

**APPROVED MINUTES OF A REGULAR MEETING OF
HAMILTON COUNTY R3SOURCE
Solid Waste Rules Subcommittee Meeting
In person & Zoom**

DATE: December 2, 2021

TIME: 1:30 p.m.

PLACE: Hamilton County Environmental Services
250 William Howard Taft Road
Cincinnati, Ohio 45219

PRESENT: **Solid Waste Rules Subcommittee Members**
Tony DiPuccio, Generator Representative, Chair
Bob Gedert, Public Member
Sue Magness, Largest Municipality Representative

Supporting Participants

Nee Fong Chin, Hamilton County Prosecutor's Office
Chuck DeJonckheere, Hamilton County Public Health
Kurstin Jones, Hamilton County Public Health
Todd Long, Hamilton County Engineer
Sharon Lutz, Hamilton County resident and business owner
Jeff Newby, Hamilton County Engineer

Staff

Michelle Balz, Hamilton County R3Source
Brad Johnson, Hamilton County Environmental Services
Ali Khodadad, Hamilton County Environmental Services
Mike Kramer, Hamilton County Environmental Services
Susan Schumacher, Hamilton County R3Source, Clerk
Tony Staubach, Hamilton County R3Source

Others in Attendance

Michelle Ackenhausen, Ohio EPA
Halie Barger
Albin Bauer, Peters Kalail & Markakis
Sally Dannemiller
Craig Davidson, Hamilton County Public Health
Carrie Davis, Child Advocacy for Jobs & Equity
Tracy Enlow
Katie Evans, Best Way Disposal
Dean Ferrier, Rumpke
Kurt Grossman
Greg Hammerle
Debbie Hackman
Michael Harris, Ohio EPA
Matthew Hittle, Ohio EPA
Karen Hurley, Policy Committee Member
Marie Kocoshis, Sierra Club
Heather Lauer

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Jennifer Wright Linz
Tim Mara, Oxbow
Gina Marsh, Chief of Staff for Commissioner Driehaus
Emily McAfee
Shayla Nico
Larry Riddle, Rumpke
Billy Rumpke, Rumpke
Ryan Samuels
Bruce Schumuker
Sam Schutte
Bryan Snyder, Hamilton County Zoning
Saundra Stehlen
Bradley Taft
Tom Tepe, Keating Muething and Klekamp Law Firm
Matt Tietzort, Northwest Local School District
Lisa Wynn
Bill Rumpke, Rumpke
Molly Yeager, Rumpke
HAP
iPhone
James
Jim
Steve
Unknown Phone Participant

1. CALL TO ORDER

Mr. DiPuccio called the meeting to order at 8:32 am. Ms. Balz went over some guidelines relating to the public comments period via in person and on Zoom.

Mr. DiPuccio asked everyone to turn off their cell phones and to speak loudly.

2. INTRODUCTION OF SUBCOMMITTEE MEMBERS AND SUPPORT STAFF

The Subcommittee introduced themselves and stated who they were representing from the Policy Committee as follows: Mr. DiPuccio, Generator Representative; Mr. Gedert, Public Member; and Ms. Magness, Representative from the largest municipality in the County.

The support staff also introduced themselves.

3. CLERK'S REPORT

A. Approval of Minutes – October 22, 2021

Mr. DiPuccio stated on page 6, 4th paragraph: Mr. DiPuccio stated that there is a regulation, but it is not State, it is County.

Mr. DeJonckheere stated on page 6, 4th paragraph: Mr. DeJonckheere stated that they do a comprehensive report each year and they are doing some gas sampling at some facilities that do not have an explosive gas monitoring ~~plant~~ plan.

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Mr. DeJonckheere stated on Page 9, 3rd paragraph: Mr. DeJonckheere stated that he was not the expert on their leachate management system; this is the Surface Water issue, and it is an NPDES permit and ~~our~~ **the** arrangement between MSD and Rumpke;

Mr. DeJonckheere stated on Page 9, last paragraph: With stormwater, you are looking at ~~septic~~ **sediment** controls to prevent **muddy waters** from being discharged.

Mr. DiPuccio asked for a motion to approve the minutes as modified. Ms. Magness moved; Mr. Gedert seconded, and all were in favor, so the motion was approved.

B. Additions to the Agenda

There were no additions to the agenda.

