



~ Minutes ~
Draft
For a Special Meeting of the
PLANNING COMMISSION

1101 East 2nd Ave
Durango, CO 81301
<http://co.laplata.co.us>

Wednesday, March 2, 2016

6:00 PM

County Board Room

These are abbreviated minutes. The official record of this meeting is the audio file, available via the La Plata County web site <http://co.laplata.co.us> . For a CD of the audio file for a specific meeting, please contact the Clerk to the Board Allison Kardas, at (970) 382.6263 or via e-mail at Allison.kardas@co.laplata.co.us. There may be a charge for the recording.

I. Call to Order

| Attendee Name | Present | Absent | Late | Arrived |
|----------------------|-------------------------------------|--------------------------|--------------------------|----------------|
| Tom Gorton | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Jim Tencza | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Lucy Baizel | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Charly Minkler | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Geri Malandra | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

II. Approval of Agenda

Public Hearing of the following requests:

III. Report

1. REPORT ON GCC's INTERIM ROAD MITIGATION MEASURES

Report on GCC's interim road mitigation measures during continuance period from Oct 8, 2016 to February 25, 2016.

Staff: Daniel Murray and Damian Peduto

Community Development Director introduced the La Plata County staff, Senior Planner Daniel Murray, County Engineer - Public Works Director Jim Davis, and Advisory Council Adam Smith.

Mr. Murray gave background, stating GCC requested a continuance at the October 8th meeting. He said GCC committed to mitigation of a number of impacts associated with the use of County Road 120. Mr. Murray listed the measures that were agreed upon, of which numbers 9 and 12 were not fulfilled.

Chairman Tenzca acknowledged that the Commission requested this information be reported and there is no further action needed for this item.

IV. Action Items

1. **PROJECT #2012-0089, GCC ENERGY KING II COAL MINE CLASS II, CONTINUANCE **Continued to Date Certain****

Owner/Applicant: GCC Energy, LLC / Trent Peterson

Agent: Brian Kimmel, Southwest Land Services

As continued from the October 8, 2015 Planning Commission hearing, consideration of the GCC Energy Class II land use permit for an existing coal mine operation comprised of surface facilities, underground mining, and coal hauling. Address is 6473 CR 120 located on APN 5653-362-00-077.

Staff: Daniel Murray, Victoria Schmitt, Damian Peduto

Chairman Tencza opened Project 2012-0089 GCC Energy King II Coal Mine Class II Continuance.

Mr. Peduto said this is a quasi-judicial hearing and requested the staff's material be accepted onto the record, he also requested certain material from the applicant be accepted on the record. He specifically mentioned material from the July 31, 2015 Compatibility Assessment from the applicant, the December 15, 2015 Hay Gulch Citizen Advisory Panel Matrix, the December 15, 2015 County Road 120 North Neighbors Group Matrix, the staff report to the Planning Commission of November-December 2014, the November 2014 Planning Commission Minutes, and the GCC Power Point. Chairman Tenzca said the Commission will tentatively accept the material because they have not had time to review it.

Mrs. Rodgers outlined the process for the night; 45 minute presentations by the Planning staff, GCC (applicant), legal representatives for the public parties, and 3 minutes for each individual member of the public. She said the applicant has the burden of proof to demonstrate that their project meets the La Plata County Land Use Code (Code) requirements so they will be allowed an additional 10 minutes for a rebuttal. At the end the Planning Commission will have additional time to ask questions and discuss amongst themselves before presenting their decision. Mr. Peduto said the applicant also has the burden of proof that they are consistent with the adopted Comprehensive Plan and District Plan for consideration by the Planning Commission.

Mr. Peduto presented North County Road 120 which is designed to be a farm to market road where the applicant proposes to concentrate their high volume and loaded haul truck traffic. He said 99% of the loading and 67% of the volume on this section of the road is contained in this proposal which is destructive to the road. He said the County has a performance based Code which indicates, an increase in impacts constitutes an expansion or need for an evaluation under the permitting process. According to the Code, GCC was required to obtain a Land Use Permit in 2010 when they began to increase the production at the coal mine, which includes required improvement to the County's road facility.

