

**MAYORS COMMITTEE ON DISABILITY  
CITY COUNCIL CHAMBERS  
200 LINCOLN AVENUE  
THURSDAY, JUNE 16, 2016**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER		1
ROLL CALL	QUORUM	1
APPROVAL OF THE AGENDA	APPROVED	1-2
APPROVAL OF MINUTES MAY 19, 2016	APPROVED	2-3
PUBLIC COMMENTS	NONE	4
<u>NEW BUSINESS</u>		
SOCIAL SECURITY ADMINISTRATION PRESENTATION	INFORMATION/DISCUSSION	4-8
<u>OLD BUSINESS</u>		
MCD SUBCOMMITTEE REPORTS	INFORMATION/DISCUSSION	8-10
TAXI UPDATE	INFORMATION/DISCUSSION	10
PROW TRANSITION PLAN UPDATE	INFORMATION/DISCUSSION	10
NCRTD AND SFT FEASIBILITY STUDY UPDATE	INFORMATION/DISCUSSION	10
IPM UPDATE	INFORMATION/DISCUSSION	10-14

**ITEMS FROM MEMBERS AND  
STAFF**

**INFORMATION/DISCUSSION**

**14-15**

**ADJOURN**

**ADJOURNED**

**15**

**NEXT MEETING: July 21, 2016**

**MAYORS COMMITTEE ON DISABILITY  
CITY COUNCIL CHAMBERS  
200 LINCOLN AVENUE  
THURSDAY, JUNE 16, 2016, 10:00 AM**

**1. CALL TO ORDER**

The meeting of the Mayor's Committee on Disability was called to order by Chair, Marcia Bowman, at 10:00 am, on Thursday, June 16, 2016, in the City Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT**

Marcia Bowman, Chair  
Aurora Bleck, Vice Chair  
Dave McQuarie  
Michael Wirtz  
Julie Tambourine  
Coby Livingstone  
Meriam Jawhar

**MEMBERS ABSENT**

Mary McGinnis, Excused  
Nancy Pieters, Excused

**OTHERS PRESENT**

Rhonda Romero, Public Affairs Specialist, Social Security Administration  
Bill Hon  
Malerie Kurt, Student  
David Chapman, Staff Liaison  
Elizabeth Martin, Stenographer

**3. APPROVAL OF THE AGENDA**

Ms. Tambourine asked when is it an appropriate time on the agenda to discuss last month's meeting regarding the IPM Ordinance.

Chair Bowman said under Old Business "E". We will add an update on IPM

issues.

**MOTION** A motion was made by Mr. McQuarie, seconded by Ms. Bleck, to approve the agenda as amended.

**VOTE** The motion passed unanimously by voice vote.

**4. APPROVAL OF MINUTES  
MAY 19, 2016**

Chair Bowman said on page 3 it should say “to” integrated pest management.

Ms. Bleck said on page 2 she is a Ms.

Ms. Tambourine said she can't approve the minutes without the attachments. Please point out where Exhibit (1) and (2) are mentioned.

Chair Bowman pointed both out.

It was explained that the attachments are items that were part of the meeting and were attached to the minutes as presented. Nothing on the attachments can be altered or changed. One attachment is the sign in sheet and the other attachment is the slide presentation that Mr. Lucero was unable to show.

Mr. McQuarie said if it is a question of content she can abstain if she does not want to approve or vote no. She cannot change the content.

Ms. Tambourine said she has other problems with the minutes. This meeting was very important. Changes need to be made. She has received many calls about the minutes not being accurate as far as what a few people said.

Ms. Tambourine said Rob Carter, more than once, mentioned that there was a restriction of the Deed. She requested that his verbatim comments be added.

Ms. Tambourine asked Chair Bowman if her statements on page 3 were accurately represented.

Chair Bowman said yes.

Ms. Tambourine asked Chair Bowman if on the top of page 4 her statement is accurately represented.

Chair Bowman said that is correct.

Ms. Tambourine asked half way down page is that what you said.

Chair Bowman said that is correct.

Ms. Tambourine asked on the bottom of page 3 is that correct.

Chair Bowman said yes, that is correct.

Ms. Tambourine said on page 5, half way down, it says he does not have it with him. That is wrong, he said it is in his office.

Ms. Jawhar asked how does that change anything.