4. PUBLIC COMMENTS

Marie Kocoshis

Ms. Kocoshis introduced herself and stated that she was on the board of the League of Women Voters and we have approved this statement that is being made today.

We believe that the Hamilton County Solid Waste Management Rules covering the maintenance, protection and use of solid waste facilities are desperately needed. We know that there are some twenty-two other districts in the state that have their own rules. These rules are authorized by the Hamilton County Solid Waste Management Plan now in place and authorized under the Ohio Revised Code.

Ms. Kocoshis stated that a summary of the rules had been distributed without any changes. The attached rules require any entity seeking to construct, enlarge, or modify any solid waste transfer, disposal, recycling, or resource recovery facility within Hamilton County Solid Waste Management District to submit an improvement plan and compliance report to the Board for its approval before any actions begin. The approval process includes public notice, opportunity for public comment, public hearing, and recommendation of the Policy Committee. Rules for details of the public comment and hearing process are included in the improvement plan and must set forth the proposed project specifications and must comply with the current solid waste management plan of the Hamilton County Solid Waste Management District.

The compliance report must allow the Board to determine that the proposed project does not compete or argue with the financing or operation of existing solid waste programs or facilities, avoids, or mitigates efforts socio-economic, environmental, and health effects and is consistent with Ohio EPA siting strategy. The compliance report must also analyze these impacts including twenty-four listed items of concerns such as proximation to any aquifer, traffic impacts, odors, noise, plus projected consumption of energy with land use ordinances, zoning resolutions, and increased demand impact on the community capacity.

In addition, the rules require access and supervision by county sanitary engineer, simultaneous submissions to the Board of the Policy Committee, various submission to Ohio EPA, and permits obtained from Ohio EPA and an annual report detailing the amount and types of solid waste disposed of, stored, or treated.

In conclusion, the League of Voters of the Cincinnati area believe these rules are needed and well drafted and therefore, we recommend a vote of support from the Rules Subcommittee today.

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Tim Mara:

Mr. Mara introduced himself and stated that he was on the Board at Oxbow, Inc. We desire to have rules adopted as quickly as possible. Mr. Mara stated that he had a letter from the President of Oxbow, Inc. supporting the rules as drafted, at least as we have seen it on November 17. He passed out a letter from Dr. Seymour endorsing the rules.

Mr. Mara stated that he would like to make a few comments regarding the specifics and passed out the below and went over each one:

At the bottom of page 1:

“Enlargement” or “Enlarge” means, in the case of a Transfer, Recycling, or Resource Recovery Facility, an increase in the capacity of the facility beyond the permit, or other authorization, issued for the facility by the OEPA; and in the case of all other Solid Waste Disposal Facilities, means a horizontal or vertical increase in the size of the facility beyond the limits approved in the permit, or other authorization, issued for the facility by the OEPA.; **and in the case of existing landfills for which an applicant holds a permit approved by OEPA, the placement of waste beyond the limits for placement allowed under the terms of the existing permit, whether or not the additional acreage is within the approved facility boundary.**

On page 7, item 2:

- g. hunting, trapping, or fishing and recreational opportunities currently available within a half-mile of the site; **change the distance to 5 miles – in the case of the Bond Road site, Miami Whitewater Forest, Mitchell Memorial Forest, and the Oxbow preserve are within 5 miles and impacts on such major facilities should be addressed by the applicant**
- i. Surface Waters on or near the site, **and their connections to downstream surface waters within five miles of the site**

On page 8, item 2:

- p. the proposed project’s compatibility with land use ordinances, township zoning resolutions, county rural zoning resolutions, and existing land uses at the proposed site and for one quarter mile in all directions, **and along the primary route for trucks to deliver waste to the facility.**
Also, suggest increasing the distance from one-quarter mile to one mile.

Carrie Davis:

Ms. Davis stated that she finds this kind of abuse ridiculous and the key term for the day is concurrent jurisdiction.

Ms. Davis stated that it appeared from the agenda, which does not have any attachments to an agenda packet, so nobody even has a copy of the rule in the public unless they specifically asked for it.

Ms. Davis stated that we are going to be focusing on the jurisdiction of other entities. Ms. Davis stated that she has provided the Committee with two court cases some months ago and a quotation from that case state and this is the judge’s opinion, not mine, not Carrie Davis’: A person must obtain permission from numerous levels of government in order to engage in an activity insofar as receiving a permit from one level of government when one of the other levels of government approves the activity, which is from Clark Co., the legal decision.

