern the Board moved to terminate Martin Murphy's employment contract and employment with the County as County Manager without cause effective immediately.

Vice Chairman Pryor stated the Board had the ability to terminate the position without cause and stated there should be limited discussion. He called the question.

Motion carried by 5 – 0 vote.

Mr. Murphy stated he appreciated the opportunity to serve Glades County. He stated he was proud of his efforts in bringing structure, accountability, and good government norms to the county.

Mr. Murphy left the meeting.

Commissioner Storter Long stated the Board had designated Public Safety Director – Bob Jones as Deputy County Manager when the Board had gone through this process before. She stated when there was a vacancy in the County Manager position, Mr. Jones was to act as acting County Manager. She clarified that the Board had not revoked that appointment in any way.

Chairman Stanley clarified that Mr. Jones would not be able to hire and fire anyone without Board approval and a spending limit would need to be set.

Vice Chairman Pryor agreed. He stated he had spoken with Attorney Pringle about this matter several times. He stated a motion would be required.

Commissioner Storter Long suggested using the same spending limit that Mr. Jones had as a Department Head.

Sandra H. Brown, Clerk of Court, suggested setting the spending limit at (at least) \$15,000.00 for budgeted items.

Commissioner Storter Long agreed and suggested that no transfer be made right now either.

ON MOTION of Commissioner Storter Long seconded by Vice Chairman Pryor the Board appointed Deputy County Manager Bob Jones as Acting County Manager with the following limitations: no authority to hire or terminate any employee without prior Board approval; set a spending limit in the amount of \$15,000.00 for budgeted items only; no authority to do line item transfers; and no authority to resolve the pending EEOC complaint.

Commissioner Strenth suggested that any ongoing investigations be placed on-hold until a new County Manager was hired.

Susan Whidden, Administrative Assistant, expressed concern with payment on the contracts that had been entered into under Mr. Murphy's direction (such as the wetlands and the auctioneer company for the County sale). She stated these bills exceeded \$15,000.00.

Commissioner Storter Long stated the Chairman was the only one authorized to sign on these.

Motion carried by 5 – 0 vote.

Vice Chairman Pryor asked if the County should move forward with hiring an interim County Manager.

There was some discussions regarding the hiring process.

Chairman Stanley stated he would contact Attorney Pringle and inquire about the next step.

ON MOTION of Commissioner Storter Long seconded by Vice Chairman Pryor the Board continued the discussion regarding the County Manager position to the next meeting.

Motion carried by 5- 0 vote.

7. Satisfaction of CDBG and SHIP Mortgage

Cindy Ricker, SHIP Coordinator, stated she had 1 CDBG satisfaction and 1 SHIP satisfaction ready for approval. She stated Mr. & Mrs. Palmer had met all requirements of the program.

ON MOTION of Vice Chairman Pryor seconded by Commissioner Ahern the Board approved satisfaction of the following mortgages: Christopher and Charlene Palmer – SHIP mortgage in the amount of \$30,000.00 and CDBG mortgage in the amount of \$53,847.50 and authorized the Chairman to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

8. Delinquent Taxes – Freddy Davis SHIP Home

Cindy Ricker, SHIP Coordinator, stated the County had acquired this property in February 2018. She stated there were 2 years' worth of outstanding taxes due (2017 & 2018). She stated she had verified that the taxes could be paid through the SHIP program as long as the expense was charged to the SHIP recipient that purchased the home. She stated she was in the process of ejecting the current residents.

Commissioner Storter Long asked if Ms. Ricker had an eligible buyer.

Ms. Ricker stated she did have a family waiting to move into the home. She stated the family qualified for \$80,000.00 to rehab the home and demolition their existing home.

ON MOTION of Commissioner Storter Long seconded by Vice Chairman Pryor the Board approved payment in the amount of \$3,977.89 to the Glades County Tax Collector for taxes due on Parcel ID# S11-42-32-001-0045-0020 with the intent to convey this property to a SHIP income eligible buyer and that benefit of paying the taxes is included as part of the lien to the buyer.

