

A meeting of the West Virginia Infrastructure and Jobs Development Technical Review and Funding Committee was held **Tuesday**, **May 30**, **2023**, **beginning at 9:30 a.m.** in the Infrastructure & Jobs Development Council Public Hearing Room at 1009 Bullitt Street, Charleston, West Virginia.

# **Voting Members that were present:**

**Quorum** A quorum was constituted of the following members present:

Chair Marie Prezioso, WV Water Development Authority

# **Voting Members in person:**

Erica Boggess, WV Housing Development Authority Jonathan Fowler, WV Public Service Commission Kathy Emery, WV Department of Environmental Protection Christopher Thomas, WV BPH

# **Voting Members not present:**

Kris Warner, WV Economic Development Authority

#### **Invitees present or via phone:**

Jason Billups, WV Department of Environmental Protection James Bush, WV ARC Janna Lowery, USDA Roger Earle, WV DEP – Abandoned Mine Lands

### **Invitees not present:**

Tracy Rowan, US Economic Development Authority Sherry Risk, SCBG Ben Clemente, US ACE

#### Others in attendance:

Wayne Morgan, WV Infrastructure & Jobs Development Council Rachel Hill, WV Infrastructure & Jobs Development Council Samme Gee, Jackson Kelly PLLC
Brad Sergent, WV Water Development Authority
Brock Jarrett, WV Water Development Authority
Officer PE Boehm, Capitol Police
Julie Merow, Jackson Kelly PLLC
Clay Riley, Thrasher Group
Fred Hypes, Thrasher Group
Steve Haynes, Thrasher Group
Jonathan Carpenter, Thrasher Group
Michael Griffith, CPA – Griffith & Associates
A.C. Wiethe, Bel-O-Mar
Katrina Kratcke, MOVRC

IJDC Technical Review & Funding Committee Meeting Minutes May 30, 2023 Page 2 of 11

> Joel Davis, MOVRC Robert Riggs, City of Pennsboro Jeff Edwards, City of Salem Matt Fluharty, CEC

# Others in attendance by phone:

Mike Duminiak, WV Infrastructure & Jobs Development Council
Elizabeth Smith-Atkinson, WV Infrastructure & Jobs Development Council
Ann Urling, Governor's Office
Terry Martin, RIC
Bob Hazelwood, EL Robinson Engineering
Courtney Neece, Region 1
Angie Matheny, Region 1
Cassie Lawson, Region 4
Shane Whitehair, Region 7
Kylie Radcliffe, Thrasher Group

**Call to Order** Chair Maire Prezioso called the meeting to order and noted a quorum was present.

**Approval of Minutes** Chair Marie Prezioso asked for approval of the draft minutes of **April 25, 2023**.

Erica Boggess moved for approval and Jonathan Fowler seconded the motion. The

motion passed.

### **SEWER PROJECTS**

# Belington, City of-Sys & WWTP Imprvs (New application)

2022S-2274

Jason Billups described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the City of Belington be tabled until the next meeting

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

# Marshall Co Sewer Dist-Allendale Ext, 19 cust (Cost and funding change)

2022S-2176

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Marshall County Sewer District pursue a \$1,500,000 CWSRF Principal Forgiveness Loan, a \$1,100,000 CWSRF Loan (2.75%, 20 yrs., 0.25% AF), a \$1,000,000 Marshall County Commission ARPA Grant, a \$1,000,000 WDA EEGF, and a \$500,000 IJDC Grant for an estimated project cost of \$5,100,000.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

# **Mercer County PSD-Rock District 1 (New application)**

2023S-2341

Jason Billups described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the Mercer County PSD be tabled until the next meeting.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion.

IJDC Technical Review & Funding Committee Meeting Minutes May 30, 2023 Page 3 of 11

The motion passed.

# **Mercer County PSD-Rock District 1B (New application)**

2023S-2342

Kathy Emery described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the Mercer County PSD be tabled until the next meeting.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

# Nutter Fort, Town of-Rt 20 Ext, 100 cust (New application)

2023S-2355

Jason Billups described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the Town of Nutter Fort pursue a \$2,000,000 CWSRF Principal Forgiveness Loan, a \$1,000,000 CWSRF Loan (0.25%, 40 yrs., 0.25% AF), a \$1,500,000 WDA EEGF, and a \$1,000,000 IJDC Grant for an estimated project cost of \$5,500,000.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

# Preston Co PSD-Hazelton WWTP Imprvs (New application)

2022S-2194

Jason Billups described the request, and it is technically feasible.