Ms. Tambourine said he admitted that he had it.

Ms. Tambourine said on page 6, check what she said exactly. She may have misspoken.

Ms. Tambourine said she did not say she was supposed to be in bed or should be in the hospital.

Chair Bowman and everyone else said she did say that.

Ms. Tambourine said on page 8, under Sandra Goodwin she is not sure if this is what she said.

Ms. Bleck said that is what she said.

Ms. Tambourine said she meant due to the goat heads. That needs to be added.

Ms. Tambourine said on page 10, first paragraph she was talking about for people with wheelchairs.

Ms. Tambourine said thank you for making detailed changes. There were a lot of comments from the public regarding issues with the minutes.

**MOTION** A motion was made by Mr. McQuarie, seconded by Ms. Bleck, to approve the minutes as amended.

**VOTE** The motion passed unanimously by voice vote.

## **5. PUBLIC COMMENTS**

None

## **6. NEW BUSINESS**

### **A) SOCIAL SECURITY ADMINISTRATION PRESENTATION**

Mr. Chapman introduced Ms. Romero. She is the Dallas Region Public Affairs Specialist, Area VI for the Social Security Administration.

Ms. Romero said she knows they are not the easiest Agency to deal with. She loves to speak with people and is very informal. She will do a quick overview and then do questions and answers so that she can help with whatever anyone needs.

Ms. Romero said as you know, the Trust Fund is in the news. By 2035 the Agency is trying to figure out a way where the Trust Fund is not depleted. It is getting depleted because back when it was started you had five people paying in for every one getting benefits. Now it is three and decreasing. Have more kids she said laughingly.

Ms. Jawhar said you are saying the more kids we have the more people will pay into the fund. That is if they get educated and are paying taxes.

Ms. Romero said a lot of people are self employed and don't pay in as well.

Ms. Romero said there will be a cut in 2035. In New Mexico we have about 3% of the population on disability benefits or benefits of some sort from our Agency. Our Agency is trying to get the trust fund where it is safe. Right now we are paying out more than we get in.

Ms. Tambourine asked what is the percentage in New Mexico of small businesses.

Ms. Romero said we don't really know. There are a lot of cash businesses like artists.

Ms. Tambourine said you are the first one to mention that kind of loss in social security. We promote small businesses here. We do not match up with what the Federal Government says about a booming economy.

Ms. Romero said she is from here and is aware of that. New Mexico is a very big self employed, cash only economy. You will get about 79 cents on the dollar eventually. SSI is \$733.00 a month maximum. There are people who live on that. If

you are living with parents and not paying rent we reduce the amount. Being in Disability and Supplemental Income for so many years she has seen a lot. The rules are very confusing. If you are living in Santa Fe and working full time making minimum wage it might not be enough to make rent. Some people may have to choose if they want to go back to work and risk losing benefits.

Ms. Tambourine said she has many people now in her street outreach who are living in their cars. They ask what they can do. They ask if they should work under the table. She lives in her car as well and advises them to do the right thing. They need information.

Ms. Romero said she will come to her and sit and meet with people. It can be intimidating to come into the office.

Ms. Tambourine said she has two people right now.

Ms. Romero said she will be happy to go to where she is and meet with people.

Ms. Tambourine said the only problem with you being promoted is we miss you as a case worker.

Ms. Jawhar said in her line of work for Molina, she is a Peer Support Specialist. There are other people who are young people and not up to speed to get the best job in the world but they are falling back because people suggest that they go on disability. They say if they can't find a job they should go on disability. She thinks they can work and find services. They have her and other support services. They need to get recovered and go back to work. Disability is not the answer. We need to bring back to Santa Fe the old way of thinking that a child needs to be strong and self sufficient despite what they have grown up with. It has to start somewhere.

Ms. Tambourine asked where does she send those kind of people.

Ms. Jawhar said she is talking about young, smart people overcoming their drugs and alcohol. If they have a brain injury that is different. If they are on the system to survive and it is a stepping stone that is fine. But if they are on the system to stay that is not fine.

Ms. Romero said getting on disability is hard. They put you through a rigorous system. The new trend now is heroin. They look at it and think if this person stops heroin can they work. If the answer is yes, they will not approve them. If you can flip a burger you can work. Before, people pushed through and worked. Now more people are filing for disability.