Mr. Peduto said the Planning Commission is here to consider if the applicant is consistent with the adopted Comprehensive Plan and Fort Lewis Mesa Planning District Plan, is compatible based upon mitigation of impacts of the operation, and is compliant with the minimum standards of the Code. The Planning staff has based their recommendation on the findings that are justified by the Code and the Comprehensive Plan.

Mr. Peduto said the Planning staff has exhausted the tools they have for coming to an agreement with GCC and they have to prove that they are compliant with the Code before the staff can consider a recommendation of approval. He informed the Commission that after the meeting material was posted to the County's website, GCC contacted Planning staff to discuss a Road Improvement Agreement but Planning staff had not had an opportunity to analyze the alternative proposal. He said GCC is operating in violation of the Code, however, Planning staff does work with parties to allow them to come into compliance. He said the recommendation of denial is based on GCC's unwillingness to become compatible with the minimum Truck Traffic Standards by a known date.

La Plata County Public Works Director Jim Davis said the road is a farm to market agriculture road. He said usually impact is measured by average

daily trips but in the instance where heavy trucks are using the road it is measured by both wheel loading and average daily trips. To mitigate the impact of the heavy loads and average daily trips the County has asked that the road to be brought to a minimum standard. Minimum requirements are 12 foot paved lanes and with 3 foot gravel shoulder and horizontal and vertical alignment corrections. He said the issues on the road are the sections of the road that do not allow for two-way truck traffic, dust management, and failure of pavement.

Senior Planner Daniel Murray said Finding 3 states that the applicant fails to provide a road improvement schedule that states specific dates of construction, which demonstrates that the applicant is not able to come into compliance with the Code Road Standards. He said the County now has dates associated with the road improvement phases but reminded the Commission that the proposed agreement was not submitted until after the hearing material was published so the staff could not make their recommendation based on the proposed agreement.

Mr. Murray gave a presentation of the proposed Road Improvement Agreement which is broken into four phases, based on four dates, including truck limits. He said the truck limits are a pivotal issue in coming to an agreement with GCC. The County has put forth what they believe are appropriate truck limits for each phase. He clarified that these are individual trucks, coming and going, so 100 trucks would mean 200 trips on the road. He said GCC has expressed a desire to make the road improvements contingent upon unknown outcomes, the County recognizes that the company has uncertainty but it cannot be absorbed by the County and the public.

Mr. Murray presented a chart with the truck limits. He clarified the truck limits before the Commission are based upon GCC's proposed route, they would be subject to change with a different route. He said once the road is improved it will meet the County standards for 120 trucks a day, GCC has proposed 156 trucks a day, surrounding land owners have recommended maximum of 100 trucks a day, and the Hay Gulch Citizen Advisory Panel suggests 140 trucks a day. He clarified that the rates are based on a monthly average so they might fluctuate day to day but can never exceed 20% increase for the day.

Mr. Murray said the challenge for the County is finding a balance between the industrial use and rural residential setting, both of which have historical basis, the County believes 120 trucks a day recognizes both. He said the 120 trucks would only be allowed once all of the road improvements have been resolved. He gave a few examples from the list of mitigation

measures the County would recommend if the project was being recommended for approval. The Company is limited to 80 trucks a day for their current production; increase in trucks would have to be contingent upon road improvements.

Mr. Murray presented the last findings in the staff report, which include: the need for a buffering plan, a parking plan, storm water management plan, compliance with commercial hauling restrictions, verification of water rights, CDOT access permits, and San Juan Basin Health required leach field improvements.

Mr. Peduto said the professional recommendation for any project is based upon the applicant proving water, sewer, access and compatibility before the County can recommend approval. Absent a Road Improvement Agreement the County cannot begin to consider approval and therefore staff must recommend the Planning Commission recommend to the Board of County Commissioners deny the petition of the project.

Commissioner Gorton asked if the Commission opted to approve the land use permit, how would they do that. Mr. Peduto said the Commission would have to develop findings that show the reasons for approval based on the Code.

Commissioner Gorton asked what would happen if all the Commissioners abstained. Mrs. Rodgers said she can answer both questions. Regarding the first question, if the Commission was inclined to approve the Land Use Permit counsel would recommend the Commission continue the project to allow the staff time to draft conditions of approval. Regarding the second question, the Commission is an advisory board and the project would proceed to the Board of County Commissioners for a decision.