The Technical Review and Funding Committee recommend the Preston County PSD pursue a \$5,238,000 CWSRF Loan (2.75%, 20 yrs., 0.25% AF), a \$150,000 Preston County Commission ARPA and a \$162,000 IJDC Grant for an estimated project cost of \$5,500,000.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

#### Stonewood, City of-Collection Sys Imprvs (New application)

2023S-2354

Jason Billups described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the City of Stonewood pursue a \$3,500,000 USDA Loan (1.75%, 40 yrs.), a \$900,000 USDA Grant, a \$654,637 City of Stonewood ARPA Grant, a \$100,000 Harrison County ARPA Grant, and a \$2,500,000 WDA EEGF for an estimated project cost of \$7,654,637.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

#### WATER PROJECTS

Alderson, Town of-Sys imprvs ext to Riverside Rest, 165 cust (Cost and funding change)2019W-1833 Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Town of Alderson pursue a \$1,000,000 DWTRF Principal Forgiveness Loan, a \$5,062,000 DWTRF Loan (0.5%, 40 yrs.), a \$925,000 US ACE Grant, a \$2,000,000 CDS Grant, a \$400,000 CDS Match Grant, a \$875,000 IJDC Grant and a \$125,000 IJDC Soft Cost Grant for an estimated project cost of \$10,387,000.

Chris Thomas moved that the recommendation be approved, Kathy Emery seconded the motion.

IJDC Technical Review & Funding Committee Meeting Minutes May 30, 2023 Page 4 of 11

The motion passed.

# Belington, City of-WTP and Sys Imprvs (New application)

2022W-2273

Chris Thomas described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the City of Belington Pursue a \$900,000 DWTRF Principal Forgiveness, a \$900,000 DWTRF Loan (1%, 30 yrs., 0.25% AF) and a \$1,000,000 ARC Grant for an estimated project cost of \$2,800,000.

Chris Thomas moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

### Belmont, City of-Main Repl to Power Plt (New application)

2023W-2332

Chris Thomas described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the City of Belmont pursue a \$1,050,000 DWTRF Loan (1%, 40 yrs.), a \$250,000 DWTRF Principal Forgiveness Loan, a \$100,000 City of Belmont ARPA Grant, a \$100,000 Pleasants County Commission Grant, and a \$1,000,000 WDA EEGF for an estimated project cost of \$2,500,000.

Chris Thomas moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

# **Berkeley County PSD-Potomac River WTP Imprvs (Funding Change)**

2022W-2218

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Berkeley County PSD pursue a \$18,400,000 WDA EEGF, a \$10,400,000 DWTRF Loan (2.5%, 20 yrs., 0.25 AF), a \$1,600,000 Berkeley County ARPA Grant, and a \$1,972,000 Berkeley County PSD Contribution for an estimated project cost of \$32,372,000.

Chris Thomas moved that the recommendation be approved, Kathy Emery seconded the motion. The motion passed.

# **Bluewell PSD-Sys Imprvs (New application)**

2023W-2357

Chris Thomas described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends Bluewell PSD pursue a \$1,727,0000 USDA Loan (2.12%, 40 yrs.), a \$700,000 USDA Grant, and a \$1,330,000 WDA EEGF for an estimated project cost of \$3,757,000.

Chris Thomas moved that the recommendation be approved, Jonathn Fowler seconded the motion. The motion passed.

# **Clay-Roane PSD- Sys Imprvs I (New application)**

2023W-2356

Chris Thomas described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the Clay-Roane PSD pursue a \$8,000,000 STAG (CDS award) Grant and a \$2,000,000 CDS Match Grant for an estimated project cost of \$10,000,000.

Chris Thomas moved that the recommendation be approved, Kathy Emery seconded the motion. The motion passed.

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IJDC Technical Review & Funding Committee Meeting Minutes May 30, 2023 Page 5 of 11

# Downs PSD-E Run Rd Ext & Connection with Monumental PSD, 12 cust (Funding chg)2022W-2151 Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Downs PSD pursue a \$655,000 Marion County Commission ARPA Grant, a \$400,000 WDA EEGF, a \$500,000 IJDC Grant, and a \$825,000 IJDC Loan (2%, 30 yrs.) for an estimated project cost of \$2,380,000.

