

OREGON LIQUOR CONTROL COMMISSION
MINUTES
June 23, 2011

Thursday, June 23, 2011

9:00 A.M. The Commissioners present were Alex Duarte, Michael Harper, Bob Rice, Cassandra SkinnerLopata and Interim Chair Ron Roome. Others present were Executive Director Steve Pharo, Deputy Director Merle Lindsey and members of staff.

MINUTES

Commissioner Rice moved to approve the minutes of the May 20 and May 27, 2011 commission meeting.

Passed 4/0

(Commissioner Harper abstained, as he was not a member of the board at the time of the May meeting.)

PUBLIC FORUM

No one present for Public Forum.

COMPLIANCE

Becky Voelkel, Administrative Policy and Process Division presented.

There were ten stipulated settlement agreements before the commissioners for ratification; JC's Bar & Grill; Griff's Mini Market; Albany Mega Foods; Mick & Mom's Pub & Eatery; Pennie Richerson; Sapphire Hotel; Phillips Golf Shop; Cascade General Store; Sunnyside 76; and Clackadeli Pub.

Commissioner SkinnerLopata moved to ratify the ten settlement agreements

Passed 5/0

(Commissioner Roome abstained on JC's Bar and Grill but voted aye on the remaining settlement agreements.)

LICENSE MATTERS

Dan Croy, License Services Division presented.

Breezy Inc. – Applicant Bobette Yager, appeared before the commission. Commissioner Duarte questioned why the commission, to date, does not have any rules governing saturation. Judith Bracanovich appeared before the commission to respond to the question posed by Commissioner Duarte. Judith commented that there is a long history to saturation. She continued stating that a saturation task force worked on saturation standards for about three years and could not come to consensus on establishing statewide standards, or even citywide standards. Judith conveyed that she would be more than happy to prepare a high-level overview of the work of the saturation task force. Executive Director Steve Pharo commented that if the commissioners would like to see the task force reconvene to try to address the issue of saturation, the commission would be happy to do so. He continued stating that he feels it would be beneficial to review the information Judith has agreed to compile and then the commissioners could decide if they would proceed with the reconvening of the task force.

Commissioner Duarte moved to approve the license for Bobette Yager Offinga and William Offinga Jr. of Breezy Inc. in King City Oregon.

Passed 5/0

Service Permit Refusals-

Gwenn McNeal, Service Permit Program presented. There were four service permit refusals before the Commissioners for ratification.

Commissioner Duarte moved to ratify the four service permit refusals for Stacie A. Carl, Jason E. Harris, Victoria L. McMichael and Michael W. Peterson, as presented under License Matters, Tab 2A,

Passed 5/0

RULES -

Jennifer Huntsman, Rules Coordinator presented.

INITIAL ACTION

OAR 845-006-0345(9) Prohibited Conduct (Good Faith Effort)

With the passage of HB 2361, section (9) of this rule needs to be amended to bring it into compliance with new statutory language effective January 1, 2012. HB 2361 removes the “knowingly” standard from the violation of allowing a visibly intoxicated person to consume.

Commissioner SkinnerLopata moved to initiate rulemaking to amend OAR 845-006-0345, and to hold a rulemaking hearing at staff’s discretion.

Passed 5/0

OAR 845-009-0135 Responsible Vendor Program

HB 2148 changes the definition of “retail licensee” for the purpose of who may participate in the Responsible Vendor Program, and this rule needs to be amended to bring it into compliance with the new statutory language effective January 1, 2012. Staff is also recommending minor amendments to the program standards related to required postings, as well as some housekeeping amendments.

Commissioner SkinnerLopata asked if section 2D, as amended, in relation to the aggravating circumstances, there is a carve out for not including licensee’s personal involvement in the violation, is that pursuant to new legislation or was that at staff’s discretion. Ms. Huntsman responded this is an effort to clarify what the commission’s current practice is, when it is relation to the RVP program the violation being committed by the licensee personally, would not be considered aggravating circumstances. She continued stating that there would have to be additional violations to be considered aggravating.

Commissioner Duarte moved to initiate rulemaking to amend OAR 845-009-0135, and to hold a rulemaking hearing at staff’s discretion.

Passed 5/0

RETAIL SERVICES

Brian Flemming, Retail Services Director, presented.

Retail Sales Agent Appointment – Agency 1021, Union.

