

CARSON CITY PARKS AND RECREATION COMMISSION

Minutes of the January 18, 2005 Meeting

Page 1

A regular meeting of the Carson City Parks and Recreation Commission was scheduled for 5:30 p.m. on Tuesday, January 18, 2005 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Tom Keeton
Vice Chairperson Donna DePauw
Donna Curtis
John Felesina
Charlene Herst
Michael Hoffman
Pete Livermore
John McKenna
Tom Patton

STAFF: Roger Moellendorf, Parks and Recreation Department Director
Scott Fahrenbruch, Parks and Recreation Department Director of Operations
Juan Guzman, Open Space Manager
Vern Krahn, Park Planner
Walter Sullivan, Planning and Community Development Department Director
Kathleen King, Recording Secretary

NOTE: A tape recording of these proceedings is on file in the Clerk-Recorder's Office, and is available for review during regular business hours.

CALL TO ORDER AND ROLL CALL (1-0007) - Chairperson Keeton called the meeting to order at 5:30 p.m. Roll was called; a quorum was present. Commissioner McKenna arrived at 5:37 p.m. Commissioner Patton arrived at 5:39 p.m.

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (1-0069) - Beth Scott provided background information on what residents in the southern portion of town "have been going through for the past couple years in anticipation of the bypass." She distributed an aerial photograph of the area to which she was referring. She discussed access issues in the area and advised that the residents have attended NDOT public hearings over the past two years. She stated that NDOT representatives have indicated, in writing, that the issues raised by the residents in south Carson have been adequately addressed. She explained that the issues are associated with quality of life and "directly related to recreation." She advised that the access to Edmonds Park and open space lands "will be completely cut off." She stated that "all access out of south Carson is being directed to Snyder [Avenue], Koontz Lane, and Clearview Drive." She advised that Valley View Drive and Hillview Drive are used heavily for access to the Edmonds Sports Complex and the Stewart Indian School. She advised of having attended a City transportation plan meeting in May, and discussed a statement from the Federal Highway Administration issued to the American Horse Council which indicates "there is nothing that precludes horses from being considered as transportation." She expressed the opinion that equestrians should be considered in the City's transportation plan. She expressed concern with regard to the City's plans for smaller parcels of public land located adjacent to residences in the southern portion of town in that these are used as access points to open space. She expressed an overall concern with regard to how the planning process and the bypass will affect residents of south Carson, and requested the Commissioners to "keep those things in mind."

1. ACTION ON APPROVAL OF MINUTES (1-0014) - None.

CARSON CITY PARKS AND RECREATION COMMISSION

Minutes of the January 18, 2005 Meeting

Page 2

2. **CHANGES TO THE AGENDA** (1-0188) - Mr. Moellendorf suggested reversing the order of items 3-B and 3-C.

3. **AGENDA ITEMS:**

3-A. ACTION REGARDING A PARKS AND RECREATION COMMISSION TOUR BY THE NEVADA DEPARTMENT OF TRANSPORTATION OF THE CARSON CITY FREEWAY PROJECT (1-0228) - Mr. Krahn reviewed the staff report. Commissioner Livermore advised of having participated in a tour and encouraged the other Commissioners to do so. The Commissioners expressed an interest in participating, and discussion took place with regard to scheduling details.

(1-0388) Ms. Scott expressed appreciation for the Commissioners' interest in the tour of the freeway bypass. She advised that each time Equestrian Alliance representatives have raised the issue of equestrian access with NDOT staff, they have been "channeled to the Parks and Recreation Commission." The Equestrian Alliance has been working on "a design for getting horses across the bypass with traffic. That means on the overpass instead of separate, dedicated, non-motorized crossings which are still the best alternative, but may be unrealistic in the short term." Ms. Scott advised of available grant funding for such a structure, but that NDOT quoted an estimate of \$2.5 million. She discussed various overpass designs, and advised of having conducted an Internet search which revealed not "a single place in the United States where they cross horses over a bypass with traffic." She further advised that the Equestrian Alliance Technical Committee has developed two different designs which would serve the three places that cross the bypass. She hopes to have schematic drawings approved by the end of the week. She discussed issues and safety concerns associated with "moving horses through the urban area." She advised that the Equestrian Alliance will be providing recommendations for equestrian trails to the Parks and Recreation Department.

