AGENDA

1. OPENING

1.a. CALL TO ORDER
Arapahoe County Board of County Commissioners

1.b. INTRODUCTION
John Christofferson, Deputy County Attorney
Joleen Sanchez, Clerk to the Board Administrator

1.c. ROLL CALL

1.d. PLEDGE OF ALLEGIANCE

2. MODIFICATION TO THE AGENDA

3. ADOPTION OF THE AGENDA

4. CITIZEN COMMENT PERIOD
Citizens are invited to speak to the Commissioners on non-agenda items. There is a 3-minute time limit per person, unless otherwise noted by the Chair.

5. CONSENT AGENDA

5.a. Colorado Commercial Property Assessed Clean Energy (C-PACE) Program
Continuation
Adoption of a resolution authorizing the continued operation of the Colorado

The Board of County Commissioners holds its weekly Public Hearing at 9:30 a.m. on Tuesdays. Public Hearings are open to the public and items for discussion are included on this agenda. Items listed on the consent agenda are adopted with one vote. Items listed under regular business are considered separately. Agendas are available through the Commissioners’ Office or through the County’s web site at www.arapahoegov.com. Questions about this agenda, please contact the Commissioners’ Office at 303-795-4630 or by e-mail at commissioners@arapahoegov.com.
Commercial Property Assessed Clean Energy (C-PACE) Program within Arapahoe County, and authorizing the Chair of the Board of County Commissioners to execute such letters, orders, or documents as may be required to facilitate the continuation of the C-PACE program in Arapahoe County

*John Christofferson, Deputy County Attorney*

Documents:

- BSR CONSENT AGENDA RE C-PACE PROGRAM AND REVIEW 7-2-2019.DOC
- RESO NO. 190___ CONTINUATION OF C-PACE AND ANNUAL REVIEW.DOCX

5.b. **Property Tax – Abatement - Hearing (13 Resolutions)**
Adoption of thirteen (13) resolutions approving the recommendations of the Board’s appointed abatement referee after recent hearings and entering the recommendations as final decisions of the Board.

*Ron Carl, County Attorney*
*Karen Thompsen, Paralegal, County Attorney’s Office*

Documents:

- 190702 BSR PAGE ONE HEARING RECOMMENDATIONS.DOCX
- 190702 PAGE TWO-HEARING.XLSX
- SAMPLE ABATEMENT APPROVAL HEARING KST.DOC
- SAMPLE ABATEMENT DENIAL HEARING KST.DOC

5.c. **Property Tax - Board of Assessment Appeals (1 Resolution)**
Adoption of a resolution approving stipulations which resulted from agreements reached between the taxpayer and the County regarding a reduction in the amount of property tax owed, pursuant to the terms contained therein

*Ron Carl, County Attorney*
*Karen Thompsen, Paralegal, County Attorney’s Office*

Documents:

- 7 JULY 2, 2019.DOC
- SAMPLE BAA RESOLUTION.DOC

6. **GENERAL BUSINESS ITEMS**

6.a. **There are no Public Hearing or General Business resolutions to consider**

7. **COMMISSIONER COMMENTS**

*Denotes a requirement by federal or state law that this item be opened to public testimony. All other items under the “General Business” agenda may be opened for public testimony at the discretion of the Board of County Commissioners.*

*Arapahoe County is committed to making its public meetings accessible to persons with disabilities. Assisted listening devices are available. Ask any staff member and we will provide one for you. If you need special accommodations, contact the Commissioners’ Office at 303-795-4630 or Relay Colorado 711.*

*Please contact our office at least 3 days in advance to make arrangements.*
Kathleen Conti, District 1
Nancy Sharpe, District 2
Jeff Baker, Chair, District 3
Nancy Jackson, Chair Pro Tem, District 4
Bill Holen, District 5

Public Meeting
July 2, 2019
9:30 AM

AGENDA

OPENING
CALL TO ORDER
Arapahoe County Board of County Commissioners

INTRODUCTION
John Christofferson, Deputy County Attorney
Joleen Sanchez, Clerk to the Board Administrator