Motion carried by 5 – 0 vote.

9. Request from Habitat for Humanity

Susan Whidden, Administrative Assistant, requested that this item be pulled from the agenda. She stated there were resolutions that needed to be prepared.

Chairman Stanley stated Attorney Pringle had informed him that the property would first need to be declared as surplus to County need and that this could be done tonight.

Mrs. Whidden stated Attorney Pringle had indicated to her that Item 10 needed to be pulled from the agenda as well. She stated he had informed her that he would like to do the declaration of surplus items all together instead of here and there; however, it would be at the Board's discretion on how to handle tonight's request.

Chairman Stanley stated the 2 parcels under this agenda item could be deeded to Habitat for Humanity without going out for bid due to the type of organization Habitat for Humanity operated under. He stated the next agenda item would have to go out to public bid. He stated Attorney Pringle had also suggested that the Board direct staff to go through the list of surplus property holdings and decide which it wanted to keep and which it wished to put out for bid.

Ms. Brown stated the property could be declared surplus tonight and the resolution donating the properties could be approved at the next meeting.

ON MOTION of Commissioner Storter Long seconded by Commissioner Ahern the Board declared Parcel #S14-42-32-005-000A-0240 and Parcel #S14-42-32-005-000B-0210 as surplus property and authorized the Chairman to sign any necessary documentation on behalf of the Board.

Motion carried by 5 – 0 vote.

Mrs. Whidden stated she would bring the resolution approving donation of the properties for approval to the next meeting.

Commissioner Ahern commented on the Habitat for Humanity program and how well the program seemed to be working.

10. Glades County Property Parcel #S11-42-32-001-0044-0010 located on Oakmont Road

ON MOTION of Commissioner Storter seconded by Vice Chairman Pryor the Board removed this item from the agenda.

The Board directed staff to move forward with finding other parcels that the County owned that needed to be declared surplus and offered for public bid.

Motion carried by 5 – 0 vote.

11. Request to close County Officers on July 5, 2019

Chairman Stanley stated it had been brought to his attention that the 4th of July was on a Thursday this year. He stated Hendry County was closing its offices. He asked if the Board wished to close the County offices.

Ms. Brown stated July 5th had been designated a holiday by the Chief Judge and the courts' offices would be closed.

ON MOTION of Commissioner Strenth seconded by Commissioner Storter Long the Board approved closing all County offices on July 5, 2019 in observance of the 4th of July holiday.

Motion carried by 5 – 0 vote.

CONSTITUTIONAL OFFICERS

Sandra H. Brown, Clerk of Court, stated the personnel policy that was being reviewed would now be in limbo without a County Manager. She asked the Board if they wished to defer review until a new County Manager was hired. She stated there were quite a few things in the draft that needed to be reviewed and revised.

Commissioner Storter Long asked if the firm that prepared the policy had been paid.

Ms. Brown stated they had not been paid the full amount.

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Commissioner Storter Long suggested that if the Board still had use of the firm's services that the draft policy be reviewed by the committee and be allowed to make recommendations.

Ms. Brown stated the firm had taken the County's current personnel policy and added a lot of things that she felt did not need to be included in a personnel policy.

Bob Jones, acting County Manager, stated he would like to take this project. He stated he would have the committee review the draft, make recommendations, confer with the firm, and bring the policy back to the Board for consideration.

Ms. Brown stated there were currently 2 employees out on extended medical leave. She stated Mr. Murphy had come to her today about not having FMLA forms on one of the employees and time being donated to one of them. She stated someone would need to figure out how to handle this situation prior to payroll being done on Monday. She stated one of the employees was out of time.

Commissioner Storter Long commented on Mr. Murphy not allowing Gabrielle Ibietatorremedia to work from home remotely even though she was able to do so.