Commissioner Livermore suggested agendaizing, for a future meeting, additional discussion regarding equestrian access issues. Chairperson Keeton agreed, and suggested requesting a member of the Regional Transportation Commission to participate in the discussion. He assured Ms. Scott that this Commission "will do everything we can to help." He called for additional public comment and, when none was forthcoming, entertained a motion. **Commissioner Hoffman moved to request staff to arrange a Parks and Recreation Commission tour by NDOT of the Carson City freeway project. Commissioner Curtis seconded the motion. Motion carried 9-0.**

3-B. ACTION REGARDING CHANGES TO THE PARKS AND RECREATION COMMISSION BYLAWS (1-2250) - Chairperson Keeton provided an overview of the agenda materials pertinent to this item, and reviewed suggested revisions which he distributed prior to the start of the meeting. Mr. Moellendorf reminded the Commissioners that amendment to the bylaws requires introduction at one meeting and action at the next meeting with affirmative vote of two-thirds the total Commission membership. Discussion took place regarding the proposed revisions, and Mr. Moellendorf requested the Commissioners to consider revising the meeting schedule to one meeting per month. Additional discussion took place with regard to the same, with regard to canceling the second meeting in December of each year, and establishing term limits for the chair and vice chair. Commissioner Patton offered to compare the proposed revisions to the provisions of the Nevada Open Meeting Law, the Nevada Revised Statutes, and the Carson City Municipal Code to ensure no conflict. At Chairperson Keeton's request, each of the Commissioners expressed their opinions and commented on the proposal to establish term limits for the chair and vice chair. Discussion took place with regard to the procedure for amending the bylaws, and Chairperson Keeton called for a vote on whether to establish term limits for the chair and

CARSON CITY PARKS AND RECREATION COMMISSION

Minutes of the January 18, 2005 Meeting

Page 3

vice chair. The Commissioners voted 5-4 in favor of establishing term limits. Additional discussion took place, and consensus of the Commission was to establish a two-year term limit for the chair and vice chair.

Discussion took place with regard to agenda items requested by the Commissioners, and Mr. Moellendorf agreed to establish a procedure whereby staff will inform the Chairperson and the Commissioners with regard to the time table for agenda items. He advised that establishing a time limit for agenda items would be unreasonable. Additional discussion took place regarding revisions to the language of the bylaws. Mr. Fahrenbruch suggested adding, to the "Non-Action Items" section of the agenda, an item entitled "Future Agenda Items from Staff." Commissioner Livermore suggested including an "FYI" section, in the agenda materials, for future items to be agenda items over the next three to six months. Chairperson Keeton offered to prepare this. **Commissioner Patton moved to incorporate the changes agreed to at this meeting and, whatever changes are determined appropriate based on consultation with the Commission's legal counsel, present at the next meeting a new document for consideration by the Commission to then be approved at the next subsequent meeting. Commissioner Herst seconded the motion. Motion carried 8-1.**

3-C. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS TO ADOPT THE UNITED STATES FOREST SERVICE CLEAR CREEK / KINGS CANYON LANDSCAPE ANALYSIS AND STRATEGY (1-0542) - Mr. Krahn thanked U.S. Forest Service ("USFS") Hydrologist Sally Champion and Supervisory Forester Larry Randall for their key participation in development of the Landscape Analysis and Strategy. He provided an overview of the agenda materials pertinent to this item, and reviewed the staff report.

Ms. Champion advised of having served as the project leader in development of the Landscape Analysis and Strategy, and narrated a PowerPoint presentation. At Ms. Champion's request, Mr. Krahn discussed the collaboration between USFS, Parks and Recreation Department, and other City staff in development of the Landscape Analysis and Strategy. Mr. Guzman discussed advantages to the Open Space Program of collaborating with USFS staff, and his association with the Tri-County Group comprised of Carson City, Douglas and Washoe County Parks and Recreation Department staff, non-profit organization representatives, and USFS representatives. He advised that, from a regional perspective, Carson City has an advantage over Washoe and Douglas Counties in consideration of legal access to USFS lands. Carson City's disadvantage is in the area of developed facilities associated with USFS lands. Mr. Guzman advised that the Landscape Analysis and Strategy will provide opportunities for developing "things in common" with the USFS. Cooperation and collaboration will "stretch mutual funds." Mr. Krahn discussed the importance of considering recreation opportunities in cooperation with the USFS as Carson City moves toward build out. He noted that the timing for publishing the Landscape Analysis and Strategy dovetails nicely with the City's ongoing master plan update process.