Ms. Tambourine asked can they work after they stop the drug addiction.

Ms. Jawhar said yes, with support and in some cases training. There are a lot of non profits who provide support. She did it.

Ms. Tambourine said there is a gap. During that time could they go through DVR.

Ms. Jawhar said there are all kinds of solutions.

Ms. Tambourine said she works with homeless people. She is seeing hundreds of homeless people out there. She is not sure if they can get a job or not. Some could be part time she thinks.

Ms. Romero said if you can make \$1,090 a month we will not take an application for disability. It does not matter what the job is.

Ms. Tambourine asked if you are only making that amount of money there are benefits available to you. There are some who can do college.

Ms. Romero said Greg Scargall is amazing at the Community College. She sends him job openings. We are having more people retire and can't replace them. We have a retirement boom right now and we need people. They will give a Veteran a temporary hire for a year if we have an opening. They can then get training. There are people who don't want to take the services. It takes four months to find out if you are approved for disability. An appeal can add three months to a year. Work will trigger a medical review.

Ms. Tambourine asked does school trigger a review.

Ms. Romero said no. School and school loans are not included. If it is used for school purposes.

Ms. Romero said they have to deal with so many Federal agencies. All of us have different rules. It is hard to do.

Ms. Tambourine said she met with someone last night who can get disability. She suggested she go to school and get loans and Pell grants. She tries to encourage people for their well being not to not get what they rightfully can get but if they are smart they can go to school. She is in school. People who could get on disability could take another route in life. She works with Veterans a lot and shows them there is hope. If we can get people out of the disability system, if possible, and get them into school and/or a working environment it would be great.

Ms. Romero said most people don't want to be on disability.

Ms. Jawhar said when she went back to school after having gone to school in

New York and with her brain injury she had to go to basic classes. She was devastated. She had to start over. It can be done. It has to be self driven. There were not the services that there are today. People were kind to her and helped her. It is all about where you want to be. You can only do so much. The people have to pick it up and run with it.

Ms. Bleck said some people told her the shortfall was due to baby boomers. There are a lot of older people in that group now.

Ms. Romero said that is correct. Depletion is going on and not enough people are paying in.

Ms. Jawhar said it is a depressed social economic situation.

Chair Bowman said she has heard that if you have everyone pay into Social Security on all their income that would make a difference.

Ms. Romero said it depends. If you make over a certain amount you don't pay.

Ms. Jawhar asked people who retire and get another job are they still being taxed.

Ms. Romero said yes. After a certain age it does not decrease your benefit. Let's say you come in at 65 and apply for full retirement. They can work as much as they want and not be penalized. It also does not increase their benefit.

Ms. Bleck asked what if they are on SSDI.

Ms. Romero said then you are tapping into the full retirement early. You make more on SSDI than you would at age 62. You will stay on the same amount and at 65 we call you retired and the amount will not change. After 65 you can't file for disability. You can get SSI as an aged individual. You also get Medicaid. Medicare kicks in at 65.

Ms. Tambourine said for someone like her who is not physically able to work, being in school is helpful. She is planning on going to law school. She has a brain injury. School is helping her put the wires back together. Her hope is someday to become productive. Maybe start her own non profit. She is on permanent disability.

Ms. Romero said nothing will effect that check unless you start working.

Ms. Tambourine said she has increasingly more difficulty dealing with self esteem issues. It is difficult to be on disability for her. She is hoping to get off of it.

Ms. Romero said let's say you are only capable of making \$500 a month. You could still get disability. It might trigger a review but they look at everything.

Ms. Tambourine said her goal is to get off of it.

Ms. Romero said you have nine months to work then we will cut your benefits.

Chair Bowman said she is concerned about the rest of the agenda and suggested that the two of them talk later.

Ms. Romero said that is fine.

Ms. Romero said when Ms. Jawhar came to speak with us she was wonderful. We learned a lot.

Chair Bowman thanked Ms. Romero for coming.

## **7. OLD BUSINESS**

### **A) MCD SUBCOMMITTEE REPORTS**

#### **PLAN REVIEW**

Mr. McQuarie said we did not review any new plans. We did get a form from the Department of Transportation. They are going to install a bus stop at the Indian Hospital on Cerrillos Road. Even though they are not part of the City system they did acknowledge and respond to his report. The response included the items he noted. They are going to address them.