Ms. Davis stated that she also included in the papers distributed other citations from that. The point she is trying to make is when you talk today, let’s not waste our time talking about MSD’s authority, the health department’s authority, the zoning boards authority, etc. We have concurrent jurisdiction; the only jurisdiction that has any concern with the Ohio EPA, and we do not want to transfer onto their property, but the proposed rule doesn’t have that criteria in it.

Ms. Davis stated that nobody’s else’s rules matter and we could stretch this out and ask every zoning board in Hamilton County to come and tell us about their specific rules and the fact is they are irrelevant. We are focusing too much

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attention on what other people's rules, authority, and process are instead of developing our own within the framework of the law provided and that has been very clearly identified in those two court decisions; how broad it is and what our limits are.

Ms. Davis stated that when we listen to everybody, it is interesting and she likes to know, but the zoning department and health department can each have a rule on the same thing and gave an example. When the health department looks at it, they are looking for specific criteria related to their department and the zoning board, when they look at it, they are looking at that rule pertaining to their jurisdiction.

Ms. Davis stated that we are allowed to replicate laws and rules; we can have the same rules as the health department, even as the EPA if our criteria in looking at it and our purpose if different. Our purpose is defined in the document she gave the Committee and in the court decision and as long as our rules are consistent with our plan, which is for the safe and sanitary management of solid waste facilities and to govern the maintenance, protection, and use of solid waste facilities. Those are the only two criteria our rules have to meet.

Bill Rumpke:

Mr. Rumpke introduced himself and thanked the Subcommittee for giving him this opportunity to address the Subcommittee.

Mr. Rumpke stated that he thought public comment just like industry input is vital in this process and is part of the due diligence and will help make better rules.

Mr. Rumpke stated that as stated in previous meetings, Rumpke is not opposed to rules and regulations that are reasonable, apply equally, and within the bounds of the law. These rules should be sufficiently clear and not subjective in nature. These rules demand more than a simple and quick approval. The Subcommittee needs to perform the same due diligence they are asking those impacted by the rules to prove. We need to consider the entirety of the proposed changes in both the immediate and long-lasting cause and impacts each rule will have on Hamilton County's budget and resources.

Mr. Rumpke stated that we also need to consider the total impact on the nearly thirty current waste, recycling, and composting operations within the County as well as the two million residents, twenty-thousand businesses, and nearly one hundred municipalities that rely on these essential services to protect and provide for a certain level of public health today and long into the future.

Mr. Rumpke stated that as he mentioned at the November 17, 2021 meeting, we do not have an exact timeline on when we will submit the expansion application for our Bond Road landfill to the Ohio EPA. However, as he sent the letter out shortly thereafter, he did confirm that we will not be filing before January 1, 2022. Furthermore, he also committed to and will be happy to provide the Commissioners with at least two weeks' notice of when we do intend to file.

Mr. Rumpke stated that he may again clarify the details surrounding the Bond Road Landfill. Rumpke already has a significantly permitted space at that landfill. The primary reason for the expansion Rumpke will pursue is to allow for improvements to the leachate and gas recovery systems. At the last meeting, we talked about the roughly twenty-three-acre expansion; of that twenty-three acres, only about eight is for waste placement. The remainder is for infrastructure such as access roads and berms and like he mentioned before, to improve the leachate and gas recovery systems.

Mr. Rumpke stated that again, he urges this Subcommittee, the Policy Committee, as well as the Commissioners to engage with the industry in this process and to consider the long term and wide-spread impacts as any new rules are considered.

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Tom Tepe:

Mr. Tepe introduced himself and stated that he was with the law firm Keating, Muething, and Klekamp and he is here representing Rumpke Sanitary Landfill and thanked the Subcommittee for its time.

Mr. Tepe stated that this was not the time or place to get into the nuances of legalities. Rumpke has been in this community for a very long time and has had a longstanding relationship with the County and believes it has had a good working relationship with for decades. That being said, they have asked to be involved in the process from day one; and they have essentially been left out of the process which is contrary to law.

Mr. Tepe stated that he always tells his kids, when you try and do something quickly, seldom if ever do you do it correctly and that's what we are seeing here today. We have not yet heard from the attorney that has been hired and we reserve any comment he may advise you, but the proposed rules are in many instances contrary to Ohio law. We have statutes that lay out the play book. What you can do, what you can't do, who can do what, who can't do what.