Ms. Champion reviewed the key findings and recommendations outlined in the Executive Summary (Exhibit A), which were developed in conjunction with various agency representatives, the public, and USFS staff. She pointed out, on displayed maps, areas identified for wildlife habitat improvement; fuels reduction treatments; cultural resource inventory, interpretation, and protection; and road designation and maintenance.

Mr. Randall expressed appreciation for the opportunity to have worked with Mr. Guzman and Mr. Krahn. He stated, "There's no finer recreation staff up and down the [Sierra] Front." He advised that the Carson Ranger District manages approximately 400,000 acres of land from Sonora Pass to Bridgeport to beyond Reno. He commented that each geographic area "seems to have its own signature and unique problems,

CARSON CITY PARKS AND RECREATION COMMISSION

Minutes of the January 18, 2005 Meeting

Page 4

but there's a lot of commonality in what we're seeing up and down the front." He discussed issues associated with population growth and changing concepts regarding "how people want to use their public lands." He advised of people recently telemark skiing down C-Hill as an example of more extreme sports activities taking place up and down the Sierra Front. He discussed the expectation, by a growing and changing population, that the USFS, cities, and counties are obligated to provide facilities for more specialized kinds of recreation activities. He discussed the premise of the Landscape Analysis and Strategy to consider the landscape as a whole and a variety of uses to best meet the public's needs.

Mr. Randall discussed the key recreation findings and recommendations outlined in the Executive Summary, specifically for the road and trail system; day use facilities; and law enforcement. He pointed out landmarks on a displayed map, and discussed areas identified for day use facilities; motorized and non-motorized uses; and trailheads. Mr. Randall advised that the Humboldt-Toiyabe National Forest has been charged with updating the travel management plan. The Landscape Analysis and Strategy will provide a first step to begin designating routes. Mr. Randall advised that the Carson Ranger District has applied for funding to begin site specific planning this year. He anticipates that a decision will be made in approximately a month and, if the funding is received, USFS representatives will return to present road system details.

In response to a question, Mr. Randall advised that details such as parking and restrooms for day use and trailhead facilities will have to be worked out as part of each project-specific analysis. In response to a further question regarding law enforcement, he advised that management of day use facilities will require a "more regular presence." USFS staff has found that providing nice facilities tends to attract more responsible users and displace the "trouble makers." Mr. Randall expressed the hope that a managed recreation approach will reduce the need for law enforcement. He acknowledged that law enforcement will always be a challenge.

Commissioner McKenna agreed that "good facilities and good users" decrease the need for law enforcement. He discussed the importance of providing facilities for mountain climbers, mountain bikers, and long-distance runners. He proposed the utilization of volunteers if Carson City takes over maintenance of facilities on USFS land. He suggested that volunteers could be coordinated by the City or by the USFS, and discussed the Tahoe Rim Trail Association's ("TRTA") maintenance of the Tahoe Rim Trail. Mr. Randall agreed that mountain climbing should be included "in the picture of opportunities and activities." He advised that mountain bike trails and facilities for long-distance runners would be considered as part of a project-specific analysis. He further advised that the USFS works extensively with the TRTA, and noted that the TRTA's original mission was largely accomplished with completion of the last leg of the Tahoe Rim Trail. He advised that USFS staff is considering "spokes" from the Tahoe Rim Trail to Carson City and other areas. He stated that the USFS hasn't had as much success with volunteer maintenance of trails and facilities as with volunteer construction.

Commissioner McKenna advised that the TRTA recently constructed a trail, for the Carson Ranger District, from the NDOT kiosk on top of State Route 431 all the way over to the Mount Rose Trail through the Galena Creek watershed. It took more than two years to complete and Commissioner McKenna noted that the work was done entirely by volunteers. He suggested that if Carson City wants a trail to run from Kings Canyon Road to Ash Canyon or to Franktown Road, there are volunteers to build the trail in conjunction with a coordinator. Once a trail is built, groups like TOMBA and mountain bikers will maintain the trail.

