

STATE OF FLORIDA
OFFICE OF THE GOVERNOR AND CABINET

IN RE: CABINET AIDES MEETING

CABINET AIDES: KRISTIN OLSON, CHAIR
AMANDA CAREY
ANDREW FAY
ROB JOHNSON
ERIN SUMPTER
ROBERT TORNILLO
STEPHANIE LEEDS
KIMBERLY RENSPIE
JESSICA FIELD
BROOKE McKNIGHT

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TALLAHASSEE, FLORIDA

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INDEX

PAGE NO.

Department of Revenue
By Debbie Longman

3

Department of Veterans Affairs
By Roy Clark

5

Highway Safety & Motor Vehicles
By Jennifer Langston

23

Office of Financial Regulation
By Jamie Mongiovi

28

Board of Trustees
By Rene Lewis

31

Division of Bond Finance
By Ben Watkins

43

State Board of Administration
By Dennis MacKee

46

Administration Commission
By Peter Penrod

49

* * *

P R O C E E D I N G S

MS. OLSON: Good morning. This is the October 19th -- is that today's date? Yes -- Cabinet Aides meeting for the October 25th Cabinet meeting. Before we begin with business, does anybody have anything they want to add for the good of the group?

(NO RESPONSE) .

DEPARTMENT OF REVENUE

MS. OLSON: Okay. First up is Debbie.

MS. LONGMAN: Good morning. Debbie Longman, Department of Revenue. The Department will have one item on the October 25th Cabinet agenda.

Item Number 1, the Department will be requesting permission to file notices of proposed rule to amend rules related to general tax administration. The proposed amendments revise language and forms to reflect statutory changes enacted by the 2016 Legislature, update our annual tax rates, and clarify forms to improve readability.

A rule workshop was scheduled for September

1 21st, if requested. No request was received and no
2 workshop was held. No written comments were
3 received by the Department.

4 I'll be happy to go through them, but since I
5 did this at our Cabinet Aides meeting at the end of
6 September, it's your call. Any questions?

7 MS. OLSON: I think we're good.

8 MS. LONGMAN: That concludes the Department's
9 agenda. Thank you.

10 MS. OLSON: Thanks, Debbie.

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DEPARTMENT OF VETERANS AFFAIRS

MS. OLSON: Next up is Veterans' Affairs.

MR. CLARK: Good morning, everyone. I'm Roy Clark with the Department of Veterans' Affairs. We'll be bringing five items for the Cabinet consideration.

Agenda 1 in your packet there will be our meeting minutes from the 2nd of August. We have no corrections to those, and we'd ask that the Cabinet approve them as stated.

Agenda Item Number 2 is September the 20th meeting. Again, we have no corrections to offer and would respectfully ask that the Cabinet would approve those as stated.

Do y'all have any questions on the minutes yourselves?

(NO RESPONSE).

MR. CLARK: Okay. Good.

Agenda Item Number 3 will be our third quarter report. It's, you know, been a long time since the third quarter; but if you don't mind, I'd like to just highlight a few things out of that quarter.

Beginning on Page 3 in the packet, we provided

1 you, we continue to show where our Division of
2 Benefits and Assistance worked very hard to
3 outreach. In the Bureau of Claims, that's where
4 veterans come in from the counties or wherever. We
5 get the claims in the office down in Bay Pines.
6 They serviced over 67,000 during that quarter;
7 8,600 claims for benefits during that third
8 quarter; and we had 310 veterans we went before the
9 Board of Veterans Appeal to appeal their ratings,
10 so a very successful quarter.

11 The field services, these are the folks that
12 are out in the field actually contacting veterans
13 at military appreciation days, you know, bases have
14 open houses, et cetera, we always have somebody out
15 there to provide information. The types of things,
16 maybe just, you know, how to get a handicapped
17 placard for your car, eyeglasses, things that they
18 may not be aware of that they've earned that
19 they're entitled to. And then we also give them
20 the location of the local county service officer or
21 VA hospital where they can go and get more
22 information about that.

23 So we turned about -- we had 200 events at
24 that time, and there were 7,700 -- almost 7,800
25 veterans and their families, and we worked over

1 8,000 disability claims from those events, so
2 they're very -- they are very successful.

3 On Page 4, I'd just point out to you once
4 again that we've begun to work on the nursing home
5 in Port St. Lucie. The 35-percent design has been
6 approved as we stated in the last meeting with
7 y'all I believe which released money for the
8 100-percent design, and we're well into that.

9 On the Lake Baldwin, the good news is the
10 Federal VA found the title. The Department of Navy
11 was holding it through the Corps of Engineers in
12 Jacksonville. So our Division of State Lands now
13 has it and they're reviewing that to make sure
14 we've got a clear title, okay?

15 Over on -- skip on over to Page 9. I'll talk
16 a little bit about Veterans Florida. As many of
17 you know, Bobby Carbonell through an initiative by
18 the Legislature has established the Florida is for
19 Veterans Foundation, and they're doing great work.
20 In the first quarter of this year, they began their
21 vets training. He reached out to over 61
22 businesses, eight of which submitted applications
23 and were approved. And he set aside \$987,000 to
24 pay for training.

25 What we do here is the businesses agree to

1 hire veterans, and we'll pay up to \$8,000 for their
2 training to learn whatever is the job that they're
3 being hired into. Some of these businesses include
4 Lockheed Martin, Navy Federal, Baptist Hospital,
5 the Cheney Brothers, which is a large food
6 distribution company down in south Florida. All
7 have agreed to hire up to a hundred veterans and
8 then -- so we've set aside that money to cover
9 that training. They invoice him, they prove that
10 they -- you know, they prove that they've hired the
11 veteran and then we pay them.

12 The second item there, Item Bravo, is the
13 entrepreneurialship program that has really taken
14 off. We had over 600 applications, 400 qualified.
15 The process was they would begin the education
16 process online, and through that we've learned that
17 it's better to get them into the classroom early
18 on; so we've kind of changed that. But during this
19 quarter, it was online, and 162 came out on the
20 other end and started their businesses. And I'll
21 talk more about that when I talk about the fourth
22 quarter.

23 And then finally, on the Page 11 and 12, I'd
24 like to point out that the Florida Veterans'
25 Foundation, which is our DSO, got a grant thanks to

1 the Attorney General's Office of \$1.25 million from
2 a lawsuit settlement, and they have begun to reach
3 out to homeless and hard-case veterans around the
4 state to prevent them from becoming homeless. We
5 allow them in the bylaws to write a check up to
6 \$1,200 to meet an immediate need. And that's what
7 they've been doing, they've been very successful.

8 During the first quarter, they reached out to
9 over 60,000 veterans and families, and they spent
10 about \$60,000 helping those folks. So we
11 appreciate that grant, and we appreciate y'all's
12 interest in them and helping us help them do what
13 they need to do.

14 Any questions on the third quarter? Anything
15 caught your attention?

16 (NO RESPONSE).

17 MR. CLARK: The fourth quarter, same thing.
18 Page 2, just point out that Colonel Sutphin was
19 named the interim director. That's since been --
20 of course he's now the Director.

21 The claims office down in Bay Pines, they
22 handled over 108,000 claims that quarter. Why so
23 many? Well, we get the visitors from up north who
24 come down and spend the, you know, spring months
25 with us; and so they tax our system a little bit,

1 but you can see those numbers.

2 The Bureau of Field Services, these are the
3 guys, once again, going out touching veterans in
4 any kind of event that we could get to, training
5 them up. They went out to 233 events, touched over
6 10,000 veterans and provided 89 hours of support to
7 the Governor's Veteran Service Award ceremonies
8 this quarter too, which is a great thing. The
9 veterans love that when they get that medal. Some
10 of them it's the first time they've ever been
11 recognized for anything in the way of their
12 service.

13 The Division of Homes on Page 4, I'd like to
14 point out we got a grant to install a lift system.
15 There's a picture on Page 5 of that system. What
16 that does, it allows the CNAs or the nurses to get
17 the patient out of the bed and get him to the bath
18 or wherever he needs to go with that lift system.
19 Some are very, very -- you know, are old-aged,
20 can't move, are not mobile, or they're heavy. And
21 we have cut down already on workers' comp claims
22 because of the safety this provides for the person
23 attending to the patient themselves.

24 Okay. Over on Page 9, again, I'd like to just
25 point out some of the things that Bobby has done:

1 162 veterans are now working as a result of this
2 entrepreneurial program he's got going on. You can
3 go to his website, floridaisforveterans.org.
4 There's a great story in there about five Green
5 Berets that went through this training and have now
6 opened their own distillery down in St. Pete.

7 We've got all kinds of businesses: You know,
8 construction, plumbing. A couple came together,
9 both were vets, they've opened a bed and breakfast;
10 and we've got restaurants. One young man has
11 created these ballistic panels that DOD is buying,
12 and you set them up on a platform and it makes a
13 ballistics shelter if you will. It instantly
14 becomes a tactical operations center where those
15 working inside are safe and sound. I mean just an
16 idea he had and worked through.

17 You know, we engage businessmen all over the
18 state to mentor these guys, and the guy that was
19 mentoring this guy liked the idea so much he
20 invested in it. So you never know where this is
21 going. So this is a good thing, and we appreciate
22 all of y'all's help in making sure that happened.

23 One other thing I'll point out to you, very
24 important, midway down, he has selected monster.com
25 as his job search engine. And the reason he did

1 that is because they've got the one and only
2 military skills interpreter. The computer works to
3 figure out what a guy is doing. An 11 Bravo is an
4 infantryman who you see in the movies with his
5 boots, his rifle, and his backpack. If you put
6 into any other search engine other than Monster,
7 Inc., you simply get: Join the Florida Guard, or
8 go to work in the prison system as a guard.

9 This factors in your rank, your schools, and
10 all the things; and so if you put that you were an
11 E6 staff sergeant, which means you had seven or
12 eight years of experience in the Army before you
13 got out, it immediately throws you up into
14 managerial level job searches, having to do with
15 security, et cetera. They're having a lot of luck
16 in the Miami area with personal bodyguard-type
17 stuff, just because they're willing to work with
18 us, and so we're real excited about this. It's
19 working really good, and we're excited for Bobby.

20 The other thing on Page 10 that he's done, he
21 has begun with the Department of Highway Safety and
22 Motor Vehicles and the Florida Trucking
23 Association, we're going around the state holding
24 rodeos, truck driver fairs if you will; where if
25 you want to get a CDL license, you show up, you get

1 tested; the Highway Safety and Motor Vehicles folks
2 bring their van out there, they test these kids,
3 they bring their vehicles for them to drive. We've
4 held them at Camp Blanding, Orlando, and down at
5 St. Petersburg.

6 I don't have the numbers at St.
7 Pete yet, it was just done here in October; I know
8 40 were tested. But in Orlando, in August, we had
9 30 tested and ten got their CDL license and got
10 jobs because Florida Trucking is right there with
11 their HR folks ready to hire and put them to work.
12 So this has really been a success story.

13 Any questions on the fourth quarter? Anything
14 caught your eye?

15 (NO RESPONSE).

16 MR. CLARK: Okay. The next thing we're going
17 to is performance measures. Ours have never been
18 approved. I just handed you -- and I apologize,
19 but I just handed you, or Jessica did, a new sheet,
20 if you will. The measures have not changed from
21 what you've been looking at. We have changed the
22 data within the box and how we're going to measure
23 and the frequency by which we're going to measure
24 because this more reflects the Director's desires
25 and what he would like to present to the Cabinet

1 next week for approval.

2 The Number 1, 2 and 3, go to Colonel Sutphin's
3 concern that 35 percent of the veterans in this
4 state don't know what their earned benefits are.
5 And so we're pressing very hard to reach out
6 through Number 1, which is the outreach events, and
7 I mentioned to you what those basically do. We go
8 and we set up a booth at any event that's being
9 conducted where veterans are likely to show up,
10 okay? And we help them with anything they might
11 have. If they want to sit down and do a disability
12 claim right there, we'll do it right on that spot,
13 okay?

14 Now the first quarter is low because once
15 against July, August and September, this is all the
16 first quarter data you're looking at with the
17 exception of one, and I'll point that out when I
18 get to it. All of this is first quarter data, so
19 July and August are very hot. The elderly do not
20 go these events, we don't -- we can't touch them,
21 they just don't come. It's just too hot for them
22 because most of these are held outdoors.

23 So the numbers will go up. We feel that that
24 range, between 175 to 199, will be a good baseline,
25 but we intend to exceed that every quarter, all

1 right?

2 So the reason we're asking for a quarter
3 versus a month is because when you get down to
4 Number 2, this is where the claims come in. This
5 is our Bay Pines folks. These are the 64, 65
6 veterans' claims examiners we have, plus their
7 supervisors. And this is where a veteran says I've
8 been wronged and he comes to us for help; or he
9 can't get his claim right, VA has denied it because
10 he's missing a piece of paperwork. And so our guys
11 get in there and work with them and make this
12 happen.

13 Now we went to a new data recording system.
14 VA made us go -- made everybody go to a digital to
15 digital. You cannot -- you can't paper trail it
16 any more, you got to -- computers have got to talk
17 to computers. And so Colonel Sutphin was getting
18 ready to sign the long-range performance plan and
19 realized that there was a drop significantly in the
20 first two months of the first quarter. And so
21 being the new guy on the block, he asked the
22 question: What happened?

23 And we began to dig down, and we realized that
24 this digital-to-digital system the counties can't
25 play. It's very expensive -- well, it's not

1 expensive, but they don't have the money to buy it.
2 So what they're doing is still doing the paper
3 trial and then sending it Data Spect to upload.

4 Data Spect's interpretation of a unique
5 veteran is a one-time visit. If you or I go in and
6 they put our name in the computer, that's it, we
7 don't ever get counted again. And that's not an
8 accurate reflection of what we do because I may
9 have an additional claim or I may be unhappy with
10 the claim that I submitted the first time and I
11 want to redo it.

12 So the numbers for July were 2,005, and the
13 numbers for August were 2,800; obviously a glitch
14 in the system. And Colonel Sutphin caught that and
15 said, okay, let's fix that.

16 So we've got it fixed now, and they're
17 counting them in the way that they should be
18 counted. And the number for September was 13,600,
19 which brings us up 18,000 during the quarter. Now
20 we're probably going to have to adjust that.
21 19,000 as a five is not going to be a fair and
22 accurate reflection because you can see in
23 September alone we did 13,000, and that number is
24 going to jump. So we may have to come back and
25 increase what the range is for you so it's a more

1 accurate reflection.

2 But both those two are where we touch them.
3 This is where we tout ourselves as the premiere
4 entry to the veterans system, is through the
5 Florida Department of Veterans' Affairs and these
6 we can control, we can press to test. And we think
7 by doing it quarterly instead of monthly it does
8 two things: One, it gives you a more accurate
9 depiction of where we are as we move forward; and
10 it -- you know, in the military there is an old
11 adage that an organization only does well what the
12 boss checks.

13 And so they know we're going to be checking
14 this, and there will be months that are down a
15 little bit so we may have to put a little more
16 resources to it or whatever to get in that proper
17 range. And I know I'm spending too much time on
18 these, but they're for your consideration.

19 The next one is our examiners, the turnover
20 rate. In FY 2014/15 it was as high as 28 percent.
21 Now we've got it down now because of -- since
22 Colonel Sutphin has come in, he's really forced the
23 issue. These guys are all retired military, and so
24 they have their military benefits. We don't pay
25 them a lot, about \$42,000 to do what they do, okay?