Mr. McQuarie said for the City we did review the downtown City bus stop. Apparently the staff did not like the review. They said it indicated a non accessible level and therefore the Finance and Public Works committees recommend no approval for project construction. They said to not give them public money. It is a direct violation of civil rights. The City staff apparently did not like the report. They put an ad in the newspaper said there would be a public meeting about the Transit Center where there would be a presentation of construction drawings. It will be on Thursday, June 23<sup>rd</sup>. That means they are going to disregard our comments and the big wheels in the City are pushing the project forward. He is requesting that this committee, under the signature of the Chair, notify the Governing Body that apparently staff has gotten in their heads that they do not have to allow access for the disabled. This has been proven over and over again. The City engineering staff who are supposed to put in curb cuts at the courthouse and by Montezuma where they overlaid the streets is an example. He has been told they will put that in a project for 2019/ 2020 which means the disabled have to wait years before they can go to a public court hearing. Staff will not address the transition plan of 2010 where they had to do a whole bunch of things. They have not done them and they won't until they are told to. A grievance was filed on

the City Manager two years ago. Nothing has happened.

Chair Bowman said she is a bit confused about what he wants her to say. If he will work with David Chapman and write something up she will be happy to look at it.

Ms. Bleck asked where is the public meeting.

Mr. McQuarie said it is at the main library, public meeting room, 5:30pm on June 23<sup>rd</sup>. It is the same day as a special Council meeting. He is going to the Council meeting.

Ms. Bleck said she will go to the public hearing.

Mr. McQuarie said what they did on certain plans is completely against the ADA regulations. He will say something.

## **MEDIA**

Ms. Tambourine said public relations is part of publicity. She has a report on the active shooter training. She attended recently. She has attended similar training previously. The class the Santa Fe Police Department is offering is exceptional. It is up to date with information that we all need to save our lives if we are ever involved in an active shooting situation which can happen to any of us any where. The people in Orlando, if they had the training they would have learned there are things they could have done that would have saved their lives. The training is that good. The day before the Orlando shootings, a singer was shot and killed at another club while signing autographs. Her brother took action to make sure the shooter did not shoot anyone else. The class teaches you anyone can do these things. She found after the training that there are things that any one of us sitting in this room can do.

Chair Bowman said that is an excellent idea for this committee to go. She gets training through the hospital. For those who are interested let David Chapman know and he can coordinate that.

Ms. Tambourine said the Deputy Chief has extended a warm welcome to our community. They recognize the value of us being involved.

Chair Bowman said a hospital is considered one of the more dangerous places to work due to people being angry. She gets annual training. You never know when something can happen. It is worth being aware of things. Work with David Chapman.

Ms. Tambourine said she has been involved in several security issues as a flight attendant. Your training kicks in and a calm comes over you. It is fantastic. You will learn that in this training as well. It is comforting and can save your life. They teach you to listen for gun shots and what type of gun it is. There are multiple opportunities if

people had the training to possibly saved their life and others lives.

## **TRANSIT**

Ms. Bleck said the Transit Advisory Board did have a meeting. They have not shared a plan with us since they were revised. We are supposed to get a presentation. It is very different from what we originally thought. There are lots of changes.

### **B) TAXI UPDATE**

Ms. Bleck asked regarding the taxi, Mr. Chapman have you gotten in touch with the City Highlights person.

Mr. Chapman said the City Highlights is no more. They suggested he get in touch with Matt Ross, the City spokesperson.

Ms. Bleck said in any event we have an accessible taxi cab.

Ms. Jawhar said that is awesome. You were a big factor in that.

### **C) PROW TRANSITION PLAN UPDATE**

Mr. Chapman said the survey effort is underway. The City hired KFH to do the survey. He is staying in touch with their project manager. As of today they have surveyed over six hundred curb cuts. They are on schedule. Things are going well. They said Santa Fe is not unique in having these issues. In terms of accessibility. He is pleased that it is going well.

### **D) NCRTD AND SFT FEASIBILITY STUDY UPDATE**

Mr. Chapman reported that the RFP from RTD went out. They received three responses to the request. One was scratched after first vetting process. There are two providers they are looking at to do the work for the study. They are interviewing next week and expect to have a determination made by June 23<sup>rd</sup>. It is moving along. Also, he will be attending the ADA symposium in Denver from Saturday to Thursday next week so he will be out of pocket.

