



## MINUTES & MEETING AGENDA

August 28

Special Commission Meeting

Casper College

Goodstein Foundation Library (LI) Room 215

The public is asked to attend this meeting via the Zoom link at:

<https://us02web.zoom.us/j/86119854804>

If you desire to attend in person, please do so at the WCCC Office in Cheyenne.

8:30 a.m.

### CALL TO ORDER

#### ROLL CALL

##### Commissioners

Commissioner Boal- Present

Commissioner Blikre – Present

Commissioner and Vice Chair Dooley – Present

Commissioner Frederick – Not Present

Commissioner and Chair Freeze – Present

Commissioner Newman – Present

Commissioner Oakley – Present

##### Ex Officio Members

Governor Gordon or Lachelle Brant – Not Present

Superintendent Balow or **Shelley Hammel** – Present

Community College Commission Executive Director, Dr. Sandy Caldwell – Present

##### Commission Staff

Dr. Ben Moritz – Present

Mr. Larry Buchholtz – Present

Ms. Paris Edeburn – Present

Mr. Rob Dennis – Present

#### INTRODUCTIONS

None

### APPROVAL OF THE AGENDA

**Commissioner Freeze entertained a motion to move item B II from the consent agenda to the regular agenda to become item C II. Moved by Commissioner Blikre and seconded by Commissioner Newman. Motion carried unanimously.**

A. Public Comment on Agenda Items

(Comments should be limited to 3 minutes duration. Please state your name, affiliation, locale, and agenda item to address)

Commissioner Freeze noted the opportunity for public comments. Individuals were encouraged to limit their comments to no more than 3 minutes and to state their name.

No public comments were submitted.

B. CONSENT AGENDA ([Executive Summary](#))

Chair - read aloud - All items on the Consent Agenda will be considered together and incorporate the respective actions recommended for each item. A commissioner may have any item removed from the Consent Agenda and placed on the Regular Agenda.

I. APPROVE EMERGENCY RULES (Set 1)

[TAB A](#)

- Chapter 5: CARES - Adult Grant and Wyoming College Grant

**Commissioner Freeze requested a motion to approve all items on the consent agenda, and further noted that all items on the consent agenda will be considered together.**

**Commissioner Newman moved and Commissioner Dooley seconded. Commissioner Freeze requested any discussion.**

Commissioner Boal clarified the only item on the consent agenda was Emergency rules for the CARES Adult Grant and Wyoming College Grant. Commissioner Freeze confirmed in the positive.

**Chair Freeze requested a vote on the motion and the motion carried unanimously.**

C. REGULAR AGENDA

I. SUPPLEMENTAL BUDGET - Informational  
(EXECUTIVE REDUCTIONS) ([Executive Summary](#))

[TAB C](#)

Commissioner Freeze introduced Dr. Caldwell to detail the supplemental budget. Dr. Caldwell noted Mr. Buchholtz, Chief Financial Officer will provide an overview of the current budget and budget adopted at the June 3<sup>rd</sup> workshop, June 4<sup>th</sup> meeting, and June 22<sup>nd</sup> special meeting in which special recommendations were approved to the budget plan based on direction from the Executive Branch and State Budget Department.

Subsequent to the Commission's action, Commission staff had a hearing June 26<sup>th</sup> to discuss the budget in which the Governor's Office and staff asked that the plan be revised moving the reductions from an incremental approach to elimination of an entire program or programs. The requested revisions were completed and then

presented to Governor's Office in a later meeting. The Governor's Office did accept the renewed budget proposal. Some additional slight recommendations were provided on how certain cuts would be applied.