Mr. Tepe stated that what they are seeing in these proposed rules is that many aspects of them are just contrary to law. We also ask that you look at this, talk to your counsel.

Mr. Tepe stated that there is nothing in Ohio law that allows for a Policy Subcommittee, nothing. So, Ohio law does say that they can have a Technical Advisory Council and asks where is that Technical Advisory Council's involvement in this process. He does not think that it's even had any involvement.

Mr. Tepe stated that under statute, if you do utilize the Technical Advisory Council, it must comprise of a person representing solid waste hauling and disposal industries; that's why Rumpke is asking to be involved in the process; nothing more than what the law says it is entitled to or some other representative from that industry. Also, a representative of the recycling industry and asked where's that person.

Mr. Tepe stated that if you don't slow down and fix it, everything that comes out of this Subcommittee is what us lawyers say is the fruit of the poisonous tree. Slow down, do it right, and involve the right people and the stakeholders for a collaborative process and he thinks that what will come out of this is something everyone can live with.

INTRODUCTION TO OUTSIDE COUNSEL

Mr. DiPuccio stated that Mr. Tepe jarred his memory, and our outside counsel is on virtually.

Mr. DiPuccio apologized for not recognizing Mr. Bauer and asked him to briefly introduce himself. Mr. Bauer stated he was a partner at Peters, Kalail, & Markakis. He has been principally dedicated to solid waste issues and representing solid waste districts and local jurisdictions for over thirty years now.

Mr. Bauer stated that he has been a long-time participant and secretary of the Organization of Solid Waste Districts of Ohio and his involvement in this area is longstanding and extensive. The rule making authority for solid waste districts pre-dates solid waste districts and goes back to the time of the old county and refuse disposal under Ohio law.

Mr. Bauer stated that he has developed rules for a number of districts, and they come in a number of shapes and flavors tuned to the needs of those districts involved. Sometimes the rules are developed as a good housekeeping measure and sometimes they are developed because of past experience of the district and a conscience effort to provide some protection from re-experiencing those kinds of problems but have not been the subject of a huge amount of litigation in the past. The most notable exercise was the ten years of litigation that came out of the Clark County situation which started in 1994 and ended in 2005 when there was an effort to site a new landfill in that county.

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Mr. Bauer stated that this was a process that he was involved in start to finish. It was a training under fire because up to that time, there had not been a whole lot of litigation except in Montgomery County there had been some older litigation but nothing that came up in connection with the authority over solid waste management plans which was a new thing starting in 1989.

Mr. Bauer stated that he has been through that experience and then of course, has worked with many, many districts on their plans, rules, funding and really everything to do with advising solid waste management districts. At one point in time, twenty-five years ago, when he was still at Eastman & Smith, we used to do some work for Hamilton County, but it has been a while.

Mr. Bauer stated that it was a pleasant surprise to get the call from the District and is truly happy and honored to be able to help the District with this current exercise and stated that after public comments thought we would get back to talking about the proposed rules later in the agenda.

Sandra Stehlin:

Ms. Stehlin stated that she represented herself and several other families that live on either side of her property.

Ms. Stehlin stated that she thinks it is quite amazing that Rumpke has been able to convince the EPA that they can somehow suspend the principles of physics and that gravity will somehow lose its power over piled up garbage and dirt on the side of a hill. Their past history has shown they have been fraught with landslides on flat soil. Her property on Lawrenceburg, is 3 doors down from Bond Road, and it sits across the river from a gravel quarry, asphalt plant and another quarry are a mile down the road. A spewing Duke coal fired power plant is 3 miles down the road. Fernald is 12 miles away. How much more dust, filth and contamination can you expect to shove into one small area?

There are hundreds of acres of flat land in the north of the county. West Chester, Butler County could easily have a dump. This whole area in question is watershed for the Ohio River tributaries of the Great Miami (which is already being polluted by the Colerain dump) and the Class A Whitewater River. Why would you want to deliberately pollute a Class A stream in the last few miles before it empties into the Ohio with poisonous leachates that will gravitate down the hill into the river?

Why is it that Hamilton County thinks that every filthy industry should be stuck on the west side? I was born the year they started refining Uranium at Fernald and lived within 6 miles of the plant. I moved as a child because they decided they needed to take my Grandfather's entire farm for the Dry Fork road exit on I-74. Ms. Stehlin worked at Greater C Dental Lab on Struble Road for a year and was unwillingly subjected to the chemicals they unsuccessfully use to mitigate the smells caused by their practices that make them the #1 emitter of methane in the country.