Ms. Brown stated she did not believe Mr. Murphy had Ms. Ibietatorremedia's FMLA paperwork yet. She stated she had turned in time worked; however, he had not given her credit for the time worked; he had used her vacation leave and sick leave.

Commissioner Storter Long stated Mr. Murphy had shredded Ms. Ibietatorremedia's FMLA paperwork.

Chairman Stanley commented on needing a Doctor's note of approval prior to allowing anyone to work remotely.

Ms. Brown stated she could contact the labor attorneys to get direction from them on how to handle this situation.

Mrs. Whidden suggested having Lenice Hubbard, GCSO – Human Resources, assist the County with this issue.

Lenice Hubbard, GCSO – Human Resources, stated she could assist if needed.

Ms. Brown stated normally when someone was terminated, Ms. Ibietatorremedia updated the information in the PRM system so that the employee's COBRA insurance could kick in. She asked if anyone else had the ability to do this. She stated this would need to be done tomorrow.

Commissioner Storter Long stated she would contact PRM tomorrow to handle the update. She stated an alternate would also need to be appointed to represent the County on the PRM Board.

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Chairman Stanley stated Jessie Wallace would need to deactivate any of Mr. Murphy's passwords and authorizations.

Mr. Jones asked if the Board had any issue with Ms. Ibietatorremendia working remotely if a Doctor authorized the work.

Commissioner Storter Long suggested allowing Mrs. Hubbard and the labor attorneys to approve any decision such as this. She suggested directing Mr. Jones to contact Mrs. Hubbard and Ms. Brown to assist with this situation.

Ms. Brown stated Ms. Ibietatorremendia was considered an exempt employee and she was not sure how her hours would be tracked.

Chairman Stanley explained that there was a difference in working intermittently and working remotely.

Mrs. Whidden stated she would contact Mr. Wallace about deactivating Mr. Murphy's passwords.

Aletris Farnam, Glades County Supervisor of Elections, stated she had applied for a grant that would return the \$23,000.00 she had to give back on the cyber security grant. She stated if she was awarded the grant she would be purchasing electronic poll booths for each precinct.

Connie Vanassche, CAS Governmental Services, stated the Governor had approved the budget. She stated the Governor still had 18 bills awaiting action and 35 bills that had not yet been presented to him. She stated only 197 out of over 3,000 bills had made it through the House and Senate. She stated she believed the Visit Florida funds the DEO's workforce grants were safe. She stated the County's delegation hearing was scheduled for October 3, 2019 at 3:00 p.m. She gave the dates for the committee weeks. She gave an update on the FDEP waste water grant.

Commissioner Ahern stated the grant manager would need to be changed from Mr. Murphy to Chairman Stanley.

Mrs. Vanassche stated she would fill out the form and get it to staff.

Chairman Stanley stated he would take the responsibility of grant manager.

Mrs. Whidden stated the elevator was out of service and had been. She stated Oracle was in the process of getting it repaired. She stated it would be over 2 weeks for permitting to be done in Tallahassee. She stated Oracle had put in an emergency request. She stated she had provided some paperwork from the Agriculture & Labor Board to each Commissioner. She asked the Board for direction.

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The Board directed Mrs. Whidden to contact Attorney Pringle with the issue.

Commissioner Storter Long asked that Mrs. Whidden have access to Mr. Murphy's computer so that unfinished tasks could be taken care of.

Mrs. Whidden stated she and Mr. Jones would be meeting tomorrow about any unfinished projects.

Vice Chairman Pryor asked that each Commissioner get a copy of the list of outstanding tasks.

Commissioner Storter Long asked that the Commissioners get an update from Mrs. Whidden or Mr. Jones on the weeks that the Board did not meet.

Sheriff Hardin agreed to allow Mrs. Hubbard to work with Ms. Brown and Mr. Jones regarding the HR issues with several employees.

COUNTY ATTORNEY

There was no discussion.

COUNTY MANAGER

There was no discussion.

PUBLIC INPUT ON NON-AGENDA ITEMS

There was none.