Mr. Buchholtz further detailed the final accepted budget submission and the impacts on the community college system. Mr. Buchholtz presented the actual budget book, noting its' similarity to the documents detailed the prior day in the workshop. Documents presented formulate the steps to the 10% reductions including a high over view of the agency. In the description field, column #1 every program is listed. The 10% reductions are all out of the state aid line item. The \$25.389 million consists of \$2.5 million out of Wyoming Works plus the state aid reduction in three different line items base on the Governor's recommendations. The balance of the general fund (BRA) is presented at the slide bottom. The second slide indicates the priority of the budget reductions, including two line items in the 600 series for Wyoming Works programmatic and student funding. The remaining line items where reductions are taken are the College Library funding and health insurance. The next line item is the planned reduction in state aid. The Governors recommendation for state aid is \$22,687,778. He moved the reduction in health insurance down to the state aid general fund. The remaining two priorities are included in public television. In the state aid slide you can see with greater detail how the Governor decided to implement reductions. The Governor put money back into health insurance and then took money out of state aid. So the state aid line jumped up to \$25 million.

Mr. Buchholtz received an email from the Budget Department informing all agency CFO's that the system is now open to input step #3 options which is the additional 10%. We followed the Governor's guidance in eliminating funding for certain programs. Mr. Buchholtz reiterated this step does not eliminate the Wyoming Works program. Money was taken away for one biennium but the original appropriation last year will carry the student grant funding through this current year.

As a result in budget changes, there is no reduction to the WYIN student loan or Overseas Combat Veterans student funding. Colleges were instructed to go ahead and fund another cohort of students. This action will impact how much funding is actually left to apply towards another 10% reduction.

It is unknown if the next round of reductions will be a full 10%. It may eight or five. It is just unknown. All are waiting on the October CREG report to make decisions on further reductions.

Commissioner Newman noted she doesn't fully understand the health insurance and questioned the impact on those using health insurance.

Mr. Buchholtz noted the agency maintains a health insurance funding pool. The colleges seek reimbursement quarterly from the Commission for paid health

insurance premiums. In the 2015 budget reductions, \$7.2 million was taken from health insurance. The formulation of the 2021-22 budget health insurance became a sustainable cut.

During the spring 2019 budget formulation, an analysis was done to determine the number of college employees, and eligible employees with health insurance long term reimbursements resulting in determining a reimbursement rate. Then a dollar amount is determined to fund health insurance. The \$7.2 million became a permanent reduction in the health insurance line item. That funding pool could run out before the end of the biennium. Colleges will have to manage the expenses internally and absorb the \$4.9 million dollar shortfall.

Commissioner Freeze noted Mr. Buchholtz's presentation was an informational update and did not require a motion.

**II. APPROVE EMERGENCY RULES, DRAFT REGULAR RULES (Set 2) Chapter 6: New College District Creation, County Annexation** [TAB B](#)

Commissioner Freeze transitioned to the next agenda item, approval of draft Emergency and Regular rules for the annexation and creation of a new district. She noted copies of the proposed rules are under tab H on yesterday's special meeting agenda.

Dr. Caldwell noted her appreciation to move this to the regular agenda. She recognized the lively discussion the day prior and the opportunity to include the Higher Learning Commission presentation. In yesterday's review of the documents, The Commission asked for comments from Campbell County related to the proposed emergency and regular rules. Comments were received earlier in the morning Campbell County and provided to the Commission. She recognized yesterday's discussion of shortening the economic analysis timeline to ten years. She recognized staff had been working through the application to make necessary changes.

Commissioner Freeze suggested briefly reviewing the draft documents for emergency and regular rules. To ensure documents were as clean as possible further noting her desire to make this process as reasonable as possible to gather all needed information. Commissioner Freeze noted a warning in the possibility of not being able to address some changes in the regular rule process today, those may need to be deferred to a later meeting. She encouraged all to provide comment or information during the draft rule process. The new regular rules will stand into the future for the Commission for anyone involved in a future situation. Commissioner Freeze asked to quickly review the proposed rules and subsequently address the comments.

Dr. Caldwell recognized the existence of two sets of draft rules, regular and emergency. The regular rules will continue through the iterative process and go out for public comment. The Commission will have the decision to make any changes based on received comments, amending the rules at a later date based on the prescribed time frame.

