

**STATE OF CALIFORNIA  
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD  
MINUTES OF THE PUBLIC MEETING & CLOSED SESSION  
Held on May 29, 2013  
Sacramento, California**

**PRESENT:**

Art Carter, Chairperson  
Ed Lowry, Member  
Judith Freyman, Member  
Kari Johnson, Executive Officer  
Ursula Clemons, Presiding Administrative Law Judge  
Jeff Mojcher, Chief Counsel  
Thomas Song, Industrial Relations Counsel II  
Lee Berlin, Executive Secretary  
Marti Fisher, Policy Advocate, California Chamber of Commerce

**MINUTES OF MAY 15, 2013 MEETING:**

*(Approve or amend minutes of previous Board meeting)*

ACTION: Member Lowry moved that the Board approve the draft minutes of the May 15, 2013 Board Meeting. Member Freyman seconded. The Board voted to approve the draft minutes of the May 15, 2013 Board meeting.

**ADMINISTRATIVE MATTERS:**

*(Information regarding the general administration of cases pending before the Appeals Board)*

1. 2013 RULEMAKING MATTERS:

*(Discuss/implement Board rulemaking changes)*

ACTION: Executive Officer Kari Johnson reported that the Legal staff is working on a new draft version of the videoconferencing rule discussed at previous Advisory Committee meetings. The Board has not set any dates for an Advisory Committee meeting.

**NEW BUSINESS:**

*(The Appeals Board hears and discusses new reports presented by staff.)*

1. 2013-2014 BUDGET:

*(Discuss budget issues for upcoming fiscal year)*

ACTION: Chair Carter reported that he is still expecting that the Board will be asked to reduce its budget by \$150,000 for fiscal year 2013-2014.

**OLD BUSINESS:**

*(The Appeals Board hears and/or discusses matters on a follow-up basis.)*

2. 2012-2013 BUDGET:

*(Discuss budget issues for current fiscal year)*

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

May 29, 2013

Page 2

ACTION: Executive Secretary Lee Berlin reminded the Board of deadlines for expense reporting for the end of fiscal year 2012-2013.

**LEGISLATION:**

*(Review and discuss current legislation which may affect the Appeals Board)*

ACTION: Chair Carter reported that AB 1277 has been made a two-year bill and is currently dead.

Mr. Carter also reported that AB 1165 is currently waiting for review by the Senate Labor Committee.

**CHAIRPERSON'S REPORT:**

*(Hear report from the Chairperson on activities and issues affecting the Appeals Board.)*

ACTION: Chair Carter asked the Board members to review their vacation schedules for the summer. So far, it appears vacation absences will not affect the Board meeting schedule through the next quarter.

**BOARD MEMBERS' REPORTS:**

*(Hear reports from Board Members on activities and issues affecting the Appeals Board.)*

ACTION: Members Lowry and Freyman commented on the confirmation process after both appeared before the Senate Rules Committee last week. The committee approved their appointments. No date has been announced for Senate consideration of the confirmations.

Mr. Lowry reported that he believes the Committee was pleased with the Board's approach to 342(a) through recent DARS. Mr. Lowry also reported that Nettie Sabelhaus, a Senior Advisor to the Governor who consulted with both Members, attended the confirmation hearing.

Ms. Freyman said she found the confirmation process reassuring and that she is pleased to be tracking toward confirmation.

**EXECUTIVE OFFICER'S REPORT:**

*(Report regarding administrative matters and news from the Department and Appeals Board.)*

ACTION: Executive Officer Johnson reported that she is working to fill two vacancies at the Board; the Office Technician and IRC II positions. Other projects include working with a committee to rewrite letters sent out by the Appeals Initiation unit and a possible re-do of the Appeal Form itself. Counsel Song will investigate to determine the process needed to rewrite the form.

EO Johnson also led a discussion of which Board actions should be posted on the website, such as minutes from past years, Petitions for Reconsideration and/or Denials of Petition for Reconsideration. The Board asked for more research to see what other agencies post, and agreed to discuss the matter at the next meeting.

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

May 29, 2013

Page 3

EO Johnson said she asked the IT department if their technician can spend a few days with the Board's staff to do further ORACLE testing.

She also mentioned that she and the PALJs are looking into the "Cheekville" model Decision with the intent of revising the model to provide better guidance to the ALJs.

**STAFF REPORTS:**

*(Reports from the Presiding ALJ and the Chief Counsel regarding matters from the Hearing Operations and Legal Units.)*

ACTION: Chief Counsel Mojcher reported that Guardsmark has filed a new writ in Orange County. He also noted that WorkSafe has filed a motion to intervene in the Harris Construction case.

Any matter not completed at this meeting may be continued to subsequent meetings

**PUBLIC COMMENT:**

*(Public comment will be entertained during the discussion of each agenda item of the Open Meeting.)*

ACTION: No report.

The Board recessed to its Closed Session.

