

Planning Board Meeting February 26th, 2024 Approved Meeting Minutes

Meeting Called to Order by Chairman Stratton

6:02 P.M.

Pledge of Allegiance

Quorum Call:

Present: Max Stratton, Dave Cobb, Harry Hansen, John Farrar, Amalia Graziani (Alternate)

Absent – Sharon Klein, Jim Economos, Brendan Masterson

Town Staff Present – Shawn Marks, Tracy Kellogg

Announcements/Communications:

Sign Up Sheets for the Lexington Center for Recovery Special Use Permit and the Sans Minor Subdivision are in the hallway for those who wish to sign up to speak during Public Hearing.

The Chair appointed Alternate Alamia Graziani as a voting member for tonight's meeting.

The Secretary notes a quorum of 5 Voting Members

Business:

<u>1.) 2023-05 SUP: Lexington Center Medical Office – New Public Hearing</u> (J.E.)

Applicant: Lexington Center for Recovery Address: 10-14 Gagnon Drive, Stone Ridge, NY, 12484 SBL: 69.2-5-8.100, B1 Zone, 4.30 Ac. +/-Requesting Special Use Permit Approval for an outpatient health care office

The Chair called the Application to the floor for continued discussion and review.

Suzanne Tisne, Adrienne Marcus, Barbara Tabala, and Michael Moriello are in attendance for the Application, in addition to Bill Eggers of Medenbach & Eggers.

Board member Jim Economos, Point of Contact for the Application, is absent this evening.



The Applicants, their Agent Bill Eggers, and Attorney Mike Moriello, provided a brief review of the Application proposal and engaged the Board in discussion on the Site Plan, supporting documentation, and review findings of the Board thus far:

- The 2 story building was constructed in the late 80's and has been a Commercial space and Office Building which housed several Medical Offices over the last 30 years; 2
 Office Suites exist, with the top-floor office currently operating and occupied by a business use, and the Applicant is proposing to occupy the bottom-floor office space accessed from the rear parking lower parking lot.
- The proposal is to establish a Medical Office, to be an Opioid Treatment Program, an Outpatient Methadone, to treat clients for Opiate Addiction and Opiate Abuse Disorder.
- The proposal includes the expansion of the lower-level parking area to provide for additional parking spaces, adding a limited number of parking spaces to the upper parking lot, the construction of an Emergency Vehicle Turn Around, and the addition of a pedestrian walkway and staircase to facilitate access to the lower-level office.
- The Site Plan has been revised to address and verify Setbacks to the Parking Area, the addition of a pedestrian walkway and staircase.
- Ulster County Board of Health commentary will be required to verify that the current Septic system and its capacity will support the proposed Use; Applicants Agent and Engineering Firm to contact the BOH and provide commentary to the Board.
- Discussion on Screening for code compliance; screening between the parking area and the Use, change of Zoning district; Screening along the property line in the form of fencing or vegetation; Code Section 200-37, 200-39.
- Request for addition of existing vegetation to the Site Plan and Applicant to provide additional plan for screening to meet Code requirements.
- Applicant Suzanne Tisne provided a brief history of the Lexington Center for Recovery, outlining its conception in 1982 and its growth from a single facility to multiple facilities to provide recovery assistance to multiple counties in New York State.
- Increasing access to treatment is the mission, currently operating 5 treatment sites; now looking to expand into Ulster County to address the need created by the Opiate Addiction Epidemic.
- Addiction and the Opioid Addiction Epidemic places us all at risk and has impacted and continues to impact the entirety of our society; does not disproportionally target any one specific group within our communities.
- The Applicant wishes to note that contrary to popular belief, the clients who receive treatment in a Methadone program are a wide cross section of the population consisting of all races, all ages, all differing socioeconomic states, including many who are fully employed; the disease and disorder of Addiction effects everyone.
- Proposed site is modeled after the successful site operating in Sullivan County, in Monticello; Maximum patient capacity 150 annually, with many of the clients only



visiting the site a few times a month to pick up maintenance dosing of their treatment regimen; documentation noting an average daily site visit of between 60 and 80 clients' dependent on the day of the week.