CARSON CITY PARKS AND RECREATION COMMISSION
Minutes of the January 18, 2005 Meeting
Page 5

Commissioner McKenna clarified that volunteer maintenance referred to trail construction and improvements; trash pick up will most likely have to be paid for. Mr. Randall advised that TRTA and Carson Valley Trail Association members are “highly skilled ... in trail layout and design.” He agreed that volunteers will be able to build the trails once routes are established.

Commissioner Livermore commended Mr. Randall and Ms. Champion on the well-designed plan which “leaves a little bit for everybody” without excluding anyone. Mr. Randall acknowledged there is no TRPA element to the Landscape Analysis and Strategy, but advised that the Carson Ranger District is subject to the National Environmental Policy Act (“NEPA”). Once priority projects are identified, the next challenge is funding site-specific analyses pursuant to NEPA. Mr. Randall anticipates that most of the projects will require “mid-level analysis.” In response to a question, Mr. Guzman reviewed the private property owners in the area, and advised that staff has been and will continue to coordinate with them. In response to a question, Ms. Champion advised that USFS volunteers have been collecting and growing bitterbrush and sagebrush seed, and that the USFS recently reseeded the Voltaire Canyon burn area. In response to a further question, she discussed the Fire Safe Council formed by residents of the Clear Creek area, fuels reduction treatments, and funding sources. Commissioner Livermore discussed other approaches to fuels reduction, such as the biomass plant and grazing livestock.

Ms. Champion advised that USFS staff worked with Mr. Guzman and Mr. Krahn to identify proposed priority projects, as follows: (1) Designate an OHV road network in Kings and Voltaire Canyons; (2) establish a non-motorized trail system to connect C-Hill and Kings Canyon. Mr. Guzman explained a rehabilitation project, proposed through FEMA, to establish a fuels management break surrounding C-Hill. He described the proposed route, and pointed it out on a displayed map. The proposed project will be designed as a fire break as well as a non-motorized trail. Ms. Champion described proposed project (3) to develop a day use area in the Borda Meadow. USFS and City staff will continue to consider opportunities and define projects in order to move forward as funding and volunteers become available. Ms. Champion thanked Mr. Guzman and Mr. Krahn, and expressed appreciation for the opportunity to work with City staff. She commented on the unique opportunity for USFS staff, as residents of Carson City, to work on the Landscape Analysis and Strategy.

In response to a question, Mr. Randall advised that volunteer coordination will be project dependent. He explained that the USFS has no volunteer coordinator on staff. In response to a question regarding the C-Hill connector trail, Mr. Guzman explained that the trail will most likely be wide enough to accommodate vehicular use; however, because of its location behind residences, the trail will be more appropriate for equestrian and pedestrian use. He acknowledged that the trail will be designed as a fire road “to be used for other opportunities” as they are presented. Mr. Randall responded to questions regarding connections for the Capital to Capital Trail.

(1-1648) Brian Doyal, of the Pine Nut Mountain Trails Association (“PNMTA”), advised that PNMTA members “have picked up 750 cubic yards of trash and 12 cars.” Clean up days are scheduled a couple times a year. Mr. Doyal described the varied recreational interests of the PNMTA members, and discussed reasons for OHV users pioneering new trails. In response to a question, Mr. Randall explained that the Landscape Analysis and Strategy is “conceptual in terms of how to allocate use.” When it comes time to propose a detailed trail network, USFS staff will receive public input and recommendations as a next step to the Landscape Analysis and Strategy.

At Mr. Krahn’s request, Mr. Randall discussed the work done between USFS staff and Peavine Mountain user groups to reconnoiter existing trail routes and subsequently designate official routes. USFS staff is