1 And they can get better jobs. And the example I'll
2 give you is this week we lost four: One retired,
3 okay; one went to a county, Sumpter County, because
4 they'll pay him more; one went all the way to
5 Kansas to get a better job with the Federal VA; and
6 another one went right upstairs. We're collocated
7 with the Feds there in Bay Pines. He just went
8 upstairs and got a better job, more pay.

9 But we think that's an accurate reflection of
10 how well we're doing as an employer, if you will,
11 as a representative of this state by ensuring that
12 we have got those positions filled and so we can
13 touch and do what we say we're going to do in one
14 and two, so we think that's a fair measure also.

15 Okay. In the homes, once again, it's very
16 high. Our CNAs, they leave, it's a tough job, it's
17 the hardest job in the home. We're basing these
18 numbers -- these ranges come from the Department of
19 Labor and the Department of Management Services,
20 which back in March reflected nine percent was the
21 average for the U.S. And so that's our goal, to
22 get nine percent or below. We're not there in the
23 homes, it's tough. Now we're doing a lot of
24 things. The first thing we're doing is we're
25 trying to get AHCA to approve us to train in the

1 homes the CNAs, okay, actually train in the homes
2 with our own personnel training them, approve the
3 curriculum, approve our -- come and then certify
4 them after they're trained; so we're trying to do
5 that.

6 We've reached out to the colleges,
7 universities, community colleges where our homes
8 are located. We've offered to let these young
9 people come into our homes and work with us, okay?
10 And if they become a state employee, of course, you
11 know, they can get some of their college taken care
12 of. And we'll give them plenty of hours on the
13 floors so they can get all the real live training
14 they need, and then we're going to ask them,
15 because of doing that, they'll come work for us for
16 two years after they graduate before they leave.
17 So Colonel Sutphin is trying to come up with all
18 kinds of ideas to bring that number down.

19 And then on Number 5, again, the homes, we
20 think quality of care is a fair measure. We can
21 control that. You've heard him speak about he
22 doesn't want it smelling like death or feces when
23 he goes in there. And so we feel like cleanliness,
24 proper care, et cetera, are things that we can in
25 fact manage and control.

1 The standard, the range is no Class 1 or 2.
2 Class 1 is there's an imminent threat to the
3 physical healthy or mental health of that patient,
4 of that resident. Class 2 would be it's not an
5 immediate threat but you've let this wound go too
6 long, it should have been properly cared for in
7 another manner.

8 We've had none of those. We did have to pay a
9 \$6,400 fine because we failed to respond to AHCA in
10 a timely manner on an issue they found, and so we
11 counted one against us, but we feel we can stay in
12 the five. Most of our homes have been five-star
13 homes, and we think we can meet that without too
14 much problem.

15 And finally, Number 6 is our Direct Support
16 Organization, and that's how many they reach out
17 and touch on a quarterly basis. One real quick
18 story on these guys. I'm going to tell you, they
19 do yeoman work. We had a lady call -- well, a
20 friend of hers called. She and her husband and
21 daughter and her two grandchildren were stuck in
22 North Carolina. They'd gone up there on vacation
23 and he contracted C Diff, and she had \$75 to her
24 name and she'd overdrawn her debit card by \$600
25 already and they shut it off.

1 So we contacted the VA home and VA nursing --
2 not nursing home -- hospital in Raleigh, got him in
3 there, got him started to be treating. We got the
4 customer service folks there to get her a hotel,
5 they paid for the hotel for her. We -- our DSO,
6 contracted with the hotel for a \$600 credit so
7 she could eat. The room came with a breakfast
8 voucher, so she had breakfast covered for the four
9 of them, we took care of the dinners, and then we
10 sent her two debit cards of about 150 bucks a piece
11 so she could get gas and food to come back to
12 Gainesville.

13 The good news is they checked him out on
14 Monday and they're back in Gainesville, and he's in
15 the hospital at Gainesville and she's home where
16 she can live a normal life instead of trying to
17 live out of a hotel.

18 That's the type of work these guys are doing,
19 and so we think that's important, and we think it's
20 a measure that's worth measuring for your
21 consideration each quarter. So subject to your
22 questions, that's all I have. I know it's a lot
23 and I apologize, but we've never, ever gotten these
24 approved, so it's time to get it taken care of.

25 MS. OLSON: Thanks, Roy.

1 MR. CLARK: Okay. Thank you.

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DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

MS. OLSON: Next up is Highway Safety.

MS. LANGSTON: Good morning. Jennifer Langston with Highway Safety.

The Department has two items for Cabinet consideration. Item 1 seeks approval of the September 20th Cabinet meeting minutes.

Item 2 seeks approval of the Department's legislative concepts for the upcoming legislative session. Your offices have been briefed or will be briefed by the end of the day. If you would like, I can go through them or answer any questions that you have.

MS. MCKNIGHT: Jennifer.

MS. LANGSTON: Would you like for me to go over them?

MS. MCKNIGHT: I would love that. Thank you.

MS. LANGSTON: Absolutely.

All right. I did mention that we're seeking approval of our legislative concepts. This year we're bringing 10 concepts for your consideration. A couple of these you may have heard about last session and they'll be repeats this year.

1 The first item relates to removing obsolete
2 language. There's a truancy report that's on the
3 books that requires a manual process, and now we
4 have the automated process. So we'd like to clean
5 that language up and make that a little bit
6 tighter.

7 Our second concept relates to law enforcement
8 training reimbursement. Right now current law
9 allows for the Department to recover two years of
10 training reimbursement expenses. This changes it
11 to three years.

12 Our third concept creates a pilot program in
13 coordination with FDOT's traffic management to
14 allow for a pilot project for drones, and that will
15 enable us to be able to clear the roads quicker and
16 allow -- enable the public to travel during those
17 blocked lanes, especially whenever we have those
18 larger crashes like commercial motor vehicle
19 crashes.

20 The next two concepts relate to compatibility
21 issue with the Federal Government. Those address
22 audit findings that have been noted to the
23 Department.

24 The next one is related to the international
25 registration plan, and what -- and again, that is

1 another compatibility issue, and that relates to
2 apportioned vehicle definition. We want to make
3 sure that our definition matches the Federal
4 Government's definition. So effective January, the
5 international registration plan noted that charter
6 buses would no longer be exempt from the IRP. And
7 so this actually went into effect in January, so we
8 are making our definitions match.

9 The next one sounds very similar to the one I
10 just described, same type of vehicle. This relates
11 to the issuance of apportioned vehicles. Right now
12 these plates are issued for a one-year issuance
13 period. And these are those larger trucks, and so
14 we're working with the Florida Trucking Association
15 to -- this is a business friendly concept for the
16 Trucking Association so those plates can be on
17 there longer, so they don't have to change them out
18 as often on their fleets, make it less burdensome
19 for them.

20 The next item relates to transporter license
21 plates. These plates, the law is not real clear on
22 who is allowed to have them on the vehicles, and so
23 we'd like to tighten that law up a little bit and
24 make sure that the intent is there and what they're
25 supposed to be using them for. Right now they're

1 issued but we're not able to gather a lot of
2 information. We want to make sure that the
3 businesses who are entitled to use those plates are
4 actually the ones that are being issued them.

5 The next item is related to an expedited
6 shipping service, right now we have an expedited
7 shipping service for titles, and we don't have that
8 same service and consideration for driver licenses
9 and ID cards. And so this is a cost recovery issue
10 to allow us to offer that expedited service to
11 obtain the driver license or ID card whenever those
12 folks are in a bind.

13 The last item relates to stolen identification
14 cards. Right now if you present a copy of your
15 police report, if your driver license has been
16 stolen and you present a copy of your police
17 report, those -- a replacement can be issued at no
18 fee. And so what we'd like to do -- I think the
19 law was probably intended to also include
20 identification cards, so this law just adds
21 identification cards. If those folks present a
22 copy of the police report, we'll be able to issue
23 them a no-fee replacement for identification cards.

24 And the words may not necessarily be on the
25 paper, but another issue that were related to a

1 cost -- a no-fee item relates to something the
2 Department is taking a look at right now, is
3 whenever you have a surviving spouse, being able to
4 obtain a no-fee title. So that is something that
5 the Department is taking a look at right now.
6 Whenever we have a surviving spouse, there are
7 charges in place to get those titles corrected.

8 So we're doing some fiscal impact analysis to
9 see what that might look like. I just wanted to
10 put it on your radar, and we'll come back and talk
11 to you guys about that, but it is something I
12 wanted to mention.

13 And I'd be happy to answer any questions that
14 you have.

15 (NO RESPONSE) .

16 MS. OLSON: Thanks Jennifer.

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OFFICE OF FINANCIAL REGULATION

MS. OLSON: Next up is OFR.

MS. MONGIOVI: Good morning. Jamie Mongiovi,
Florida Office of Financial Regulation.

The OFR has six items on the agenda for the
October 25th meeting of the Financial Services
Commission.

Agenda Item Number 1, the OFR respectfully
requests approval of the meeting minutes of the
August 2nd meeting.

Are there any questions on those minutes?

(NO RESPONSE).

MS. MONGIOVI: Okay. Agenda Item Number 2,
the OFR respectfully requests approval to publish a
notice of proposed rule for financial institutions
rules relating to family trust companies.

Are there any questions on Agenda Item
Number 2?

(NO RESPONSE).

MS. MONGIOVI: Agenda Item Number 3, the OFR
respectfully requests approval to publish notice of
proposed rule for financial institutions rules
relating to financial reports and semiannual
assessments for banks and trust companies.

1 Does anybody have any questions?

2 (NO RESPONSE) .

3 MS. MONGIOVI: Okay. Agenda Item Number 4,
4 the OFR respectfully requests approval to publish
5 notice of proposed rule for financial institutions
6 rules relating to financial reports and semiannual
7 assessments for credit unions.

8 Are there any questions on Agenda Item
9 Number 4?

10 (NO RESPONSE) .

11 MS. MONGIOVI: Agenda Item Number 5, the OFR
12 respectfully requests approval for final adoption
13 of the consumer finance rules relating to the
14 adoption of the uniform state test for mortgage
15 loan originators. Just a reminder, this will save
16 test-takers \$69 per test attempt, so we view this
17 as something that's very positive and it's
18 something that industry was very supportive of.

19 Also, part of Agenda Item Number 5, the OFR
20 respectfully requests approval for final adoption
21 of consumer finance rule where we have deleted
22 obsolete rule language.

23 Does anybody have any questions on Agenda Item
24 Number 5?

25 (NO RESPONSE) .

1 MS. MONGIOVI: Okay. Agenda Item Number 6,
2 the OFR respectfully requests approval for final
3 adoption of securities rules which makes amendments
4 that are necessary as a result of the rule
5 reorganization that was finalized in December of
6 2015. The rules also amend the list of prohibited
7 business practices and record keeping requirement
8 for investment advisors and their associated
9 persons.

10 Does anyone have any questions on Agenda Item
11 Number 6?

12 (NO RESPONSE).

13 MS. MONGIOVI: Okay. That concludes the OFR's
14 agenda. Thank you.

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BOARD OF TRUSTEES

MS. OLSON: All right. Up next is the Board of Trustees' agenda.

Good morning, Rene.

MS. LEWIS: Good morning, everyone. I'm Rene Lewis with the Department of Environmental Protection. The Board of Trustees has eight items on the October 25th agenda.

Item Number 1 is minutes of the August 2nd Cabinet meeting.

Item Number 2 is an option agreement to acquire approximately 11,000 acres from Natural Bridge Timberlands, LLC. The majority of this acreage is located within two Florida Forever projects: Upper St. Marks Corridor and St. Joe Timberland.

The property known as Horn Spring would serve as a major conservation corridor. It contains approximately ten springs and would protect water resources within this project; provide resource-based outdoor recreational activities, such as canoeing, kayaking, hunting, fishing, hiking and wildlife viewing; provide potential timber asset management for recreational

1 infrastructure improvements; and it would be the
2 largest fee-simple acquisition approved by this
3 Board of Trustees within the last decade.

4 The Trustee's purchase price is 16.1 million.
5 The southern portion of this property would be
6 managed by DEP's Division of Recreation and Parks
7 as an addition to the Natural Bridge Battlefield
8 Historic State Park and the northern portion or the
9 remaining portion will be managed by the Northwest
10 Florida Water Management District in coordination
11 with the Florida Fish and Wildlife Conservation
12 Commission.

13 Are there any questions?

14 (NO RESPONSE) .

15 MS. LEWIS: If there are no questions, we do
16 have one speaker, Eric Draper, Executive Director
17 of the Florida Audubon.

18 MR. DRAPER: Thank you, Rene.

19 Eric Draper of Audubon Florida here to speak
20 strongly in favor of this great project. There are
21 so many good things about it I would run out of
22 time if I tried to say them all, but it is great to
23 see a Florida Forever project focused on protecting
24 water resources, particularly this particular
25 watershed, the St. Marks River and the very many

1 springs that are part of the river. We are really
2 impressed with the efforts of the Division of State
3 Lands to reach out to the property owner and to get
4 an agreement on this particular project, and
5 particularly for the price that they did. It's
6 really quite remarkable. We're also glad to see
7 the agreement for the shared agency management
8 responsibilities, so we certainly encourage the
9 trustees to approve this great purchase.

10 Thank you.

11 MS. LEWIS: And we have one other speaker,
12 Grant Gelhardt.

13 MR. GELHARDT: Thank you very much. My name
14 is Grant Gelhardt. I'm with the Big Bend Sierra
15 Club, and we are very excited about this
16 acquisition and just wanted to give our full
17 support of the acquisition and move forward.

18 Thank you very much.

19 MS. LEWIS: Thank you.

20 All right. Item Number 3 is consideration of
21 a determination by the Board that it is in the
22 public interest to allow non-water dependent
23 activities to occur on sovereignty submerged lands
24 and, additionally, that these activities can be
25 conducted at this facility.

1 The applicant, Dark Star Investments, LLC, and
2 their restaurant is Old Man Frank's located on Lake
3 Howard in Polk County. The restaurant has been in
4 operation since 1957 and has been in the ownership
5 of this applicant since 1995.

6 The applicant is proposing to remove the
7 existing L-shaped dock with dining area and replace
8 it with a dock and dining area adjacent to the
9 existing restaurant. This modification will reduce
10 the preempted area by 1,000 square feet and provide
11 an ADA-compliant ramp for handicap access to the
12 upland and public restrooms.

13 The Department considers this activity in the
14 public interest because it provides public access
15 and enhances enjoyment of sovereignty submerged
16 lands without adverse impact to the resources. Per
17 rule, the consideration before the Board is for
18 \$0.20 per square foot, which is based on the
19 appraised market rental value.

20 Any questions?

21 (NO RESPONSE).

22 MS. LEWIS: Okay. Item Number 4 is
23 presentation of the fourth quarter performance
24 measures and the Secretary's annual subjective
25 leadership assessment. Overall, for fiscal year

1 '15/'16, the weighted score average for the
2 objective performance measures is 4.6. Of the 11
3 objective measures, the Department received a five
4 for each of these measures except Measure Number 7
5 and Measure Number 10.

6 Are there any questions on objective measures?
7 The focus of this presentation will obviously be
8 the Secretary's presentation and annual leadership
9 assessment.

10 Okay. Item Number 5 will be presented by
11 Mr. Cal Knickerbocker with the Department of
12 Agriculture and Consumer Services, Division of
13 Aquaculture.

14 MR. KNICKERBOCKER: Good morning. This
15 morning Item Number 5 is a water column lease
16 modification. The applicant, Phil Cubbage, has
17 requested a water column modification to his
18 existing two-acre lease, bottom lease in the
19 Matanzas River in St. Johns County.

