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Supervisor Pat Hohl **Clerk** Mike Dolan **Treasurer** Jason Negri **Trustees** Bill Hahn, Patricia Hughes,
Chuck Menzies, Cindy Michniewicz

PLANNING COMMISSION MEETING
Wednesday, February 18, 2026 at 6:00 PM
Hamburg Township Hall Board Room

MINUTES

CALL TO ORDER

Vice Chair Ron Muir called the meeting to order at 6:00 pm.

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD:

1) PRESENT:

John Hamlin
Patricia Hughes
Victor Leabu Jr
Deborah Mariani
Ron Muir, Vice Chair
Joyce Priebe

2) ABSENT:

Jeff Muck, Chair

APPROVAL OF MEETING AGENDA for tonight.

Approval Motion made by Commissioner Priebe, seconded by Commissioner Mariani, to approve the agenda as presented.

Voice Vote: Ayes (6); Absent (1) Chair Muck

VOTE: MOTION CARRIED

APPROVAL OF THE MEETING MINUTES

Approval Motion made by Commissioner Hamlin, seconded by Commissioner Priebe, to approve November 19, 2025 Planning Commission Meeting Minutes with corrections as noted by Commissioner Hughes via email.

Voice Vote: Ayes (6); Absent (1) Chair Muck

VOTE: MOTION CARRIED

CALL TO THE PUBLIC-

Vice Chair, Muir opened the general call to the public, but no one came up to speak so he closed the session.

OLD BUSINESS

None

NEW BUSINESS

1) PSUP 26-0001 Special Land Use-White Water Express Car Wash – 5580 E. M.36

Vice Chair, Muir, opened the special call to the public, but no one came up to speak so he closed the session.

Then he had David Rohr, the Planning and Zoning Director, provide some information about this project. David stated that a presubmittal meeting was held in October 2025 with Commissioners Priebe and Leabu present. This car wash is being proposed on Lots #8-#10 at the Kroger at Chilson Commons. This project doesn't have any specific kind of land use requirements, but it does require a special land use in this zoning district. The project has some general qualifications, and David noted parts of the Master Plan that this project would satisfy. This project satisfies the Master Plan's goals #4, #7, and #8, since this is a commercial hub development site in Hamburg Township. These lots have always been intended for commercial development. Many township residents have come to see this area as a vacant wooded lot, but they were designated for commercial out lots. The applicant is proposing to build a carwash here which staff supports. This proposed project is permitted under a special land use permit at that location.

Commissioner Mariani asked David about the traffic study that has been completed for this car wash proposal. David said that there has not been any formal traffic study done for this project since their ingress and egress doesn't empty directly onto M36. This project doesn't require a traffic impact study. Traffic studies would be done within the internal network of Chilson Commons. Traffic will increase with any new use in that area. This is quite different from the previous car wash project since that project was going to create traffic out on M-36 directly. This new car wash project will not be accessing M-36

directly but could impact Chilson Commons internal traffic flow. The internal traffic flow will be considered in the actual site plan review after this special land use meeting.

Commissioner Priebe stated that traffic will not be a huge issue here for a while since there are still many vacant out lots that are not developed yet. She stated that this project will not have a major impact on the internal roads within Chilson Commons, so she doesn't have any concerns about traffic here.

Commissioner Leabu said he was fine with the special land use, as was Chair Muir. Commissioner Hamlin had a follow up comment about the staff report stating that the planning commissioners had the ability to make appropriate conditions for the preliminary site plan regarding the traffic. He asked David if he had any recommended conditions that the planning commissioners might consider. David said no, not at this time but that the PC could request additional traffic counts. Staff don't feel that this project requires a full-blown traffic analysis, since that would be an unfair burden on this development.

Trustee Hughes made a comment about the 4-way stop in Chilson Commons. She stated that no one uses the round correctly when they go to the gas station. She stated that the internal traffic way in Chilson Commons could only handle about 20 cars to wait for a car wash. She mentioned that the developer might address that later during the preliminary site plan review. The Master Plan Goals talk about encouraging the existing landscape, natural features and such. She said that since the lots were undeveloped, they added aesthetically to the community's natural rural features, even though there were only scrub bushes and a few trees that have grown over time. This greenery screened the commercial buildings from the view on the M-36 corridor.