Emergency rules before the Commission are to be considered and implemented reflective of current statutes. Dr. Caldwell reflected there might have been rules in the past, it is unknown what happened to past rule sets from 1985, 1991, 1992 until now. She added in any normal situation establishment of rules was not an urgent matter. The likelihood also exists for the carrying forward of rules pertaining to service area modification. Annexation and district creation present more than one situation before the Commission to create rules pertaining to both processes. The agency wanted to make sure proposed rules were up for consideration in the event any entity wanted to proceed. She recognized not having rules in place should not be a barrier. She acknowledged how quickly the agency came together. Approximately July 6 the issue emerged. By July 31<sup>st</sup>, overview documents and a draft application were publicly available.

Dr. Caldwell recognized the Higher Learning Commission for their contribution and guidance in the application and rules development process. Out of a concern for the state process not being rigorous enough, which would jeopardize any potential district application before the Higher Learning Commission. It is in the state's interest an adequate process which had the ability for success.

Mr. Dennis noted that the rules were divided in to two separate sections within Chapter 6. Section 6 District Creation and Section 7 having to do with annexation. Mr. Dennis further noted two subsections within section 6 comprised of the application contents and then the process of application consideration by the district after receiving a completed application. In formatting the rules an attempt was made to be specific yet not so specific the application could be crafted under current circumstances. Mr. Dennis proceeded to read through the draft rules Section 6 as presented.

Commissioner Oakley asked pertaining to the question from the Campbell County Task Force if there is a specific setting when the application is certified or completed? Dr. Caldwell responded that the statute is very clear noting that an applicant must have the components plus the application prescribed by the Commission forming a historical basis for submission of both items and not just one. The agency has worked diligently to provide the draft application. The Campbell County task force had full knowledge that the Commission special meeting was occurring for the purposes of adopting emergency rules and that there was a draft application as of July 31<sup>st</sup>.

Attorney General Mackenzie Williams commented that the statute does talk about a complete application, and in circumstances along these lines, essentially the agency has the discretion to determine what constitutes a complete application.

That is precisely what the rules are trying to do, establish and publish what amounts to a complete application. Obviously there are some minimal requirements published in statute, but there can be some additional requirements to perform the evaluation function that the Commission must accomplish. To answer Commissioner Oakley's question, there is not anything, at the moment, that necessarily establishes what a complete application is, but the rules do provide for what the form of the application. The rules are intended to set the appropriate answer. Commissioner Boal asked if there should be something in the rules that the agency should complete the review in a certain period of time and then notify the applicant of complete or incompleteness. Mr. Williams responded that there could be if that was something that the Commission chose to put into the rules. He didn't know if such a process was necessarily required. Typically, with other boards and commissions, that's not necessarily established in rules, ordinarily it is an internal office policy about informing the applicant within a certain matter of time. This policy may not necessarily have a place in rules. He reiterated that it would be possible to insert if the Commission desired. Mr. Williams suggested that given the interest in timing, that Commissioner Boal's suggestion might be something to consider in regular rule making and to accept comments regarding it. It is not necessary in emergency rules, but if the Commission desired to make the change today, language would just need to be hammered out, thereby discretionary on the part of the Commission.

Commissioner Boal asked if an applicant submitted an application how long does the agency have to complete its completeness review under these rules. Mr. Williams noted there is not a time period from when an entity submits an application until when it is complete. An applicant could submit pieces until the application is complete. However, there may be some concern that parts of the application submitted earlier may be stale before the application is complete. Mr. Williams is not too concerned about portions becoming stale, and is not therefore concerned about including this in the rules. Mr. Williams noted that for the most part the Commission will find relatively complete applications in a narrow frame of time. The rule time-period kicks in with the 90-day period after application submission to conduct the survey and render a decision. Commissioner Boal clarified that the issue is applicants who are waiting on the agency to complete a completeness review prior to the start of the 90 day process. With other federal agencies receiving a completeness determination can take months. Commissioner Freeze noted that she understood the concern and under other circumstance it could be a problem. But for the purpose of the emergency rules, The Commission can instruct agency staff to respond to the applications in a timely manner, whatever the Chair and Vice Chair determine to be a timely manner. In terms of the draft regular rules this is an important area to gather some feedback and

include in the next draft. She acknowledged that timing certainly could be something abused.