### **E) IPM UPDATE**

Chair Bowman said there was a meeting with the Mayor and the Parks people last Tuesday morning. She had sent a letter out to them referencing what was stated in our meeting last month regarding the IPM Ordinance. David Chapman was there. The

Mayor placed a moratorium on all pesticide use on City properties until the end of July and they have another meeting.

Mr. Chapman said the meeting has been set for August 8<sup>th</sup>.

Mr. Wirtz said since the meeting we had there has been an explosion of public involvement. There is now formed The Santa Fe Coalition Against Pesticides chaired by Nina Zelafanski. He is involved. The last couple of weeks a petition has been circulated primarily, on the internet, that says for the health and safety of Santa Fe we encourage the City to abide with the spirit and letter of the IPM Ordinance. Over 1,300 people have signed it. There have also been several demonstrations in front of the La Manzanita Co-op.

Ms. Tambourine asked do you mean they started selling the Clean 15.

Mr. Wirtz said yes. They introduced the Clean 15. Also, he has a letter that was sent to the Mayor explaining how a woman became disabled from pesticides. That letter is incorporated herewith into these minutes as Exhibit "1".

Mr. Wirtz said last Tuesday, at the meeting, the bottom line was that the Mayor told Carter, Thompson and Lucero that they have not followed the Ordinance. He has set up a meeting to meet with us again. He will be at the next meeting in August. There is a moratorium till then.

Mr. Chapman said he can provide names of the attendees. Actually he has August 10<sup>th</sup> for meeting. He will nail it down.

Mr. Chapman said he thought the meeting went well. A lot of things were brought up about holding the City responsible for what has happened. He believes Mr. Lucero was very forthright and honest when he addressed us although the information he was going off of was incorrect. One of the big achievements of the meeting was to keep that from happening. Some of the Department Directors and Division Directors before Victor's time had set up spraying agreements. He was honest but we brought that to City's attention. They can't have departments operating where the City does not know what they are doing. The Mayor's leadership was apparent in the meeting. He wanted to hear everyone's concerns. By the end of the meeting he felt that there is going to be a renewed effort to keep to the Ordinance and goals. They tasked Victor to come up with a plan formulating and vetting how having a moratorium could become part of the Ordinance. It was a very productive meeting.

Mr. Chapman said attendees included the Mayor, Mr. Carter, Mr. Thompson, Mr. Lucero, himself, the City Attorney Kelly Brennan, Nina by phone, Shannon Murphy, Mitch Buszek, Teresa Simster, Loretta Mcgratoon, Elsa Chisichis and Dr. McCampbell. He felt good about what the City wants to do and the efforts they are going to put forth.

Ms. Tambourine said she has been getting reports of spraying at the Chavez Center. Victor said there were no other spraying sites.

Chair Bowman said Mr. Carter said he was not aware of any other chemicals used. He is also the one who said Victor could not meet with the folks he had said he would meet with.

Ms. Tambourine said she is aware of that. She had reports at the Chavez Center that it was sprayed. Was this brought up at the meeting. They had New Mexico Pest Control applying pesticides there.

Mr. Champan said it was not brought up with the name of the company being mentioned but there were two places that were sprayed by companies. They are Chavez and Salvador Perez.

Chair Bowman said it was in her letter to the Mayor that those were sprayed. The Golf Course, Chavez and Salvador Perez. This letter is incorporated into these minutes herewith as Exhibit "2".

Ms. Tambourine said her concern is people who go to those centers. She wants to know what chemicals have been put there and what has not. She is concerned that our IPM manager is supposed to know things. Are you saying Victor did not know. He did not do his job.

Chair Bowman said people who did know did not pass on that information.

Ms. Tambourine asked how is it that the IPM manager was not ordering this.

Chair Bowman said he was not aware is what we are hearing.

Ms. Tambourine asked does the Mayor know this.

Mr. Chapman said yes. Those agreements with those sites, Chavez and Salvador Perez were prior to Victor coming on board.

Ms. Tambourine said he is responsible for knowing all the chemicals put down in the City.

Ms. Jawhar said our Chair addressed it very clearly in the letter. She said either they flat out lied to us or alternatively there has been extremely poor communication.