Vice Chair Muir asked for a motion for the special land use permit for the car wash project.

Approval motion made by Commissioner Priebe, seconded by Commissioner Leabu, to make a resolution to grant approval for the **Special land use application PSUP 26-0001** at property location at 5580 E. M-36. (Parcel ID#4715-22-400-023 & 4715-22-402-900). These vacant parcels are out lots zoned as Community Services (CS) for commercial uses. The applicant is pursuant to the provisions of the Hamburg Township zoning ordinance submitted a special land use application on January 6, 2026, for the proposed Whitewater Express car wash. Section 12.01 (D) (14) of the Hamburg Township Zoning Ordinance designates "Auto washes" as a special land use in Community Services (CS) Districts; and the Hamburg Township Zoning Administrator and Planner has determined that the applicant has met the Special Use Permit Standards from Section 36-36 of the Hamburg Township Zoning Ordinance; and the Hamburg Township Zoning Administrator and Planner has determined that the site plan specific requirements will be addressed in the Preliminary Site Plan Review (PSPA 26-0001) application submittal; and now therefore, be it resolved, the Hamburg Township Planning Commission, by a majority vote at a regularly scheduled and duly-noticed meeting, held this 18th day of February 2026, grants **Special Land Use PSUP 26-0001 White Water Express Car Wash**, 5580 E. M-36 (Chilson Commons) Hamburg, MI (Parcels ID#4715-22-400-023 & 4715-22-402-900) subjected to the conditions listed below:

Voice Vote: Ayes (6);

Absent (1) Chair Muck

VOTE: MOTION CARRIED

2) PSPA 26-0001 Preliminary Site Plan-Whitewater Express Car Wash

Vice Chair, Muir, opened the special call to the public, but no one came up to speak so he closed the session.

Muir then invited the applicant, Eric Williams, to come up to the podium to discuss the Whitewater Express Car Wash site plan. Eric works for Stonefield Engineering Design that is addressed at 555 South Old Woodward, Birmingham, Michigan. He is representing applicant EROP LLC. He stated that Sean Daughtry was there on behalf of the applicant. Eric stated that they were proposing to construct a 4,375 sq foot Whitewater Express Car Wash on lot #10 which is a vacant 1.4-acre lot. It is zoned C-5 and is contained within a PUD. The car wash is open 7 days per week, from 7:30 am to 8 pm. There are 28 stacked spaces for waiting cars on this proposed lot with two paying stations. He stated that he didn't believe that there would be any waiting spillage outside their lot. They have already submitted to MDOT, and they will need a permit from them for some right of way work that is occurring. MDOT hasn't made any objections to their proposal since there will be no impact on the overall traffic here. Their access will be on the southwest most corner. Eric showed the commissioners the site plan on a easel diagram and explained that there would be vacuums onsite for paying customers, as well as a fast lane for monthly membership customers. Eric went on to address the slopes and trees onsite. The existing site exists about 6-8 feet below M-36. They are proposing to raise the site by 4 feet to bring up to the grade of the roadway and level out the property. This will impact some of the vegetation that is out there today. They are proposing to maintain as much vegetation as they can on the east side of the car wash, by the Kroger sign. We want to provide an open view of our building along the roadway, which will screen many of the rear buildings in Chilson Commons Plaza from a roadway view. Eric stated that they would also provide any additional vegetation that the PC would require under the township ordinance. He said that the site lighting will include LED bulbs. They want to maintain a good neighborly reputation so they would propose turning off lights one hour after closing (at 9pm). There will be building-mounted lighting that will stay on all night for security and safety reasons. Most of the site lighting would be timed. Eric showed some elevation plans with building renderings. The face of the building to the roadway will have reflective mirrored glass windows that will hide the inside view of the car wash from the M-36 corridor. Customers will be able to see outside when their car is being washed but outside traffic will not see through these windows. The building's highest towers will be 24 ft.