Commissioner Freeze asked to address Campbell County's points before moving on to the Annexation discussion.

Dr. Caldwell requested that the document from Campbell County be made public for the record thereby being included in the record. Dr. Caldwell also recognized Campbell County for their quick response in submitting the recommendations. She also acknowledged that she has been working closely with Mr. Williams. She then proceeded to review all five of the concerns one at a time.

Number one they brought forward regards formatting. Section (a)(iii) founded on pages 6-7 should be renumbered to (ii) is incorrectly numbered. Dr. Caldwell confirmed the error and recognized the need for a change.

Number two is regarding a question on the survey which is part of the procedure performed after application submission. Subsection (b)(i) provides that a survey be done and subsection (b)(ii) sets out the Commission will gather information within 60 days. It is unclear if this is information the Commission will gather for purposes of completing the survey or if there is other information the Commission will gather to make its determination. What is the relationship between the application and the survey, and do they complement one another or duplicate?

Dr. Caldwell noted that statute specifically lists the survey and the information gathered. Their materials would absolutely be complimentary information and that this is an almost required process as part of the determination process. It is also consistent with the process that occurs in other states at the state level. She reiterated that it is in statute and the information is complimentary. It is also part of the due diligence effort on behalf of the state and representing the state's interests. Information gathering would validate, substantiate, and verify any information presented in the application based on the statute.

No further questions were presented to the Chair on this point.

Dr. Caldwell read number 3 regarding the statement of assurances found in subsection (a)(iii) found on page 6-7, references the County Commissioners submitting the a "statement of assurances" within sixty days of the application. This requirement further illustrates Campbell County's concern regarding the sequence of events in this process. Although the assurances requested seem reasonable, they do not appear to be assurances a board of county commissioners should be providing but rather a board of trustees of the new district. This section should be removed as part of the application approval process.

Dr. Caldwell noted that she discussed this point with Mr. Williams. She also recognized that the statement of assurances was a critical component to an active

campus. Should there be a campus with students enrolled, under an accredited institution we want to make sure there is also a plan but also a transitional process in place. We want to make sure that before a board of trustees is elected, installed, and policies written that those students are protected under an accredited institution. So this would be within the state's interests to ensure are protected with accreditation under which they initially applied. As a staff we, feel that needs to remain as is.

Commissioner Blikre noted this is the same subsection that needs to be addressed and agrees with Campbell County's statement.

Commissioner Boal indicated he read through the instructions and that he agrees with Campbell County. He does not know how a County Commission can make these assurances. He requested further review of the assurances.

Commissioner Blikre: in the form itself the people that are requesting is the county commission. And if the state is looking for someone to make assurances, there are no Trustees yet, that's why they reference the county. Commissioner Boal responded that these assurances can come later. Further noting the assurances will be signed within 60 days of the application submit a statement of assurances by the county commissioner regarding cooperation with other educational institutions. Submit academic and vocational programs to the agency. Most assurance would seem to come from the eventual district. Campbell County's request made sense to Commissioner Boal.

Commissioner Oakley noted that she understands what Commissioner Boal is saying are the county commissioners, qualified or competent to provide academic assurances.

Commissioner Freeze added that the premise of the entire application is that they are the applying entity and they are giving assurances that once this district is created these things will happen. Adding that the applicant would understand this is the way a new college would have to operate.

Commissioner Boal noted that county commissioners will never be in a position to submit a request for academic or vocational programs. That will occur when there is a board of trustees.

Commissioner Freeze clarified that the county commissioners will do these things when the college district is created.