They say that they only take in residential garbage...but she has worked a season at the garden center at Home Depot to know what deadly poisons are sold to residents.

Rumpke business practices are environmental nightmares that should no longer be allowed to continue without the strictest controls.

It is 2022... you no longer get to use the air, the land and the waterways as dumps without strict controls. The old adage of "the solution to pollution is dilution" no longer holds. The past practices of Rumpke can no longer be tolerated in this area. You cannot put a dump on a hillside.

Lisa Wynn:

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Ms. Wynn introduced herself and stated that she was a member of the Ditch the Dump group and as the last person that spoke, she pretty much represents a lot of the feelings from the people from the area. She wanted to ask the Subcommittee to adopt the rules due to the community impact by the disposal of waste.

Ms. Wynn thanked the Subcommittee for giving us a voice and giving us a chance to be involved.

Kurt Grossman:

Mr. Grossman introduced himself and stated that he was a citizen, taxpayer, and voter in Hamilton County and Cincinnati, Ohio.

Mr. Grossmann stated at the last Policy Committee meeting, he handed out a proposed rule and did that because he was unaware that there had been other rules proposed which is part of the problem with how this process is working. You're asking for public comment before the public even knows what you are going to discuss.

Mr. Grossmann stated that his not be formally considered but rather it just be used as a checklist to make sure that whatever rules you come up with address the various items listed there so we can take them off the table as a challenge.

Mr. Grossman stated that Mr. Rumpke made the statement that the additional acreage is primarily for leachate handling and went on to point out that nearly twenty-five percent is for actual solid waste handling so its not just primarily leachate. We have to be very careful and watchful of what people say versus what they mean.

Mr. Grossman stated that there was a statement made by the attorney for Rumpke and he believes he said that there was no representative of the industry on this panel, and he believes this is incorrect. There is, in fact a representative of the industry and pointed out Mr. DiPuccio and believes there may be another representative of the industry that is sitting immediately to the left of the podium (Mr. DeJonckheere) and stated that he was not sure of all the players as he is relatively new.

Mr. Grossmann stated that those were the points he wanted to make and thinks it is important that the process for public input be changed, just to try and help people; no good deed goes unpunished to try and do it up front to accommodate people and yet, you are getting comments at a time when people don't necessarily even know what it is that you are going to be talking about other than an agenda topic.

Mr. Grossman stated that Roberts Rules of Orders in the way the County and the City have run, public comment should be taken on each item on the agenda; not an overall two- or three-minute limit addressing the entire agenda without even knowing the specifics.

Mr. Grossman stated that he believes the rules that were submitted from this Committee last time were taken from another jurisdiction in this state that have rules and therefore have been tested and time tested and should be the framework to putting together formal rules. Clearly, we can take into account the needs of the industry but also need to take into account the needs of our community because right now, there is nothing that would stop anybody from building a landfill in Indian Hill or Fountain Square short of only acquiring the property and you know that can be done by many people.

Gary Hammerle

Mr. Hammerle introduced himself and stated that he was representing himself, his family, and his concerned neighbors. Mr. Hammerle stated that he was born and raised in Cincinnati, grew up on the west side, lived there for twenty-five years, got married, moved to Colerain, lived there for three years. Typical hard core westsider, we went a little further west and life brought us to Indiana. We moved to Indiana about seventeen years ago and are currently neighbors to the proposed landfill and are bordering the Ohio/Indiana line and it doesn't get much closer than that.

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Mr. Hammerle stated that he grew up in a neighborhood where we looked after one another, took care of our neighbors, were always kind and courteous, and just looked after them.

Mr. Hammerle stated that when they moved to Indiana, things did not change at all; unfortunately, we did not have really close neighbors. They live in an area that is pretty remote.

Mr. Hammerle stated that his concerns are with allowing this to go in; noise pollution, odor pollution, as well as air pollution which leads him to his point. What is being dumped there or permitted to dump and where that is actually going is the dust generated by the tracks disturbing and introduced particles into the air that are going to affect he and his family by getting into his drinking water.

Mr. Hammerle stated that he lives in an area which has cistern water and has no opportunity for clean drinking water as far as City water goes and at this point, we do not want to drill a well with this project going in.