- The clinic will operate 7 days a week; weekdays beginning at 6:00 am and lasting until 2 pm, with medications dispensed only from 6:00 a.m. until 11:30 daily; weekends are only 3 hours of operation to dispense medications.
- The primary mode of transportation by clients is by taxi, carpool, or by personal vehicles, and some may choose to use public transportation.
- Visits to receive dosing, which are the majority of visits, are short visits lasting approximately 10 minutes; the patient arrives, usually by taxi, enters the facility, receives their dosing, and then leaves.
- Oversight of the operation by outside agencies to include the State of New York, the Drug Enforcement Administration, and federal oversight by the Department of Health and Human Services; Accreditation and Licensure are audited, and renewal is every 3 years.
- 24 Hour Surveillance, Alarm Systems, and two on-site Security Guards; one inside the office, and one outside the office.
- Deficiencies or problems identified either internally or by oversight agencies receive warnings and corrective actions are immediately implemented to meet the standards of the oversight agencies.
- The Board affirmed items on the Town Engineer commentary letter that are required to be addressed on the Site Plan and requested their addition and revisions prior to the Public Hearing at the March meeting.

Chairman Stratton noted that Board has reviewed all initial and additional submissions provided by the Applicant, to include a revised Site Plan addressing review commentary provided by the Town Engineer, and that the Board is ready to open a Public Hearing on the Application.

The Attorney for the Applicant, Miachael Moriello, addressed the Board and the Public in noting that the Applicants and their Agents are eager to hear the comments and concerns of those in attendance for the Public Hearing, as well as the questions and concerns of the Board, but that a "back and forth" is not going to occur, as all speakers should direct their comments and concerns to the Planning Board and that the public should be aware that the Applicant and their Agents will be taking notes, listening, and plan to address commentary and concerns with a response to the Board which speaks to the concerns raised.



Chairman Stratton announced to the Public that speakers would be called by name from the Public Hearing Sign Up Sheet, and that each speaker would be allotted 3 minutes to deliver their commentary to the Board; stressing that each speaker should deliver their comments and concerns to the Board, and that he is in agreement that a "back and forth" will not take place; each speaker please try not to repeat a point or concerns that has already been raised, but certainly make note that you agree with the commentary or concerns of other speakers; if time allows, depending on the number of speakers, additional commentary may be received by the Board once all who whish to speak have had the opportunity to do so; every speaker is welcome to submit their comments to the Board in writing to be placed on file.

Motion to Open the Public Hearing made by M. Stratton, second by H. Hansen; call for a Vote with unanimous Aye. (5-0)

Call for Public Comment:

A.D. Coleman:

- Lives directly adjacent to the parcel where the Use is being proposed; Will be directly impacted and notes that he presumes to be the person closest to the proposed clinic in the room.
- Inquired as to if the Board conducted or completed review or research on how a methadone clinic affects a neighborhood with regard to property values and crime rates and statistics? Has the Board done any research on the impact the clinic will have on the neighborhood or the Town?

The speaker requested that the Secretary display specified images files and document files on the overhead projected which had been submitted prior to the meeting.

- Provided commentary on two overhead maps which detailed the distances from the proposed clinic site to the speaker's residence and well as the distance from the site to the shopping plaza and the closest UCAT public transportation bus stop; residence is approximately 217 feet from the proposed site of the clinic.
- Provided commentary to photos shown on the overhead; photos taken from the front door/front porch on the ground floor of his residence as well as from the second floor of the residence; depicting proximity and impact of the proposed Use.
- Wrote a letter to the Board which is on file and published a letter in the Shawangunk Journal outlining concerns and commentary on his perceived effects of the clinic on the community; made note that his perspective is much different than anyone on the Board as evidenced by his proximity and as outlined by the photos shown to the Board.
- Inquired as to if the Board could provide "drug related crime statistics for the Town of Marbletown".



Heather Guinan (sp):

- Has been employed as a Nurse Practitioner and has worked in the field of addiction since 2002; employed by Lexington Center for about a year.
- Committed to serving the Sullivan County community by working at the Monticello site which the Marbletown site is being modeled and proposed after.
- Has witnessed the healing of patients and the healing of communities in the face of the Opioid Epidemic.
- Vital to increase and improve access to Methadone programs as they are effective and crucial to the success in treating addiction and allowing families and individuals to thrive.