Commissioner Gorton asked if the County has the purview to impose truck limits on the road right now or if it contingent upon the application. Mrs. Rodgers said the truck restrictions are tied to the application.

Commissioner Gorton asked what the immediate consequences of denial by the Planning Commission and the Board of County Commissioners would be. Mrs. Rodgers said it is more complicated than a typical denial because they are currently operating. She said they would have the opportunity to file an appeal to the District Court, who would review the record created by the Board of County Commissioners. Mr. Peduto added that the applicant always has the option to resubmit the application.

Commissioner Gorton asked for clarification of the truck limits, for example, he asked if 100 trucks a day is 50 loaded trucks. He said it could be considered that if the company is told to decrease their truck trips a day they would increase the amount of coal in each truck which would have a greater impact on the road. Mr. Peduto said the County does not regulate the production rates.

Commissioner Baizel asked if the project will go to the Board of County Commissioners following this hearing and Mr. Peduto affirmed.

Land Use Counsel for the applicant, Carolynne White, began her presentation by presenting her team Gina Nance - Vice President of Energy and Environment for GCC, Trent Peterson - Vice President of GCC Energy, Wade Wymore - GCC Plant Superintendent, Mike Olson - Roadrunner Engineering, Steve Harris - Harris Water Engineering, Landon Beck - Resource Hydrogeologic Services, Vineet Masuraha - Trinity Consultants, Jeff Kwolkoski - Wave Engineering, and Joe Bowden CDS Environmental Services, LLC. She said the principal reason for Planning staff's recommendation for denial is based the inability to develop a Road Improvement Agreement which is based on the two points highlighted by staff, lack of agreement on the date certain for road improvements and lack of agreement on the amount of trucks able to use the road after improvements are completed.

Ms. White gave an overview of the proposal that GCC presented to the County. She said the reason for the impasse between the County and GCC is the truck limits presented by the county do not allow for the company to operate their business the way it is meant to be operated. She said GCC is here to state that they are willing to limit their production to 120 trucks after the road improvements are complete. She said GCC is proposing to have 100 trucks a day during the construction of road improvements.

Ms. White and her team presented to the Commission the history of the application, the code criteria that are applicable, how the project meets the code criteria, alternative route assessment, proposed truck counts, and mitigation measures that are underway and proposed as part of the Class II Land Use permit.

Trent Peterson approached the stand, he gave an overview of the coal mines operations and their safety record. He introduced a timeline of the application process which includes the discussions with planning staff,

neighborhood compatibility meetings, Planning Commission Hearing, and GCC responses.

Ms. White presented County Code Section 82-193(c)(2) which outlines the County road mitigation standards. She introduced 43 different professional studies and reports that have been commissioned by GCC to they show their commitment to the project and to compatibility with the Code and the Comprehensive Plan. She said compatibility does not mean "the same as", in fact, two things that are different can live harmoniously next to one another with mitigation of adverse impacts. She briefly went over all of the criteria for compatibility and the studies that relate to them.

Mike Olson, 2610 Arroyo Drive, Durango Colorado. As the professional engineer for the traffic analysis, Mr. Olson introduced the phasing of the road improvements and the road. He said the engineers looked at eight alternate routes. He said they looked at the population, road geometry, accident data, and time which informed the recommendation for the use of County Road 120 North. He gave an overview of the timeline for the road improvements.

Mr. Peterson returned to present multiple mitigation measures GCC has implemented to the commissioners.

Gina Nance, 600 S. Cherry St, Glendale Colorado. Mrs. Nance said the company has reduced the number of trucks they run. She said one truck per day reduction equates to 3 job losses. She said GCC is open to reducing truck numbers in a manner that is not prohibitive to business, so they can remain open and not lay people off.

Chairman Tenzca requested a 3 minute recess. The meeting was reconvened at 7:53.

Mrs. Rodgers reminded the Chairman that the Commissions can use this opportunity to ask questions of the applicant.

Commissioner Malandra asked for clarification of the commercial water hauling restrictions. Mr. Peterson said the water hauling is in place now because there is a hold up in the water rights and winter water rights from the La Plata River have not been available in the last few draught years. He said in the absence of an underground reservoir and water rights GCC has to haul water. He said May 1 of this year the company will be able to

cease water hauling because they are building a surface water storage facility and obtaining water rights.