Vice Chair, Muir asked the PC commissioners if they had any questions or comments for Eric. Trustee Hughes asked Eric about their proposal to raise the site by 4 feet. Commissioner Leabu said that even at that level, it will be substantially lower than M-36. She asked what will happen to the western vacant lot, once you raise their lot 4 feet? Eric stated that the western vacant lot drains onto their lot presently, so they have provided a stormwater catch basin which will allow that drainage to flow through their site. Hughes mentioned some steps or terracing on the slope. Eric said that she might be referring to the contour lines on the landscape plan. She said she saw it in the text of the site plan. Eric said that the building will be slightly higher than Chilson Commons Dr. The parking lot will drain towards that road. We are going to capture everything onsite. Our building will sit slightly higher than the roadway. The slope coming off the walkway from M-36 will all drain towards the building. It will create a swale, capturing water, sending it out around the building. There is a ditch along M-36. Hughes asked Eric where their detention area was located. Commissioners Muir and Leabu mentioned that they have drainage rights within the property that Kroger has established under the

PUD. Eric mentioned that these drainage easement rights allow them to connect into the existing storm sewer. The township engineer has reviewed IMAG's stormwater drawings.

Commissioner Hamlin asked if the project's water use will be obtained from existing wells owned by Kroger. Eric clarified that Kroger has two wells that operate onsite. Kroger also has a fire suppression system tank set up in case there is a fire, and the wells fail. Kroger will give them rights to use these wells. Whitewater will install additional tanks to ensure capacity during operations. Kroger treats their well water, but Whitewater will also treat this water a second time to ensure car washing standards. Whitewater will have reclamation tanks onsite that will settle out sand, grit, oil, soap, and any other solids before it releases its wastewater to the township treatment plant. These tank's collected solids will be disposed of and treated offsite, separately before the wastewater is released to the municipal treatment facility.

Vice chair Muir asked Eric if they would be handling the salt that will be washed off the vehicles, through the sewer system. He said they do not want the salt released into the Chain of Lakes waterway. Eric said that salt treatment and capture will be based on how the Kroger sewer system was designed & built, as well as what the township ordinance requires of them. Today there are water quality units where they would route their storm water through to treat salt debris, floatable solids, and oils. That unit would get serviced every 6 months and treated off site. Muir said that the PC members should ensure that the carwash will handle the salt, since this was a big deal a few years ago. Sean Daughtry added to the discussion by stating that there are state regulations on this effluent. The state does random tests of car wash water and if it is ever over the state's recommended level then Whitewater would have to address that issue. Regarding salt, they have always been tested below the safe level. Muir recommended that David should investigate such salt regulations to ensure that the sewage doesn't get released into the Chain of Lakes. David let Muir know that our utilities department has special wastewater requirements for car washing as well. Sean said that the utility department said that their softeners must dump into the storm water instead of the sanitary system.

Commissioner Leabu asked Muir if he should ask questions right now. He said yes. Leabu said he had one question about the number of vacuums that Whitewater was proposing for this project. He also asked who would get to use the vacuums. Is it for monthly membership customers or just people who get their car washed at one time? Eric said the vacuums would be for any paying customer. Commissioner Priebe said she didn't have anything to say.

Commissioner Mariani asked Eric if the reclamation tanks are treated offsite or onsite. Eric said offsite. Eric said they handle this waste according to state regulations. She asked about the 28 stacked spaces onsite between two enter lanes, one for month customers (express) and the other for one-time customers. She asked how many vacuums were being offered here. Eric said 19 vacuums.

Commissioner Leabu said he had lots of comments. He said he appreciates the architecture presented here. He said he has not seen full-use vacuums before. Leabu said he thinks having 19 vacuums onsite is overkill. He said he would like to see only half that many vacuums there, and especially if they are black in color. Leabu asked if each vacuum would have lighting. Eric said yes. Leabu said that is why he would like to see less vacuums onsite. Leabu proposed that the lighting should be turned off when they are not in use. Leabu asked why they were proposing to cut all the deciduous trees along the M-36 ridge. Leabu said he felt that the applicant should do some landscaping to screen and accent the building. He is not recommending any low bushes and only evergreens. He would like to see some of the deciduous trees left as well. He said he would like to see more landscaping and that he is not asking for them to totally hide their building but accent it. He

recommended that the applicant drive by the Kroger gas station and see what the PC required them to do. Leabu said that once the car wash is built, everyone will know where it is. He said that they don't have to expose the whole west side of the building to M-36. Leabu said he would like to see more landscaping on the north side of the building and less vacuums with lights that turn off when not in use.