Rashiah Elam:

- Works in the field of addiction as a Medical Director for Lexington and wishes to underscore the critical importance of the proposal.
- Has resided in Stone Ridge and the Town of Marbletown.
- Has seen Methadone treatment save countless lives and assist people with addiction in re-claiming control of their lives.
- Proposed treatment services are vital to the community and the surrounding communities; critical to saving lives.

Dorothy Cox:

- Works in the field of health care and addiction treatment for over 17 years and wishes to speak to the critical need for treatment in Ulster County and in the surrounding communities; is a counselor and works in Sullivan County by began career in Kingston.
- Has lived in Ulster County for 30 years and witnessed the growing tragedy of opiate addiction, the costs and lives lost, and the impact of the epidemic on the community.
- Increased access and services are a critical need and Methadone treatment saves lives.

Kathy Anderson:

- Worked at the Ulster County Jail and has been a witness to the seriousness of the Opioid epidemic in Ulster County and the surrounding communities.
- Methadone is a life saving treatment that works; has watched countless individuals saved by the therapy in regaining their lives and their families.
- Reinforced that the proposal is a critical need in the community and all surrounding communities.
- Has seen the Methadone treatment program work from both sides, and although there will always be some who don't progress as far in the program as one would like, there are a majority that succeed and grow and gain back their lives.



Katrina Williams:

- Represents the Ulster County Department of Mental Health, Deputy Commissioner.
- The Department offers its strongest support to the proposed service and reinforces the critical need for the service and the expansion of access to Methadone treatment.
- The Department of Mental Health is looking forward to the opportunity of being a supporting partner for the project in its establishment and growth; are trusted stakeholders and a very well-respected organization.
- Speaks to the reputation and abilities of the Lexington Center for Recovery as a strong, responsible agency that provides excellent services and maintains the highest standards; have been a cornerstone in the field of treatment for addiction for many years.

Tim Sanker:

- President of Lexington Center for Recovery Board of Directors.
- Licensure and recurring Re-Licensure is the main component of oversight for Lexington.
- Required licensure, audits, and re-licensure every 3 years by multiple agencies which includes the Drug Enforcement Administration and Center for Medicaid Services.
- In addition to outside credentialing agencies, Lexington Center has rigorous oversight by a 12-member Board of Directors.
- Programs in other Counties in New York have provided a major impact in helping to combat the Opioid epidemic and have been critical to saving lives.
- The importance of expanding services and methadone treatment to Ulster County and all the surrounding communities cannot be stressed enough; the impact in Sullivan, Westchester, and Duchess County has been immense, and Ulster County will benefit greatly from this clinic location.

Tim Hunt:

- A member of the Town Board but has also made his life's work for over 35 years as a professional in the field of Addiction and Addiction Treatment.
- Methadone is one of the most rigorously studied treatments for opioid addiction, and all of public health, and it has time again been found to be incredibly impactful and successful in the treatment of addiction and saving lives.
- Has worked on research for overdose data in four counties in New York State; is very familiar with Lexington Center and their reputation as a successful and well-respected program.
- Methadone is rigorously regulated, to the degree that it's almost "over-regulated".
- The proposed location for the office is ideal as it affords ease of access for patients, is in a business district and on a parcel zoned for medical office Use, inherent discretion in its location being back off the road and is already set up for the Use.



- The expansion of service and access to Methadone treatment programs is vital to combating addiction and to saving our communities and the lives of our neighbors; the problem is in all communities and does not discriminate or spare any particular social stratus.
- There has been much research which shows that crime rates have decreased in communities that have effective programs and Methadone treatment; quality of life, functionality, the general health of communities has been enhanced and data shows an increase in these realms when successful treatment programs are in a community.
- Looking forward to offering support to Lexington Center in establishing and growing their treatment services in Marbletown but recognizes that like with anything new there may be the need to troubleshoot issues that arise and that the Town Board is eager to work with the community and Lexington to fine tune and address any issues that do arise.
- Made mention that changes in addiction treatment standards from SAMHSA (Substance Abuse and Mental Health Services Administration) is leading to more patients who would only need to use the facility a couple times a month to be able to retrieve their treatment packets in which they would self-administer at home, bringing the number of persons going to the office even lower than the proposed 80/day; some would visit the site just once a month.
- Doesn't foresee that there will be 150 people in and out of the site every day of the week given the way these facilities typically operate under the newest regulations.