Mr. Williams pointed out that the statute does talk about part of the application being an evaluation of the educational soundness of the proposed community college plan. To Mr. Williams, this does fit within the community college plan. He also recognized the concern of others, how can the county commissioners guarantee what the future board of trustees will do. The reality is they can't.



They can only indicate their intention. Eventually it will be the new board of trustees determining the course. It is worth recognizing that the Commissioners can only propose the plan as it stands, with ultimately the new board of trustees making decisions. There is a statutory hook to ask for these assurances. He further noted that these educational assurances certainly could be part of this plan. He does think it is worth recognizing that the Commissioners have little ability to recognize what happens at the college after the formation of the district. But he also doesn't see a problem with requiring assurances on the front end along with the basic intent.

Commissioner Blikre asked Mr. Williams on his opinion if keeping the language in there was needed? He thought the language was fine as is, I tend to agree with Campbell County Commissioners that they can't guarantee the board of trustees will follow through with these assurances. With that recognition, I think it is fine to essentially ask for assurances on the application knowing that at the end of the day, when it comes to electing a new board of trustees that will basically be county commissioners recommendations to the board of trustees reiterating their expectations.

Dr. Caldwell added the need to look forward to any situation. The help illustrate the situation. This is in rules to provide time and allow for the formation of a plan for application to the Higher Learning Commission. We want to make sure there is time and a transition so students are not left in a gap. Assurances are meant to protect students enrolled at the institution so their credits are recognized and transferable. The County Commission cannot make guarantees, but they can confirm the County Commission or the applicant has taken the necessary step to support the community college's students. The assurances are not meant to be a barrier but allow time to complete the application process.

Commissioner Oakley clarified that this is a matter of form as well as timing. Starting with the application and then proceeding to gathering on the record formal support initially from Commissioners. Commissioners are on the record saying they are in support. It is not necessarily anything that is binding, but something voters have the ability to recognize as a level of expectations.

Dr. Caldwell introduced question number four, regarding timing. Similarly section (a)(i)(E) requests a summary or detail on the timeline to establish institutional accreditation. Institutional accreditation is a necessary part of the establishment of the college once approval is obtained, therefore, something better addressed once a need is established via the survey and a petition is approved as set out in statute 21-18-312(e)

Dr. Caldwell noted agency staff have worked in higher education for a very long period of time, we believe this a necessary part of the rules, the application to the Higher Learning Commission is critical. And we believe this requirement is within the State's interests to make sure there is a plan to achieve accreditation.

And an expectation from the very beginning, and that the applicant has built a process around achieving accreditation. The statutes are clear accreditation is required for the State of Wyoming. Having this in the front end of both the application and rules is critical to the State's interest to have regional or national accreditation.

Mr. Williams noted he did not have a lot to add. He did note it made sense to try and establish a path forward for accreditation at the outset with the recognition that the new board of trustees, if approved, would have to take all of the actions to effectuate any kind of sought after accreditation. Legally, Mr. Williams was agnostic if the accreditation takes place either before or after. Yet he understands that the Commission, and the staff in particular, are concerned trying to get accreditation as quickly as possible to enable a new college and then receive state funding. The point of this requirement is to jumpstart the process to get a plan in place as early as possible. Similar to the previous item, there is a need to acknowledge that the Board of Trustees will be responsible for the accreditation process upon formation of the community college district. We can request a "sort of plan" submitted as part of the application process, but it will be the Board of Trustees responsibility to carry out the plan once the district is formed.

Commissioner Freeze reminded fellow Commissioners they had already set some amount of precedence with the establishment of the Bachelor degree programs and the process. Commission staff and the Commissioners really support making sure our procedures include consideration of the elements which are known to be part of the accreditation process to eventually move things forward more quickly. The bachelors programs provide illustrated examples of how much rigor included in the process have made the process of accreditation move forward quickly. She noted it is the hope by doing the same thing, it will eventually make the process move forward more quickly. By adding to the rules and the application it will move forward in a more expedited fashion.