ROLL CALL

PLEDGE OF ALLEGIANCE

MODIFICATION TO THE AGENDA
ADOPTION OF THE AGENDA

CITIZEN COMMENT PERIOD
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CONSENT AGENDA

Colorado Commercial Property Assessed Clean Energy (C-PACE) Program
Continuation
Adoption of a resolution authorizing the continued operation of the Colorado Commercial Property Assessed Clean Energy (C-PACE) Program within Arapahoe County, and authorizing the Chair of the Board of County Commissioners to execute such letters, orders, or documents as may be required to facilitate the continuation of the C-PACE program in Arapahoe County
John Christofferson, Deputy County Attorney

BSR CONSENT AGENDA RE C-PACE PROGRAM AND REVIEW 7-2-2019.DOC
RESO NO. 190___ CONTINUATION OF C-PACE AND ANNUAL REVIEW.DOCX

Property Tax – Abatement Hearing (13 Resolutions)
Adoption of thirteen (13) resolutions approving the recommendations of the Board’s appointed abatement referee after recent hearings and entering the recommendations as final decisions of the Board.
Ron Carl, County Attorney
Karen Thompsen, Paralegal, County Attorney’s Office

190702 BSR PAGE ONE HEARING RECOMMENDATIONS.DOCX
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SAMPLE ABATEMENT APPROVAL HEARING KST.DOC
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Property Tax – Board of Assessment Appeals (1 Resolution)
Adoption of a resolution approving stipulations which resulted from agreements reached between the taxpayer and the County regarding a reduction in the amount of property tax owed, pursuant to the terms contained therein
Ron Carl, County Attorney
Karen Thompsen, Paralegal, County Attorney’s Office

7 JULY 2, 2019.DOC
SAMPLE BAA RESOLUTION.DOC

GENERAL BUSINESS ITEMS
There are no Public Hearing or General Business resolutions to consider

COMMISSIONER COMMENTS

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Please contact our office at least 3 days in advance to make arrangements.

Administration Building
East Hearing Room
5334 S. Prince St.
Littleton, CO 80120
303-795-4630
Relay Colorado 711

The Board of County Commissioners holds its weekly Public Hearing at 9:30 a.m. on Tuesdays. Public Hearings are open to the public and items for discussion are included on this agenda. Items listed on the consent agenda are adopted with one vote. Items listed under regular business are considered separately. Agendas are available through the Commissioners’ Office or through the County’s web site at www.arapahoegov.com. Questions about this agenda, please contact the Commissioners’ Office at 303-795-4630 or by e-mail at commissioners@arapahoegov.com.
BOARD SUMMARY REPORT

Date: June 25, 2019

To: Board of County Commissioners

From: John Christofferson, Deputy County Attorney

Subject: Resolution Re: Continuation of C-PACE Program

Purpose and Recommendation

The purpose of this resolution is to authorize the continued operation of the C-PACE program within Arapahoe County and scheduling an annual review of the program.

Background

C.R.S. §§ 32-20-101 et seq. established the Colorado New Energy Improvement District (the “District”), which is a state-wide district, and provides for the creation of a new energy improvement program, which the District has named “C-PACE” or the “Colorado Commercial Property Assessed Clean Energy” program. Pursuant to C.R.S. §32-20-105(3), the District may only conduct the C-PACE program in a county if the board of county commissioners for that county authorizes it do so by resolution. After a county opts into the program, private property owners could apply for financing through the District in order to conduct energy efficiency projects. The financing payments are then collected in the same manner as property taxes, and the debt remains a priority lien on the property until paid. The Treasurer’s Office is allowed to collect a one percent fee to cover the cost of collections. The County has no liability for re-payment.

In August 2016, the County opted into the program. The adopting resolution stated that the County would revisit the program after six (6) months and determine whether to continue the program. The County is considering continuing the program and will review the program again in one year. If a county continues the program, it can later opt out of the program via a resolution de-authorizing the program.