Juliette Stokes:

- Resident for 30 years and supports the proposed methadone treatment office.
- Those who may think that our community, Marbletown, does not have a problem with opioid addiction are mistaken.
- In looking at the website for the program, there are very strict criteria and oversight and high standards of treatment and care.
- We do need to consider the concerns of those who live nearby, and their fears, beliefs, and perceptions despite there being some fantasy involved in the conversation.
- Negativity and mean-spiritedness have no place in the conversation or in the correspondence in addressing the discussion, and we should work together to address and alleviate concerns.
- The program will be a great benefit to the community and to the County.

Vincent LaSpina:

- Resident of Marbletown on Ricci Road and lives in proximity; has worked as a Paramedic for 20 years and as a Law Enforcement Officer for 18 years.
- Has cared for overdose patients and has been on the Law Enforcement side of the effects of Addiction; understands well the scope and difficulties posed by Addiction



and appreciates the excellent work that entities like Lexington provide as they are vital services.

- Understands the need but is not sure that the proposed location is the right location for the office and requests that the Board consider the concerns of those who live near the proposed Clinic; has concerns about the impact on the community and the neighborhood.
- Cited a reduced investment in Law Enforcement and a reduction in the numbers of Law Enforcement Officers and notes the Board should consider the impact of that long term and what that will mean for the community in having Law Enforcement resources available.
- The Board should be cognizant and consider what impact the Clinic will have upon the First Responders and response times. Will having the program in Stone Ridge tax Law Enforcement resources?
- Close consideration and research should be done into what the crime rates are in the community and gather and review data of all potential impacts the Clinic may have.
- The Board should recognize that this may bring an impact of increased crime; people who prey on the vulnerability of those who are addicted may have an impact on the community.
- More information and further discussion should be conducted on the impact the clinic could have on the community as "once it's here, it's here."

Elizabeth Ryan:

- Is the neighbor directly adjacent, Stone Ridge Orchard, and is in full support of the proposed methadone program.
- Believes the benefits greatly outweigh the risks.
- Is an employer of many young adults and the rate of addiction in our community is astounding and tragic; there are people in this community, in Marbletown, who could use these services.
- Has been close to many people and families who have been devastated by Addiction and the treatment service being proposed by Lexington Center is critical to saving lives and families.

Additional Call for Public Comment: None received.

Motion to keep the Public Hearing open until the March 2024 Planning Board meeting made by M. Stratton, second by D. Cobb; call for a vote with unanimous Aye. (5-0)

Chairman Stratton:



- Understands that the stigma and fears surrounding addiction is strong and that there are strong convictions as to how people perceive addiction and what addiction looks like.
- In collegiate sports, witnessed several fellow athletes struggle with addictions following an injury; a prescription for pain medicine and his life destroyed after that.
- Addiction does not differentiate along lines of social status, class, race, or the community you live in; it intersects all communities and all levels of society.
- Feels the need for the program in the community is great and that it stands to provide an incredible positive impact on and save the lives of our neighbors and those who live in the surrounding communities.
- Understands, hears, and appreciates the concerns of those who live in proximity and it's the Boards job to help mitigate concerns where appropriate and where applicable; The parcel is Zoned for the proposed Use, and it is the Boards job to mitigate, where possible, the concerns and perceived impacts; traffic, screening, lighting, etc....
- Did initial research into property value impacts by Treatment Programs and found data and studies that supports no discernable impact on property values by having a Methadone Clinic in a neighborhood or community.
- Noted that he takes issue with some of the content in the Letter to the Editor printed in the Shawangunk Journal; "...to make or suggest the argument that the Clinic is somehow financially motivated to drive business into Marbletown, I think is...it upset me...these people are here to fix a problem that is killing a lot of people, so the argument that this is somehow financially motivated or politically motivated is falling deaf ears for me, so that you hear me there".
- Did research into the impact of treatment clinics on property values and found that most of the evidence that property values decreased was "purely anecdotal".
- Empirical data from research conducted and reported by peer reviewed journals supported that "little to no" impact was found upon property values in relation to treatment programs in a neighborhood or community.

Daisy Foote:

- Serves on the Town Board and has done some research on Methadone Treatment and notes that there's evidence that crime goes down in communities with clinics and that the facilities are light footprints in the community because of the manner in which they operate.
- Inquired as to if there are safeguards or conditions which come with Special Use Permit approval to alleviate concerns that may arise from the community; are there mechanisms to address issues or problems if they arise when the facility begins operating?