20 Mr. Cubbage plans to use off-bottom and
21 floating culture gear to produce oysters. These
22 production gear are covered under the general
23 permit issued by the Army Corps of Engineers. The
24 Fish and Wildlife Conservation Commission and the
25 Department of Environmental Protection's Florida

1 Coastal Office have reviewed the item and submitted
2 no comments. We've received no comments from the
3 public notice.

4 The leaseholder will be required to acquire a
5 private aids to navigation permit from the United
6 States Coast Guard that will allow him to install
7 associated lighting and signage to aid boaters in
8 navigation.

9 We're recommending approval.

10 (NO RESPONSE).

11 MR. KNICKERBOCKER: No questions. Thank you.

12 MS. LEWIS: Items Number 6 through 8 will be
13 presented by Mr. John Brown, Department of
14 Agriculture and Consumer Services, Florida Forestry
15 Service.

16 MR. BROWN: Good morning, everyone. I hope
17 everyone is doing well today.

18 We have two agricultural conservation
19 easements for your consideration, and we also have
20 our 2016 Rural and Family Lands conservation
21 easement list, acquisition list.

22 The first easement is Lake Hatchineha Ranch,
23 and we would like you to consider the option
24 agreement to acquire the easement and the
25 designation of DACS as the monitoring agency. The

1 ranch is in Polk County, and the consideration is
2 \$2,916,000; \$1,800 an acre; 90% of the lowest
3 appraised value and approximately 40% of the fee
4 value.

5 The acquisition was negotiated by DACS under
6 its Rural and Family Lands Protection Program. If
7 approved, this will be the 29th perpetual
8 conservation easement proposed for acquisition with
9 a total of approximately 23,933 acres.

10 Lake Hatchineha Ranch property is a cow/calf
11 operation in Polk County. Approximately half the
12 property is heavily forested and supports a mix of
13 several natural communities, including large areas
14 of prairie hammock. The property is surrounded by
15 multiple large tracts of conservation lands,
16 including the Alan David Broussard Catfish Creek
17 Preserve State Park; the South Florida Water
18 Management District's Kissimmee Chain of Lakes; and
19 our Rural and Family Lands project, K Rocker Ranch;
20 Everglades Headwaters Natural Wildlife Easement for
21 almost 800 acres; and there's also the Disney
22 Wilderness Preserve, over 11,000 acres; as well as
23 others.

24 This is a typical easement, and if you looked
25 at the map in the backup, just about the entire

1 area of Lake Hatchineha is now conserved.

2 Any questions on that one?

3 MS. LEEDS: Hey, John, I'm sorry, I may have
4 missed this. Is the mitigation bank a private
5 mitigation bank, or is it public?

6 MR. BROWN: It's public.

7 MS. LEEDS: Okay. Thanks.

8 MR. BROWN: And I'll double check just to make
9 sure of that. TNC is the mitigation bank, and I'm
10 almost absolutely sure it's public.

11 UNIDENTIFIED VOICE: We own it, yes.

12 MR. BROWN: Okay. Any other questions on that
13 easement?

14 (NO RESPONSE).

15 MR. BROWN: The next is Mr. Ralph Peliaz
16 (phonetics), Peliaz (phonetics) & Sons conservation
17 easement. It's just northwest of Lake Okeechobee
18 and a couple of miles east of Kissimmee River.
19 We're asking you to consider an option agreement to
20 acquire the 1,410-acre ranch and to appoint DACS as
21 the monitoring agency. It's in Okeechobee County.
22 The price per acre is \$2,305; 85% of the lowest
23 appraised value and 46% of the fee value.

24 Of course this acquisition was negotiated by
25 DACS, and if the previous easement, Lake

1 Hatchineha, is approved, this easement would be the
2 30th perpetual conservation easement protecting
3 over 25,000 acres.

4 Of course this project was ranked in tier one.
5 It's a cow/calf operation. The family has been in
6 the cattle business since the 1950s. The property
7 is currently cow/calf and over mostly improved
8 pasture; 200 acres is in hardwood hammock and
9 200 acres is in a wetland.

10 This property is available for industrial
11 development. It's alongside a railroad track and
12 also highway corridors there. It is under an
13 imminent threat of development, so this one has a
14 lot of pressure in a very sensitive area where
15 we're working on water.

16 So any questions on that one?

17 (NO RESPONSE).

18 MR. BROWN: One of the things I'd like to call
19 to your attention, in the -- I guess on your copy
20 it would be about Page 3. It's the encumbrances
21 paragraph. We're going to be proposing new
22 language for that paragraph. The new language
23 will be: Title work revealed two reservations of
24 oil, gas, and mineral interest rights, one from
25 1948, one from 1952. And during the closing

1 process, the title insurer will research the chain
2 of title to determine whether the right of entry
3 related to OGM has been barred by Marta.

4 And the appraisers have already determined
5 there's no effect on value, but we'll keep you
6 appraised on that. And, of course, DEP has been
7 delegated to be the authority to make a
8 determination regarding marketability. So that's
9 kind of -- I just wanted to bring you up to speed
10 on that one.

11 Any questions?

12 (NO RESPONSE).

13 MR. BROWN: Item Number 3, Rural and Family
14 Lands Protection Program prioritized acquisition
15 list. For your consideration is the recommended
16 2016 Rural and Family Lands Protection Program
17 prioritized acquisition list. The initial
18 acquisition list for the Rural and Family Lands
19 Protection Program was approved by the Board
20 April 28, 2009. The list consisted of 35 projects.
21 My how things have changed.

22 The 2016 application cycle for the program was
23 open from April 1st to May 16, 2016. During that
24 time, DACS received 56 new applications, and
25 co-mingle those with our 66 existing projects, and

1 now we have 22 projects. Technical review teams
2 evaluated each new project and also evaluated the
3 old project when we became aware of any substantial
4 changes or the landowner asked us to reevaluate it.
5 And the technical review teams produced reports on
6 each one of those. Department staff utilized those
7 reports from the technical review teams and the
8 cooperating agencies to compile a project report
9 for each project.

10 Those reports were submitted to a selection
11 committee appointed by the Commissioner and
12 established pursuant to Rule 557. On September the
13 8th, the selection committee held a public hearing
14 in Bartow and developed a prioritized list, voted
15 on that list, and that's what you'll be seeing at
16 Cabinet.

17 That list is required by rule to go to the
18 Acquisition Restoration Council just for
19 informational purposes, and it will be presented
20 this Friday, the 21st. So by the time you see it,
21 it will have already gone to ARC -- by the time you
22 see it again it will have gone to ARC.

23 Three backup pieces that I'd like for you
24 guys to look at this coming week: One is the 2016
25 list; the second piece is a tier one locator map.

1 It would be good for you just to unplug and keep in
2 your office so you'll get a general idea of where
3 these projects are. And then there's an ownership
4 list for each project on the list that tells you
5 who the owner is, what the owner's address is, and
6 also the owner's agent if that's applicable. And
7 that's a good list to have regarding our program.

8 Any questions?

9 (NO RESPONSE).

10 MR. JOHNSON: Thanks, John.

11 MR. BROWN: Okay. Thank you, guys.

12 MS. LEWIS: Thank you. This concludes the
13 Board of Trustees' agenda.

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DIVISION OF BOND FINANCE

MS. OLSON: Next up, Bond Finance.

MR. WATKINS: Good morning.

Item Number 1 is minutes of the September 20 meeting.

Item Number 2 is a resolution authorizing the issuance and competitive sale of \$8.2 million in Florida State University parking revenue refunding bonds for debt service savings.

And lastly, Item 3 is a follow-up on a prior item. It's a report that we prepared on university debt as a follow-up to the conversation about University of Florida -- University of North Florida's downgrade and a realization that there are a couple of different ways universities can incur debt: One is through DSOs, their Direct Support Organizations; and the other is issuance through the Governor and Cabinet.

So this report provides context around that and an explanation about that, and you all have been given drafts, and I'd consider that to be substantially complete. I don't expect any changes on that. And I'm, of course, available to answer questions or brief principals if that is -- if you

1 want that between now and the Cabinet meeting, so
2 just let me know, and to answer questions,
3 obviously.

4 Lastly, sort of an update, market condition
5 update. Over the course of the last -- since we
6 met last two or three weeks ago, maybe more like a
7 month ago, interest rates have gone up about
8 30 basis points, which is not unusual in and of
9 itself except for the fact that rates have been so
10 low for so long and things have been so good that
11 the -- and it's all about the Fed. I mean that's
12 the bottom line. That's what every -- the
13 expectation is very high now that the Fed is going
14 to move again in December. And so this is the
15 market -- an expected market reaction to that.

16 Still, from a historical context, rates are
17 extraordinarily favorable. We will continue to
18 pursue refundings when they make sense. To just
19 provide context around this, there is a realization
20 by, we'll say, the market in general, and sort of,
21 oh, God, I've got to get in now because rates are
22 going up and they're not going to look back. And
23 so a normal issuance week would be 5 to 7 billion.
24 This week it's going to be 16 billion in the muni
25 market. Last week it was 13 billion.

1 So the supply/demand dynamic is not as
2 favorable as it has been for as long as I can
3 remember, which is more money to invest, and the
4 supply is available. So when things like that
5 happen, we just step away and wait for things to
6 normalize, which is what we're doing now. But I
7 expect that to occur in the near term, not over the
8 longer term.

9 So the mantra is: Lower for longer. So
10 that's where we are. So that's my update on market
11 conditions, and if you guys need anything, please
12 let me know.

13 MS. OLSON: Thank you.

14 MR. WATKINS: Thank you.

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STATE BOARD OF ADMINISTRATION

MS. OLSON: Next up is State Board of Administration.

MR. MACKEE: Good morning.

The State Board of Administration has seven items today.

Item 1, request approval of a fiscal sufficiency, Board of Governors' Florida State University parking facility in the amount of \$8.2 million.

Item 2 is a resolution of the State Board of Administration regarding the fiscal determination in connection with an amount not exceeding \$10.6 million Florida Housing Finance Corporation multi-family mortgage revenue notes for Park At Wellington.

Item 3, a resolution of the State Board of Administration related to a fiscal determination in connection with the issuance of an amount not exceeding \$17,950,000 Florida Housing Finance Corporation multi-family mortgage revenue notes, Tuscany Cove 1.

Item 4, request approval of changes to the charter of the Audit Committee of the State Board

1 of Administration of Florida. The charter changes
2 are limited to minor administrative changes.

3 Item 5 request approval of the revisions to
4 the Investment Policy Statement for the Florida
5 Retirement System Pension Plan as required under
6 Statute 215.475. The two changes that are being
7 made to the investment policy statement: One
8 relates to private equities performance benchmark,
9 which up until now I did not have specificity
10 related to it. The benchmark essentially is the
11 All-Country World Index plus 300 basis points, and
12 that formalizes the specific benchmark as opposed
13 to a categorical benchmark. And the second change
14 relates to the implementation of policies as
15 appropriate for the effective implementation of the
16 provisions of Chapter 216-36 which was related to
17 companies boycotting Israel, and this just puts in
18 the implementation process for that act.

19 Any questions?

20 (NO RESPONSE).

21 MR. MACKEE: Item 6 request approval to file
22 for notice amendments to several Chapter 11 rules.
23 These essentially address clarification of rules
24 regarding death benefit for line of duty and
25 several clarifying amendments and updated forms

1 that are done annually.

2 Item 7 also request approval to file notice
3 for amendments to rules for Chapter 13, 19-13. And
4 once again, these are clarifications and editorial
5 revisions related to the Division of Retirement and
6 participating employees with third-party vendors.

7 That's it. Any questions?

8 (NO RESPONSE) .

9 MS. OLSON: Thanks.

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ADMINISTRATION COMMISSION

MS. OLSON: Last we have the Administration Commission.

MR. KRUSE: Good morning. We have two items on the agenda:

Item one is approval of the minutes of the August 2nd, 2016, meeting.

Item 2 is consideration of a DOAH recommended order in the proceedings of Roger Thornberry, Georgette Lundquist, Steve Brodtkin, Ruby Daniels, Rosalie Prestarri, and James Giedman versus Lee County and RH Venture II, LLC; RH Venture III, LLC; and Greenpointe Communities. And Peter Penrod will be describing the item.

MR. PENROD: Thanks, Mark.

This issue if you guys recall has been up -- this is the third time it's been teed up, so I don't intend to go through my presentation again. That said, I'll take any questions that are remaining. If there are none, we can close out the item.

MS. LEEDS: Actually, I have a couple of quick questions for you.

MR. PENROD: Fire away.

1 MS. LEEDS: The map with the red hash.

2 MR. PENROD: Yes.

3 MS. LEEDS: Is that part of the transcript?

4 MR. PENROD: If it's the map I think you're
5 referring to, it was part of the record, yes.

6 MS. LEEDS: Okay.

7 MR. PENROD: If you want to email me a copy of
8 it, I'll go up this afternoon and make sure that it
9 is, in fact, in the record.

10 MS. LEEDS: Okay. There was something that I
11 read that said that it was not considered by the
12 judge, so I was wondering if that's something that
13 we can consider.

14 MR. PENROD: If it's in the record, we can
15 consider it. To the extent it goes to proving or
16 disproving a find finding of fact, I would
17 recommend we stay away from the findings of fact
18 because at this point the parties really aren't
19 disputing the findings of fact, it's really just
20 the legal analysis on the policy.

21 MS. LEEDS: Okay. One other question as to
22 what was in the record, is more of the historical
23 content, which is: After the developer got the
24 approval for the 1999, that they then went back for
25 two separate times for up-zoning and were denied,

1 and that was the reason for this policy to be put
2 in place. And I'm wondering if that's also part of
3 the record?

4 MR. PENROD: I don't know off the top of my
5 head, but I can look at that after the meeting and
6 circle back around with you this afternoon.

7 MS. LEEDS: Okay. Thank you.

8 MR. PENROD: Are there any other questions?

9 (NO RESPONSE).

10 MR. PENROD: Thank you. That concludes this
11 item.

12 MS. OLSON: That concludes our meeting for
13 today. Thank you.

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CERTIFICATE

STATE OF FLORIDA)
COUNTY OF LEON)

I, NANCY S. METZKE, RPR, FPR, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

DATED this 28th day of October, 2016.