Mr. Hammerle stated that if you drive by 275 and Colerain, known as Mt. Rumpke, you can smell that for miles, so you know whatever is getting into the air is getting into the air. Where are you going to allow this to go and how close are people going to be that live there.

Mr. Hammerle stated that he would highly ask you to consider this and prevent this from happening. It is detrimental to the community, as well as his family. We have always been courteous to our neighbors and ask you guys do the same even though there is a state line that divides us. Just because there is an imaginary line doesn't mean you guys aren't my neighbors.

Mr. Hammerle stated that he asks the Board and Committee to really think hard and consider everybody's input and limit what can go in there and where it goes.

Mr. DiPuccio thanked all the people who gave public comments.

5. OHIO EPA SOUTHWEST DISTRICT OFFICE – PERMITTING PROCESS PRESENTATION

Mr. Harris gave a presentation about the Ohio EPA permitting process and a brief question and answer session ensued (available on website).

6. HAMILTON COUNTY ZONING PRESENTATION – HAMILTON COUNTY ZONING AUTHORITY

Mr. Snyder gave a presentation about the Hamilton County Zoning Authority and a brief question and answer session ensued (presentation not available).

7. DISCUSSION OF RULES

Mr. DiPuccio stated that he would like to hear any comments from the support staff. Mr. DeJonckheere stated that they have briefly looked through the rules and at this time, had no comments. Ms. Lutz stated that she feels the county needs to have some sort of involvement, not just the state.

A discussion ensued regarding the rules and Mr. Bauer suggested language, offered his opinion, and answered questions.

Mr. Johnson discussed funding considering we do not have staff for this (permitting, compliance report, monitoring) and hiring for this would be a substantial change in the budget. Mr. DiPuccio concurred and stated that you just can't pass rules, you have to have a structure in place for staffing and administration to handle those rules and beyond just the initial application.

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Mr. Gedert discussed the recommendations in the final document and also discussed some changes. Mr. DiPuccio discussed his reasoning as to why he did not agree with some of the rules and asked for clarification on some.

Mr. Bauer discussed whether this was a public record and at the end of his discussion, stated that since this was a working document and a recommendation to the Policy Committee and they may have changes and they would be recommending to the Board of County Commissioners, that he did not think it would be a public record until the Board adopted it.

Further discussion and a brief question and answer session ensued.

Mr. Gedert stated that he would move that with the corrections the Subcommittee made in this meeting, he recommends this revised document for Policy Committee action. Ms. Magness stated that with the understanding that there are going to be refinements moving forward and future input is still being sought. Ms. Magness stated that she seconded the motion.

Mr. DiPuccio asked for further clarification. Mr. Gedert asked if the Subcommittee could rely on Mr. Bauer to incorporate the changes into the final document and send it back to the Subcommittee. Mr. Bauer stated that this was fine.

Mr. Gedert asked for the Subcommittee's consideration that this becomes a public document as we move this to the Policy Committee. Ms. Magness stated that hopefully, we will be able to get it out so people can read it before the special December 6 Policy Committee meeting. Mr. Gedert clarified by saying for those that request it. Mr. DiPuccio asked Mr. Bauer if the document is, at this point, still attorney client privilege.

Mr. Bauer stated that the document has been the subject of an approval recommendation by this Subcommittee, that once he includes those adjustments on the document, assuming that this is approved by the vote that you are about to have, he thinks the document is a public document.

Mr. DiPuccio asked for clarification by saying that it becomes a public document at the point where it is submitted to the Policy Committee. Mr. Bauer stated that the final document that is the subject of the Subcommittee's final recommendation is a public document. Mr. DiPuccio stated that the Subcommittee does not have that final document yet and stated that he would like the release of the document to be through the Policy Committee and thought this was what Mr. Bauer was saying.

Mr. DiPuccio stated that there was a motion and second and it is up for a vote and the discussion was closed. Mr. DiPuccio called the vote: Ms. Magness, yes; Mr. Gedert, yes; Mr. DiPuccio, no.

Mr. DiPuccio asked Mr. Bauer to send the revised copy and it would be included when the Policy Committee agenda was sent out.

Mr. DiPuccio thanked the Subcommittee and everyone who gave public comments.

8. **ADJOURNMENT (Target Time – 10:30 p.m.)**

Mr. DiPuccio adjourned the meeting at 10:44 am.