- Ensure that the public and the Town representatives are aware of how to contact the appropriate agencies or individuals to report concerns or problems which need to be addressed.

Dave Dobb:

- Noted that Special Use Permits are revokable, and that the Applicant is required to adhere to the requirements of the SUP approval and that there is recourse should the Town or the Board finds that issues or concerns warrant Permit revocation.

Adrienne Marcus:

- Noted that anyone can contact the State of New York or the County of Ulster with any complaints or concerns at any time; State OASIS representative with online contact numbers, emails, and addresses.
- Lexington is required to report any and all incidents on their facility sites and there is direct oversight from the State of New York OASIS as well as other administrative agencies who investigate incidents or concerns and if a problem is verified, a corrective action plan is created and there's follow up in mitigating and correcting issues.
- Lexington had one particular issue in which it received a corrective action plan where the 3-year license was reduced to a 1-year license with increased oversight but has since be granted a full 3-year license at that facility having remedied the matter with a successful corrective action plan.

Additional Call for Public Comment: None Received

The Public hearing will remain open and continued to the March 2024 meeting.

The Board will continue its review of the Application and the Public Hearing will be continued at the March 25th, 2024.

2.) 2023-03 SBD: Sans Minor Subdivision – Open Public Hearing (B.M.) Applicant: AHB1 LLC; c/o Katy & Gregory Sans 120-121 Mill Road, Stone Ridge, NY, 12484 SBL: 61.1-2-22.200, A3 Zone, 7.07 Acres +/-Requesting subdivision approval for a 2-lot minor subdivision to include an undersized flag lot which has received an Area Variance.

Bill Eggers of Medenbach & Eggers is in attendance as Agent for the Application

Board member Brandon Masterson is Point for the Application

The Public Hearing is Open and The Chair called for Public Comment

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Call for Public Comment: None

Agent Bill Eggers and the Board engaged in discussion on the Applications progress and the details of the proposed Minor Subdivision:

- The Planning Board Chair, ZBA Chair, and representatives from Medenbach & Eggers met with the owner of 43 Sun Mountain Road for a Site Visit on February 2nd. Concerns for runoff and erosion control were discussed and the property line was walked and topography and conditions on site visualized; Chairman Stratton reported that following the site visit there is no change in the level of concern for impacts to the property at 43 Sun Mountain.
- No cause to believe that construction of a residence on the neighboring parcel will impact or compound the runoff and basement flooding issues that the owner of 43 Sun Mountain currently has.
- The revised Site Plan noted over an acre of ground disturbance between the site development and the construction of the residence which will necessitate the need for the Owner/Contractor to develop a Construction Activity Stormwater and Erosion Control Plan which will mitigate any potential impacts for runoff onto adjacent parcels and will mitigate any impacts upon the site to be constructed upon itself.
- Revised Site Plan for the Subdivision accounts for required Fire Department infrastructure to include a pull off and turn around area.
- Neither a Health Department Approved Septic Plan nor a Septic Letter of Feasibility has been received by the Board yet; consideration for Septic Approval to be a Condition of Approval prior to signature upon Plat discussed; Application Agent notes that a Septic System Plan is pending with the Ulster County Health Department.
- No further complaints or correspondence has been received from any neighbors along Mill Road or from any properties adjacent to the site proposed for Subdivision.
- The Board discussed the impact of the proposed driveway upon runoff along Mill Road. The swale system will need to be looked at by the Highway Superintendent to ascertain if any additional work can or needs to be done to improve the movement of water along Mill Road. The new driveway being proposed will need to apply for a Driveway Curb Cut and provide the requisite culvert and curb work as stipulated by the Highway Superintendent; potential that additional culvert may need to be installed at the site of the existing residential driveway at 120-122 Mill Road.
- No additional information provided to the Board nor the Application Agent Re: possible burial site upon the parcel to be subdivided.

Call for Public Comment: None



Motion to Close the Public Hearing made by M. Stratton, second by H. Hansen; call for a vote with unanimous Aye. (5-0)

The Board has 62 days to complete its review of the Application and Vote upon a Resolution and Determination.

3.) 2024-01 SBD: Hecht & Weprin Subdivision Revision- New Application (M.S.)