Chris Thomas moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

# Hodgesville PSD-Sys Imprvs & Ext, 5 cust (Funding change)

2022W-2136

Wayne Morgan described the request.

The Technical Review and Funding Committee recommend the Hodgesville PSD pursue a \$4,037,000 CDS, a \$880,000 CDS Match, a \$820,000 DWTRF Principal Forgiveness Loan, a \$993,000 DWTRF Loan (1%, 30 yrs., 0.25% AF), and a \$500,000 IJDC Grant for an estimated project cost of \$7,230,000.

Chris Thomas moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

# Kanawha County RDA-Leatherwood Ext, 70 cust (New application)

2023W-2359

Chris Thomas described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the Kanawha County RDA pursue a \$5,230,000 CDS Grant, a \$1,046,000 CDS Match Grant, a \$369,454 Kanawha County Commission Grant, a \$504,546 WV American Water Contribution, and a \$500,000 IJDC Grant for an estimated project cost of \$7,650,000.

Chris Thomas moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

# Pennsboro, City of-Sys Imprvs (Funding chg/Scope upd)

2022W-2089

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the City of Pennsboro pursue a \$490,500 DWTRF Principal Forgiveness Loan, a \$171,500 Ritchie County Commission ARPA Grant, a \$288,000 Pennsboro ARPA Grant, a \$50,000 Pennsboro contribution, and a \$1,000,000 IJDC Grant for an estimated project cost of \$2,000,000; and receive a \$1,000,000 IJDC binding commitment transferred from loan funds.

Chris Thomas moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

### **Pocahontas County PSD-WTP Imprys (New application)**

2021W-2048

Chris Thomas described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the Pocahontas County PSD pursue a \$8,000,000 US EDA Grant, a \$500,000 IJDC Grant and a \$3,400,000 IJDC Loan (2%, 30 yrs.) for an estimated project cost of \$11,900,000.

Chris Thomas moved that the recommendation be approved, Jonathn Fowler seconded the motion. The motion passed.

IJDC Technical Review & Funding Committee Meeting Minutes May 30, 2023 Page 6 of 11

# Salem, City of- Step IV Sys Imprvs (Scope, cost, and funding change)

2021W-1988

Chris Thomas described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the City of Salem pursue a \$2,000,000 CDBG, a \$1,000,000 DWTRF Principal Forgiveness Loan, a \$284,200 DWTRF Lead Service Principal Forgiveness Loan, a \$295,800 DWTRF Lead Service Loan, a \$241,500 Harrison County Commission ARPA Grant, a \$100,000 Salem ARPA Grant, a \$960,000 WDA EEGF, and a \$1,000,000 IJDC Grant for an estimated project cost of \$5,881,500.

Chris Thomas moved that the recommendation be approved, Kathy Emery seconded the motion. The motion passed.

# **Valley Falls PSD-Sys Imprvs (New application)**

2023W-2352

Chris Thomas described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the Valley Falls PSD pursue a \$7,860,000 DWTRF Loan (1%, 40 yrs., 0.25% AF), a \$500,000 DWTRF Principal Forgiveness Loan, and a \$500,000 WDA EEGF for an estimated project cost of \$8,860,000.

Chris Thomas moved that the recommendation be approved, Kathy Emery seconded the motion. The motion passed.

### **BINDING COMMITMENT REQUESTS**

# **Canaan Valley PSD-Zone B Flows to D (Binding commitment)**

2015S-1604

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Canaan Valley PSD be tabled until the next meeting.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

# Central Hampshire PSD-Purgitsville Ext, 53 cust l (Binding commitment ext)

2020W-1874

Wayne Morgan described the request.

The Technical Review and Funding Committee recommend the Bluewell PSD binding commitment be extended until December 15, 2023.

Chris Thomas moved that the recommendation be approved, Kathy Emery seconded the motion. The motion passed.

# **Greenbrier Valley EDC-Moncove Lake Sys (PFA Binding commitment)**

2023S-2381

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends Greenbrier Valley EDC pursue a \$27,500 Monroe County ARPA Grant and a \$27,500 IJDC Preapplication Funding Assistance (PFA) to progress its application for project funding; and receive a \$27,500 IJDC PFA binding commitment.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

IJDC Technical Review & Funding Committee Meeting Minutes May 30, 2023 Page 7 of 11

# **Hurricane, City of-WTP Emergency Generator (Binding commitment)**

2023W-2386

Wayne Morgan described the request.