Vice Chair Muir asked if 19 vacuums were the standard for all their car wash developments. Sean said that the minimum number of vacuums per site is 15, or they do not build the car wash. If we don't build that many, people will not come. Sean said they like to be between 15-25.

Commissioner Hamlin asked about lot coverage/parking lot coverage on the site plan. He said the site plan should state the maximum lot coverage and not minimum lot coverage on the site plan table. Hamlin mentioned that when Kroger expanded, that some of the areas in their development PUD were conversation areas. Hamlin recommended that the PC should make sure that this project is compliant with this Kroger Development Agreement. Hamlin said that the PC's requirements for the preliminary site plan requires that applicants should have full-sized architectural plans submitted but there are none. Hamlin said he was looking for height and color of the building or the vacuum center. He said he would like to know what they look like. Hamlin explained that his wife and himself see numerous vacuums in front of the Brighton Meijers that no one is using.

Trustee Hughes said that she was concerned by having so many vacuums in one area. She fears that this might cause many people to back into each other. She said that they almost do that in the Kroger shopping parking lot. She agreed that the number of vacuums being proposed here was too many. Commissioner Hamlin touched base on landscaping requirements. He said he thought they needed 8 trees on the north side of the building, but that all these trees shouldn't be put into one little area. He commented that the developer needed trees on the north side of the building as well.

Vice chair Muir recommended that the developer keep some of the mature trees that are on the north side of the building. Eric came up to the podium and explained that David had pointed this out to him. Two or three trees to the west end of the parcel could be saved. Eric said the issue is having to regrade this site to bring it up in elevation to the roadway. Eric said that they want people to have the chance to see their building easily from M-36 so they can safely maneuver into the shopping center and access their car wash. Eric said that he believed in the development agreement that there was language that allowed for the removal of trees on lot # 10 for its development. Eric mentioned that they were having issues with DTE regarding the utility easement through that area. Eric said that the utility companies usually come through and chop the tops of the trees making them look ridiculous. Eric stated that Whitewater wants people in the community to be happy with their car wash project. He said if a handful of additional trees were needed, then they would be willing to do that.

Hamlin mentioned that the site plan stated that a few exterior tunnel wall lights would be left on all night near the office door for security purposes. Hamlin said he believed that lights were supposed to be off at 11pm. Eric said that if that is an ordinance requirement, then they will abide by that. David responded to Hamlin that these are referring to the parking lot lights, not lights on the building. Hamlin said that they have had issues with lighting with past projects. Since the PC members are not lighting experts, we would hate for this to be built and then to find out it is an issue later. Eric assured Hamlin that the lighting that they would be using would be downward shielded. Hamlin stated that this site plan should include architectural plans that include some specifications /drawings of the vacuums. Hamlin agreed that the number of vacuums should be reduced and that more landscaping

was needed on the north side of the building. Hamlin also mentioned that they needed to make sure that this whole project was fully compliant with the development agreement that Kroger signed with their expansion.

Vice Chair Muir asked David if the preliminary site plan review approval required architectural design plans right now. Hamlin said that the check list for Preliminary and Final Site Plan Approval require architectural landscape plans. Hamlin read that these architecture plans are required to show elevation building design, size, height, windows and doors.

David said that the full-sized architectural plans that came in as part of the submittal, which he included in their packets, but they are not attached to the full-sized site plans. David said he will have them add the full-sized architectural plans to the site plan for the final site plan submittal. David reminded the PC that the Development Agreement was amended regarding the creation of lots of 9 & 10. David had spoken to Bill Watch and Mike Dolan about this development agreement. David said that there was no formal conservation easement. These vacant parcels were intended as commercial lots. David said that the PC members could receive a copy of the Development Agreement for the final site plan meeting.

Vice Chair Muir said he didn't see any trees on the site plan. Eric said that they created a new site plan after they got the comments from David. Eric went to the easel and walked the new site plan up to the PC members' table. Eric agreed that there were no trees on the north side of the building. There was more discussion about the DTE utility easement and possible tree locations. Muir asked the developer if they could reduce the number of vacuums and see if that new experiment in Hamburg would work for future developments. Sean said that they would have to go back to their partners to see if they would be willing to do that.

Trustee Hughes asked for either David or the developer to clarify the north side of this development. The developer explained the site plan. Hughes asked where the car wash employees would park. Eric said that they could utilize 5 offsite parking spaces in Chilson Commons for their staff members to park.