NANCY S. METZKE, RPR, FPR
Court Reporter

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'			
'15/'16 [1] - 35:1			
1			
1 [12] - 3:17, 5:8, 14:2, 14:6, 20:1, 20:2, 23:8, 28:9, 31:10, 43:5, 46:8, 46:23 1,000 [1] - 34:10 1,410-acre [1] - 38:20 10 [3] - 12:20, 23:23, 35:5 10,000 [1] - 10:6 10.6 [1] - 46:14 100-percent [1] - 7:8 108,000 [1] - 9:22 11 [4] - 8:23, 12:3, 35:2, 47:22 11,000 [2] - 31:13, 37:22 12 [1] - 8:23 13 [2] - 44:25, 48:3 13,000 [1] - 16:23 13,600 [1] - 16:18 150 [1] - 21:10 16 [2] - 40:23, 44:24 16.1 [1] - 32:4 162 [2] - 8:19, 11:1 175 [1] - 14:24 18,000 [1] - 16:19 19 [1] - 1:14 19,000 [1] - 16:21 19-13 [1] - 48:3 1948 [1] - 39:25 1950s [1] - 39:6 1952 [1] - 39:25 1957 [1] - 34:4 199 [1] - 14:24 1995 [1] - 34:5 1999 [1] - 50:24 19th [1] - 3:4 1st [1] - 40:23	3 3 [10] - 2:3, 5:20, 5:25, 14:2, 28:21, 33:20, 39:20, 40:13, 43:11, 46:18 30 [2] - 13:9, 44:8 300 [1] - 47:11 3093 [1] - 1:22 30th [1] - 39:2 31 [1] - 2:10 310 [1] - 6:8 32315-3093 [1] - 1:23 35 [2] - 14:3, 40:20 35-percent [1] - 7:5	6 6 [5] - 20:15, 30:1, 30:11, 36:12, 47:21 60,000 [1] - 9:9 600 [1] - 8:14 61 [1] - 7:21 64 [1] - 15:5 65 [1] - 15:5 66 [1] - 40:25 67,000 [1] - 6:6 697-8314 [1] - 1:23 697-8715 [1] - 1:23	
		7	
		7 [3] - 35:4, 44:23, 48:2 7,700 [1] - 6:24 7,800 [1] - 6:24	
		8	
		8 [1] - 36:12 8,000 [1] - 7:1 8,600 [1] - 6:7 8.2 [2] - 43:8, 46:10 800 [1] - 37:21 85% [1] - 38:22 850 [2] - 1:23 89 [1] - 10:6 8th [1] - 41:13	
		9	
		9 [2] - 7:15, 10:24 90% [1] - 37:2	
		A	
		able [4] - 24:15, 26:1, 26:22, 27:3 Absolutely [1] - 23:20 absolutely [1] - 38:10 access [2] - 34:11, 34:14 accurate [5] - 16:8, 16:22, 17:1, 17:8, 18:9 acquire [4] - 31:13, 36:4, 36:24, 38:20 acquisition [10] - 32:2, 33:16, 33:17, 36:21, 37:5, 37:8, 38:24, 40:14, 40:17, 40:18 Acquisition [1] - 41:18	
	4		
	4 [6] - 7:3, 10:13, 29:3, 29:9, 34:22, 46:24 4.6 [1] - 35:2 40 [1] - 13:8 40% [1] - 37:3 400 [1] - 8:14 43 [1] - 2:11 46 [1] - 2:13 46% [1] - 38:23 49 [1] - 2:14		

aids [1] - 36:5 Alan [1] - 37:16 All-Country [1] - 47:11 allow [6] - 9:5, 24:14, 24:16, 26:10, 33:22, 36:6 allowed [1] - 25:22 allows [2] - 10:16, 24:9 almost [3] - 6:24, 37:21, 38:10 alone [1] - 16:23 alongside [1] - 39:11 AMANDA [1] - 1:8 amend [2] - 3:19, 30:6 amendments [5] - 3:20, 30:3, 47:22, 47:25, 48:3 amount [3] - 46:10, 46:14, 46:20 analysis [2] - 27:8, 50:20 AND [2] - 1:1, 23:2 ANDREW [1] - 1:9 annual [3] - 3:22, 34:24, 35:8 annually [1] - 48:1 answer [4] - 23:14, 27:13, 43:24, 44:2 apologize [2] - 13:18, 21:23 Appeal [1] - 6:9 appeal [1] - 6:9 applicable [1] - 42:6 applicant [4] - 34:1, 34:5, 34:6, 35:16 application [1] - 40:22 applications [3] - 7:22, 8:14, 40:24 appoint [1] - 38:20 appointed [1] - 41:11 apportioned [2] - 25:2, 25:11 appraised [4] - 34:19, 37:3, 38:23, 40:6 appraisers [1] - 40:4 appreciate [3] - 9:11, 11:21 appreciation [1] - 6:13 appropriate [1] - 47:15 approval [19] - 14:1, 23:8, 23:10, 23:22, 28:10, 28:15, 28:22, 29:4, 29:12, 29:20, 30:2, 36:9, 46:8, 46:24, 47:3, 47:21, 48:2, 49:7, 50:24 approve [6] - 5:11, 5:15, 18:25, 19:2, 19:3, 33:9 approved [8] - 7:6, 7:23, 13:18, 21:24, 32:2, 37:7, 39:1, 40:19 April [2] - 40:20, 40:23 Aquaculture [1] - 35:13 ARC [2] - 41:21, 41:22 area [6] - 12:16, 34:7, 34:8, 34:10, 38:1, 39:14 areas [1] - 37:13	Army [2] - 12:12, 35:23 aside [2] - 7:23, 8:8 assessment [2] - 34:25, 35:9 assessments [2] - 28:25, 29:7 asset [1] - 31:25 Assistance [1] - 6:2 associated [2] - 30:8, 36:7 Association [3] - 12:23, 25:14, 25:16 attempt [1] - 29:16 attending [1] - 10:23 attention [2] - 9:15, 39:19 Attorney [1] - 9:1 audit [1] - 24:22 Audit [1] - 46:25 Audubon [2] - 32:17, 32:19 August [8] - 5:9, 13:8, 14:15, 14:19, 16:13, 28:11, 31:10, 49:8 authority [1] - 40:7 authorized [1] - 52:5 authorizing [1] - 43:7 automated [1] - 24:4 available [3] - 39:10, 43:24, 45:4 average [2] - 18:21, 35:1 Award [1] - 10:7 aware [2] - 6:18, 41:3	below [1] - 18:22 Ben [1] - 2:11 benchmark [4] - 47:8, 47:10, 47:12, 47:13 Bend [1] - 33:14 benefit [1] - 47:24 Benefits [1] - 6:2 benefits [3] - 6:7, 14:4, 17:24 Berets [1] - 11:5 better [4] - 8:17, 18:1, 18:5, 18:8 between [2] - 14:24, 44:1 Big [1] - 33:14 billion [3] - 44:23, 44:24, 44:25 bind [1] - 26:12 bit [5] - 7:16, 9:25, 17:15, 24:5, 25:23 Blanding [1] - 13:4 block [1] - 15:21 blocked [1] - 24:17 Board [16] - 2:9, 2:12, 6:9, 31:3, 31:8, 32:3, 33:21, 34:17, 40:19, 42:13, 46:3, 46:6, 46:9, 46:12, 46:18, 46:25 BOARD [2] - 31:1, 46:1 boaters [1] - 36:7 Bobby [3] - 7:17, 10:25, 12:19 bodyguard [1] - 12:16 bodyguard-type [1] - 12:16 BOND [1] - 43:1 Bond [2] - 2:11, 43:3 bonds [1] - 43:10 books [1] - 24:3 booth [1] - 14:8 boots [1] - 12:5 boss [1] - 17:12 bottom [3] - 35:18, 35:20, 44:12 BOX [1] - 1:22 box [1] - 13:22 boycotting [1] - 47:17 Bravo [2] - 8:12, 12:3 breakfast [3] - 11:9, 21:7, 21:8 Bridge [2] - 31:14, 32:7 brief [1] - 43:25 briefed [2] - 23:12, 23:13 bring [4] - 13:2, 13:3, 19:18, 40:9 bringing [2] - 5:6, 23:23 brings [1] - 16:19 Brodkin [1] - 49:11 BROOKE [1] - 1:12 Brothers [1] - 8:5 Broussard [1] - 37:16 Brown [1] - 36:13	BROWN [8] - 36:16, 38:6, 38:8, 38:12, 38:15, 39:18, 40:13, 42:11 bucks [1] - 21:10 burdensome [1] - 25:18 Bureau [2] - 6:3, 10:2 buses [1] - 25:6 business [4] - 3:6, 25:15, 30:7, 39:6 businesses [6] - 7:22, 7:25, 8:3, 8:20, 11:7, 26:3 businessmen [1] - 11:17 buy [1] - 16:1 buying [1] - 11:11 BY [1] - 1:18 bylaws [1] - 9:5
C			
Cabinet [14] - 3:5, 3:16, 4:5, 5:6, 5:10, 5:14, 13:25, 23:7, 23:9, 31:11, 41:16, 43:19, 44:1 CABINET [4] - 1:1, 1:4, 1:8, 1:15 Cal [1] - 35:11 Camp [1] - 13:4 candnreporters.com [1] - 1:24 cannot [1] - 15:15 canoeing [1] - 31:23 CAPITOL [1] - 1:16 Carbonell [1] - 7:17 card [3] - 6:17, 20:24, 26:11 cards [6] - 21:10, 26:9, 26:14, 26:20, 26:21, 26:23 care [5] - 19:11, 19:20, 19:24, 21:9, 21:24 cared [1] - 20:6 CAREY [1] - 1:8 Carolina [1] - 20:22 case [1] - 9:3 categorical [1] - 47:13 Catfish [1] - 37:16 cattle [1] - 39:6 caught [3] - 9:15, 13:14, 16:14 CDL [2] - 12:25, 13:9 center [1] - 11:14 ceremonies [1] - 10:7 certainly [1] - 33:8 CERTIFICATE [1] - 52:1 certify [2] - 19:3, 52:5 cetera [3] - 6:14, 12:15, 19:24 chain [1] - 40:1 Chain [1] - 37:18 CHAIR [1] - 1:8 change [2] - 25:17, 47:13 changed [4] - 8:18, 13:20,			

<p>13:21, 40:21 changes [8] - 3:21, 24:10, 41:4, 43:23, 46:24, 47:1, 47:2, 47:6 Chapter [3] - 47:16, 47:22, 48:3 charges [1] - 27:7 charter [3] - 25:5, 46:25, 47:1 check [2] - 9:5, 38:8 checked [1] - 21:13 checking [1] - 17:13 checks [1] - 17:12 Cheney [1] - 8:5 circle [1] - 51:6 claim [4] - 14:12, 15:9, 16:9, 16:10 Claims [1] - 6:3 claims [8] - 6:5, 6:7, 7:1, 9:21, 9:22, 10:21, 15:4, 15:6 clarification [1] - 47:23 clarifications [1] - 48:4 clarify [1] - 3:23 clarifying [1] - 47:25 Clark [2] - 2:5, 5:5 CLARK [5] - 5:4, 5:19, 9:17, 13:16, 22:1 Class [3] - 20:1, 20:2, 20:4 classroom [1] - 8:17 clean [1] - 24:4 cleanliness [1] - 19:23 clear [3] - 7:14, 24:15, 25:21 close [1] - 49:21 closing [1] - 39:25 Club [1] - 33:15 CNAs [3] - 10:16, 18:16, 19:1 co [1] - 40:25 co-mingle [1] - 40:25 Coast [1] - 36:6 Coastal [1] - 36:1 college [1] - 19:11 colleges [2] - 19:6, 19:7 collocated [1] - 18:6 Colonel [6] - 9:18, 14:2, 15:17, 16:14, 17:22, 19:17 column [2] - 35:15, 35:17 coming [1] - 41:24 comments [3] - 4:2, 36:2 commercial [1] - 24:18 COMMISSION [1] - 49:1 Commission [5] - 2:14, 28:8, 32:12, 35:24, 49:4 Commissioner [1] - 41:11 Committee [1] - 46:25 committee [2] - 41:11, 41:13 communities [1] - 37:13 Communities [1] - 49:14 community [1] - 19:7</p>	<p>comp [1] - 10:21 companies [3] - 28:17, 28:25, 47:17 company [1] - 8:6 compatibility [2] - 24:20, 25:1 competitive [1] - 43:8 compile [1] - 41:8 complete [2] - 43:23, 52:6 compliant [1] - 34:11 computer [2] - 12:2, 16:6 computers [2] - 15:16, 15:17 concept [3] - 24:7, 24:12, 25:15 concepts [4] - 23:11, 23:22, 23:23, 24:20 concern [1] - 14:3 concludes [5] - 4:8, 30:13, 42:12, 51:10, 51:12 condition [1] - 44:4 conditions [1] - 45:11 conducted [2] - 14:9, 33:25 connection [2] - 46:14, 46:20 conservation [7] - 31:19, 36:18, 36:20, 37:8, 37:15, 38:16, 39:2 Conservation [2] - 32:11, 35:24 conserved [1] - 38:1 consider [5] - 36:23, 38:19, 43:22, 50:13, 50:15 consideration [12] - 5:7, 17:18, 21:21, 23:8, 23:23, 26:8, 33:20, 34:17, 36:19, 37:1, 40:15, 49:9 considered [1] - 50:11 considers [1] - 34:13 consisted [1] - 40:20 construction [1] - 11:8 consumer [2] - 29:13, 29:21 Consumer [2] - 35:12, 36:14 contacted [1] - 21:1 contacting [1] - 6:12 contains [1] - 31:19 content [1] - 50:23 context [3] - 43:20, 44:16, 44:19 continue [2] - 6:1, 44:17 contracted [2] - 20:23, 21:6 control [3] - 17:6, 19:21, 19:25 conversation [1] - 43:13 cooperating [1] - 41:8 coordination [2] - 24:13, 32:10 copy [5] - 26:14, 26:16, 26:22, 39:19, 50:7 Corporation [2] - 46:15,</p>	<p>46:22 Corps [2] - 7:11, 35:23 corrected [1] - 27:7 corrections [2] - 5:10, 5:13 Corridor [1] - 31:16 corridor [1] - 31:19 corridors [1] - 39:12 cost [2] - 26:9, 27:1 Council [1] - 41:18 counted [3] - 16:7, 16:18, 20:11 counties [2] - 6:4, 15:24 counting [1] - 16:17 Country [1] - 47:11 county [2] - 6:20, 18:3 County [7] - 18:3, 34:3, 35:19, 37:1, 37:11, 38:21, 49:13 COUNTY [1] - 52:3 couple [5] - 11:8, 23:24, 38:18, 43:16, 49:23 course [7] - 9:20, 19:10, 38:24, 39:4, 40:6, 43:24, 44:5 COURT [1] - 1:18 Court [1] - 52:11 Cove [1] - 46:23 cover [1] - 8:8 covered [2] - 21:8, 35:22 cow/calf [3] - 37:10, 39:5, 39:7 crashes [2] - 24:18, 24:19 created [1] - 11:11 creates [1] - 24:12 credit [2] - 21:6, 29:7 Creek [1] - 37:16 Cubbage [2] - 35:16, 35:20 culture [1] - 35:21 current [1] - 24:8 curriculum [1] - 19:3 customer [1] - 21:4 cut [1] - 10:21 cycle [1] - 40:22</p>	<p>Debbie [4] - 2:3, 3:13, 3:14, 4:10 debit [2] - 20:24, 21:10 debt [3] - 43:10, 43:13, 43:17 decade [1] - 32:3 December [2] - 30:5, 44:14 definition [3] - 25:2, 25:3, 25:4 definitions [1] - 25:8 delegated [1] - 40:7 deleted [1] - 29:21 denied [2] - 15:9, 50:25 Dennis [1] - 2:13 DEP [1] - 40:6 DEP's [1] - 32:6 Department [24] - 2:3, 2:5, 3:15, 3:17, 4:3, 5:5, 7:10, 12:21, 17:5, 18:18, 18:19, 23:7, 24:9, 24:23, 27:2, 27:5, 31:7, 34:13, 35:3, 35:11, 35:25, 36:13, 41:6 DEPARTMENT [3] - 3:11, 5:1, 23:2 Department's [2] - 4:8, 23:10 dependent [1] - 33:22 depiction [1] - 17:9 described [1] - 25:10 describing [1] - 49:15 design [2] - 7:5, 7:8 designation [1] - 36:25 desires [1] - 13:24 determination [4] - 33:21, 40:8, 46:13, 46:19 determine [1] - 40:2 determined [1] - 40:4 developed [1] - 41:14 developer [1] - 50:23 development [2] - 39:11, 39:13 Diff [1] - 20:23 different [1] - 43:16 dig [1] - 15:23 digital [4] - 15:14, 15:15, 15:24 digital-to-digital [1] - 15:24 dining [2] - 34:7, 34:8 dinners [1] - 21:9 Direct [2] - 20:15, 43:17 director [1] - 9:19 Director [2] - 9:20, 32:16 Director's [1] - 13:24 disability [2] - 7:1, 14:11 Disney [1] - 37:21 disproving [1] - 50:16 disputing [1] - 50:19 distillery [1] - 11:6 distribution [1] - 8:6 District [1] - 32:10 District's [1] - 37:18</p>
D			
<p>DACS [5] - 36:25, 37:5, 38:20, 38:25, 40:24 Daniels [1] - 49:11 Dark [1] - 34:1 data [5] - 13:22, 14:16, 14:18, 15:13, 16:4 Data [1] - 16:3 date [1] - 3:4 DATE [1] - 1:14 DATED [1] - 52:7 daughter [1] - 20:21 David [1] - 37:16 days [1] - 6:13 death [2] - 19:22, 47:24</p>			