Dr. Caldwell introduced number 5 noting the next topic introduced - application approval. She read, under the current law, a petition and application are to be submitted and either approved or disapproved following completion of a survey. The purpose of the survey is to determine the need and financial capability to support the district. Once approved, an election would be required. The proposed rules provide under subsection (b) responsibilities of the Commission once a "completed application" is received. The rules do not address how, by whom, and when a determination is made that an application is "complete". Given the current form application, questions are certain to arise as to what constitutes a "complete application".

Dr. Caldwell noted she thought this question returns the Commission to the first topic previously discussed. Statute specifically states that it is for determination as prescribed that if the Commission receives a complete draft application today, the agency will act tomorrow. The Commission has already assessed adding

something having to do with timing into the Rules during the draft process. But in terms of the application approval it is when all the documents are submitted.

Mr. Williams noted discussions have already occurred regarding the Commission as an agency, being essentially the arbiter of what is a completed application. There are a lot of agencies and entities that say one needs to complete this application on the form provided. That is all the rules indicate and generally speaking that is fine. He noted that he would quibble if there was an overly burdensome part of the application that was to be added, yet this is not part of the current case. He is not concerned about this at all.

Mr. Williams pointed out that the comment leaves out some of the purposes regarding the application or survey. It talks about the need and financial capability of the survey. He noted the need to also consider the educational soundness of the plan. He believes that need and financial ability are relatively easy to ascertain. But ascertaining the educational soundness of the community college plan will be tougher. This will be a heavy lift and responsibility for the Commission.

As far as when an application is completed, he does not think that it will be a problem. To the extent that this might need to be addressed it can be potentially changed in regular rules when it comes to the point of addressing comments. For the purpose of emergency rules and trying to enable this application to proceed as quickly as possible, right now we are fine. But if there is something that requires more thought, The Commission can certainly make more changes upon receiving comment for the regular rules. Everyone wants this application to proceed with all do speed primarily if we are going to have legislative approval. If it gets through the Commission and is submitted for approval, depending on the Commission's recommendation, then it makes the most sense to leave the rules as is with the understanding comment may come back during the regular rules evaluation process. Mr. Williams does not recommend any particular change in the emergency rules.

Commissioner Boal noted his understanding as to why Campbell County is concerned about completeness as that starts the clock. Rules do not address any limitations on the Commission to review and determine if the application is complete. As such a process is needed for the determination of completeness. After listening to the group, he has been told not to worry and that it will be okay. Commissioner Boal understands their point, but noted there can be an honest disagreement as to whether an application is complete or not between the agency and the applicant. There needs to be a way to deal with honest disagreements.

Commissioner Oakley noted she is of the opinion that it is something we need to address in regular rule making. But for this instance, it is almost certain to slow the process down if we don't move it forward today. She is not sure that Campbell County would like for the Commission to slow the process on this one

point or to take this on now. She added, we can move forward more expediently if we put the trust in Campbell County that they will submit a complete application. Emergency rules are ready to move forward without a process for certification at this juncture.

Commissioner Freeze noted that certainly they could encourage the staff to not lose sight of this discussion.

Dr. Caldwell noted that they will complete with all due diligence on the draft amendment to the draft regular rules on the reasonable time of receipt. She believes there is an important distinction between when an application is received and the time that the application is determined as complete. She will make sure we are prepared for the discussion at the adoption of regular rules.

Commissioner Freeze moved to addressing Section 7, County Annexation.

Mr. Dennis read through Section 7 detailing the process for counties to be annexed into an existing district. He further noted that there are four subsections within section 7.

Commissioner Freeze asked if there were comments or questions around annexation.

**Commissioner Freeze entertained a motion to approve the emergency rules and draft regular rules to include a formatting change which needs to be made at Chapter 6, Section 6 (a)(ii) and throughout the document changing the timeline horizon to 10 years for all the components required to be provided by the County Commissioners within the application. Commissioner Boal moved and Commissioner Newman seconded.**

**Commissioner Boal made a motion to amend the rules to delete the statement “assurances” in section 6, (iii). Commissioner Frederic seconded.**

Commissioner Boal didn't have more to say on the topic other than the Statement of Assurances other than the County Commissioners really can't provide them, they are not legally enforceable, they will eventually come from the new Board of Trustees. They are a good idea to include yet for a nebulous reason. Having been on the end where one has to comply with application requirements, it just drives people nuts having to do things they know do not make sense. Commissioner Boal wants to say, he voted against this particular point.