CARSON CITY PARKS AND RECREATION COMMISSION

Minutes of the January 18, 2005 Meeting

Page 6

now in the site-specific analysis process for individual roads and trails on Peavine Mountain. In response to a question, Mr. Randall discussed the trail proposed for Voltaire Canyon. He advised that visual and noise impacts will be evaluated during the site-specific analysis. In response to a further question, Mr. Randall advised that USFS staff is in the process of determining the level of analysis required for the Humboldt-Toiyabe Travel Management Plan update. Mr. Krahn advised there may be proposals to close certain roads and trails or create alternates, due to environmental concerns, after detailed analysis is conducted. In addition, the Waterfall Fire revealed roads and trails which were previously unknown to USFS and City staff. Mr. Krahn advised that some of these may be rehabilitated once the detailed analysis is complete. Mr. Randall noted that available funding is key to any project. He advised that proposed routes can be reconnoitered now. In response to a question, Mr. Randall reiterated that the project time table is dependent upon funding. In response to a comment, he advised of the possibility that development of any single trail may require a high level of environmental analysis and documentation. Mr. Doyal discussed the importance of designating trail routes "up front," and Mr. Randall agreed that this is a much more efficient approach. Mr. Doyal commented that environmental assessment is a very involved process.

In response to a question, Mr. Randall advised that no distinction has yet been made with regard to pedestrian or bicycle-only trails. Commissioner McKenna discussed the importance of an overall, comprehensive plan at the beginning because adding on becomes expensive. He suggested that an environmental assessment could be conducted for the area designated with grant funding, and that a master plan could be developed for all types of users. This approach may "cost a little more up front, but in the long run we would have something that would put this area on the map." Commissioner McKenna suggested that some of the funding should be provided by businesses "designed to attract people to this area for overnight stays." Mr. Doyal stated that "Arizona brings in \$4 billion a year for recreation." He agreed with Commissioner McKenna's comments, and expressed the opinion that consideration of the recreational experience is an important key. He advised that the Rubicon Trail attracts 37,000 visitors per year, and suggested that "something small like that would keep people from tearing up other areas." He discussed trail work being done by the PNMTA on the east side of the valley "to get people out of El Dorado Canyon" which is a riparian area. He discussed various funding sources available for constructing trails.

Mr. Krahn advised that the Landscape Analysis and Strategy was developed in consideration of a balanced approach to park and recreation facility development. He expressed appreciation for the opportunity to have worked with USFS staff, and the hope that the Landscape Analysis and Strategy will be effective for the City and will involve the users as plans move forward. Mr. Doyal commended the USFS on their management practices, and expressed his appreciation.

(1-1934) Beth Scott, of the Carson City Equestrian Alliance, expressed an interest in adequate access for horse trailers. She expressed the opinion that adequate horse trailer access would equate with adequate fire truck access, and discussed her involvement in the Waterfall Fire as an American Red Cross volunteer.

(1-1968) Patty Hill, of the Carson Valley Chapter of Back Country Horsemen, discussed work done in conjunction with the TRTA and the USFS. She agreed that trail heads and horse trailer access are important, and discussed the importance of leaving no trace.

(1-1995) Wes Clyde, of the Carson City Advisory Board to Manage Wildlife, expressed appreciation for the Landscape Analysis and Strategy. He inquired as to whether the Nevada Department of Wildlife had any involvement in its development and the type of feedback received. Ms. Champion advised of having met with NDOW representatives regarding Waterfall Fire rehabilitation. She further advised that the USFS District Wildlife Biologist has regular contact with NDOW staff. In response to a question, Mr. Clyde

CARSON CITY PARKS AND RECREATION COMMISSION

Minutes of the January 18, 2005 Meeting

Page 7

advised that there are no particular wildlife issues in the area which he would like to see addressed. His main concern was with “replanting the burned areas of Voltaire Canyon and C-Hill.” He expressed the opinion that the Landscape Analysis and Strategy “will be a great thing for the City ... and for the wildlife.” Mr. Krahn thanked Mr. Clyde and the other citizens for attending and participating.

Commissioner Patton inquired as to the reason for the upper portion of Clear Creek Road being limited to fire and administrative access, and not available for ATV or OHV uses. Mr. Randall explained that the road became breached in a number of places after it was abandoned by NDOT in the 1950s. He advised that the road is generally inaccessible to motor vehicles, and that USFS staff will be challenged to determine the standard for administrative traffic. He discussed additional issues of allocation and private residential property. In response to a question, Mr. Guzman advised that Ash Canyon was left out of the Landscape Analysis and Strategy because of logistics and budget constraints. He discussed FEMA funding available for Ash Canyon Road, but advised that it will first be reconditioned in order to accommodate the timber harvest operation. Once the road is rehabilitated, City staff will need to ensure the Board of Supervisors understands the importance of maintenance.