Commissioner Leabu said that Hamburg is rural so the idea of people needing a 19 vacuum center is beyond his imagination. Leabu said he drove by the Brighton Whitewater Car Wash, and he had seen all the fluorescent lights for the vacuums at night. Leabu asked if the developer could agree on the minimum 15 vacuums, would they consider adjusting their lighting policy for the vacuum center. Sean said they would be willing to make some adjustments. Sean said that they had dropped down to lights on every other vacuum. Leabu said he was flexible on the number of vacuums, but he wasn't flexible on the landscaping. Leabu said that they would not require them to do more landscaping than they have done with past projects.

Eric went to the easel and brought that new rendering picture to the PC table. Sean assisted Eric, by bringing the building sample board over to the PC table. Sean let Leabu know that the front of the building would be using architectural block which is not brick but half blocks. He said that this is a new prototype of building design. Trustee Hughes said that she liked this new style of building that was presented on the rendering and on the sample board. Leabu started talking about awnings over each window on the front street-side, but Hughes said she didn't want awnings to be put on the front of the building. She said the current design had a nice, clean smooth surface. Leabu said he wasn't clear on what materials were on the rendering drawings. Sean and Eric explained what materials were being proposed where on the buildings. Leabu asked the developer if they had already set up

this type of building somewhere that they could fly them to, so they could view it. Leabu complemented their work on the materials board. Sean thanked Mike in the back.

Trustee Hughes mentioned that landscape screening is very important to Hamburg Township to hide buildings and developments from the road. She said whatever they could do to help make their development as rural as possible would be much appreciated. Commissioner Mariani added to what Hughes said, asking that the trees be added in clusters rather than in straight line along the road. She recommended that they mix up the variety of trees with low shrubbery in the front. Mariani recommended some arborvitaes with lower bushes in bunches to give the site a warmer look rather than a linear design. Eric reiterated that the PC seemed to be looking for a more natural look rather than a cookie cutter image. He said that they would be strategic with their view lines. Trustee Hughes asked Leabu if the landscaping could consist of mulch, small greenery items and much bigger things. She proposed landscaping that doesn't need a lot of maintenance and that can be kept wild. Some of the PC members mentioned that people would be walking along that area so it would need to be maintained. She agreed that she has never walked along that corridor so she might need to walk by there to see what it looks like, in order to have a better idea of what she is proposing.

The PC members had a discussion with the developer and applicant about how quick and how easy it was to purchase a car wash. Eric clarified that the reason that they propose so many vacuums is to avoid having backup accidents in the vacuum center, with people who are waiting to get into a spot. Eric said they are trying to reduce site impacts and reduce noise coming from the site. Sean also let the PC know that they do not only offer vacuums at their car wash, but they offer glass & multipurpose cleaning there as well. There is a mat washer too.

Trustee Hughes mentioned that when the new apartments are built and the new residents don't have a location to vacuum out their vehicles, they will love going there to wash & vacuum their cars out. Commissioner Priebe agreed with the PC members that the landscaping is non-negotiable. The number of vacuums is not a big deal. David reminded the PC members and the developers that the signage packet will need to be presented at the final site plan review. Sean reminded the PC board that the lights will go off on automatic timers.

Approval motion made by Commissioner Priebe, seconded by Trustee Hughes, to grant recommended preliminary approval for the resolution provided with the following five conditions:

Condition #1 Detailed signage plan should be submitted for the final site plan review.

Condition #2 Prior to the review of the final site plan or the issuance of a land use permit as needed. All appropriate approvals from local, state, county and federal agencies, including but not limited to the Hamburg Township Fire, Assessor, and Public Works Dept., the Livingston County Road Commission, the Livingston County Drain Commission, County Health Dept, Michigan Dept of Environment, Great Lakes and Energy, and MDOT shall be received.

Condition #3 Additional landscaping will be required along the north side of the building.

Condition #4 The vacuums will be black and specified on the architectural plans.

Condition #5 Consider reducing the number of vacuums and lights on the vacuums.

