

Commissioners' Journal
November 28, 2017

The Geauga County Board of Commissioners met in session on November 28, 2017 at 9:00 a.m. in the Commissioners' Chambers located at 470 Center Street in Chardon, Ohio.

It is declared and determined that all formal actions of the Board of County Commissioners concerning and relating to the adoption of all resolutions that were adopted in this meeting, and that all deliberations of the Board of County Commissioners that resulted in such formal action were open to the public and were in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

The President of the Board, Ralph Spidalieri opened the meeting at 9:02 a.m. by leading the Board and audience in reciting the Pledge of Allegiance.

APPROVE FINANCIALS

Budget and Finance Manager Adrian Gorton explained the financials for today as including an Appropriation transfer from the Commissioners' Office to cover County and State levy collection fees for the General Fund; Appropriations transfer from General Fund to cover year end needs in PERS for the Coroner's Office; Appropriations transfer General Fund Contingency to cover year end wellness incentives from CEBCO; Appropriations transfer from General Fund to cover year end needs in Salaries for the Clerk of Courts Office; a payment from ADP to Cornerstone I.T. Incorporated for upgraded SQL server licenses needed for New World in the amount of \$18,400.00; and a payment from Water Resources to Collins Equipment Corp for new fuel management system in the amount of \$23,874.00.

There was discussion on the Clerk of Courts budgeting adjustments for salaries, and that this was something that needed to be looked into further.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute Resolution #17-146 itemizing the financials for the meeting of November 28, 2017.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

AUDITOR'S OFFICE – LETTER OF UNDERSTANDING – AUDITOR OF THE STATE OF OHIO FOR FINANCIAL STATEMENTS AND COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

Auditor Frank Gliha explained that this agreement is with the Auditor of State for them to prepare the CAFR report for three years that includes a reduction in cost of about \$3,500 per year from the previous three years. There was discussion about what is included in the report and that it takes about 600 hours to complete.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute a Letter of Understanding with the Auditor of the State of Ohio for services to be provided by the Local Government Services Section of the Office of the Auditor of State (LGS) to Geauga County for basic financial statements and the Comprehensive Annual Financial Report (CAFR) for the years ending December 31, 2017, December 31, 2018, and December 31, 2019 in an amount not to exceed \$30,000.00 per year.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

COUNTY ENGINEER'S OFFICE – CHANGE ORDER #1 FINAL, INCREASING CONTRACT – RONYAK PAVING, INCORPORATED – RESURFACING OF CLARIDON TROY ROAD

Deputy Engineer Nick Gorris asked the Board to execute the Change Order, final with Ronyak Paving for the resurfacing of Claridon Troy Road which is an increase of about \$7,400.00 based on pavement work and profile milling to get a better project.

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Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute Change Order #1, Final, increasing the Contract with Ronyak Paving, Incorporated for the Asphalt Resurfacing of Claridon Troy Road (CH 3, Sections F-H) in Claridon and Hambden Townships in the amount of \$7,404.85.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

There was a brief discussion about whether paving was still being done and the difference with concrete.

COUNTY ENGINEER'S OFFICE – CHANGE ORDER #1 FINAL, DECREASING CONTRACT – RONYAK PAVING, INCORPORATED – RESURFACING OF MULBERRY ROAD

Mr. Gorris asked the Board to execute the Change Order, final with Ronyak Paving for the resurfacing of Mulberry Road which is a reduction of \$21,000.00 based on actual pavement repairs once they removed the surface. Since the repairs needed were mostly in the surface it saved money.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute Change Order #1, Final, decreasing the Contract with Ronyak Paving, Incorporated for the Asphalt Resurfacing of Mulberry Road (CH 39, Sections A-D) in Chardon Township in the amount of \$21,822.96.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

COUNTY ENGINEER'S OFFICE – AUTHORIZE BOARD MEMBER AND CEO TO EXECUTE OHIO PUBLIC WORKS COMMISSION, APPENDIX E

Mr. Gorris asked the Board to allow Commissioner Claypool to execute the final OPWC disbursement request for the Mulberry Road resurfacing project.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and authorize Walter M. Claypool, Board Member and Chief Executive Officer to execute the Ohio Public Works Commission, Appendix E – Disbursement Request Form and Certification #2, Final, in order to release funds from the state portion of our OPWC grant for the Asphalt Resurfacing of Mulberry Road (CH 39, Sections A-D) in Chester Township.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