Mr. Guzman requested the Commissioners to “think big” with regard to potential projects associated with the Landscape Analysis and Strategy, and to consider recreation facilities on USFS property. He discussed the incredible resource that is Kings Canyon, and requested the Commissioners to consider the area “as a whole,” including the route, the historic significance, and opportunities for unique and meaningful projects. Commissioner Livermore discussed the historic significance of Kings Canyon Road as part of the Lincoln Highway. He requested Mr. Randall and Ms. Champion to indicate the historic significance as part of the Landscape Analysis and Strategy.

Chairperson Keeton thanked Ms. Champion and Mr. Randall. **Commissioner Felesina moved to recommend to the Board of Supervisors to adopt the United States Forest Service Clear Creek / Kings Canyon Landscape Analysis and Strategy. Commissioner Hoffman seconded the motion. Motion carried 9-0.** [Chairperson Keeton recessed the meeting at 7:36 p.m. and reconvened at 7:44 p.m.]

4. NON-ACTION ITEMS:

STATUS REPORT ON QUESTION #18, RESIDENTIAL CONSTRUCTION TAX, AND CAPITAL IMPROVEMENT PROJECTS (2-0178) - [Commissioner Livermore left the meeting at 8:46 p.m.; a quorum was still present.] Mr. Moellendorf reported on a meeting held earlier in the day to review the status of the Fuji Park Urban Fishing Pond. A meeting will be held next week to review the design status of the park and fairgrounds improvements. Mr. Moellendorf anticipates that design will be 60% complete within the next couple months.

STATUS REPORT ON UPDATE OF THE PARKS AND RECREATION ELEMENT TO THE MASTER PLAN - None.

STATUS REPORT ON STATEWIDE BALLOT QUESTION #1 PROGRAM, GRANT APPLICATIONS, AND PROJECTS - None.

STATUS REPORTS AND COMMENTS FROM STAFF (1-0023) - Mr. Sullivan discussed a series of workshops scheduled for February 8, 9, and 10 on cable communications in Carson City to receive input for the new franchise agreement. He distributed a brochure on the workshops and invited the Commissioners to attend. He responded to questions regarding the workshop schedule.

CARSON CITY PARKS AND RECREATION COMMISSION

Minutes of the January 18, 2005 Meeting

Page 8

(2-0195) Mr. Moellendorf reviewed tentative agendas for upcoming Commission meetings. In response to a question, Mr. Fahrenbruch reviewed the prioritization of snow removal for City buildings, City parking lots, and parks and recreation facilities. Mr. Moellendorf commended Mr. Fahrenbruch and the Parks crews on the snow removal efforts.

(1-0377) In response to a question, Mr. Fahrenbruch advised that he and Ed Moran's daughter had agreed to discuss a date for the memorial tree planting in January. He anticipates being able to speak to her within the next week. In response to a question, Mr. Krahn discussed the Bureau of Land Management's update of the Urban Interface Plan and the ongoing Pine Nut Mountains Plan Amendment process. In response to a comment, Mr. Krahn offered to schedule a tour of the urban interface area.

STATUS REPORTS AND COMMENTS FROM COMMISSIONERS (2-0289) - Commissioner Curtis expressed an interest in agendizing for discussion the Commission's "internal processes," including establishing annual goals, providing the Board of Supervisors and the public an annual report, etc. Mr. Moellendorf agreed to agendize this for the next meeting.

FUTURE AGENDA ITEMS FROM COMMISSIONERS (2-0321) - Commissioner Hoffman requested staff to agendize discussion regarding equestrian access after the NDOT tour takes place. In response to a question, Mr. Moellendorf advised that staff will discuss the invitation to the Open Space Advisory Committee Chairman at the OSAC meeting scheduled for Monday, January 24th. Commissioner Hoffman acknowledged an interest in discussion of the relationship between open space and parks and recreation. Chairperson Keeton requested that Open Space Manager Juan Guzman be present at the meeting as well.

5. ACTION ON ADJOURNMENT (2-0448) - Commissioner Herst moved to adjourn the meeting at 9:00 p.m. Vice Chairperson DePauw seconded the motion. Motion carried 8-0.

The Minutes of the January 18, 2005 meeting of the Carson City Parks and Recreation Commission are so approved this 1st day of February, 2005.

THOMAS N. KEETON, Chair