There were two applicants for the Agency 1021, Union vacancy. This vacancy occurs as a result of the previous agent, Melody Baer’s sale of the liquor store. An interview committee interviewed two applicants; the two applicants appeared before the Commissioners; Roger Clark and Terri Stoltz.

Commissioner SkinnerLopata asked applicant, Roger Clark, about his reported financial fixed asset of the Spoiled Mule. Roger Clark responded that this is his wife and daughter’s business. Commissioner SkinnerLopata asked what type of store this is. Roger responded this is knick-knack, sporting goods, gun store that his wife and daughter own and run.

Commissioner SkinnerLopata furthered her questioning about the Spoiled Mule and asked applicant if the title in name of the business is legally listed in his name. Mr. Clark responded that the information listed in application, in regards to the title in name, is correct. Commissioner Harper asked applicant, Roger Clark, about his off-premise license and its association. Roger Clark responded that the off-premise license is for The Boulder Market, which he owns.

Recessed: 9:42 am

Reconvened: 10:02 am

Commissioner SkinnerLopata moved to appoint Terri Stoltz as the permanent agent at Agency 1021, Union, effective July 2011.

Passed 5/0

ADMINISTRATION

Oregon Liquor Licensing Outlook (OLLO) –

Farshad Allahdadi, License Services Director presented.

Commissioner Rice commented that the statistical information conveyed in the report is beyond extraordinary that the agency has this type of performance in such a short amount of time and he is hugely impressed by the work of Farshad and his staff.

Commissioner SkinnerLopata commented that she really liked the analysis Farshad presented and she would like to see this report on an annual basis and supplemental updates as necessary.

Legislative Update –

Tom Erwin, Government Affairs-Communications Director, appeared before the commission.

Following is a list of the bills we tracked most closely this past session, and the outcomes.

SB 5522 OLCC Budget Bill

Passed- Awaiting Governor's signature

Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by Oregon Liquor Control Commission. Authorizes specified non-limited expenditures. Declares emergency, effective July 1, 2011.

At the request of Budget and Management Division, Oregon Department of Administrative Services. The following amounts are established for the biennium beginning July 1, 2011, as the maximum limits for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Liquor Control Commission, for the following purposes:

- | | |
|-----------------------------|---------------|
| (1) Administrative expenses | \$ 51,747,312 |
| (2) Agents' compensation | \$ 81,706,000 |
| (3) Capital improvements | \$ 208,406 |

Executive Director Steve Pharo shared that once the final negotiations with the union are complete, he will be presenting further details to the board. Commissioner SkinnerLopata asked Executive Director Pharo for a report as to the agency's action plan as it related to HB 2020. Executive Director Steve Pharo commented that he would be happy to prepare information to the commissioners once complete.

HB 2146 Administrative Standards of Proof for VIPs and Minors – Failed, however HB 2361, a compromise bill passed

Eliminates culpable mental state requirement for administrative sanctions against liquor licensee selling alcoholic liquor to minors or visibly intoxicated persons.

HB 2147 Electronic Proof of License – Passed- Effective June 2, 2011: Chapter 219, 2011 Laws

(House 58-0; Senate 27-0; Governor signed on June 2, 2011)

OLCC issues Direct Shipper and Wine Self Distribution permits to manufacturers of wine or cider who wish to deliver their products directly to consumers or distribute to retail locations. Under current statute, ORS 471.274 (3), applicants are required to provide a copy of their home state's liquor license in order for OLCC to issue the permit. These required copies are often not included with the permit applications which necessitates additional staff time and supplies to correspond with the permit applicant to request the needed information. The information is readily available via the website of or a simple phone call to the issuing state's alcohol beverage control board. Amending ORS 471.274 to allow for alternative means of verifying this license information will save time and postage to process these annually renewed permits, of which there are approximately 1000 issued to date. HB 2147 will enable staff to provide more timely customer service to Direct Shipper and Wine Self Distribution permit applicants and streamline requirements for both businesses and government.