Alternatives

The BOCC could decide not to continue the program.
Fiscal Impact

There should be no fiscal impacts since the Treasurer’s duties are covered by the 1% fee.
RESOLUTION NO. 190

It was moved by Commissioner ___ and duly seconded by Commissioner ____ to adopt the following resolution:

WHEREAS, C.R.S. §§ 32-20-101 et seq. establishes the Colorado New Energy Improvement District (the “District”) and provides for the creation of a new energy improvement program, which the District has named “C-PACE” or the “Colorado Commercial Property Assessed Clean Energy” program; and

WHEREAS, pursuant to C.R.S. § 32-20-105(3), the Board authorized the District to conduct the C-PACE program in Arapahoe County, contingent upon the execution of a C-PACE NEID County Participation Agreement between the County and the District by adopting Resolution No. 160493 on August 16, 2016; and

WHEREAS, the Board desires to review this program annually in order to determine whether to continue the program or to de-authorize it.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. The Colorado New Energy Improvement District shall be authorized to continue to conduct the C-PACE program in Arapahoe County, contingent upon the continuation of the Participation Agreement between the County and the District. The C-PACE program shall be operated in the County in accordance with the Participation Agreement and all applicable laws and regulations.
2. The program shall be reviewed annually to determine whether to continue the program or to de-authorize it.
3. The Chair of the Board is hereby authorized to execute such letters, orders, or documents as may be required to facilitate the continued implementation of the C-PACE program in Arapahoe County, subject to approval as to form by the County Attorney’s Office.

The vote was:

Commissioner Baker, ___; Commissioner Conti, ___; Commissioner Holen, ___; Commissioner Jackson, ___; Commissioner Sharpe, ___.

The Chair declared the motion carried and so ordered.
Board Summary Report

Date: June 20, 2019
To: Board of County Commissioners
Through: Ronald A. Carl, County Attorney
From: Karen Thompsen, Paralegal
Subject: Approval of Referee Abatement Recommendation

Purpose and Recommendation
The purpose of this request is for the adoption of 13 resolutions approving the recommendations of the Board’s appointed abatement referee after a recent hearing and entering the recommendation as a final decision of the Board.

Background
Pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon. The Board has appointed an independent referee who recently conducted a hearing on the Board’s behalf, made certain findings, and issued a recommendation on the abatement petition summarized on the following page for entry of the Board’s final decision.

Discussion
This abatement recommendation was issued by the Board’s referee after considering the evidence and information presented at a hearing by or on behalf of the petitioner and the County Assessor.

Alternatives
The Board may either accept or reject the referee’s recommendation in issuing its final decision.

Fiscal Impact
If any abatements are approved, a portion of the taxes collected on the properties for which abatements have been approved will need to be reduced and/or refunded if already paid, along with the payment of statutory interest on the refunded amount as specified in C.R.S. § 39-10-114.