The Technical Review and Funding Committee recommend the City of Hurricane pursue a \$687,600 FEMA Grant, a \$38,200 City contribution, and a \$38,200 IJDC Grant transferred from loan funds for an estimated project cost of \$764,000.

Chris Thomas moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

# Kanawha PSD-Lens Ck Ext, 221 cust (Binding commitment ext)

2016S-1625

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Kanawha PSD receive a binding commitment extension until September 15, 2023.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

Marshall Co PSD 3-Dowler and Limestone Hill Rds CN Ext, 12 cust (New app/Bind com)2023W-2362 Chris Thomas described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the Marshall County PSD request to pursue a \$799,992 IJDC Critical Need (Loan or Grant) and a \$300,008 Marshall County Commission Grant for an estimated project cost of \$1,100,000 for an extension to 12 new customers (12 signed user agreements) along Dowler and Limestone Hill Roads be approved; and receive a \$799,992 contingent binding commitment (upon receipt of required documentation) be approved.

Chris Thomas moved that the recommendation be approved, Jonathn Fowler seconded the motion. The motion passed.

McDowell County PSD-Iaeger (Cost and funding change/Binding commitment ext) 2016S-1631 Wayne Morgan described the request.

The Technical Review and Funding Committee recommends McDowell County PSD pursue a \$2,000,000 CWSRF Debt Forgiveness Loan, a \$1,800,000 ARC Grant, a \$1,300,000 CDBG, a \$1,400,000 USDA Grant, a \$1,000,000 AML Amler Grant, a \$1,350,000 WDA EEGF, and a \$1,000,000 IJDC grant for and estimated project cost of \$9,850,000; and replace its existing binding commitment with a \$1,000,000 IJDC binding commitment with \$100,000 transferred from loan funds.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

# Midland PSD-Faulkner Rd Ext, 130 cust (Binding commitment)

2022W-2152

Chris Thomas described the request.

The Technical Review and Funding Committee recommends the Midland PSD be tabled until the next meeting.

Chris Thomas moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

IJDC Technical Review & Funding Committee Meeting Minutes May 30, 2023 Page 8 of 11

# **Mineral Wells PSD-Sys Imprvs (Binding commitment ext)**

2017W-1700

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Mineral Wells PSD IJDC binding commitment be extended until December 15, 2023.

Chris Thomas moved that the recommendation be approved, Kathy Emery seconded the motion. The motion passed.

# **New Haven PSD-Contract 19 (Binding commitment ext)**

2018W-1760

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends New Haven PSD IJDC binding commitment be extended until May 15, 2024.

Chris Thomas moved that the recommendation be approved, Erica Boggess seconded the motion. The motion passed.

# Pleasants County PSD-Plum Rd CN Ext, 8 cust (Binding commitment ext)

2021W-1935

Wayne Morgan described the request.

The Technical Review and Funding Committee recommend the Pleasants County PSD binding commitment be extended until December 15, 2023.

Chris Thomas moved that the recommendation be approved, Kathy Emery seconded the motion. The motion passed.

# Terra Alta, Town of-WTP & Sys Imprvs (Binding commitment)

2019W-1787

Chris Thomas described the request.

The Technical Review and Funding Committee recommends the Town of Terra Alta be tabled until the next meeting.

Chris Thomas moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

# Triadelphia, Town of-Sys Imprvs (Binding commitment)

2022W-2157

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Town of Triadelphia receive a \$500,000 IJDC Grant binding commitment transferred from loan funds.

Chris Thomas moved that the recommendation be approved, Kathy Emery seconded the motion. The motion passed.

Union Williams PSD-Middle RDG Rd CN Ext, 9 cust (Cost and funding chg/Binding Com)2022W-2210 Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the Union Williams PSD pursue a \$1,200,000 IJDC CN Grant and its contingent binding commitment be replaced with a \$1,200,000 contingent binding commitment.

IJDC Technical Review & Funding Committee Meeting Minutes May 30, 2023 Page 9 of 11

Chris Thomas moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

#### **USE OF BID UNDERRUN**

# Craigsville PSD-Sys Imprvs (Use of contingency/bid underrun funds)

2017S-1722

Wayne Morgan described the request.

The Technical Review and Funding Committee recommends the use of contingency (bid underrun funds) for \$160,045 request by Craigsville PSD be approved.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

#### **USE OF CONTINGENCY**

Capon Bridge, Town of-Sys Imprvs Ext to Tech Park(Use of contingency-ancillary fund )2018S-1765 Kathy Emery described the request.