Ms. Tambourine said she needs to know immediately the dates of application and the names of the chemicals.

Chair Bowman said she did not know if we even know who to ask.

Ms. Tambourine said the City is required to keep this information and disclose it. Whether he knows or not it is Victor's job to get that information.

Mr. Chapman asked have you requested that information.

Ms. Tambourine said yes. She thought Carter said he had the information and would it give to her. Then she got communication saying no, he would not give it to her. She doesn't want to see us in the position to have to take action against the City to get the information. People with disabilities and kids are going to these centers.

Chair Bowman said she agrees.

Mr. McQuarie said he wants to clarify that there is a moratorium on pesticides, not insecticides.

Chair Bowman said it is pesticides.

Mr. Wirtz said the word pesticides includes herbicides. Also for your information, call Ann McCampbell. She spent over \$40 getting records.

Ms. Tambourine said this should not be going through Ann McCampbell. The information should go to the public any time they ask. She is asking Mr. Chapman to get the information for her. It deeply concerns her that at the meeting last month she noticed things like Victor and Rob stated that Victor is the IMP Coordinator for the City and the contact person for people leasing City property. That is not true. There has to be a contact person. In last months meeting our Chair brought up the question of could there be any other leases with issues. It concerns her about the lack of understanding of what the IPM Manager's job is or something worse.

Chair Bowman said there is a profound lack of communication. He had not been advised of things that happened prior to his coming on.

Ms. Tambourine said the Ordinance says there has to be a contact person at the company.

Chair Bowman said that needs to be discussed with this group to clarify.

Mr. Chapman said as a matter of protocol send him an email telling him items you want from the City. What was applied and what dates.

Ms. Tambourine said every place on City properties.

Chair Bowman said she will be happy to do so.

Ms. Tambourine said we should take a vote to support the moratorium.

**MOTION** A motion was made buy Ms. Tambourine, seconded by Mr. Wirtz, to support the Mayor's moratorium on the use of pesticides.

**VOTE** The motion passed unanimously by voice vote.

Ms. Jawhar said it is very important.

## **8. ITEMS FROM MEMBERS AND STAFF**

Ms. Jawhar said things are coming along well for her at her job with her knee. PT is going well.

Ms. Livingstone said she is concerned about the etiquette in the committee here. She would like to figure out a way where we can all discuss and everyone gets a chance to make a comment and say what they want or do an editorial. We need courtesy.

Chair Bowman said we can do more to ensure that.

Mr. McQuarie said he requests in the minutes, when people are talking, indicate it was David C or David M.

Mr. Chapman said he will be in Denver next week and will bring back information. You will all be in my heart.

Ms. Tambourine asked do we have a list of who is here.

Chair Bowman said it will be in the minutes.

Ms. Bleck said regarding the NCRTD and Santa Fe Trails study, if they think they will find enough money and not have to use GRT money, that will be a miracle.

Ms. Bleck said she wrecked her car because she was too tired. We are all ok. She is insured. It has an automatic breaking system. It makes a difference.

Mr. Wirtz said he talked to Ann McCampbell last night and some of the bullets she mentioned were that Carter, Thompson and Lucero are going to work together to promote less pesticides. We want no pesticides. We want to work with the group to come up with solutions. There is a moratorium. As a result of the meeting and the fact that Parks was there, the bottom line is all future spraying or work or anything that involves IPM will go through Victor. He will be the contact person.

Ms. Jawhar said that is good, then one person can be held accountable.

Mr. Wirtz said Lucero did not know what Richard and Rob were doing.

Mr. Chapman said there is a Facility Manager, David Pfeiffer, and separately, a Parks Department. They may not be on the same wavelength. They are working on solving that.

Ms. Livingstone said there is probably some bias too. They think it is not a big deal.

Chair Bowman said some years ago we had an IPM Manager speak to the committee and he was talking about buildings. So facilities should be included.

Ms. Tambourine said facilities is not included at this point right.

Mr. Wirtz said they are included. Anything under a lease of the City is included in the Ordinance.

**NEXT MEETING: July 21, 2016**

**9. ADJOURN**

The meeting adjourned at 12:10 pm.

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Marcia Bowman, Chair



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Elizabeth Martin, Stenographer