Luke Danielson, 219 N Iowa Street, Gunnison Colorado. As legal counsel for Crosscreek Ranch LLC, he stated they are not here because they are against coal mining, they are here for public safety. He said GCC is a welcome neighbor, as long as they are willing to take public safety into account. He said over six years the neighbors have had to deal with the effects of increased production and trucks from the mine and all of the reports conclude that the road is not safe for the public and the neighbors. He addressed the issue of air quality in the neighborhood which has been estimated to be triple the safe recommended rate by the Environmental Protection Agency. He said GCC has not resolved the issues the State has with GCC's water quality monitoring provision of their permit which has been pending since 2012 without revision. He said the only option for the Planning Commission is to deny the application, the County and the public have been trying to work with GCC to mitigate the problems with the operation of the mine but the company has not done their part fulfill their responsibility to their neighbors.

Jeff Robbins, 679 E 2nd Ave, Durango Colorado. Mr. Robbins is an attorney for the Southwest Colorado Advocates and counsel for residents along County Road 120 North. Mr. Robbins said economics are not an applicable land use criteria, while the information is good, economics are only mentioned once in the Chapter 74 and 82 of the Land Use Code and cannot be utilized to make decisions of compatibility with the Code. He presented pictures that represent the amount of trucks that pass on the road and said the rate the company is proposing would be 1 truck every 5 minutes during the day, and 1 truck every 10 minutes at night. He said the recommended road improvement plan contains multiple unanswered questions that need to be answered before the permit can be approved. He said his clients are concerned about having their property taken to implement the road improvements. He recommended the Commission use their advisory position to consider whether it is appropriate for the county to take private land on behalf of a Mexican multi-national company. He said the noise and visual impact of the trucks needs to be addressed as well. He suggested that the Commission deny the petition and not allow it to continue for further negotiations.

Chairman Tenzca opened the project to public comment.

Mr. Murray presented eight letters the staff has received over the last week and asked for them to be added to the record. They were added as Exhibit 2.

Brandon Wadell, 9588 County Road 141. As the owner of Well on Wheels Water Hauling he employs four families and provides portable water for the coal mine and the neighbors. They understand the impacts but his future existence depends on the GCC coal mine and believes GCC will work diligently to comply with the Road Improvement Agreement so the permit should be approved.

Dr. William Thomas Williams, 1644 County Road 120. As a land owner along the County Road 120 he believes the pattern of behavior of the company is abusive to residents. He said many of the points that GCC made are lies. He asked for his material to be entered onto the record. It was accepted to the record as Exhibit 3.

Colton Black, 4426 County Road 129. He expressed his support for GCC and directed questions towards the Planning staff about the funding of the improvements to La Posta Road, the County's responsibility for the mitigation to the road impacts, and what more the County could have done to maintain the road? He said there should be some flexibility in the road improvement dates and requirements.

Kelly Powell, 20 Molas Drive. Mrs. Powell shared an incident she and her family had with a coal truck on the road to demonstrate the unsafe conditions of the road.

Jerry Weis, 909 Heritage Road, Herserus. He said as a home builder he understands that the first thing you must do when developing is get a permit. He said he noticed that GCC has delayed, refused and ignored the requirements for the land use application. He said in the absence of Planning Department enforcement he fears, with their record, the company will not comply and will continue to break their promises and something needs to be done.

Huck Morris, 3402 Monterey Circle, Farmington. Mr. Morris is a truck driver and hauls coal out of GCC. He said economics do matter, he has 55-60 drivers that he would have to lay off if GCC's Permit does not go through.

Angelo Salazar, 1205 Mission Avenue, Farmington. Mr. Salazar is the Safety and Compliance Manager for the South Region of US Transport. He believes the decision has an economic impact and economics should

be a factor. The denial of the permit would have a negative impact that would be catastrophic to the employees and their families.

David Peters, 10 Kennebec Court. Mr. Peters has experience in engineering, and litigation and said the combative tone of the staff report implies that the staff has a bias against GCC. He said he has never seen permit requirements so stringent and suggested a review of the requirements.

Dirk Johnson, PO BOX 748, Cortez. Mr. Johnson is a representative for Western Transport Trucking. He said the job loss numbers presented earlier are conservative, if there is a moratorium on trucks his company would be out of work.