<p>DIVISION ^[1] - 43:1 Division ^[8] - 2:11, 6:1, 7:12, 10:13, 32:6, 33:2, 35:12, 48:5 DOAH ^[1] - 49:9 dock ^[2] - 34:7, 34:8 DOD ^[1] - 11:11 done ^[4] - 10:25, 12:20, 13:7, 48:1 double ^[1] - 38:8 down ^[14] - 6:5, 8:6, 9:21, 9:24, 10:21, 11:6, 11:24, 13:4, 14:11, 15:3, 15:23, 17:14, 17:21, 19:18 downgrade ^[1] - 43:15 drafts ^[1] - 43:22 Draper ^[2] - 32:16, 32:19 DRAPER ^[1] - 32:18 drive ^[1] - 13:3 driver ^[4] - 12:24, 26:8, 26:11, 26:15 drones ^[1] - 24:14 drop ^[1] - 15:19 DSO ^[2] - 8:25, 21:5 DSOs ^[1] - 43:17 during ^[8] - 6:6, 6:7, 8:18, 9:8, 16:19, 24:16, 39:25, 40:23 duty ^[1] - 47:24 dynamic ^[1] - 45:1</p>	<p>engage ^[1] - 11:17 engine ^[2] - 11:25, 12:6 Engineers ^[2] - 7:11, 35:23 enhances ^[1] - 34:15 enjoyment ^[1] - 34:15 ensuring ^[1] - 18:11 entire ^[1] - 37:25 entitled ^[2] - 6:19, 26:3 entrepreneurial ^[1] - 11:2 entrepreneurialship ^[1] - 8:13 entry ^[2] - 17:4, 40:2 Environmental ^[2] - 31:7, 35:25 equities ^[1] - 47:8 Eric ^[2] - 32:16, 32:19 ERIN ^[1] - 1:10 especially ^[1] - 24:17 essentially ^[2] - 47:10, 47:23 established ^[2] - 7:18, 41:12 et ^[3] - 6:14, 12:15, 19:24 evaluated ^[2] - 41:2 event ^[2] - 10:4, 14:8 events ^[5] - 6:23, 7:1, 10:5, 14:6, 14:20 Everglades ^[1] - 37:20 examiners ^[2] - 15:6, 17:19 example ^[1] - 18:1 exceed ^[1] - 14:25 exceeding ^[2] - 46:14, 46:21 except ^[2] - 35:4, 44:9 exception ^[1] - 14:17 excited ^[3] - 12:18, 12:19, 33:15 Executive ^[1] - 32:16 exempt ^[1] - 25:6 existing ^[4] - 34:7, 34:9, 35:18, 40:25 expect ^[2] - 43:23, 45:7 expectation ^[1] - 44:13 expected ^[1] - 44:15 expedited ^[3] - 26:5, 26:6, 26:10 expenses ^[1] - 24:10 expensive ^[2] - 15:25, 16:1 experience ^[1] - 12:12 explanation ^[1] - 43:21 extent ^[1] - 50:15 extraordinarily ^[1] - 44:17 eye ^[1] - 13:14 eyeglasses ^[1] - 6:17</p>	<p>fair ^[3] - 16:21, 18:14, 19:20 fairs ^[1] - 12:24 families ^[2] - 6:25, 9:9 family ^[4] - 28:17, 39:5, 46:16, 46:22 Family ^[6] - 36:20, 37:6, 37:19, 40:13, 40:16, 40:18 favor ^[1] - 32:20 favorable ^[2] - 44:17, 45:2 FAX ^[1] - 1:23 FAY ^[1] - 1:9 FDOT's ^[1] - 24:13 feces ^[1] - 19:22 Fed ^[2] - 44:11, 44:13 Federal ^[5] - 7:10, 8:4, 18:5, 24:21, 25:3 Feds ^[1] - 18:7 fee ^[7] - 26:18, 26:23, 27:1, 27:4, 32:2, 37:3, 38:23 fee-simple ^[1] - 32:2 feet ^[1] - 34:10 few ^[1] - 5:23 FIELD ^[1] - 1:12 Field ^[1] - 10:2 field ^[2] - 6:11, 6:12 figure ^[1] - 12:3 file ^[3] - 3:18, 47:21, 48:2 filled ^[1] - 18:12 final ^[3] - 29:12, 29:20, 30:2 finalized ^[1] - 30:5 finally ^[2] - 8:23, 20:15 FINANCE ^[1] - 43:1 Finance ^[4] - 2:11, 43:3, 46:15, 46:21 finance ^[2] - 29:13, 29:21 Financial ^[3] - 2:8, 28:5, 28:7 FINANCIAL ^[1] - 28:1 financial ^[5] - 28:16, 28:23, 28:24, 29:5, 29:6 findings ^[3] - 24:22, 50:17, 50:19 fine ^[1] - 20:9 Fire ^[1] - 49:25 first ^[13] - 3:13, 7:20, 9:8, 10:10, 14:14, 14:16, 14:18, 15:20, 16:10, 18:24, 24:1, 36:22 fiscal ^[5] - 27:8, 34:25, 46:8, 46:13, 46:19 Fish ^[2] - 32:11, 35:24 fishing ^[1] - 31:23 five ^[6] - 5:6, 11:4, 16:21, 20:12, 35:3 five-star ^[1] - 20:12 fix ^[1] - 16:15 fixed ^[1] - 16:16 fleets ^[1] - 25:18 floating ^[1] - 35:21 floors ^[1] - 19:13</p>	<p>Florida ^[26] - 7:16, 7:18, 8:6, 8:24, 12:7, 12:22, 13:10, 17:5, 25:14, 28:5, 31:15, 32:10, 32:11, 32:17, 32:19, 32:23, 35:25, 36:14, 37:17, 43:9, 43:14, 46:9, 46:15, 46:21, 47:1, 47:4 FLORIDA ^[4] - 1:1, 1:16, 1:23, 52:3 Florida's ^[1] - 43:15 floridaisforveterans.org ^[1] - 11:3 focus ^[1] - 35:7 focused ^[1] - 32:23 folks ^[8] - 6:11, 9:10, 13:1, 13:11, 15:5, 21:4, 26:12, 26:21 follow ^[2] - 43:11, 43:13 follow-up ^[2] - 43:11, 43:13 food ^[2] - 8:5, 21:11 foot ^[1] - 34:18 forced ^[1] - 17:22 foregoing ^[1] - 52:6 forested ^[1] - 37:12 Forestry ^[1] - 36:14 Forever ^[2] - 31:15, 32:23 formalizes ^[1] - 47:12 forms ^[3] - 3:21, 3:23, 47:25 forward ^[2] - 17:9, 33:17 Foundation ^[2] - 7:19, 8:25 four ^[2] - 18:2, 21:8 fourth ^[4] - 8:21, 9:17, 13:13, 34:23 FPR ^[3] - 1:18, 52:5, 52:11 Frank's ^[1] - 34:2 frequency ^[1] - 13:23 Friday ^[1] - 41:20 friend ^[1] - 20:20 friendly ^[1] - 25:15 full ^[1] - 33:16 FY ^[1] - 17:20</p>
<p style="text-align: center;">E</p> <p>E6 ^[1] - 12:11 early ^[1] - 8:17 earned ^[2] - 6:18, 14:4 easement ^[10] - 36:21, 36:22, 36:24, 37:8, 37:24, 38:13, 38:17, 38:25, 39:1, 39:2 Easement ^[1] - 37:20 easements ^[1] - 36:19 east ^[1] - 38:18 eat ^[1] - 21:7 editorial ^[1] - 48:4 education ^[1] - 8:15 effect ^[2] - 25:7, 40:5 effective ^[2] - 25:4, 47:15 efforts ^[1] - 33:2 eight ^[3] - 7:22, 12:12, 31:8 elderly ^[1] - 14:19 email ^[1] - 50:7 employee ^[1] - 19:10 employees ^[1] - 48:6 employer ^[1] - 18:10 enable ^[2] - 24:15, 24:16 enacted ^[1] - 3:22 encourage ^[1] - 33:8 encumbrances ^[1] - 39:20 end ^[3] - 4:5, 8:20, 23:13 enforcement ^[1] - 24:7</p>	<p style="text-align: center;">F</p> <p>facility ^[2] - 33:25, 46:10 fact ^[6] - 19:25, 44:9, 50:9, 50:16, 50:17, 50:19 factors ^[1] - 12:9 failed ^[1] - 20:9</p>		<p style="text-align: center;">G</p> <p>Gainesville ^[3] - 21:12, 21:14, 21:15 gas ^[2] - 21:11, 39:24 gather ^[1] - 26:1 gear ^[2] - 35:21, 35:22 Gelhardt ^[2] - 33:12, 33:14 GELHARDT ^[1] - 33:13 general ^[4] - 3:19, 35:22, 42:2, 44:20 General's ^[1] - 9:1 Georgette ^[1] - 49:11 Giedman ^[1] - 49:12 given ^[1] - 43:22 glad ^[1] - 33:6 glitch ^[1] - 16:13 goal ^[1] - 18:21</p>

<p>God [1] - 44:21 Government [1] - 24:21 Government's [1] - 25:4 GOVERNOR [1] - 1:1 Governor [1] - 43:19 Governor's [1] - 10:7 Governors' [1] - 46:9 graduate [1] - 19:16 grandchildren [1] - 20:21 Grant [2] - 33:12, 33:14 grant [3] - 8:25, 9:11, 10:14 great [6] - 7:19, 10:8, 11:4, 32:20, 32:22, 33:9 Green [1] - 11:4 Greenpointe [1] - 49:14 group [1] - 3:8 Guard [2] - 12:7, 36:6 guard [1] - 12:8 guess [1] - 39:19 guy [4] - 11:18, 11:19, 12:3, 15:21 guys [11] - 10:3, 11:18, 15:10, 17:23, 20:18, 21:18, 27:11, 41:24, 42:11, 45:11, 49:17</p>	<p>highway [1] - 39:12 HIGHWAY [1] - 23:2 hiking [1] - 31:24 hire [3] - 8:1, 8:7, 13:11 hired [2] - 8:3, 8:10 Historic [1] - 32:8 historical [2] - 44:16, 50:22 holding [2] - 7:11, 12:23 home [5] - 7:4, 18:17, 21:1, 21:2, 21:15 homeless [2] - 9:3, 9:4 Homes [1] - 10:13 homes [9] - 18:15, 18:23, 19:1, 19:7, 19:9, 19:19, 20:12, 20:13 hope [1] - 36:16 Horn [1] - 31:18 hospital [3] - 6:21, 21:2, 21:15 Hospital [1] - 8:4 hot [2] - 14:19, 14:21 hotel [4] - 21:4, 21:5, 21:6, 21:17 hours [2] - 10:6, 19:12 houses [1] - 6:14 Housing [2] - 46:15, 46:21 Howard [1] - 34:3 HR [1] - 13:11 hundred [1] - 8:7 hunting [1] - 31:23 husband [1] - 20:20</p>	<p>Index [1] - 47:11 industrial [1] - 39:10 industry [1] - 29:18 infantryman [1] - 12:4 information [3] - 6:15, 6:22, 26:2 informational [1] - 41:19 infrastructure [1] - 32:1 initial [1] - 40:17 initiative [1] - 7:17 inside [1] - 11:15 install [2] - 10:14, 36:6 instantly [1] - 11:13 instead [2] - 17:7, 21:16 institutions [3] - 28:16, 28:23, 29:5 insurer [1] - 40:1 intend [2] - 14:25, 49:19 intended [1] - 26:19 intent [1] - 25:24 interest [5] - 9:12, 33:22, 34:14, 39:24, 44:7 interim [1] - 9:19 international [2] - 24:24, 25:5 interpretation [1] - 16:4 interpreter [1] - 12:2 invest [1] - 45:3 invested [1] - 11:20 Investment [1] - 47:4 investment [2] - 30:8, 47:7 Investments [1] - 34:1 invoice [1] - 8:9 IRP [1] - 25:6 Israel [1] - 47:17 issuance [6] - 25:11, 25:12, 43:8, 43:18, 44:23, 46:20 issue [8] - 17:23, 20:10, 24:21, 25:1, 26:9, 26:22, 26:25, 49:17 issued [5] - 25:12, 26:1, 26:4, 26:17, 35:23 Item [34] - 5:12, 5:20, 8:12, 23:8, 23:10, 28:9, 28:14, 28:18, 28:21, 29:3, 29:8, 29:11, 29:19, 29:23, 30:1, 30:10, 31:10, 31:12, 33:20, 34:22, 35:10, 35:15, 40:13, 43:5, 43:7, 43:11, 46:12, 46:18, 46:24, 47:3, 47:21, 48:2, 49:7, 49:9 item [14] - 3:16, 3:17, 8:12, 24:1, 25:20, 26:5, 26:13, 27:1, 36:1, 43:12, 46:8, 49:15, 49:22, 51:11 items [7] - 5:6, 23:7, 28:6, 31:8, 36:12, 46:7, 49:5 itself [1] - 44:9</p>	<p>J</p> <p>Jacksonville [1] - 7:12 James [1] - 49:12 Jamie [2] - 2:8, 28:4 January [2] - 25:4, 25:7 Jennifer [4] - 2:7, 23:5, 23:16, 27:16 Jessica [1] - 13:19 JESSICA [1] - 1:12 job [7] - 8:2, 11:25, 12:14, 18:5, 18:8, 18:16, 18:17 jobs [2] - 13:10, 18:1 Joe [1] - 31:16 John [3] - 36:13, 38:3, 42:10 Johns [1] - 35:19 JOHNSON [2] - 1:9, 42:10 join [1] - 12:7 judge [1] - 50:12 July [3] - 14:15, 14:19, 16:12 jump [1] - 16:24</p>
<p>H</p> <p>half [1] - 37:11 hammock [2] - 37:14, 39:8 handed [2] - 13:18, 13:19 handicap [1] - 34:11 handicapped [1] - 6:16 handled [1] - 9:22 happy [2] - 4:4, 27:13 hard [3] - 6:2, 9:3, 14:5 hard-case [1] - 9:3 hardest [1] - 18:17 hardwood [1] - 39:8 hash [1] - 50:1 Hatchineha [4] - 36:22, 37:10, 38:1, 39:1 head [1] - 51:5 Headwaters [1] - 37:20 health [1] - 20:3 healthy [1] - 20:3 heard [2] - 19:21, 23:24 hearing [1] - 41:13 heavily [1] - 37:12 heavy [1] - 10:20 held [4] - 4:2, 13:4, 14:22, 41:13 help [4] - 9:12, 11:22, 14:10, 15:8 helping [2] - 9:10, 9:12 high [3] - 17:20, 18:16, 44:13 highlight [1] - 5:23 Highway [5] - 2:6, 12:21, 13:1, 23:4, 23:6</p>	<p>I</p> <p>ID [2] - 26:9, 26:11 idea [3] - 11:16, 11:19, 42:2 ideas [1] - 19:18 identification [4] - 26:13, 26:20, 26:21, 26:23 II [1] - 49:13 III [1] - 49:13 immediate [2] - 9:6, 20:5 immediately [1] - 12:13 imminent [2] - 20:2, 39:13 impact [2] - 27:8, 34:16 implementation [3] - 47:14, 47:15, 47:18 important [2] - 11:24, 21:19 impressed [1] - 33:2 improve [1] - 3:23 improved [1] - 39:7 improvements [1] - 32:1 IN [1] - 1:4 Inc [1] - 12:7 include [2] - 8:3, 26:19 including [2] - 37:13, 37:16 increase [1] - 16:25 incur [1] - 43:17 INDEX [1] - 2:1</p>	<p>K</p> <p>Kansas [1] - 18:5 kayaking [1] - 31:23 keep [2] - 40:5, 42:1 keeping [1] - 30:7 kids [1] - 13:2 KIMBERLY [1] - 1:11 kind [3] - 8:18, 10:4, 40:9 kinds [2] - 11:7, 19:18 Kissimmee [2] - 37:18, 38:18 Knickerbocker [1] - 35:11 KNICKERBOCKER [2] - 35:14, 36:11 known [1] - 31:18 KRISTIN [1] - 1:8 KRUSE [1] - 49:5</p>	<p>L</p> <p>L-shaped [1] - 34:7 Labor [1] - 18:19 lady [1] - 20:19 Lake [7] - 7:9, 34:2, 36:22, 37:10, 38:1, 38:17, 38:25 Lakes [1] - 37:18 landowner [1] - 41:4 lands [3] - 33:23, 34:16, 37:15 Lands [8] - 7:12, 33:3, 36:20, 37:6, 37:19, 40:14, 40:16, 40:18 lanes [1] - 24:17 Langston [2] - 2:7, 23:6 LANGSTON [3] - 23:5, 23:17, 23:20 language [6] - 3:21, 24:2, 24:5, 29:22, 39:22</p>