Concurrence
The County Attorney support the referee’s recommendation.
Reviewed By
Ronald A. Carl, County Attorney
Karen Thompsen, Paralegal
<table>
<thead>
<tr>
<th>Petitioner/Parcel Address</th>
<th>Parcel Number</th>
<th>Year</th>
<th>Previous Value</th>
<th>New Value</th>
<th>Refund</th>
</tr>
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<tbody>
<tr>
<td>MN Qualified Personal Residence Trust</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Jurisdictional Denial</td>
<td>2077-14-3-01-005</td>
<td>2017</td>
<td>$1,800,825</td>
<td>$1,800,825</td>
<td>$0.00</td>
</tr>
<tr>
<td>*M1</td>
<td>2077-14-3-01-005</td>
<td>2018</td>
<td>$2,262,800</td>
<td>$2,262,800</td>
<td>$0.00</td>
</tr>
<tr>
<td>*Jurisdictional Denial</td>
<td>2077-14-3-01-005</td>
<td>2017</td>
<td>$1,800,825</td>
<td>$1,800,825</td>
<td>$0.00</td>
</tr>
<tr>
<td>*M1</td>
<td>2077-14-3-01-005</td>
<td>2018</td>
<td>$2,262,800</td>
<td>$2,262,800</td>
<td>$0.00</td>
</tr>
<tr>
<td>Lakshmi Talanki Holdings, LLC</td>
<td>2075-24-2-02-002</td>
<td>2018</td>
<td>$169,368</td>
<td>$169,368</td>
<td>$0.00</td>
</tr>
<tr>
<td>*M4</td>
<td>2075-24-2-02-002</td>
<td>2018</td>
<td>$140,235</td>
<td>$140,235</td>
<td>$0.00</td>
</tr>
<tr>
<td>*M4</td>
<td>2075-24-3-08-005</td>
<td>2018</td>
<td>$262,311</td>
<td>$262,311</td>
<td>$0.00</td>
</tr>
<tr>
<td>Jasko Holdings</td>
<td>2073-30-3-08-008</td>
<td>2017</td>
<td>$221,724</td>
<td>$221,724</td>
<td>$0.00</td>
</tr>
<tr>
<td>M4</td>
<td>2073-30-3-08-008</td>
<td>2018</td>
<td>$221,724</td>
<td>$221,724</td>
<td>$0.00</td>
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<td>Larry Robert &amp; Kathleen Anne Shaeffer</td>
<td>1973-23-3-11-004</td>
<td>2018</td>
<td>$60,800</td>
<td>$60,800</td>
<td>$0.00</td>
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<tr>
<td>*M10</td>
<td></td>
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<td></td>
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<tr>
<td>April Arnold</td>
<td>900070960001</td>
<td>2017</td>
<td>$9,092</td>
<td>$9,092</td>
<td>$0.00</td>
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<td>*M7</td>
<td>900070960001</td>
<td>2018</td>
<td>$9,092</td>
<td>$9,092</td>
<td>$0.00</td>
</tr>
<tr>
<td>Ronald Brooks</td>
<td>1973-02-4-11-015</td>
<td>2018</td>
<td>$234,300</td>
<td>$234,300</td>
<td>$0.00</td>
</tr>
<tr>
<td>M4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gurindar Paul</td>
<td>1977-08-2-01-003</td>
<td>2017</td>
<td>$409,600</td>
<td>$409,600</td>
<td>$0.00</td>
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<tr>
<td>M4</td>
<td>1977-08-2-01-003</td>
<td>2018</td>
<td>$409,600</td>
<td>$409,600</td>
<td>$0.00</td>
</tr>
<tr>
<td>Grant Sutton Trust</td>
<td>2077-15-4-05-013</td>
<td>2017</td>
<td>$1,713,000</td>
<td>$1,713,000</td>
<td>$0.00</td>
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<tr>
<td>M4</td>
<td>2077-15-4-05-013</td>
<td>2018</td>
<td>$1,713,000</td>
<td>$1,713,000</td>
<td>$0.00</td>
</tr>
</tbody>
</table>
## ABATEMENTS (recommendations of the hearing officer)

### Agenda July 2, 2019

<table>
<thead>
<tr>
<th>Company/MC</th>
<th>Parcel Number</th>
<th>Year</th>
<th>Value 1</th>
<th>Value 2</th>
<th>Value 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outrigger Marketing, Inc.</td>
<td>84890-717602-001</td>
<td>2018</td>
<td>$12,677</td>
<td>$0</td>
<td>$222.18</td>
</tr>
<tr>
<td>Dawit Tedla</td>
<td>1973-24-3-04-021</td>
<td>2017</td>
<td>$292,700</td>
<td>$261,700</td>
<td>$205.27</td>
</tr>
<tr>
<td>Meghan Shay Arnold O'Donnell</td>
<td>2073-20-2-15-013</td>
<td>2017</td>
<td>$824,000</td>
<td>$785,000</td>
<td>$256.15</td>
</tr>
<tr>
<td>Norman E. Smith</td>
<td>2077-16-3-03-013</td>
<td>2018</td>
<td>$468,000</td>
<td>$265,000</td>
<td>$4,177.80</td>
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<tr>
<td>MCCW Holdings LLC</td>
<td>2073-32-3-13-007</td>
<td>2018</td>
<td>$8,430,657</td>
<td>$8,189,300</td>
<td>$8,212.22</td>
</tr>
</tbody>
</table>