Travis Oliger, 620 Sand Ridge Court. Mr. Oliger said he lives in the closest house to the mine. He said the mine has been wonderful neighbors and have mitigated every complaint the neighbors have had. He said the Commissioners should understand that people will lose their very well paying jobs that cannot be replaced if the permit is denied.

Ginny Chambers, 452 Jenkins Ranch Road. She said she believes the staff has no respect for the people who will be affected, the tourism industry, or business in Durango and Silverton. She said the mine requires the road permit and the denial will be devastating to the community.

Reid Allen, 1554 Roberts Ridge Drive, Hesperus. As said he supports the mine but thinks there are many things that can be done to ease the impact of the trucks on the road. He said he would advocate for alternate route because the road is no longer comfortable or safe.

Daniel Greer, 7633 County Road 100, Hesperus. He said his family is very invested in the community and he realizes all different industries will be affected. He said the Commissioners need to think about encouraging growth in rural Colorado.

Ann Chernof Allen, 1554 Roberts Ridge Drive. She said she is in support of the mine but she wants to enjoy the rural quality of Colorado but it is not safe to walk, ride the bikes, or walk the dogs on the roads. She said the trucks try to slow down but they cannot and there is no room for trucks to pass.

Wayne Sena, 1108 Soaring Eagle Drive, Farmington. Mr. Sena is a manager of High Country Transportation. He said they put safety first and conduct various safety programs to ensure the drivers are safe on the road.

Rick Valdez, 329 South Park, Aztec. As a truck driver for the coal mine he believes he has a right to a job here and the Planning staff does not have a right to mess with their livelihood.

Harry Johnson, PO BOX 1311, Shiprock, New Mexico. Mr. Johnson is a Navajo from New Mexico who works for High Country Trucking. He said his job is very important to him and his family. Also, his family uses coal for their home.

Bill McCoy, 101 North 3rd Street, Dolores. He is also a driver out of High Country and said the drivers are professional and the company has very high standards. They try and pull off and allow all cars to go by, they have good practices and try to be friendly with the neighbors.

Kayla Patterson, 43 Brookside Trail, Bayfield. She believes that the County and the company can come to a negotiated resolution of the issues with the County Road. She asked for her material to be added to the record. It was added to the record as Exhibit 4

Dan Hunnington, County Road 120. Mr. Hunnington said dealing with coal mining operations has been part of the community since the early 1900's. He said coal mining has been in the area for 120 years before the Fort Lewis Mesa District Plan was created. He said GCC has had a hard time obtaining the permit because it is a moving target and the County should not be able to put restrictions on an operation that has been working in a certain way. Mr. Hunnington asked for his letter to be added to the record. It was added to the record as Exhibit 5.

Dusty Beals, 10683 County Road 120. Mr. Beals said he opposes having the trucks use South County Road 120 because it is made up of houses with children and families.

Mike Crawford, 2161 County Road 121. As the owner of Hay Gulch Coal he provides coal sales for public use and he obtains his coal from GCC. He said GCC should be recognized for their efforts to decrease traffic on Hay Gulch Road. Also, many people in the South West use coal to heat

their home because it is the only affordable option. He brought signatures of 1400 customers and he asked for his list to be entered to the record. It was added to the record as Exhibit 6.

Curtis Harris, 251 Saw Mill Circle, Bayfield. *Mr. Harris said everyone here has an agenda, his is to pay his mortgage he will not be able to do that if GCC is not given a land use permit.*

Chris Doprenkamp, 22343 County Road 3.6, Cortez. *He said all the coal miners have been awake since 4 AM this morning and they are here to support GCC. He said GCC has not been dragging their feet on this permit, they have put in countless time and resources. He said GCC puts enormous effort into being a valuable part of the community they operate in and the permit should be approved.*

Larry Rice, Las Mendez, New Mexico. *Mr. Rice gave examples of ways that communities are destroyed by shutting down of business. He said the community will never get the industry back if the coal mine is closed. He said the standard of living in Durango will fall if you keep shutting businesses down.*

Matt Watson, 156 Timber Drive, Durango. *Mr. Watson said he is the Human Resources Director at GCC, the company is the best company he has ever worked for and they truly care about their employees. He said they have terminated employees for the way they drive on the County Road.*