DEPARTMENT ON AGING – UNPAID PERSONAL LEAVE OF ABSENCE – MAGALY RIOS

County Administrator David Lair explained that Ms. Rios was asking for an unpaid leave of absence for a vacation.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve an unpaid personal leave of absence for Magaly Rios, Recreation & Education Assistant, for up to forty (40) hours beginning December 26, 2017 through January 11, 2018.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – CHANGE ORDER #1 – INCREASE CONTRACT – GOTTSCHALK BUILDING COMPANY – KIWANIS LAKE COMMUNITY CENTER PROJECT

Program Administrator Joni Stusek explained that this project is under the Allocation Grant from CDBG and the floor was being replaced and it was discovered that the subfloor had crumbled, so it has to be replaced and leveled which caused the change order.

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Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and authorize the President of the Board to execute Change Order #1 increasing the Contract with Gottschalk Building Company for the Kiwanis Lake Community Center Project, under Grant #B-F-16-1AZ-1 due to a change in scope of work in the amount of \$832.00.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT – LEGAL BINDING DOCUMENTS – REVOLVING LOAN FUND LOAN TO 15332 OLD STATE ROAD PROPERTIES, LLC / THIRD DIMENSIONS, INCORPORATED

Director Anita Stocker explained that this is the Revolving Loan Fund loan for an 11,000 square foot expansion and for equipment with DeJesus and Third Dimensions. Ms. Stocker stated that this is the old Shade Tree building in Middlefield. Ms. Stocker briefly explained what packaging services that they offer and type of packaging they developed to be more efficient and have less damage to product.

Ms. Stocker explained that they will be back to do a CRA agreement as he is receiving an abatement on the 11,000 square footage.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute the legal binding documents for the Revolving Loan Fund (RLF) loan to 15332 Old State Road Properties, LLC/Third Dimensions, Incorporated for the expansion of building located at 15141 Kinsman Road, Burton and purchase of machinery and equipment, in the amount of \$100,000.00 for five years (60 months) at 3% interest, including: Mortgage, Participation Agreement, Promissory Note, Corporate Guaranty of 15332 Old State Road Properties, LLC, Corporate Guaranty of Third Dimensions, Incorporated, Personal Guaranty of Louis DeJesus and Personal Guaranty of Jeanette DeJesus.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

COUNTY HOME – APPROVE HIRING GUY NORTH – PART-TIME ATTENDANT (#1504-1)

Director Karen DeCola asked the Board to approve hiring Mr. North as a Part-time Attendant. Ms. DeCola explained that he will be working 3 days a week on both First and Third shifts to supplement his retirement.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve hiring Guy North to the position of Part-time Attendant (#1504-1) to be effective December 4, 2017 at the rate of \$11.58 per hour with a one year probationary period. This offer of employment is contingent upon the successful completion of the required pre-employment conditions.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

COMMISSIONERS' OFFICE – MEMORANDUM OF AGREEMENT – CLERK OF COURTS

Mr. Lair explained that the ORC allows the Clerk of Courts to transfer funds if it is agreed upon to the General Fund. It was noted that this was a \$4,000.00 one time transfer.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute the Memorandum of Agreement for Transfer of Funds, as Authorized under R.C. 325.33 between the Geauga County Clerk of Courts and the Geauga County Board of Commissioners.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

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COMMISSIONERS' OFFICE – APPROVE REVISED JOB DESCRIPTION – PLANNER (#1406)
– ADVERTISE UNTIL FILLED

Director of Administrative Services Linda Burhenne explained that the job description has been changed from 10 to 13E and includes additional education and experience requirements.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve the revised job description for the position of Planner (#1406) to be effective November 28, 2017.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to grant permission to advertise for the position of Planner (#1406). This position will remain posted until filled.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

Mr. Spidalieri expressed that he wanted it clear who would be handling the interview process, which he felt should be Ms. Burhenne, Mr. Lair and Mr. Dietrich. There was a brief discussion about someone from the Planning Commission Board being included but based on the position being under the Board's hiring authority, Mr. Dietrich's involvement should be a good representation of the Planning Commission.