3) Zoning Administrator's Report

- 2025 Annual Report review

- (1) Hamburg Township is now going through a recertification for our MS4 permit with EGLE.
- (2) Data centers- Vice Chair, Muir asked David if we should worry about data centers being located in our township. David said that we don't have enough vacant acreage for such a development in our township.
- (3) Cell tower permit- Commissioner Hamlin asked about this permit. David let him know it was for an equipment upgrade to an existing cell tower.
- (4) Three grading complaints for code violation without grading permits. David let Commissioner Hamlin know that these were concerns that came from neighbors. David said that Ted goes out to check, and each complaint involved the delivery of dirt for a raised bed or a landscaping project that didn't require a grading permit.
- (5) Short term rentals- Commissioner Leabu asked how these land use permits were going. David said we don't get many of them during the winter. David said there will be an increase in STR land use permits as well as complaints about STRs during the summer since people will be active outdoors and utilizing Airbnbs more frequently. Leabu asked if anyone is talking about legally limiting Airbnbs in Hamburg Township now that the Michigan Supreme Court ruled in favor of local governments' ability to controlling STR. He continued that when the township did our STR ordinance in 2023; we weren't sure if the STR would be legal or not. Leabu asked David if the Township Board is talking about STR. David said no, there hasn't been any talk about limiting STR since this would be a policy decision. David asked Trustee Hughes if she knew of the Board thinking about changing the STR ordinance. She said that there were more pressing issues on the Board's radar right now. Leabu went on to say that he was surprised that the Lakelands Golf and Country Club and the Lake Association have changed their rules for both the lake and the club. They prohibit any outside boats or users on this lake since Winans Lake is a private lake. He said that he is concerned that if the land use application is issued for a STR but there are HOA Lake Association and country club rules that do not allow such STR, then the STR should become invalid. Leabu said that their HOA will have to go to court about this situation. Leabu asked if the township planning department looks at the Homeowner Association's rules before issuing such permits. David said no, our standard practice is that we don't enforce private HOA restrictions or deed restrictions on land before issuing a permit. David let Leabu know that he confirmed that this practice is legally correct with our township attorney. David also stated that we always ask the applicant or contractor to be sure that their project meets all their homeowner's association rules. Leabu asked Commissioner Hamlin to explain what Ann Arbor Township required to ensure that a land use project met the homeowner's association rules. Hamlin said the HOA would issue an approval form stating the project met their rules and restrictions. David said that we can't deny the issuance of a land use permit based on such HOA rules. David said that a private deed or a private property restriction is a civil issue. Township and municipalities do not enforce private association deeds and restrictions. If we deny someone a land use permit for a deck based on the HOA rules, then that applicant could take the township to court to force us to provide them with the deck permit. David said we can recommend that they should meet their HOA rules and restrictions, but we can't withhold permits based on these private associations' restrictions for the issuance of land use permits. If a land use permit is issued, the HOA will have to take the homeowner or contractor to court since this is a civil issue if it is against their HOA rules. Leabu said that the one home on their lake turned the home into a 5-bedroom home, the garage into a recreation room

and the shed by the lake into a sauna. Trustee Hughes said she hadn't looked at the STR zoning ordinance in a long time. She recollected that it was based on the number of allowed people in a STR based on how many bedrooms are in the home, and that it related to how much parking there is onsite. Leabu said that the new owner is probably doing a 1031 exchange. Trustee Hughes asked if a homeowner would need to have a STR land use permit from Hamburg Township before they advertise a STR on an advertisement site. Leabu and David said yes. Leabu said that this STR exists on their lake currently, so they have updated their association rules to ensure that no one else could apply for a STR land use permit on Winans Lake. Winans is a private lake. It doesn't allow outside boats on their lake to avoid having zebra mussels introduced into their lake. Leabu asked how the HOA can prevent someone from bringing in guests who have boats with these mussels on them. David reminded Leabu that we let all applicants and contractors know that if there is an HOA, they need to reach out to them and get approval for this project. Then we would let the applicant know they should start with the HOA regarding their rules and requirements regarding STR.

ADJOURNMENT

Approval motion to adjourn at 7:46 pm was made by Commissioner Priebe, seconded by Commissioner Hamlin.

Voice Vote: Ayes (6); Absent (1) Chair Muck

VOTE: MOTION CARRIED

Respectfully submitted,

Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

David Rohr

Planning & Zoning Director

The minutes were approved as presented/corrected: _____



Jeff Muck, Chair