Jack Llewellyn, 479 Wageman Road, Durango. *He works for the Durango Chamber of Commerce which is in support of GCC. He said the permit denial does not support the economic mission of La Plata County. He said quality of life is the same as quality of jobs and that is what is provided by GCC.*

Susan Terrill- Flint, 359 East Columbine Drive, Bayfield. *Mrs. Terrill-Flint said she has two major connections to the mine, she worked for the mine and she got coal from the mine as a child. She believes there is a way forward so the permit can be approved.*

Greg Stull, 4532 Barcelona Circle. *He said he has been affiliated since 1979, He said he would appreciate the Commission consider the approval of the permit.*

Wade Wymore, 918 East Oak Drive. He said this is his personal opinion not the opinion of the company, he said there are more incidents with private vehicles on the road than with trucks. He said if the truckers do something wrong them get fired, the employees know this.

Paul Schrack, 7164 County Road 318, Ignacio. He said as the Vice President, Chief Operating Officer for the Durango and Silverton Railroad he speculates that the people who say this is not an economic decision will not be affected by it. He said during all of the times the community was threatened by the loss of the train they came together and made things happen, and he encourages the community come together to find a solution.

Amanda Platt, Cortez. Her husband of an employee of the mine and a veteran. She asked the Commission to consider the lives of the employees and their families.

Charles Page "Skip", 171 Glen Lane. He said he is shocked at the statement that economics has nothing to do with it.

Mae Morley, 968 County Road 127. She has lived on County Road 120 and never had an issue with truck drivers. He said her family came here as coal miners, and it is a rich part of the County's history. She said there are a lot of people that depend on coal, and this is stepping on property rights.

Debby Lee, 11442 County Road 120. Mrs. Lee said she understands the County's responsibility to the Code and she said she knows the County does care about the people. She said the Planning staff should have updated their information to be current with the new proposal of GCC.

Joe Zuber, 2707 North College Drive. He said Durango and La Plata County cannot afford to loose the coal mine, it is a unique community that needs the diversity. He encouraged the parties to work together for the benefit of everyone.

(Comments not picked up)

Frank McCue, 2541 County Road 120. He said he has lived at the bottom of the hill since 1984, he is not against coal but against the number of trucks they have lived with of 6 years.

Julie McCue, 2541 County Road 120. She said she does not want to shut the mine down but they want to be able to go outside. She presented videos to show the Commission the amount of trucks are going up and down the road. She said the watering of the road ruins the road and the pavement they placed in front of their home was very low quality.

Karen Hunzeker, 3230 County Road 120. She said the trucks run about 16 feet from her front fence. She said in the past you could play on the road but everything changed with the increase in production of the mine. She said regulations and rules need to be followed and the trucks need to be regulated.

Paula Mathais, 788 Cougar way, County Road 120. She is concerned with the air quality, the ruined solitude, the depletion of wells, and the dangers of the trucks on the road since the mine began to increase production. She presented pictures that proved violations of the agreements made at the last continuance meeting.

Mark Schultz, Hen Ridge Ranch. He said there is a lot of different frustrations because nothing has changed from last year. He demonstrated different safety issues associated with the roads. He said the right of way easement that was proposed by GCC also poses issues. He presented possible solutions.

Derek Snider, 1326 County Road 120. He said he is a runner on that road, in the past they would ride horses, bike, and walk dogs on the road but now the character of the whole neighborhood has changed. He proposed using a loop route. He said they have identified 14 accidents on their property in 18 years.

Gary Grantham, 1124 County Road 120. He said he has been there 18 years, and does not believe the mitigation means compatibility because it is a trade off of one significant adverse effect for another. He said real mitigation would limit the truck traffic, but GCC refuses to consider any of the other options.

Chairman Tenzca closed public hearing.

Chairman Tenzca gave the Commissioners the opportunity to ask the Air Quality specialists questions about their report. Chairman Tenzca and Mrs. Rodgers clarified the procedure for the continuance.

Commissioner Gorton moved to continue the meeting to a date certain of March 3, 2016 at 7:30 so the Commission has time to deliberate their decision. Commissioner Malandra seconded the motion and the question was called.

V. Other Business

VI. Adjournment

The meeting was closed at 10:41 AM

Meeting was adjourned at 10:41 PM.