<p>large [3] - 8:5, 37:13, 37:15 larger [2] - 24:18, 25:13 largest [1] - 32:2 last [8] - 7:6, 23:24, 26:13, 32:3, 44:5, 44:6, 44:25, 49:3 lastly [2] - 43:11, 44:4 law [6] - 24:7, 24:8, 25:21, 25:23, 26:19, 26:20 lawsuit [1] - 9:2 leadership [2] - 34:25, 35:8 learn [1] - 8:2 learned [1] - 8:16 lease [3] - 35:15, 35:18 leaseholder [1] - 36:4 leave [2] - 18:16, 19:16 Lee [1] - 49:12 LEEDS [10] - 1:11, 38:3, 38:7, 49:23, 50:1, 50:3, 50:6, 50:10, 50:21, 51:7 legal [1] - 50:20 legislative [3] - 23:11, 23:22 Legislature [2] - 3:22, 7:18 LEON [1] - 52:3 less [1] - 25:18 level [1] - 12:14 LEVEL [1] - 1:16 Lewis [2] - 2:10, 31:7 LEWIS [7] - 31:6, 32:15, 33:11, 33:19, 34:22, 36:12, 42:12 license [5] - 12:25, 13:9, 25:20, 26:11, 26:15 licenses [1] - 26:8 life [1] - 21:16 lift [2] - 10:14, 10:18 lighting [1] - 36:7 likely [1] - 14:9 limited [1] - 47:2 line [2] - 44:12, 47:24 list [14] - 30:6, 36:21, 40:15, 40:17, 40:18, 40:20, 41:14, 41:15, 41:17, 41:25, 42:4, 42:7 live [3] - 19:13, 21:16, 21:17 LLC [4] - 31:14, 34:1, 49:13 loan [1] - 29:15 local [1] - 6:20 located [3] - 19:8, 31:15, 34:2 LOCATION [1] - 1:15 location [1] - 6:20 locator [1] - 41:25 Lockheed [1] - 8:4 long-range [1] - 15:18 LONGMAN [2] - 3:14, 4:8 Longman [2] - 2:3, 3:14 look [6] - 27:2, 27:5, 27:9, 41:24, 44:22, 51:5</p>	<p>looked [1] - 37:24 looking [2] - 13:21, 14:16 lost [1] - 18:2 love [2] - 10:9, 23:19 low [2] - 14:14, 44:10 lower [1] - 45:9 LOWER [1] - 1:16 lowest [2] - 37:2, 38:22 Lucie [1] - 7:5 luck [1] - 12:15 Lundquist [1] - 49:11</p> <p style="text-align: center;">M</p> <p>MacKee [1] - 2:13 MACKEE [2] - 46:5, 47:21 major [1] - 31:19 majority [1] - 31:14 Man [1] - 34:2 man [1] - 11:10 manage [1] - 19:25 managed [2] - 32:6, 32:9 management [3] - 24:13, 31:25, 33:7 Management [3] - 18:19, 32:10, 37:18 managerial [1] - 12:14 manner [2] - 20:7, 20:10 mantra [1] - 45:9 manual [1] - 24:3 map [4] - 37:25, 41:25, 50:1, 50:4 March [1] - 18:20 Mark [1] - 49:16 market [7] - 34:19, 44:4, 44:15, 44:20, 44:25, 45:10 marketability [1] - 40:8 Marks [2] - 31:16, 32:25 Marta [1] - 40:3 Martin [1] - 8:4 Matanzas [1] - 35:19 match [1] - 25:8 matches [1] - 25:3 McKNIGHT [1] - 1:12 MCKNIGHT [2] - 23:16, 23:19 mean [2] - 11:15, 44:11 means [1] - 12:11 Measure [2] - 35:4, 35:5 measure [5] - 13:22, 13:23, 18:14, 19:20, 21:20 measures [7] - 13:17, 13:20, 34:24, 35:2, 35:3, 35:4, 35:6 measuring [1] - 21:20 medal [1] - 10:9 meet [2] - 9:6, 20:13 meeting [16] - 3:5, 3:6, 4:5, 5:9, 5:13, 7:6, 23:9, 28:7, 28:10, 28:11, 31:11, 43:6,</p>	<p>44:1, 49:8, 51:5, 51:12 MEETING [2] - 1:4, 1:15 mental [1] - 20:3 mention [2] - 23:21, 27:12 mentioned [1] - 14:7 mentor [1] - 11:18 mentoring [1] - 11:19 met [1] - 44:6 METZKE [3] - 1:18, 52:5, 52:11 Miami [1] - 12:16 midway [1] - 11:24 might [2] - 14:10, 27:9 miles [1] - 38:18 military [5] - 6:13, 12:2, 17:10, 17:23, 17:24 million [5] - 9:1, 32:4, 43:8, 46:11, 46:15 mind [1] - 5:22 mineral [1] - 39:24 mingle [1] - 40:25 minor [1] - 47:2 minutes [8] - 5:9, 5:16, 23:9, 28:10, 28:12, 31:10, 43:5, 49:7 missed [1] - 38:4 missing [1] - 15:10 mitigation [3] - 38:4, 38:5, 38:9 mix [1] - 37:12 mobile [1] - 10:20 modification [3] - 34:9, 35:16, 35:17 Monday [1] - 21:14 money [4] - 7:7, 8:8, 16:1, 45:3 MONGIOVI [7] - 28:4, 28:14, 28:21, 29:3, 29:11, 30:1, 30:13 Mongiovi [2] - 2:8, 28:4 monitoring [2] - 36:25, 38:21 Monster [1] - 12:6 monster.com [1] - 11:24 month [2] - 15:3, 44:7 monthly [1] - 17:7 months [3] - 9:24, 15:20, 17:14 morning [13] - 3:3, 3:14, 5:4, 23:5, 28:4, 31:5, 31:6, 35:14, 35:15, 36:16, 43:4, 46:5, 49:5 mortgage [3] - 29:14, 46:16, 46:22 most [2] - 14:22, 20:12 mostly [1] - 39:7 MOTOR [1] - 23:2 motor [1] - 24:18 Motor [3] - 2:6, 12:22, 13:1 move [4] - 10:20, 17:9,</p>	<p>33:17, 44:14 movies [1] - 12:4 MR [32] - 5:4, 5:19, 9:17, 13:16, 22:1, 32:18, 33:13, 35:14, 36:11, 36:16, 38:6, 38:8, 38:12, 38:15, 39:18, 40:13, 42:10, 42:11, 43:4, 45:14, 46:5, 47:21, 49:5, 49:16, 49:25, 50:2, 50:4, 50:7, 50:14, 51:4, 51:8, 51:10 MS [46] - 3:3, 3:13, 3:14, 4:7, 4:8, 4:10, 5:3, 21:25, 23:4, 23:5, 23:16, 23:17, 23:19, 23:20, 27:16, 28:3, 28:4, 28:14, 28:21, 29:3, 29:11, 30:1, 30:13, 31:3, 31:6, 32:15, 33:11, 33:19, 34:22, 36:12, 38:3, 38:7, 42:12, 43:3, 45:13, 46:3, 48:9, 49:3, 49:23, 50:1, 50:3, 50:6, 50:10, 50:21, 51:7, 51:12 multi [2] - 46:16, 46:22 multi-family [2] - 46:16, 46:22 multiple [1] - 37:15 muni [1] - 44:24</p> <p style="text-align: center;">N</p> <p>name [3] - 16:6, 20:24, 33:13 named [1] - 9:19 NANCY [3] - 1:18, 52:5, 52:11 nancy@metzke.com [1] - 1:24 Natural [3] - 31:13, 32:7, 37:20 natural [1] - 37:13 navigation [2] - 36:5, 36:8 Navy [2] - 7:10, 8:4 near [1] - 45:7 necessarily [1] - 26:24 necessary [1] - 30:4 need [4] - 9:6, 9:13, 19:14, 45:11 needs [1] - 10:18 negotiated [2] - 37:5, 38:24 never [3] - 11:20, 13:17, 21:23 new [7] - 13:19, 15:13, 15:21, 39:21, 39:22, 40:24, 41:2 news [2] - 7:9, 21:13 next [15] - 5:3, 13:16, 14:1, 17:19, 23:4, 24:20, 24:24, 25:9, 25:20, 26:5, 28:3, 31:3, 38:15, 43:3, 46:3 nine [2] - 18:20, 18:22 NO [22] - 2:2, 3:9, 5:18, 9:16,</p>
---	---	---	---