The Technical Review and Funding Committee recommend Town of Capon Bridge be tabled until the next meeting.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

Tyler County PSD-Centerville Alma Ext (Use of contingency-ancillary fund request) 2019W-1804 Wayne Morgan described the request, and it is technically feasible.

The Technical Review and Funding Committee recommends the \$50,000 use of contingency (bid overrun funds)/ancillary fund request for increased RPR engineering fees be approved.

Chris Thomas moved that the recommendation be approved, Jonathan Fowler seconded the motion. The motion passed.

## **Business Items**

## **Drinking Water Treatment Revolving Fund Resolution**

Marie Prezioso described the resolution.

Chris Thomas moved that the recommendation be approved, Erica Boggess seconded the motion. The motion passed.

# **Clean Water State Revolving Fund Resolution**

Marie Prezioso described the resolution.

Kathy Emery moved that the recommendation be approved, Jonathan Fowler seconded the motion.

The motion passed.

#### Resolution Authorizing Set Aside for Pre-application Funding Assistance

Wayne Morgan described the resolution.

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Erica Boggess moved that the recommendation be approved, Kathy Emery seconded the motion. The motion passed.

# Resolution Authorizing Funding for Fiscal Year 2023 for the Critical Needs Sub Account Marie Prezioso described the resolution.

Erica Boggess moved that the recommendation be approved, Jonathan Fowler seconded the motion.

The motion passed.

Discuss requirement for current audit – Marie Prezioso discussed this matter.

Discuss Ancillary Project Expenditure Policy – Wayne Morgan discussed this matter.

Schedule Consolidation Committee meeting Logan WTP 2022W-2155 scheduled for June 27, 2023, at 10:30 am

#### **Unfinished Business:**

None

#### **Executive Director Comments**

# Update Consolidation Com. (Logan, City & County PSD)

2022W-2155

### Albright, Town of-WWTP and Sys Imprvs (Use of Contingency)

2019S-1786

The Executive Director reported the \$27,616 use of contingency request from the Town of Albright (additional information requested last month by the Technical Review and Funding Committee has been submitted/accepted), is being approved.

# **Berkeley County PSD - -Bunker Hill WTP (Funding Change)**

2023W-2252

The Executive Director reported Berkely County PSD is progressing the Bunker Hill WTP with \$31,156,405 DWTRF Loan (2.5%, 20 yrs., 0.25% AF), \$25,000,000 WDA EEGF, and \$7,448,595 Berkeley County PSD Contribution for an estimated cost of \$63,605,000.

# Boone County PSD-Rock Creek Development Park (Return cont. binding com) The Evecutive Director reported the Roone County PSD has not received US EDA for

2020W-1868

The Executive Director reported the Boone County PSD has not received US EDA funding for the project and is returning the \$860,000 contingent (US EDA funding) binding commitment.

# **Union, Town of-Source of supply (Expired binding commitment)**

2022C-135

The Executive Director reported the Town of Union has not executed its binding commitment letter or progressed its source of supply project via IJDC funding. Therefore, the \$306,000 IJDC Critical Need Loan funds are being recovered.

# **Funding program updates:**

# **Projects Requiring Additional Information**

Buffalo Creek PSD-WWTP Imprvs & Greenville Ext, 178 cust (Returned application)	2022S-2168
Kingwood, City of-Sys Imprvs and Ext, 73 cust (New application)	2022W-2078
Logan, City of-WTP Imprvs (Application referred CC)	2022W-2155
Oak Hill, City of-Minden Collection Sys Imprvs (Cost & funding chg and binding com)	2020S-1859

IJDC Technical Review & Funding Committee Meeting Minutes May 30, 2023 Page 11 of 11

2021S-2042
2023W-2336
2022W-2119
Information Report
2023S-2375
2023S-2340
2023S-2337
2023S-2329
2022S-2158
2023W-2380
2023W-2365
2023W-2361
2023W-2372
2023W-2378

# PUBLIC COMMENT

None

### **ADJOURNMENT**

With no further business before the Committee, the Chair entertained a motion to adjourn, Erica Boggess moved to adjourn; Kathy Emery seconded the motion. The motion passed. The meeting was adjourned at **11:24 a.m.** 

Wayne D. Morgan Secretary & Executive Director