COMMISSIONERS' OFFICE – DISCUSSION REGARDING UPCOMING MEETING DATES
AND TIMES

Commissioners' Clerk Christine Blair explained that she had sent the Board an email regarding a request to hold a work session to discuss the 2018 Re-organizational meeting items. Ms. Blair also inquired about when the Board wanted to hold the Re-organizational meeting based on the change to the ORC about the requirement of holding it by the second Monday rather than on the second Monday.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to schedule a work session on Tuesday, December 5, 2017 to discuss Re-Organizational items for 2018, following the regular meeting.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

Ms. Blair explained that the Planning Commission has moved their meeting from December 12th to the 14th to coincide with the Commissioners meeting but asked for additional time. This request would need to move the start of the Commissioners meeting back to start at 10:00 a.m. and perhaps adjust the start time or date of the work session with Bowen. Ms. Blair reminded the Board that the 14th will be a busy day with Planning Commission, Session, C.I.C. Luncheon at Noon and then a Public Viewing in Parkman at 3:00 p.m. Ms. Blair briefly explained the process of the proposed Road Vacation in Parkman and the tight time schedule.

Motion: by Commissioner Lennon, seconded by Commissioner Claypool to move the start of the Thursday, December 14, 2017 meeting back to begin at 10:00 a.m.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

COMMISSIONERS' OFFICE – THRASHER, DINSMORE AND DOLAN

Mr. Lair explained that this is a waiver from Thrasher, Dinsmore and Dolan for an informed consent of conflict between the Prosecutor's Office and Thrasher with regard to representation of a bank on another issue. It shouldn't be a conflict for Thrasher to continue to represent the Board of Commissioners with regards to the Airport Authority.

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Motion: by Commissioner Lennon, seconded by Commissioner Claypool to approve and execute the Informed Consent of Conflict of Interest with Thrasher, Dinsmore and Dolan.

<i>Roll Call Vote:</i>	<i>Commissioner Lennon</i>	<i>Aye</i>
	<i>Commissioner Claypool</i>	<i>Aye</i>
	<i>Commissioner Spidalieri</i>	<i>Aye</i>

COMMISSIONERS' OFFICE – DISCUSSION – CHAIN OF COMMAND POLICY

Mr. Lair brought up for discussion the proposal of a new Chain of Command Policy that gets into specifics regarding the Board's hiring authority however if adopted as is could have consequences. Mr. Lair provided an example letter from Butler County that is a letter outlining expectations. Mr. Spidalieri stated that he felt there needs to be some form of policy and that the "policy" as written could cause problems, but that conduct and operations of the Board of County Commissioners outlined like Butler County might be a better option. Mr. Spidalieri stated that moving forward the Board needs to have some form of unity. Commissioner Claypool stated that when he received it, he brought up a lot of questions about what it was trying to solve. The easiest way to solve this would be to come together as a Board and be on the same page. As individuals they go through their daily routine to serve the residents the best way they can. Mr. Claypool used the NOC COG Board as an example, that he sits on the Board and has been having discussions with Ms. Stocker about a program that the Department could handle, to which Commissioner Lennon added that he agreed that Mr. Claypool has responsibility to the NOC COG Board, but that the Board of Commissioners has a responsibility to the staff and their time. The Board needs to agree on staff members' time being used to focus on a particular project. Mr. Lair added that this is being brought up because we are approaching a turnover in culture and staff with Directors and Administration moving towards retirement, and feels that we need to do something that will leave someone new coming in whether a manager or a new Commissioner to have some idea or legacy about organizational structure. Mr. Lennon added that the office staff works for the Board, and that an individual Commissioner can't direct staff to invest hours of time and resources above their normal workload, saying that the Board needs to agree on it.