<p>13:15, 27:15, 28:13, 28:20, 29:2, 29:10, 29:25, 30:12, 32:14, 34:21, 36:10, 38:14, 39:17, 40:12, 42:9, 47:20, 48:8, 51:9</p> <p>no-fee [3] - 26:23, 27:1, 27:4</p> <p>non [1] - 33:22</p> <p>non-water [1] - 33:22</p> <p>none [2] - 20:8, 49:21</p> <p>normal [2] - 21:16, 44:23</p> <p>normalize [1] - 45:6</p> <p>north [1] - 9:23</p> <p>North [2] - 20:22, 43:14</p> <p>northern [1] - 32:8</p> <p>northwest [1] - 38:17</p> <p>Northwest [1] - 32:9</p> <p>noted [2] - 24:22, 25:5</p> <p>notes [3] - 46:16, 46:22, 52:6</p> <p>notice [6] - 28:16, 28:22, 29:5, 36:3, 47:22, 48:2</p> <p>notices [1] - 3:18</p> <p>number [3] - 16:18, 16:23, 19:18</p> <p>Number [31] - 3:17, 5:12, 5:20, 14:2, 14:6, 15:4, 19:19, 20:15, 28:9, 28:14, 28:19, 28:21, 29:3, 29:9, 29:11, 29:19, 29:24, 30:1, 30:11, 31:10, 31:12, 33:20, 34:22, 35:4, 35:5, 35:10, 35:15, 36:12, 40:13, 43:5, 43:7</p> <p>numbers [6] - 10:1, 13:6, 14:23, 16:12, 16:13, 18:18</p> <p>nurses [1] - 10:16</p> <p>nursing [3] - 7:4, 21:1, 21:2</p>	<p>offices [1] - 23:12</p> <p>OFR [9] - 28:3, 28:6, 28:9, 28:15, 28:21, 29:4, 29:11, 29:19, 30:2</p> <p>OFR's [1] - 30:13</p> <p>often [1] - 25:18</p> <p>OGM [1] - 40:3</p> <p>oil [1] - 39:24</p> <p>Okeechobee [2] - 38:17, 38:21</p> <p>old [3] - 10:19, 17:10, 41:3</p> <p>Old [1] - 34:2</p> <p>old-aged [1] - 10:19</p> <p>OLSON [17] - 1:8, 3:3, 3:13, 4:7, 4:10, 5:3, 21:25, 23:4, 27:16, 28:3, 31:3, 43:3, 45:13, 46:3, 48:9, 49:3, 51:12</p> <p>once [5] - 7:3, 10:3, 14:14, 18:15, 48:4</p> <p>one [36] - 3:16, 11:10, 11:23, 12:1, 14:17, 16:5, 17:8, 17:19, 18:2, 18:3, 18:4, 18:6, 18:13, 20:11, 20:17, 24:24, 25:9, 25:12, 32:16, 33:11, 38:2, 39:4, 39:13, 39:16, 39:18, 39:24, 39:25, 40:10, 41:6, 41:24, 41:25, 43:17, 47:7, 49:7, 50:21</p> <p>one-time [1] - 16:5</p> <p>one-year [1] - 25:12</p> <p>ones [1] - 26:4</p> <p>online [2] - 8:16, 8:19</p> <p>open [2] - 6:14, 40:23</p> <p>opened [2] - 11:6, 11:9</p> <p>operation [3] - 34:4, 37:11, 39:5</p> <p>operations [1] - 11:14</p> <p>opposed [1] - 47:12</p> <p>option [3] - 31:12, 36:23, 38:19</p> <p>order [1] - 49:10</p> <p>Organization [1] - 20:16</p> <p>organization [1] - 17:11</p> <p>Organizations [1] - 43:18</p> <p>originators [1] - 29:15</p> <p>Orlando [2] - 13:4, 13:8</p> <p>ourselves [1] - 17:3</p> <p>outdoor [1] - 31:22</p> <p>outdoors [1] - 14:22</p> <p>outreach [2] - 6:3, 14:6</p> <p>overall [1] - 34:25</p> <p>overdrawn [1] - 20:24</p> <p>own [3] - 11:6, 19:2, 38:11</p> <p>owner [2] - 33:3, 42:5</p> <p>owner's [2] - 42:5, 42:6</p> <p>ownership [2] - 34:4, 42:3</p> <p>oysters [1] - 35:21</p>	<p>P</p> <p>packet [2] - 5:8, 5:25</p> <p>PAGE [1] - 2:2</p> <p>Page [10] - 5:25, 7:3, 7:15, 8:23, 9:18, 10:13, 10:15, 10:24, 12:20, 39:20</p> <p>paid [1] - 21:5</p> <p>panels [1] - 11:11</p> <p>paper [3] - 15:15, 16:2, 26:25</p> <p>paperwork [1] - 15:10</p> <p>paragraph [2] - 39:21, 39:22</p> <p>Park [3] - 32:8, 37:17, 46:16</p> <p>parking [2] - 43:9, 46:10</p> <p>Parks [1] - 32:6</p> <p>part [5] - 29:19, 33:1, 50:3, 50:5, 51:2</p> <p>participating [1] - 48:6</p> <p>particular [2] - 32:24, 33:4</p> <p>particularly [2] - 32:24, 33:5</p> <p>parties [1] - 50:18</p> <p>party [1] - 48:6</p> <p>pasture [1] - 39:8</p> <p>patient [3] - 10:17, 10:23, 20:3</p> <p>pay [7] - 7:24, 8:1, 8:11, 17:24, 18:4, 18:8, 20:8</p> <p>Peliaz [2] - 38:15, 38:16</p> <p>PENROD [9] - 49:16, 49:25, 50:2, 50:4, 50:7, 50:14, 51:4, 51:8, 51:10</p> <p>Penrod [2] - 2:14, 49:14</p> <p>Pension [1] - 47:5</p> <p>people [1] - 19:9</p> <p>per [4] - 29:16, 34:16, 34:18, 38:22</p> <p>percent [4] - 14:3, 17:20, 18:20, 18:22</p> <p>performance [5] - 13:17, 15:18, 34:23, 35:2, 47:8</p> <p>period [1] - 25:13</p> <p>permission [1] - 3:18</p> <p>permit [2] - 35:23, 36:5</p> <p>perpetual [2] - 37:7, 39:2</p> <p>person [1] - 10:22</p> <p>personal [1] - 12:16</p> <p>personnel [1] - 19:2</p> <p>persons [1] - 30:9</p> <p>Pete [2] - 11:6, 13:7</p> <p>Peter [2] - 2:14, 49:14</p> <p>Petersburg [1] - 13:5</p> <p>Phil [1] - 35:16</p> <p>phonetics [2] - 38:16</p> <p>physical [1] - 20:3</p> <p>picture [1] - 10:15</p> <p>piece [3] - 15:10, 21:10, 41:25</p> <p>pieces [1] - 41:23</p> <p>pilot [2] - 24:12, 24:14</p>	<p>Pines [4] - 6:5, 9:21, 15:5, 18:7</p> <p>placard [1] - 6:17</p> <p>place [2] - 27:7, 51:2</p> <p>Plan [1] - 47:5</p> <p>plan [3] - 15:18, 24:25, 25:5</p> <p>plans [1] - 35:20</p> <p>plates [5] - 25:12, 25:16, 25:21, 26:3</p> <p>platform [1] - 11:12</p> <p>play [1] - 15:25</p> <p>plenty [1] - 19:12</p> <p>plumbing [1] - 11:8</p> <p>plus [2] - 15:6, 47:11</p> <p>point [8] - 7:3, 8:24, 9:18, 10:14, 10:25, 11:23, 14:17, 50:18</p> <p>points [2] - 44:8, 47:11</p> <p>police [3] - 26:15, 26:16, 26:22</p> <p>policies [1] - 47:14</p> <p>Policy [1] - 47:4</p> <p>policy [3] - 47:7, 50:20, 51:1</p> <p>Polk [3] - 34:3, 37:1, 37:11</p> <p>Port [1] - 7:5</p> <p>portion [3] - 32:5, 32:8, 32:9</p> <p>positions [1] - 18:12</p> <p>positive [1] - 29:17</p> <p>POST [1] - 1:22</p> <p>potential [1] - 31:24</p> <p>practices [1] - 30:7</p> <p>prairie [1] - 37:14</p> <p>preempted [1] - 34:10</p> <p>premiere [1] - 17:3</p> <p>prepared [1] - 43:12</p> <p>present [4] - 13:25, 26:14, 26:16, 26:21</p> <p>presentation [4] - 34:23, 35:7, 35:8, 49:19</p> <p>presented [3] - 35:10, 36:13, 41:19</p> <p>Preserve [2] - 37:17, 37:22</p> <p>press [1] - 17:6</p> <p>pressing [1] - 14:5</p> <p>pressure [1] - 39:14</p> <p>Prestarri [1] - 49:12</p> <p>prevent [1] - 9:4</p> <p>previous [1] - 38:25</p> <p>price [3] - 32:4, 33:5, 38:22</p> <p>principals [1] - 43:25</p> <p>prioritized [3] - 40:14, 40:17, 41:14</p> <p>prison [1] - 12:8</p> <p>private [3] - 36:5, 38:4, 47:8</p> <p>problem [1] - 20:14</p> <p>proceedings [2] - 49:10, 52:6</p> <p>process [6] - 8:15, 8:16, 24:3, 24:4, 40:1, 47:18</p>
<p>O</p> <p>objective [3] - 35:2, 35:3, 35:6</p> <p>obsolete [2] - 24:1, 29:22</p> <p>obtain [2] - 26:11, 27:4</p> <p>obviously [3] - 16:13, 35:7, 44:3</p> <p>occur [2] - 33:23, 45:7</p> <p>October [7] - 3:4, 3:5, 3:16, 13:7, 28:7, 31:9, 52:7</p> <p>OCTOBER [1] - 1:14</p> <p>OF [11] - 1:1, 1:1, 3:11, 5:1, 23:2, 28:1, 31:1, 43:1, 46:1, 52:3, 52:3</p> <p>off-bottom [1] - 35:20</p> <p>offer [2] - 5:13, 26:10</p> <p>offered [1] - 19:8</p> <p>Office [4] - 2:8, 9:1, 28:5, 36:1</p> <p>OFFICE [3] - 1:1, 1:22, 28:1</p> <p>office [3] - 6:5, 9:21, 42:2</p> <p>officer [1] - 6:20</p>			

<p>produce [1] - 35:21 produced [1] - 41:5 production [1] - 35:22 program [5] - 8:13, 11:2, 24:12, 40:22, 42:7 Program [4] - 37:6, 40:14, 40:16, 40:19 prohibited [1] - 30:6 project [12] - 24:14, 31:21, 32:20, 32:23, 33:4, 37:19, 39:4, 41:2, 41:3, 41:8, 41:9, 42:4 projects [5] - 31:16, 40:20, 40:25, 41:1, 42:3 proper [2] - 17:16, 19:24 properly [1] - 20:6 property [8] - 31:18, 32:5, 33:3, 37:10, 37:12, 37:14, 39:6, 39:10 proposed [6] - 3:18, 3:20, 28:16, 28:23, 29:5, 37:8 proposing [2] - 34:6, 39:21 protect [1] - 31:20 protecting [2] - 32:23, 39:2 Protection [5] - 31:8, 37:6, 40:14, 40:16, 40:19 Protection's [1] - 35:25 prove [2] - 8:9, 8:10 provide [5] - 6:15, 31:21, 31:24, 34:10, 44:19 provided [2] - 5:25, 10:6 provides [3] - 10:22, 34:14, 43:20 proving [1] - 50:15 provisions [1] - 47:16 public [10] - 24:16, 33:22, 34:12, 34:14, 36:3, 38:5, 38:6, 38:10, 41:13 publish [3] - 28:15, 28:22, 29:4 purchase [2] - 32:4, 33:9 purposes [1] - 41:19 pursuant [1] - 41:12 pursue [1] - 44:18 put [7] - 12:5, 12:10, 13:11, 16:6, 17:15, 27:10, 51:1 puts [1] - 47:17</p>	<p>9:14, 13:13, 21:22, 23:14, 27:13, 28:12, 28:18, 29:1, 29:8, 29:23, 30:10, 32:13, 32:15, 34:20, 35:6, 36:11, 38:2, 38:12, 39:16, 40:11, 42:8, 43:25, 44:2, 47:19, 48:7, 49:20, 49:24, 51:8 quick [2] - 20:17, 49:23 quicker [1] - 24:15 quite [1] - 33:6</p>	<p>31:25 red [1] - 50:1 redo [1] - 16:11 reduce [1] - 34:9 reevaluate [1] - 41:4 referring [1] - 50:5 reflect [1] - 3:21 reflected [1] - 18:20 reflection [4] - 16:8, 16:22, 17:1, 18:9 reflects [1] - 13:24 refunding [1] - 43:9 refundings [1] - 44:18 regarding [4] - 40:8, 42:7, 46:13, 47:24 registration [2] - 24:25, 25:5 REGULATION [1] - 28:1 Regulation [2] - 2:8, 28:5 reimbursement [2] - 24:8, 24:10 relate [1] - 24:20 related [9] - 3:19, 24:24, 26:5, 26:25, 40:3, 46:19, 47:10, 47:16, 48:5 relates [9] - 24:1, 24:7, 25:1, 25:10, 25:20, 26:13, 27:1, 47:8, 47:14 relating [4] - 28:17, 28:24, 29:6, 29:13 released [1] - 7:7 remaining [2] - 32:9, 49:21 remarkable [1] - 33:6 remember [1] - 45:3 reminder [1] - 29:15 remove [1] - 34:6 removing [1] - 24:1 Rene [4] - 2:10, 31:5, 31:6, 32:18 RENSPIE [1] - 1:11 rental [1] - 34:19 reorganization [1] - 30:5 repeats [1] - 23:25 replace [1] - 34:7 replacement [2] - 26:17, 26:23 report [9] - 5:21, 24:2, 26:15, 26:17, 26:22, 41:8, 43:12, 43:20, 52:5 REPORTED [1] - 1:18 Reporter [1] - 52:11 REPORTER [1] - 1:18 REPORTERS [1] - 1:22 reports [5] - 28:24, 29:6, 41:5, 41:7, 41:10 representative [1] - 18:11 request [6] - 4:1, 46:8, 46:24, 47:3, 47:21, 48:2 requested [2] - 4:1, 35:17 requesting [1] - 3:18</p>	<p>requests [7] - 28:10, 28:15, 28:22, 29:4, 29:12, 29:20, 30:2 required [3] - 36:4, 41:17, 47:5 requirement [1] - 30:7 requires [1] - 24:3 research [1] - 40:1 reservations [1] - 39:23 resident [1] - 20:4 resolution [3] - 43:7, 46:12, 46:18 resource [1] - 31:22 resource-based [1] - 31:22 resources [4] - 17:16, 31:21, 32:24, 34:16 respectfully [8] - 5:14, 28:9, 28:15, 28:22, 29:4, 29:12, 29:20, 30:2 respond [1] - 20:9 RESPONSE [21] - 3:9, 5:18, 9:16, 13:15, 27:15, 28:13, 28:20, 29:2, 29:10, 29:25, 30:12, 32:14, 34:21, 36:10, 38:14, 39:17, 40:12, 42:9, 47:20, 48:8, 51:9 responsibilities [1] - 33:8 restaurant [3] - 34:2, 34:3, 34:9 restaurants [1] - 11:10 Restoration [1] - 41:18 restrooms [1] - 34:12 result [2] - 11:1, 30:4 retired [2] - 17:23, 18:2 Retirement [2] - 47:5, 48:5 revealed [1] - 39:23 revenue [3] - 43:9, 46:16, 46:22 Revenue [2] - 2:3, 3:15 REVENUE [1] - 3:11 review [3] - 41:1, 41:5, 41:7 reviewed [1] - 36:1 reviewing [1] - 7:13 revise [1] - 3:20 revisions [2] - 47:3, 48:5 RH [2] - 49:13 rifle [1] - 12:5 rights [1] - 39:24 River [3] - 32:25, 35:19, 38:18 river [1] - 33:1 roads [1] - 24:15 ROB [1] - 1:9 ROBERT [1] - 1:10 Rocker [1] - 37:19 rodeos [1] - 12:24 Roger [1] - 49:10 ROOM [1] - 1:15 room [1] - 21:7</p>
R			
<p>radar [1] - 27:10 railroad [1] - 39:11 Raleigh [1] - 21:2 Ralph [1] - 38:15 ramp [1] - 34:11 Ranch [3] - 36:22, 37:10, 37:19 ranch [2] - 37:1, 38:20 range [5] - 14:24, 15:18, 16:25, 17:17, 20:1 ranges [1] - 18:18 rank [1] - 12:9 ranked [1] - 39:4 rate [1] - 17:20 rates [5] - 3:23, 44:7, 44:9, 44:16, 44:21 ratings [1] - 6:9 RE [1] - 1:4 reach [4] - 9:2, 14:5, 20:16, 33:3 reached [3] - 7:21, 9:8, 19:6 reaction [1] - 44:15 read [1] - 50:11 readability [1] - 3:24 ready [2] - 13:11, 15:18 real [4] - 12:18, 19:13, 20:17, 25:21 realization [2] - 43:15, 44:19 realized [2] - 15:19, 15:23 really [8] - 8:13, 12:19, 13:12, 17:22, 33:1, 33:6, 50:18, 50:19 reason [3] - 11:25, 15:2, 51:1 received [5] - 4:1, 4:3, 35:3, 36:2, 40:24 recognized [1] - 10:11 recommend [1] - 50:17 recommended [2] - 40:15, 49:9 recommending [1] - 36:9 record [7] - 30:7, 50:5, 50:9, 50:14, 50:22, 51:3, 52:6 recording [1] - 15:13 recover [1] - 24:9 recovery [1] - 26:9 Recreation [1] - 32:6 recreational [2] - 31:22,</p>			
Q			
<p>qualified [1] - 8:14 quality [1] - 19:20 quarter [24] - 5:20, 5:22, 5:24, 6:6, 6:8, 6:10, 7:20, 8:19, 8:22, 9:8, 9:14, 9:17, 9:22, 10:8, 13:13, 14:14, 14:16, 14:18, 14:25, 15:2, 15:20, 16:19, 21:21, 34:23 quarterly [2] - 17:7, 20:17 questions [30] - 4:6, 5:16,</p>			