COMMISSIONERS ITEMS AND COMMENTS

Commissioner Strenth stated the Palmdale Community would be getting new playground equipment within the next few weeks. He invited everyone to attend a spaghetti social at the Lakeport Community Association at 7:00 p.m. on Tuesday, July 9, 2019.

Commissioner Ahern stated Congressman Stuebe would be here on July 1, 2019 to tour the Moore Haven Canal. He stated the tour would begin at 2:00 p.m. He asked that anyone who wished to attend let him know so that airboats could be lined up. He stated the FFA students had done a presentation here a couple of months ago and gone on to place 4th in the State in the competition.

Commissioner Storter stated she had recently attended the PRM conference. She stated she would send an email out regarding the new rates for the insurances. She stated the RPC would now be meeting quarterly. She stated the next meeting would be held in September. She stated there were 3 counties not paying dues. She stated the RPC had asked for opinion from the Governor's office regarding this matter. She stated there were some tentative plans to meet with Hendry County regarding the transportation disadvantaged. She suggested also including a discussion regarding joining with Hendry County on the library. She stated this would provide more funds and services. She stated

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the modular home issue would also be on the agenda. She asked that the budget be presented as it had been in the past. She stated the extra column was not needed.

Ms. Brown stated the budget notebooks were ready and did include the extra column. She stated she would be scheduling individual meetings with each Commissioner.

Commissioner Storter Long asked if the County Manager position would be posted on the website.

Chairman Stanley stated this matter had been continued until the next meeting so that he could get direction from Attorney Pringle.

Commissioner Storter Long asked that Mrs. Whidden and Mrs. Peno clean up the County's website and include contact information for who would be contacted in the County Manager's absence. She commented on the fire department being down to one full time employee. She asked the Board to review this matter during budget discussions.

Mr. Jones stated he had 2 people inquire about the job opening today. He stated he hoped to be able to fill the vacancy soon.

Commissioner Storter Long stated the Ortona Community Association was planning their summer program for the children. She stated the children had requested gaga pit. She stated she had contacted PRM about the liability of the pit. She stated PRM had indicated that the pit would not be excluded from coverage as long as the County accepted it for the program.

Mrs. Whidden asked if the Board would prefer a day or night meeting with Hendry County.

The Board asked for dates for both.

Vice Chairman Pryor had no comments.

Chairman Stanley stated if any Commissioner was interested in flying out to Las Vegas to accept a grant for the Promise Zone to contact him. He stated Congressman Steube wanted a veteran from District 17 to recognize. He suggested that Mr. Jones look into this matter. He stated the Buckhead Ridge Homeowners' Association would meet this Thursday night for a potluck dinner at 6:30 p.m. followed by the meeting at 7:00 p.m. He stated he had provided an email on the latest on the reservoir.

Commissioner Ahern stated there would be test pilot project at the locks beginning on July 10th. He stated the equipment would remove algae from the water. He stated the EDC would be hosting an open house for the new facility at River Forest in Ortona on July 11, 2019. He commented on Chairman Stanley suggesting having someone to come in and recruit volunteers for the fire departments. He asked if anything further had been done on this idea.

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Chairman Stanley stated Mr. Murphy had applied for a grant for the position; however, he was not sure if the grant had been awarded or not.

Commissioner Storter Long stated the Veteran's Dinner would be held on November 9, 2019 and retired Lieutenant Colonel Alan West would be the keynote speaker.

ADJOURN

ON MOTION of Commissioner Strenth seconded by Vice Chairman Pryor the Board moved to adjourn the meeting.

There being no further discussion, Chairman Stanley adjourned the meeting at 7:29 p.m.

Timothy Stanley, Chairman

ATTEST:

Sandra H. Brown, Clerk of the Circuit Court

Approved: August 13, 2019

THESE MINUTES ARE NOT A VERBATIM RECORD. TAPES ARE AVAILABLE FOR ANYONE INTERESTED IN LISTENING TO THE ENTIRE MEETING.