HB 2148 Responsible Vendor Program Expansion – Passed- Effective January 1, 2012; Chapter 102, 2011 Laws

(House 58-0; Senate 28-2; Governor signed on May 19, 2011)

The Responsible Vendor Program (RVP) was created by the 1999 Legislature to encourage licensees to adopt best practices which would prevent the sale of alcohol to minors. Membership in the program is free and voluntary. Among other positive measures, participation in the program requires licensees to provide on-going training in responsible alcohol sales to their employees and to adopt clear house policies on checking ID. If an employee of an RVP licensee sells alcohol to a minor or fails to properly check ID, the member licensee is eligible for reduced sanctions. HB 2148 amends ORS 471.344 to allow *any* license with retail privileges to join the Responsible Vendor Program. Currently, the statute limits participation in the program to retail licensees “as defined in ORS 471.392” which includes only Full On-Premises, Limited On-Premises, Off- Premises, and Temporary Sales licensees. There are several other liquor licenses with retail privileges, so the change would expand the number of businesses that could apply for Responsible Vendor status, to license types such as brew pubs, breweries and wineries.

HB 2149 License Application Fees – Failed

Imposes application fee on person seeking initial license from Oregon Liquor Control Commission. Creates exceptions. Changes exemptions from renewal application processing fee. *Assigned to House Business and Labor Committee. The bill had a hearing, but did not make it out of committee.*

HB 2151 Local Control – Failed- This bill did not have a hearing

Allows city or county to adopt limits on numbers of premises within city or county, or within specific areas of city or county, that Oregon Liquor Control Commission may license for full or limited on-premises sales or off-premises sales of alcoholic beverages or as brewery-public house.

Other passed legislation pertaining to alcohol

HB 2150 Winery License –

Passed- Effective January 1, 2012. Chapter 143, 2011 Laws

HB 2150 was originally introduced at OLCC's request to create a new type of Winery License. OLCC agreed to use the Oregon Winegrowers Association's bill on the same issue, HB 2633. The Oregon Beer and Wine Distributors Association used HB 2150, which was no longer needed by the OLCC, to propose changes to the Wholesale Malt Beverage and Wine license similar to the changes considered in HB 2924. A wholesale malt beverage and wine (WMBW) license allows the holder to import, store, transport, sell wholesale and distribute to a licensee of the OLCC, and export, wine, cider and malt beverages. Under current statutes, a WMBW may not sell malt beverages containing more than eight percent alcohol by volume in quantities not less than five gallons to an unlicensed organization, lodge, picnic party, or private gathering. HB 2150 modifies ORS 471.235 to lower the minimum amount a WMBW may sell to those unlicensed groups from five gallons to four gallons and raises the alcohol by volume maximum limit on those malt beverages from eight to nine percent.

HB 2361 Administrative Standards of Proof for VIPs – Passed-Effective January 1, 2012. Chapter 107, 2011 Laws

Currently, the Oregon Liquor Control Commission (OLCC) can sanction licensees and permit holders that allow visibly intoxicated persons to consume, but only if there is proof that they knowingly do so. HB 2361 eliminates the culpable mental state requirement for administrative sanctions against liquor licensees and service permit holders that allow on-premises consumption of alcohol by visibly intoxicated persons. OLCC originally filed HB 2146 on this issue which also would have removed the knowing element from the sale of alcohol to a visibly intoxicated person. A compromise was reached to allow HB 2361 as the bill that would move forward. HB 2361 will help address those servers who choose to ignore the law, allowing patrons to continue to consume alcohol after showing signs of intoxication. HB 2361 will hold licensees accountable for over-serving patrons, hopefully reducing DUII arrests and avoiding devastating loss of lives.

HB 2633 - Winery License – Passed- Effective January 1, 2014. Chapter 364, 2011 Laws

HB 2633 is the result of months of pre-session collaboration and meetings between the Oregon Winegrowers Association, Oregon Beer and Wine Distributors Association and the Oregon Liquor Control Commission. HB 2633 will help to clarify which wineries can be granted tax exemptions, which wineries will be permitted to request credit from licensed wholesalers, and will streamline tax liability review for OLCC financial staff. This will be accomplished by requiring wineries to possess and present the appropriate federal producer or federal wholesaler permits at the time of licensing. Additionally, this legislation will require OLCC licensed 'Custom Crush' or 'Virtual' wineries, businesses that contract out part or all of their winery production, to have at least one written contract to produce wine with a 'Brick and Mortar' winery operating in Oregon. HB 2633 balances the interests of the wine industry with the regulatory needs of the state. Becomes operative January 1, 2014.