<p>Rosalie ^[1] - 49:12</p> <p>Roy ^[3] - 2:5, 5:4, 21:25</p> <p>RPR ^[3] - 1:18, 52:5, 52:11</p> <p>Ruby ^[1] - 49:11</p> <p>rule ^[10] - 3:19, 3:25, 28:16, 28:23, 29:5, 29:21, 29:22, 30:4, 34:17, 41:17</p> <p>Rule ^[1] - 41:12</p> <p>rules ^[10] - 3:19, 28:17, 28:23, 29:6, 29:13, 30:3, 30:6, 47:22, 47:23, 48:3</p> <p>run ^[1] - 32:21</p> <p>Rural ^[6] - 36:20, 37:6, 37:19, 40:13, 40:16, 40:18</p>	<p>28:7, 35:12, 36:14</p> <p>services ^[1] - 6:11</p> <p>session ^[2] - 23:12, 23:25</p> <p>set ^[4] - 7:23, 8:8, 11:12, 14:8</p> <p>settlement ^[1] - 9:2</p> <p>seven ^[2] - 12:11, 46:6</p> <p>several ^[3] - 37:13, 47:22, 47:25</p> <p>shaped ^[1] - 34:7</p> <p>shared ^[1] - 33:7</p> <p>sheet ^[1] - 13:19</p> <p>shelter ^[1] - 11:13</p> <p>shipping ^[2] - 26:6, 26:7</p> <p>show ^[3] - 6:1, 12:25, 14:9</p> <p>shut ^[1] - 20:25</p> <p>Sierra ^[1] - 33:14</p> <p>sign ^[1] - 15:18</p> <p>signage ^[1] - 36:7</p> <p>significantly ^[1] - 15:19</p> <p>similar ^[1] - 25:9</p> <p>simple ^[1] - 32:2</p> <p>simply ^[1] - 12:7</p> <p>sit ^[1] - 14:11</p> <p>six ^[1] - 28:6</p> <p>skills ^[1] - 12:2</p> <p>skip ^[1] - 7:15</p> <p>smelling ^[1] - 19:22</p> <p>Sons ^[1] - 38:16</p> <p>sorry ^[1] - 38:3</p> <p>sort ^[2] - 44:4, 44:20</p> <p>sound ^[1] - 11:15</p> <p>sounds ^[1] - 25:9</p> <p>south ^[1] - 8:6</p> <p>South ^[1] - 37:17</p> <p>southern ^[1] - 32:5</p> <p>sovereignty ^[2] - 33:23, 34:15</p> <p>speaker ^[2] - 32:16, 33:11</p> <p>specific ^[1] - 47:12</p> <p>specificity ^[1] - 47:9</p> <p>Spect ^[1] - 16:3</p> <p>Spect's ^[1] - 16:4</p> <p>speed ^[1] - 40:9</p> <p>spend ^[1] - 9:24</p> <p>spending ^[1] - 17:17</p> <p>spent ^[1] - 9:9</p> <p>spot ^[1] - 14:12</p> <p>spouse ^[2] - 27:3, 27:6</p> <p>Spring ^[1] - 31:18</p> <p>spring ^[1] - 9:24</p> <p>springs ^[2] - 31:20, 33:1</p> <p>square ^[2] - 34:10, 34:18</p> <p>St ^[8] - 7:5, 11:6, 13:5, 13:6, 31:16, 32:25, 35:19</p> <p>staff ^[2] - 12:11, 41:6</p> <p>standard ^[1] - 20:1</p> <p>Star ^[1] - 34:1</p> <p>star ^[1] - 20:12</p>	<p>started ^[2] - 8:20, 21:3</p> <p>State ^[12] - 2:12, 7:12, 32:8, 33:2, 37:17, 43:9, 46:3, 46:6, 46:9, 46:12, 46:18, 46:25</p> <p>state ^[7] - 9:4, 11:18, 12:23, 14:4, 18:11, 19:10, 29:14</p> <p>STATE ^[3] - 1:1, 46:1, 52:3</p> <p>Statement ^[1] - 47:4</p> <p>statement ^[1] - 47:7</p> <p>States ^[1] - 36:6</p> <p>Statute ^[1] - 47:6</p> <p>statutory ^[1] - 3:21</p> <p>stay ^[2] - 20:11, 50:17</p> <p>stenographic ^[1] - 52:6</p> <p>stenographically ^[1] - 52:5</p> <p>step ^[1] - 45:5</p> <p>STEPHANIE ^[1] - 1:11</p> <p>Steve ^[1] - 49:11</p> <p>still ^[2] - 16:2, 44:16</p> <p>stolen ^[2] - 26:13, 26:16</p> <p>story ^[3] - 11:4, 13:12, 20:18</p> <p>strongly ^[1] - 32:20</p> <p>stuck ^[1] - 20:21</p> <p>stuff ^[1] - 12:17</p> <p>subject ^[1] - 21:21</p> <p>subjective ^[1] - 34:24</p> <p>submerged ^[2] - 33:23, 34:15</p> <p>submitted ^[4] - 7:22, 16:10, 36:1, 41:10</p> <p>substantial ^[1] - 41:3</p> <p>substantially ^[1] - 43:23</p> <p>success ^[1] - 13:12</p> <p>successful ^[3] - 6:10, 7:2, 9:7</p> <p>sufficiency ^[1] - 46:9</p> <p>SUMPTER ^[1] - 1:10</p> <p>Sumpter ^[1] - 18:3</p> <p>supervisors ^[1] - 15:7</p> <p>supply ^[1] - 45:4</p> <p>supply/demand ^[1] - 45:1</p> <p>Support ^[2] - 20:15, 43:18</p> <p>support ^[2] - 10:6, 33:17</p> <p>supportive ^[1] - 29:18</p> <p>supports ^[1] - 37:12</p> <p>supposed ^[1] - 25:25</p> <p>surrounded ^[1] - 37:14</p> <p>surviving ^[2] - 27:3, 27:6</p> <p>Sutphin ^[5] - 9:18, 15:17, 16:14, 17:22, 19:17</p> <p>Sutphin's ^[1] - 14:2</p> <p>System ^[1] - 47:5</p> <p>system ^[9] - 9:25, 10:14, 10:15, 10:18, 12:8, 15:13, 15:24, 16:14, 17:4</p>	<p>takers ^[1] - 29:16</p> <p>TALLAHASSEE ^[2] - 1:16, 1:23</p> <p>tax ^[3] - 3:19, 3:23, 9:25</p> <p>teams ^[3] - 41:1, 41:5, 41:7</p> <p>technical ^[3] - 41:1, 41:5, 41:7</p> <p>teed ^[1] - 49:18</p> <p>ten ^[2] - 13:9, 31:20</p> <p>term ^[2] - 45:7, 45:8</p> <p>test ^[5] - 13:2, 17:6, 29:14, 29:16</p> <p>test-takers ^[1] - 29:16</p> <p>tested ^[3] - 13:1, 13:8, 13:9</p> <p>THE ^[2] - 1:1, 1:16</p> <p>themselves ^[1] - 10:23</p> <p>they've ^[7] - 6:18, 8:10, 9:7, 10:10, 11:9, 12:1</p> <p>third ^[7] - 5:20, 5:22, 6:7, 9:14, 24:12, 48:6, 49:18</p> <p>third-party ^[1] - 48:6</p> <p>Thornberry ^[1] - 49:10</p> <p>threat ^[3] - 20:2, 20:5, 39:13</p> <p>three ^[3] - 24:11, 41:23, 44:6</p> <p>throws ^[1] - 12:13</p> <p>tier ^[2] - 39:4, 41:25</p> <p>tighten ^[1] - 25:23</p> <p>tighter ^[1] - 24:6</p> <p>timber ^[1] - 31:25</p> <p>Timberland ^[1] - 31:17</p> <p>Timberlands ^[1] - 31:14</p> <p>timely ^[1] - 20:10</p> <p>title ^[6] - 7:10, 7:14, 27:4, 39:23, 40:1, 40:2</p> <p>titles ^[2] - 26:7, 27:7</p> <p>TNC ^[1] - 38:9</p> <p>today ^[3] - 36:17, 46:7, 51:13</p> <p>today's ^[1] - 3:4</p> <p>together ^[1] - 11:8</p> <p>took ^[1] - 21:9</p> <p>top ^[1] - 51:4</p> <p>TORNILLO ^[1] - 1:10</p> <p>total ^[1] - 37:9</p> <p>touch ^[4] - 14:20, 17:2, 18:13, 20:17</p> <p>touched ^[1] - 10:5</p> <p>touching ^[1] - 10:3</p> <p>tough ^[2] - 18:16, 18:23</p> <p>tout ^[1] - 17:3</p> <p>track ^[1] - 39:11</p> <p>tracts ^[1] - 37:15</p> <p>traffic ^[1] - 24:13</p> <p>trail ^[1] - 15:15</p> <p>train ^[2] - 18:25, 19:1</p> <p>trained ^[1] - 19:4</p> <p>training ^[10] - 7:21, 7:24, 8:2, 8:9, 10:4, 11:5, 19:2, 19:13, 24:8, 24:10</p> <p>transcript ^[2] - 50:3, 52:6</p>
<p>S</p>			
<p>safe ^[1] - 11:15</p> <p>SAFETY ^[1] - 23:2</p> <p>safety ^[1] - 10:22</p> <p>Safety ^[5] - 2:6, 12:21, 13:1, 23:4, 23:6</p> <p>sale ^[1] - 43:8</p> <p>save ^[1] - 29:15</p> <p>savings ^[1] - 43:10</p> <p>scheduled ^[1] - 3:25</p> <p>schools ^[1] - 12:9</p> <p>score ^[1] - 35:1</p> <p>search ^[2] - 11:25, 12:6</p> <p>searches ^[1] - 12:14</p> <p>second ^[4] - 8:12, 24:7, 41:25, 47:13</p> <p>Secretary's ^[2] - 34:24, 35:8</p> <p>securities ^[1] - 30:3</p> <p>security ^[1] - 12:15</p> <p>see ^[8] - 10:1, 12:4, 16:22, 27:9, 32:23, 33:6, 41:20, 41:22</p> <p>seeing ^[1] - 41:15</p> <p>seeking ^[1] - 23:21</p> <p>seeks ^[2] - 23:8, 23:10</p> <p>selected ^[1] - 11:24</p> <p>selection ^[2] - 41:10, 41:13</p> <p>semiannual ^[2] - 28:24, 29:6</p> <p>sending ^[1] - 16:3</p> <p>sense ^[1] - 44:18</p> <p>sensitive ^[1] - 39:14</p> <p>sent ^[1] - 21:10</p> <p>separate ^[1] - 50:25</p> <p>September ^[9] - 3:25, 4:6, 5:12, 14:15, 16:18, 16:23, 23:9, 41:12, 43:5</p> <p>sergeant ^[1] - 12:11</p> <p>serve ^[1] - 31:18</p> <p>Service ^[2] - 10:7, 36:15</p> <p>service ^[8] - 6:20, 10:12, 21:4, 26:6, 26:7, 26:8, 26:10, 43:10</p> <p>serviced ^[1] - 6:6</p> <p>Services ^[5] - 10:2, 18:19,</p>			
<p>T</p>			
<p>tactical ^[1] - 11:14</p>			

<div>transporter^[1] - 25:20</div> <div>travel^[1] - 24:16</div> <div>treating^[1] - 21:3</div> <div>trial^[1] - 16:3</div> <div>tried^[1] - 32:22</div> <div>truancy^[1] - 24:2</div> <div>truck^[1] - 12:24</div> <div>Trucking^[4] - 12:22, 13:10, 25:14, 25:16</div> <div>trucks^[1] - 25:13</div> <div>true^[1] - 52:6</div> <div>trust^[2] - 28:17, 28:25</div> <div>Trustee's^[1] - 32:4</div> <div>trustees^[1] - 33:9</div> <div>TRUSTEES^[1] - 31:1</div> <div>Trustees^[3] - 2:9, 31:8, 32:3</div> <div>Trustees'^[2] - 31:4, 42:13</div> <div>trying^[4] - 18:25, 19:4, 19:17, 21:16</div> <div>turned^[1] - 6:23</div> <div>turnover^[1] - 17:19</div> <div>Tuscany^[1] - 46:23</div> <div>two^[18] - 15:20, 17:2, 17:8, 18:14, 19:16, 20:21, 21:10, 23:7, 24:9, 24:20, 31:15, 35:18, 36:18, 39:23, 44:6, 47:6, 49:5, 50:25</div> <div>two-acre^[1] - 35:18</div> <div>type^[3] - 12:16, 21:18, 25:10</div> <div>types^[1] - 6:15</div> <div>typical^[1] - 37:24</div>	<div>update^[4] - 3:22, 44:4, 44:5, 45:10</div> <div>updated^[1] - 47:25</div> <div>upland^[1] - 34:12</div> <div>upload^[1] - 16:3</div> <div>upper^[1] - 31:16</div> <div>upstairs^[2] - 18:6, 18:8</div> <div>utilized^[1] - 41:6</div>	<div>week^[6] - 14:1, 18:2, 41:24, 44:23, 44:24, 44:25</div> <div>weeks^[1] - 44:6</div> <div>weighted^[1] - 35:1</div> <div>Wellington^[1] - 46:17</div> <div>wetland^[1] - 39:9</div> <div>Wilderness^[1] - 37:22</div> <div>wildlife^[1] - 31:24</div> <div>Wildlife^[3] - 32:11, 35:24, 37:20</div> <div>willing^[1] - 12:17</div> <div>wondering^[2] - 50:12, 51:2</div> <div>words^[1] - 26:24</div> <div>workers'^[1] - 10:21</div> <div>works^[1] - 12:2</div> <div>workshop^[2] - 3:25, 4:2</div> <div>World^[1] - 47:11</div> <div>worth^[1] - 21:20</div> <div>wound^[1] - 20:5</div> <div>write^[1] - 9:5</div> <div>written^[1] - 4:2</div> <div>wronged^[1] - 15:8</div>
V		
<div>VA^[7] - 6:21, 7:10, 15:9, 15:14, 18:5, 21:1</div> <div>vacation^[1] - 20:22</div> <div>value^[6] - 34:19, 37:3, 37:4, 38:23, 40:5</div> <div>van^[1] - 13:2</div> <div>vehicle^[3] - 24:18, 25:2, 25:10</div> <div>VEHICLES^[1] - 23:2</div> <div>Vehicles^[3] - 2:6, 12:22, 13:1</div> <div>vehicles^[3] - 13:3, 25:11, 25:22</div> <div>vendors^[1] - 48:6</div> <div>Venture^[2] - 49:13</div> <div>versus^[2] - 15:3, 49:12</div> <div>Veteran^[1] - 10:7</div> <div>veteran^[3] - 8:11, 15:7, 16:5</div> <div>veterans^[15] - 6:4, 6:8, 6:12, 6:25, 8:1, 8:7, 9:3, 9:9, 10:3, 10:6, 10:9, 11:1, 14:3, 14:9, 17:4</div> <div>Veterans^[4] - 2:5, 6:9, 7:16, 7:19</div> <div>VETERANS^[1] - 5:1</div> <div>veterans'^[1] - 15:6</div> <div>Veterans'^[4] - 5:3, 5:5, 8:24, 17:5</div> <div>vets^[2] - 7:21, 11:9</div> <div>view^[1] - 29:16</div> <div>viewing^[1] - 31:24</div> <div>visit^[1] - 16:5</div> <div>visitors^[1] - 9:23</div> <div>VOICE^[1] - 38:11</div> <div>voted^[1] - 41:14</div> <div>voucher^[1] - 21:8</div>	Y	
<div>U.S^[1] - 18:21</div> <div>under^[4] - 35:22, 37:5, 39:12, 47:5</div> <div>unhappy^[1] - 16:9</div> <div>UNIDENTIFIED^[1] - 38:11</div> <div>uniform^[1] - 29:14</div> <div>unions^[1] - 29:7</div> <div>unique^[1] - 16:4</div> <div>United^[1] - 36:5</div> <div>universities^[2] - 19:7, 43:16</div> <div>University^[4] - 43:9, 43:14, 46:10</div> <div>university^[1] - 43:12</div> <div>unplug^[1] - 42:1</div> <div>unusual^[1] - 44:8</div> <div>Up^[1] - 31:3</div> <div>up^[32] - 3:13, 5:3, 8:1, 8:7, 9:5, 9:23, 10:5, 11:12, 12:13, 12:25, 14:8, 14:9, 14:23, 16:19, 19:17, 20:22, 23:4, 24:5, 25:23, 28:3, 40:9, 43:3, 43:11, 43:13, 44:7, 44:22, 46:3, 47:9, 49:17, 49:18, 50:8, 50:25</div> <div>up-zoning^[1] - 50:25</div> <div>upcoming^[1] - 23:11</div>	Y'all ^[2] - 5:16, 7:7	
	Y'all's ^[2] - 9:11, 11:22	
	year ^[5] - 7:20, 23:22, 23:25, 25:12, 34:25	
	years ^[4] - 12:12, 19:16, 24:9, 24:11	
	yeoman ^[1] - 20:19	
	young ^[2] - 11:10, 19:8	
	yourselves ^[1] - 5:17	
Z		
	zoning ^[1] - 50:25	
Z		
<div>wait^[1] - 45:5</div> <div>water^[6] - 31:20, 32:24, 33:22, 35:15, 35:17, 39:15</div> <div>Water^[2] - 32:10, 37:17</div> <div>watershed^[1] - 32:25</div> <div>WATKINS^[2] - 43:4, 45:14</div> <div>Watkins^[1] - 2:11</div> <div>ways^[1] - 43:16</div> <div>website^[1] - 11:3</div> <div>WEDNESDAY^[1] - 1:14</div>		