Mr. Spidalieri added that during the Re-Organizational meetings, the Board agrees to give responsibilities to certain Commissioners, but that moving forward we need to have direction and unity in an organized fashion. In 2018 the office is going to face a lot of challenges and tasks, with the feasibility study, the change of a number of personnel, the potential of staff retiring and we need to have a plan that everyone agrees on. Mr. Claypool stated that this will be a change in practice in our office, and feels that he always lets Mr. Lair know what he is working on, and that any time he has had discussions with staff members, he expresses that he is one of the Board and that he is asking for their opinion or that he is expressing his opinion. As individual Commissioners, we go out and have meetings, meet with people and gather information and work on discovery that ultimately comes to the Board for the final decision. Mr. Claypool stated that we need to have open honest conversation, fight it out and move on, it's not personal, it's business. He added that historically this is the best Board he has seen. He said that they are also three very strong egos and with that comes challenges and strife. Mr. Lennon added that a Commissioner going out and doing discovery is not the issue, but it's the staff and employees' time on an individual Board member's discovery. If a staff member is being pulled off other work, we as a Board need to agree on that extra time or project.

There was discussion on the Community Development office and whether they can handle the Business Resource Network program that the NOC COG needs to have handled in each of the Counties within the program, and that the Board needs to agree on whether or not it can be done.

Mr. Lennon stated that he is hearing something different about why this is being brought forward, that it's not a particular subject, it's asking an employee to do tasks that an individual Commissioner feels are important, that might not be important to the full Board. This is about being cognizant of an employee's time. Mr. Lair stated that people want to be helpful and will stop what they are doing to help someone work on something else. You can judge by some of the piles that have grown on employees' desks that sometimes things are not getting done, and we just have to prioritize what is important. Maybe we need to bump up staff.

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Mr. Claypool brought up his calendar and the use of the Clerk in handling his time, and Mr. Lair stated that Ms. Blair is not going to say no, adding that Ms. Blair did not have anything to do with this, that he is just looking out for people's time.

Mr. Claypool stated that the biggest short coming about the policy is that it puts employees in the middle and they shouldn't be doing it. Let's talk about the changes we need to do, and agree that we want to have a unified Board. Mr. Lair talked about one of the Directors for EXXON, and a quote that she has made, Noses In, Hands Off, meaning, she knows what is happening but is keeping hands out of it.

Mr. Lennon expressed that this conversation is about our office, and that it needs to have a process and structure. The fact is that our employees are being stressed out being asked to handle tasks that they shouldn't really be putting their time on. Mr. Lair added that there are only so many hours in the day which means you're not going to get everything done.

Director of Administrative Services Linda Burhenne asked to speak. She explained that having sat on Boards for over twenty years; she feels that she understands the art of Boardmanship. Ms. Burhenne continued by stating that while on the school board she did not rewrite job descriptions or sit in on job interviews, that they trusted their employees to do the job they needed to do. Ms. Burhenne stated that the employees feel that they have jobs to do and want to be trusted to do them.

Mr. Claypool added that he asked about tasks being given and offered his opinion which he will continue to do, but if you are asking about trust, it's a tricky thing, they are not all the same and he will press for different interests that may seek different outcomes.

Local resident Dal Lanese, who arrived in the middle of the discussion, asked for clarification about the conversation, and that if an individual board member asks an employee to do something; will you have to get approval from the whole board for that task to be completed? Mr. Lennon stated that these are not our individual employees, they are the Board's employees, and that we as individual Board members shouldn't be asking or directing our employees to do tasks from us as individual but a task from the Board as a whole.

Mr. Lair read the following paragraph from the letter of the Butler County Commissioners:

"The Board of County Commissioners is just that – a board – and it can only take action, set policy, issue directives, or assign projects as a board. This means that the support of at least two Commissioners is required to take any such action, and one Commissioner, acting alone, lacks the authority to do so. In any case where an individual Commissioner has attempted to give you such an assignment or directive, we expect you to verify whether a majority of the Board supports the proposed action before taking any action yourself."