### REASON CODES:

- *Jurisdictional Denial-Previously protested
- *M1. I considered the evidence submitted & testimony given by both the Assessor & the petitioner/agent at this hearing. I find in this case that the Assessor's determination of value is better supported by all of the facts presented.
M4. Petitioner/agent did not appear for hearing. I considered the evidence submitted & testimony given by the Assessor, & the evidence submitted by petitioner/agent prior to this hearing. I find in this case that the Assessor's determination of value is better supported by all of the facts presented.

M7. Petitioner/agent did not appear for hearing. Petitioner/agent did not submit any evidence to this hearing, or with the original petition, to support the abatement request. I considered the evidence submitted & the testimony given by the Assessor, and the absolute lack of any evidence submitted by the petitioner/agent. I find in this case that the Assessor's determination of value is better supported by all of the facts presented.
M10. Petitioner/agent voluntarily withdrew this petition prior to the hearing. Withdrawal of the petition is hereby accepted as final action by the Board of County Commissioners. Therefore, the final actual value of this parcel for XXXX is $X,XXX,XXX.

*M11. The Assessor recommended & the petitioner/agent agreed to this value prior to the hearing. Based upon all information supplied, I concur with this value.

*M12. The Assessor recommended & the petitioner/agent agreed to this value at the hearing. Based upon all information supplied, I concur with this value.
RESOLUTION NO. 180XXX It was moved by Commissioner __________ and duly seconded by Commissioner ______________ to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on Tuesday, ______________ __, 2018; and

WHEREAS, the Board has determined to take final action on this Petition for Abatement or Refund of Taxes pursuant to Sections 39-1-113 and 39-10-114, C.R.S. as submitted by the Petitioner; and

WHEREAS, the County Assessor has recommended denial of this Petition for reasons set forth within the Assessor’s recommendation as shown on the Petition; and

WHEREAS, pursuant to a policy adopted by the Board of County Commissioners on September 13, 1993 (Resolution No. 1243-93), this matter was referred to a referee for hearing and recommendation to the Board; and

WHEREAS, the Board has reviewed the recommendation of the referee on this date and has determined to adopt said recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

The Petition for Abatement or Refund of Taxes relating to schedule number ______________ is hereby allowed for tax year(s) __________. The recommendation of the referee is hereby adopted. The original actual value is adjusted from $______________ to $______________ and a refund in the amount of $______________ shall be allowed for the following reason:

REASON

The vote was:

Commissioner Baker, ; Commissioner Conti, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.
RESOLUTION NO. 180XXX

It was moved by Commissioner __________ and duly seconded by Commissioner ______________ to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on Tuesday, ______________ __, 2018; and

WHEREAS, the Board has determined to take final action on this Petition for Abatement or Refund of Taxes pursuant to Sections 39-1-113 and 39-10-114, C.R.S. as submitted by the Petitioner; and

WHEREAS, the County Assessor has recommended denial of this Petition for reasons set forth within the Assessor’s recommendation as shown on the Petition; and

WHEREAS, pursuant to a policy adopted by the Board of County Commissioners on September 13, 1993 (Resolution No. 1243-93), this matter was referred to a referee for hearing and recommendation to the Board; and

WHEREAS, the Board has reviewed the recommendation of the referee on this date and has determined to adopt said recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

The Petition for Abatement or Refund of Taxes relating to schedule number ______________ is hereby denied for tax year(s) __________. The recommendation of the referee is hereby adopted. The original actual value is $____________ and no refund shall be allowed for the following reason:

REASON

The vote was:

Commissioner Baker,  ; Commissioner Conti,  ; Commissioner Holen,  ; Commissioner Jackson,  ; Commissioner Sharpe,  .