HB 2924 - Brewery License Sales – Passed- Effective January 1, 2012. Chapter 123, 2011 Laws

A brewery license allows the holder to manufacture, import, store, transport, sell wholesale and distribute to a licensee of the OLCC, and export malt beverages. Under current statutes, a brewery may not sell beer containing more than six percent alcohol or sell malt beverages for consumption on site. However, there are two exceptions: a brewer may sell malt beverages brewed on site to an unlicensed organization, lodge, picnic party, or private gathering as long as the alcohol content does not exceed eight percent and the sale is for at least five gallons. HB 2924 lowers the minimum amount a brewery may sell to those unlicensed groups from five gallons to four gallons and removes the eight percent maximum alcohol by volume limit on malt beverages.

HB 3145 - Bottle Bill Expansion – Passed- Governor signed June 9, 2011.

Chapter 277, 2011 Laws.

HB 3145 makes three changes to the existing bottle bill law, which is administered by the Oregon Liquor Control Commission (OLCC). The issues addressed by this bill are: expanding the types of beverages included for redemption value from water, sodas and malt beverages to include more types, such as juices, teas, and sports drinks; sets guidelines to increase the deposit and refund value of beverage containers to not less than 10 cents; and directs OLCC to approve one beverage container redemption center pilot project in a city with a population less than 300,000.

The expansion of types of beverages and increase in redemption value are both triggered by OLCC review of redemption rates. The inclusion of additional types of beverages would be triggered by which ever comes first of the following: OLCC determines that at least 60 percent of beverage containers statewide are returned to redemption centers; or on January 1, 2018. The increase in redemption value is triggered if OLCC determines that less than 80 % of containers are redeemed compared to those sold statewide for a two year period. This determination may not be made prior to January 1, 2016. If redemption rates remain above 80% there is no alternate date for increasing the redemption value. The pilot project redemption center will measure the efficacy of a redemption center in a smaller community with a larger zone of service area and modified redemption requirements from those currently in place for stores within redemption center service areas.

SB 36 – License Denial Criteria for Out of State Offences – Passed- Effective January 1, 2012. Chapter 165, 2011 Laws

SB 36 expands Oregon Liquor Control Commission's license denial criteria from those who have been convicted of violating liquor laws in Oregon or been convicted of a felony to also consider convictions in other states that are related to the applicant's ability to lawfully carry out activities under the license.

SB 444 – Homebrew – Passed- Effective March 28, 2011. Chapter 12, 2011 Laws.

Senate Bill 444 was drafted primarily to allow homebrewers of beer, wine, or fermented fruit juice to compete in statewide competitions at licensed establishments, the Oregon State Fair, and county fairs. In response to a Department of Justice legal opinion requested by the Oregon Liquor Control Commission, it was determined that under the current statute, home brewers are restricted to brew without a license only within the confines of their home.

Senate Bill 444 allows the making, keeping, storage, or transportation of homemade beer, wine or fermented fruit juice, and limits the amount of these products to be produced during a calendar year, in order to be exempt from the state's Liquor Control Act, for up to

100 gallons in a household having one person who is at least 21 years of age, or 200 gallons in a household having two or more persons who are 21 years of age or older. An individual can also possess mash, wort or wash, for the purpose of making of homemade beer, wine or fermented fruit juice.

The measure clarifies that homemade beer, wine or fermented fruit juice is defined as such if it is not dependent or conditioned on financial consideration. The definition of “financial consideration” exempts prizes awarded at competitions and exhibitions; tax deductions or credits for homemade beer, wine, and fermented fruit juice donations to non-profits; event admission charges or club or organizational dues; homemade beer, wine, and fermented fruit juice made by other persons; beer, wine, and fermented fruit juice ingredients; and wages and salaries paid by an educational organization for teaching brewing, winemaking, fermentation science or fermentation processes.. *It was signed by the Governor with the effective date of 3/28/11.*

SB 669 - Manufacturer Advertising in Large Venues – Passed- Effective January 1, 2012. Chapter 173, 2011 Laws.