Mr. Claypool stated that he was ok with the letter. Let's agree that the Board is going to make decisions and go with that. This will mean that more will be brought to these meetings for discussion to get tasks accomplished and completed. Ms. Burhenne asked what the Board wanted to do. Mr. Claypool didn't have a problem with a letter being sent to the employees. There was a brief discussion about potentially holding more work sessions and that they are strictly for information gathering that actual votes need to take place during regular meetings.

Mr. Spidalieri added that there needs to be an understanding that when there is an agreement on a job description and posting, that it needs to move forward and be completed. This process of taking so long to get postings completed needs to end, that he doesn't want to continue to revisit decisions over and over again. Mr. Spidalieri added that we are not hiring more people for assistants or anything else, we have a staff that can handle the jobs, but they need to be able to do what they are hired to do and give them the ability to work.

Mr. Lair added that this is a dedicated, hard-working Board, and we need to find a balance of how much you trust your employees to do their jobs.

Resident Mike Petruziello added that you are a Board that is here for a short time, but your employees are here for a career, and you need to allow them to do their job. Mr. Petruziello stated that he is hearing that there is some falling out between everyone, and that needs to be worked out.

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Mr. Lair added that they will draft a letter to the staff, provide to the Board for review and comments, and then present to them for an official approval before being provided to the staff.

DISCUSSION ITEMS – AIRPORT AUTHORITY / CITY OF CHARDON

Mr. Spidalieri asked for an update on the most recent draft of the agreement of the Airport Authority, to which it was noted that they were on their second round of changes. Mr. Spidalieri explained that he had spoken with someone from Air Methods and they were getting close to executing an agreement for the medical helicopter. He let Air Methods know there was no current agreement in place with the Airport. Mr. Spidalieri stated that Air Methods wants to be here, and have expressed that they want their own hangar that is protected and provides security for medication on the helicopter. They are willing to assist with costs on the hangar. Mr. Spidalieri stated that they don't want to lose this service for our County. Frustration was expressed over the amount of time that has been put in with working on trying to get an agreement in place with the Airport Authority. Mr. Lair was going to follow up with Ms. Matheny on the agreement and with the lease with Air Methods.

There was discussion about a letter to the City of Chardon regarding participating in the repair work on the retaining wall, and the current draft needs to be skinned down before being approved.

ACKNOWLEDGEMENTS

- a) A weekly report filed by the County Dog Warden of all dogs seized, impounded, redeemed or destroyed for the week ending November 15, 2017 as required by O.R.C. 955.12.*
- b) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the inmate meals for the month ending October 2017.*
- c) A monthly report filed by the Geauga County Sheriff's Office of an account of expenses for the prisoner transport for the months ending September and October 2017 as required by O.R.C. 325.07.*

OTHER

The Board reviewed upcoming events.

MEETINGS

Tue., 11/28 Investment Advisory Board meeting, 8:45 a.m. Chambers

Tue., 11/28 Work Session with Richard L. Bowen & Associates for Feasibility Study at 10:30 a.m.

Tue., 12/5 The Commissioners' will hold regular session at 9:00 a.m.

12/10 – 12/12 Some of the Commissioners will attend the CCAO Winter Conference in Columbus, Ohio

Thu., 12/14 The Commissioners' will hold regular session at 9:00 a.m.

Thu., 12/14 Work Session with Richard L. Bowen & Associates for Feasibility Study at 10:30 a.m.

Thu., 12/14 Community Improvement Corporation (CIC) Luncheon Meeting, 12:00 p.m. Guido's Generations Reception and Event Center

Mon., 12/18 Family First Council, 1:30 p.m. at Mental Health Offices

Tue., 12/19 Investment Advisory Board meeting, 8:45 a.m. Chambers

Tue., 12/19 The Commissioners' will hold regular session at 9:00 a.m.

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Mon., 12/25 *The County Offices will be closed for general business due to the Christmas Holiday. Twenty-four hour operations will continue to operate as normal.*

Thu., 12/28 *The Commissioners' will hold regular session at 9:00 a.m.*

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Spidalieri to adjourn the meeting at 10:45 a.m.

Geauga County Board of Commissioners

Ralph Spidalieri

Walter M. Claypool

Timothy C. Lennon

Christine Blair, Commissioners' Clerk

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