Applicant/Agent: Medenbach & Eggers PC Owner: Jared Hecht & Carrie Weprin Address: 653-681 County Route 2 & 643-645 County Route 2, Accord, NY, 12404 SBL: 61.3-1-25 & 61.3-1-21.113; 39.0 Ac. +/-, A-3 Requesting approval for the revision of an approved Subdivision Plat to reflect a Lot Line Adjustment between two parcels under common ownership with a conveyance of 2.9 acre.

Bill Eggers in attendance for the Application.

The Chair provided an overview of the Application request and the Board engaged in discussion with the Application Agent on the details of Application and the Plat:

- The Applicant is requesting the revision of an Approved 3 Lot Minor Subdivision with Lot Line Adjustment which was Approved by the Board in 2023 and the Maps filed in December of 2023; subdivision was Hecht & Weprin 2023-01 SBD.
- The Owner wishes to complete an additional Lot Line Adjustment to convey 2.9 acre, from the "Lot #1" created during the Approval of Subdivision 2023-01, to SBL: 61.3-1-25.
- The existing Lot 61.3-1-25 received acreage from the Parent Parcel which was Subdivided through the Approval of Application 2023-01 SBD, as a Lot line Adjustment was also included in the actions approved for that Application.
- The owner wishes to increase the "open space buffer" between SBL 61.3-1-25 and the created "Lot #1" by transferring an additional 2.9 acre in a Lot Line Adjustment between the two parcels.
- The Code Officer classified the Application as a "Revision" to an Approved Subdivision Plat as the Plat had been recently Approved and filed with Ulster County, and as such by the definition of Code, the consideration of a "Re-Subdivision" is given to any change to the Approved Plat of a Subdivision; in this instance, the change is not creating any additional parcels, but instead, conveying the size of parcels created and in existence through a Lot Line Adjustment.
- The Code Officer noted that no additional parcels are being created, nor is the total number of existing or created parcels changing; and the action would otherwise be classified a Lot Line Adjustment except the Plat is recently approved as a Subdivision.



- The Board discussed and agreed that on its face the proposal by the Applicant is a simple Lot Line Adjustment complicated by the definition of "Re-Subdivision" in the Zoning Code and the Subdivision being an Approved and Filed with the Clerk, but that processing the Application as a Revision of an Approved Subdivision Plat is an appropriate and acceptable pathway for the request being proposed.

Motion to accept and open the Application made by M. Stratton, second by H. Hansen; call for a vote with unanimous Aye. (5-0)

Motion to Classify the Application as a Type II Action under SEQRA made by M. Stratton, second by D. Cobb; call for a Vote with unanimous Aye. (5-0)

Motion to Set the Public Hearing for the March 2024 meeting made by M. Stratton, second by H. Hansen; call for a Vote with unanimous Aye. (5-0)

The Board will review the Proposed Plat Revision and a Public Hearing will be advertised for the March 2024 Meeting of the Planning Board

Other Business:

1. Hasbrouck House SUP/SP Condition for Bond or Surety Inquiry

- The Hasbrouck House Special Use Permit and Site Plan Approval will be included on the March meeting agenda; the Agent requested to discuss the possibility of removing the Bond/Surety Condition of Approval from the SUP/SP; request came after deadline for the February meeting.

2. Approval of January 2024 Meeting Minutes

Motion to Approve the minutes of the January 2024 Planning Board Meeting made by M. Stratton, second by D. Cobb; call for a vote with unanimous Aye. (5-0)

3. Special Use Permits

- Discussion and general review of the scope of Special Use Permit Approvals.
- Modifications and changes to Site Plans and Special Use Permit modifications.
- Special Use Permits run with the land and do not expire or default with a change in ownership unless a change occurs to the Use or the Approved Site Plan.
- A change in the Use or the Site Plan from the Approved SUP then requires a revised Approval for the Special Use Permit.



4. Training for March 2024

- March Training Session will be an in-service session on the E-Code Platform and a review of accessing and utilizing the platform for Zoning Code
- Beginning at 4:30 in Room M-1

Motion to adjourn the meeting made by J. Farrar, second by D. Cobb; call for vote with unanimous Aye. (5-0)

Meeting Adjourned

7:22 P.M.

Draft Submitted 03/18/2024

Minutes Approved 03/25/2024

Shawn Marks