Commissioner Blickre questioned what if we changed the Statement of Assurances to request that the applicant make a request to the new Board of Trustees that the new district will try to comply with the included list.

Commissioner Newman noted this is the applying entity and the conditions are on the applying entity. She reflected some things need to be included as per what we

talked about earlier to assure there is no doubt students receive a legitimate education. Commissioner Boal suggested the County Commissioners cannot provide assurances. Only the Board of Trustees of the new college, in its form, can relay that assurance. Commissioner Freeze asked if assurances were in the last two times that someone applied? Dr. Caldwell confirmed they were included in the last two times someone applied, 1985 and 1992. Commissioner Freeze noted that this doesn't change the dynamic of making assurances that one cannot totally stand behind. Adding further previous Commissions felt these things needed to be accomplished.

Commissioner Oakley asked about commissioners thoughts regarding changing the word "stating" to the word "requesting" so that it still gets to where we need, submitting a statement of assurances, signed by the County Commissioners, requesting the new district will make all reasonable and legal attempts thereby connecting County Commissioners with what they can actually do.

Mr. Williams added it occurs to him, Commissioner Oakley has identified the real issue is the term "assurance". County commissioners cannot really assure anything specific that happens after the application. He suggested rewording to reflect "education plan recommendations". Or recognize the Commissioners do not have control over the ultimate action, but can go ahead and make recommendations. The applicant does not have ultimate control once the district is formed. Commissioner Oakley confirmed this was exactly her line of thinking. The wording outcome seems to be more like recommendations or requesting, making it more in line with the authority of the county commissioners.

**Commissioner Freeze noted a motion on the floor to take a quick ten minute break. Others acknowledged. So moved. Motion passed unanimously.**

Commissioner Freeze opened from the break and noted that the amendment to the original motion was under consideration. Commissioner Boal withdrew his first amendment contingent on the consideration of his second amendment.

Commissioner Freeze noted that the first amendment has been removed and asked if there was another motion to present to amend the original motion.

**Commissioner Oakley presented a motion to the emergency and regular rules to include changing just two words. Within Chapter 6, section 6 (a)(ii) changing "submit a Statement of Assurances signed by the county commissioners stating" to "submit a Statement of Recommendations signed by the county commissioners requesting". Thereby changing the words Assurances to Recommendations and stating to requesting. Commissioner Oakley then so moved the above statement. Commissioner Freeze read that it has been moved to revise the sentence in (ii) to read as "The proposed district shall, within sixty days of filing of the application submit a Statement of Recommendations signed by the county commissioners requesting that the proposed district will:" Commissioner Blikre seconded. Vote passed unanimously in favor. Commissioner Freeze returned to consider the original**

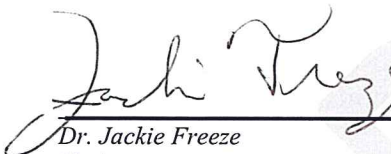


**motion with the amendments included. She asked for the need to review any additional changes. Seeing that there was no further discussion. Vote passed unanimously in favor. Motion carries.**

Commissioner Freeze noted that there will be additional things to consider as the Commission considers and looks at the draft regular rules and comments are solicited.

Dr. Caldwell noted that the agency will send out the updated application the following day.

Commissioner Freeze thanked all for their contribution, work, and diligence over the last two days and adjourned the meeting.

  
Jackie Freeze 10-8-2020  
Date  
Dr. Jackie Freeze  
Chairman

  
Sandy Caldwell 10/8/20  
Date  
Dr. Sandy Caldwell  
Executive Director