Tied house laws define and separate the relationships between alcohol beverage manufacturers and retailers. These laws were born out of alcohol prohibition and are still relevant in today's marketplace. They protect the interests of alcoholic beverage manufacturers and retailers to ensure that retailers are not influenced or controlled by manufacturers and maintain a fair marketplace. Alcohol manufacturers still operate in a strictly regulated marketplace, but there have been some allowances for exceptions. ORS 471.401 makes an exception from tied house prohibitions for sale of advertising to large venues with a fixed seating capacity of more than 10,000 seats. Currently only two venues are large enough to qualify for this exception to advertising by alcohol manufacturers in ORS 471.401: the Rose Garden and the Memorial Coliseum. SB 669 proposes to expand the type of venues that may receive payment from manufacturers for advertising space or time. These changes will allow venues with capacity of at least 3,000 persons, or venues owned by a government body or a nonprofit corporation to sell advertising space or time to an alcoholic beverage manufacturer or wholesaler. This will allow venues throughout the state such as the Les Schwab Amphitheater in Bend and the Oregon Convention Center and Keller Auditorium in Portland; and events such as the Britt Festival, and many county fairs and rodeos to conduct their events with the same benefit of advertising opportunities received by the Rose Garden and Memorial Coliseum.

SB 878A - Bouncer DPSST Exception – Passed- Awaiting Governor's signature. Effective upon signature.

SB 878 provides exemptions to certain employees of licensees of Oregon Liquor Control Commission from the DPSST certification required of security professionals. The exemption is for those security employees who are working at the door of a licensed establishment who control access to the premises. SB 878 further clarifies that those employees who control access are not armed; are not permitted to initiate confrontational activities; or are not hired with the primary responsibility of taking enforcement action by detaining persons or placing persons under arrest. Declares emergency, effective on passage.

SB 898 - Proof of Minimum Age Requirements – Passed- Effective January 1, 2012. Chapter 92, 2011 Laws.

Allows Oregon Liquor Control Commission to request proof that person performing work at premises licensed by commission meets applicable minimum age requirements. Allows commission to order person to immediately cease activity that is subject to minimum age requirement if requested proof of age not supplied. Provides that failure of licensee or manager to provide proof of age for person performing work at premises is prima facie evidence licensee has allowed person to perform work in violation of minimum age requirements.

SB 944 - Prohibits Minimum Liquor Purchase Requirements – Passed-Effective January 1, 2012. Chapter 180, 2011 Laws.

SB 944 prohibits Oregon Liquor Control Commission from imposing minimum liquor purchase requirements for special orders if the requested liquor: has a retail sales price of \$30 or more; is available through a distributor in the United States that does not require OLCC to purchase more than one case in a single transaction; is not regularly stocked by OLCC; and is ordered in a 750 milliliter size if it is available in that size. SB 944 also accounts for the inflation of the \$30 threshold by setting this amount to the annual Consumer Price Index for the Portland metro area.

Tom Erwin thanked all those that helped through the legislative session, it wouldn't have been possible with everyone's assistance.

CONTESTED CASE HEARINGS – Consideration of Administrative Law Judges' recommendations on contested cases. Requests for reconsiderations of Commission decisions. Arguments may be presented by staff, licensees, or applicants taking exception to Hearings' recommendations.

(Case Presenters)

Mike's Place

Anna Davis presented. Neither the licensee nor the attorney representing the licensee, were present. The matter before the Commissioners for their considerations is whether Licensee failed to maintain liquor liability insurance or a bond with a corporate surety, in the amount of no less than \$300,000, from June 13, 2010 to August 31, 2010. ORS 471.168; OAR 845-005-0400(1), and if the violation is proved, whether licensee cancellation is the appropriate penalty. OAR 006-0500. It is proposed that the full on premises license held by Mike's Place Dayton, LLC be cancelled. Commissioner Duarte asked if staff has been able to confirm this business is no longer operating. Anna Davis responded that yes in fact this business is no longer in operation.

Recessed: 10:55 AM

Reconvened: 11:15 PM

DECISIONS ON CONTESED CASES

Mike's Place

Commissioner Duarte moved in the matter of Mikes Place, to amend the proposed order of the ALJ pursuant to the list, which will accompany the minutes, and to adopt the amended order as the final order of the Commission.

Passed 5/0

Britta Bloomquist (SPR)

Commissioner SkinnerLopata moved, in the matter of the application for a service permit for Britta Bloomquist, to adopt the proposed order as the final order of the commission.

Passed 5/0

Teresa Jacobson (SPR)

Commissioner Rice moved, in the matter of the application for a service permit for Teresa Jacobson, to adopt the proposed order as the final order of the commission.