The Chair declared the motion carried and so ordered.
Board Summary Report

Date: June 21, 2019

To: Board of County Commissioners

Through: Ronald A. Carl, County Attorney

From: Karen Thompsen, Paralegal

Subject: Approval of BAA Stipulations (1 Resolution Number)

Request and Recommendation
The purpose of this request is for the adoption of a resolution approving the Board of Assessment Appeals (BAA) stipulations listed below.

Background
These stipulations are a result of an agreement reached between the taxpayer and the County regarding a reduction in the amount of property tax owed, settling tax protests filed with the BAA.

Discussion
The following BAA docket numbers have been stipulated to for the tax year indicated below.

<table>
<thead>
<tr>
<th>Tax Years</th>
<th>Docket #</th>
<th>Property Owner</th>
<th>Property Address</th>
<th>Reason</th>
<th>Original Value</th>
<th>Stipulated Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>74185</td>
<td>Destination Inverness Hotel</td>
<td>200 Inverness Drive W</td>
<td>1.</td>
<td>$7,637,225</td>
<td>$5,238,107</td>
</tr>
<tr>
<td>2018</td>
<td>74289</td>
<td>NV Potomac MOB LLC</td>
<td>1550 South Potomac Street</td>
<td>2.</td>
<td>$10,353,000</td>
<td>$10,200,000</td>
</tr>
<tr>
<td>2018</td>
<td>74307</td>
<td>Neighborhood Self Storage LLC</td>
<td>2900 South Havana Street</td>
<td>3.</td>
<td>$813,059</td>
<td>$280,525</td>
</tr>
<tr>
<td>2017/2018</td>
<td>75080</td>
<td>Corporex Inverness LLC</td>
<td>188 Inverness Drive W</td>
<td>4.</td>
<td>$48,960,000</td>
<td>$44,000,000</td>
</tr>
<tr>
<td>2017/2018</td>
<td>75300</td>
<td>Landmark SPE LLC</td>
<td>5364 Greenwood Plaza Boulevard</td>
<td>4.</td>
<td>$34,127,207</td>
<td>$33,650,000</td>
</tr>
</tbody>
</table>

Reasons
1. Correction of mistake on Petitioner’s personal property declaration indicates that adjustment to this value is correct.
2. Income approach with support from comparable market sales indicates that adjustment to this value is correct.
3. Potential development limitations due to easements indicate that adjustment to this value is correct.
4. Income and sales comparison approaches indicate that adjustment to this value is correct.

**Alternatives**
Let protest proceed to the BAA for a decision. Said alternative would involve unnecessary time and expense for the County and the taxpayers.

**Fiscal Impact**
Reduction in the amount of property taxes collected for the above listed property.

**Concurrence**
The negotiator for the County Board of Equalization, the County Assessor and the County Attorney all support this recommendation.

**Reviewed By:**
Ronald A. Carl, County Attorney
Karen Thompsen, Paralegal
RESOLUTION NO. 190XXX

It was moved by Commissioner ______________ and duly seconded by Commissioner ______________ to authorize the Arapahoe County Attorney to settle the following Board of Assessment Appeals Case (Docket Number), for the tax year listed below:

<table>
<thead>
<tr>
<th>Docket #</th>
<th>Property Owner</th>
<th>Tax Year</th>
</tr>
</thead>
</table>

After review by the County Attorney’s Office, in conjunction with the Arapahoe County Assessor’s Office and the Petitioners, evidence was submitted which supported the Stipulation and Petitioner agreed to a new value. The Assessor has recommended approval pursuant to the terms contained within the Stipulation. Based upon the evidence submitted to the Board on this date, the Board has no reason not to concur with the proposed Stipulation.

The vote was:

Commissioner Baker, ; Commissioner Conti, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.