Passed 5/0

Justin Williams (SPR)

Commissioner Rice moved, in the matter of the proposed revocation of the service permit held by Justin Williams, to adopt the proposed order as the final order of the commission.

Passed 5/0

Recessed for working lunch: 11:18

Representative for State Ways Magazine was on-site to do a photo shoot of the Commissioners for their upcoming July/August issue.

Reconvened: 1:06

Jammers

Anna Davis presented. Licensee Holly Gadomski and Attorney William Brandt both appeared before the Commission. The matter before the Commissioners for their considerations is whether Licensee is responsible for a person consuming alcoholic beverages on the licensed premises after 2:30 a.m. OAR 845-006-0425(1), and if the violation is proved, what the appropriate penalty shall be. It is proposed that the full-on premises sales license held by Sunshine, Inc. be suspended for nine days or pay a civil penalty of \$1485 in lieu of the suspension. Interim Chair Roome asked attorney William Brandt, if he is arguing that the commission does not have the authority to implement a strict liability regulation or is he saying, under these circumstances, that this regulation isn't fair. Attorney William Brandt responded that under these facts that the strict liability regulation isn't fair. He continued stating that the licensee was not aware that they should have searched people at the door before they came in, to ensure they didn't smuggle in an airplane mini. The attorney continued stating he felt the licensee made a good faith effort to ensure that there was no sale of alcohol after hours. Commissioner Roome asked how aggravation is applicable to this case. Anna Davis responded that the licensee could have closed the establishment at 2:30 am, which could have alleviated this situation. Anna Davis continued that multiple staff were present and witnessed an alcoholic beverage sitting on one of the tables, as the inspectors witnessed, and staff did not remove the alcoholic beverage prior to 2:30 am.

Favorite Mistake/Julie Wong

Anna Davis presented. Licensee Roger Nyquist and his attorney Michael Mills both appeared before the commission. The matter before the Commissioners for their considerations is whether Breshears put himself on duty by evicting a patron from Favorite Mistake on October 8, 2010 after Breshears had consumed an alcoholic beverage OAR 845-

006-0345(1) and whether Breshears had authority to put himself on duty when he evicted the patron. OAR 845-006-0345(1), and if a violation of OAR 845-006-0345(1) is proved, what is the appropriate penalty. It is proposed that the Full On-Premises sales license held by Nyquist Hospitality, Inc. be suspended for 10 days or pay a civil penalty of \$1650 in lieu of the suspension.

Recessed: 1:45 PM
Reconvened: 3:09 PM

DECISIONS ON CONTESED CASES

Jammers

Commissioner Duarte moved, in the matter of Sunshine, Inc. Holly Gadowski, President, Jack Gadowski, VP dba Jammers, case number OLCC-10-V-016, -016A and -016B, to amend the proposed order of the ALJ's pursuant to the list which will accompany the minutes and to adopt the amended order as the final order of the Commission.

Passed 4/1 (Commissioner SkinnerLopata – no)

Favorite Mistake

Commissioner Harper moved, in the matter of Nyquist Hospitality Inc., Roger Nyquist, president stockholder, dba Favorite Mistake, to deny licensee's motion for the inclusion of additional evidence and the motion for official notice of general facts, ORS 137-003-0615(4), and ordered OLCC staff to prepare a written order consistent with our deliberations and decisions and forward to Executive Director Steve Pharo to sign on behalf of the commission.

Passed 5/0

Commissioner Duarte moved in the matter of Nyquist Hospitality Inc., Roger Nyquist, president stockholder, dba Favorite Mistake, to postpone the deliberations to the August meeting.

Passed 5/0

Commissioner SkinnerLopata moved, in the matter of Julie Wong service permit, to amend the proposed order of the ALJ's pursuant to the list which will accompany the minutes and to adopt the amended order as the final order of the Commission.

Passed 5/0

Adjourned: 3:13 PM

_____/s/_____
Cassandra SkinnerLopata, Chair

_____/s/_____
Alex Duarte, Commissioner

_____/s/_____
Michael E. Harper Sr., Commissioner

_____/s/_____
Bob Rice, Commissioner

_____/s/_____
Ron Roome, Commissioner

_____/s/_____
**Stephen A. Pharo, Executive Director
and Secretary to the Commissioners**