**DECISIONS OF ADMINISTRATIVE LAW JUDGES:**

BARRETT BUSINESS SERVICES, INC., 12-R1D2-1412

ACTION: Member Lowry moved that the Board modify this Decision of an Administrative Law Judge to include language stating due diligence is not applicable to the facts of the case. Member Freyman seconded. The Board voted to accept this decision of an Administrative law judge as modified.

CME SERVICES, 12-R5D1-2279

ACTION: Member Lowry moved that the Board approve this Decision of an Administrative Law Judge. Member Freyman seconded the motion. The Board voted to approve this Decision of an Administrative Law Judge.

ORANGE COUNTY INDUSTRIAL PLASTICS, 12-R3D1-1989

ACTION: Member Lowry moved that the Board approve this Decision of an Administrative Law Judge. Member Freyman seconded the motion. The Board voted to approve this Decision of an Administrative Law Judge.

TRADEMARK CONSTRUCTION CO., INC., 12-R4D1-0096 AND 0097

ACTION: Member Lowry moved that the Board approve this Decision of an Administrative Law Judge. Member Freyman seconded the motion. The Board voted to approve this Decision of an Administrative Law Judge.

**PETITIONS FOR RECONSIDERATION:**

BAY AREA RAPID TRANSIT (BART) DISTRICT, 09-R2D2-1219 AND 1221

ACTION: This item was placed on the agenda in error.

CABRILLO ECONOMIC DEVELOPMENT CORP., 11-R4D3-3185 AND 3185

ACTION: Member Lowry moved that the Board grant an extension of time to consider this matter. Member Freyman seconded. The Board voted to grant an extension of time to consider this matter.

DSS COMPANY DBA KNIFE RIVER CONSTRUCTION, 12-R5D1-0337

ACTION: Member Lowry moved that the Board vote to accept the Legal Unit's recommendation to deny this Petition for Reconsideration. Member Freyman seconded. The Board voted to accept the Legal Unit's recommendation to deny this Petition for Reconsideration.

ROBERT CLAPPER CONSTRUCTION SERVICES, 13-R3D5-9039

ACTION: Member Lowry moved that the Board ask the Petitioner to provide proof of service as described in the Decision of an Administrative Law Judge. If such proof is forthcoming, the Board will grant the Petition for Reconsideration and remand the matter to an Administrative Law Judge for a ruling. Absent such proof, the Board will accept the Legal Unit's recommendation to deny this Petition for Reconsideration. Member Freyman seconded. The Board voted to approve Member Lowry's motion.

**DENIAL OF PETITIONS FOR RECONSIDERATION (DRAFT):**

**MATTERS PENDING RECONSIDERATION:**

*(If the Appeals Board orders reconsideration of an Order or Decision, it reviews the record and then affirms, rescinds, alters or amends the Order or Decision being reconsidered.)*

A-1 PROTECTIVE SERVICES, INC., 10-R1D1-1592

AC TRANSIT, 08-R1D4-0135

AGRI-VALLEY IRRIGATION, INC., 07-R2D5-3785 AND 3786

ARMOUR STEEL CO., INC., 08-R2D1-2649 THROUGH 2655

BOBERG ENGINEERING & CONTRACTING, INC., 06-R3D3-4963

BRUNTON ENTERPRISES DBA PLAS-TAL MFG. CO., 09-R6D2-2239  
THROUGH 2241

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

May 29, 2013

Page 5

BRUNTON ENTERPRISES, INC. DBA PLAS-TAL MFG. CO., 08-R3D3-3445 AND 3448  
BURBANK RECYCLING, INC., 10-R4D3-0562 AND 0563  
C.C. MYERS, INC., 08-R1D1-952 THROUGH 955  
C & L BLUE INC., 11-R4D1-2942 AND 11-R4D1-2943 THROUGH 2945  
CLARK PACIFIC PRECAST, LLC, ET AL, 09-R2D1-0282  
COFFMAN SPECIALTIES, INC., 10-R3D3-3532  
COMMERCIAL METAL FORMING, 09-R3D1-1592  
COMMUNITY RECONSTRUCTION SOLUTIONS, INC., 11-R1D1-1484  
CONTRA COSTA ELECTRIC, INC., 09-R1D4-3271, 3272 AND 3960  
CORONADO IRRIGATION SERVICES, 09-R4D2-0385 THROUGH 0387  
CROP PRODUCTION SERVICES, 09-R6D4-4036 THROUGH 4038  
DAVIS DEVELOPMENT COMPANY, 10-R3D1-3360 THROUGH 3362  
EZ MIX, INC., 08-R4D3-1898  
GRANITE ROCK COMPANY, 08-R1D3-3675 THROUGH 3687  
HARRIS CONSTRUCTION, 03-R2D5-3914  
HYDRO-SCIENCE OPERATIONS INC., 10-R1D2-0389  
IN THE POCKET, INC. DBA BRENTWOOD BOWL, 11-R1D3-2272  
IRWIN INDUSTRIES, 08-R6D4-1454  
JERRY'S TREE SERVICE, A PARTNERSHIP, 13-R1D5-9022  
K H S & S OF CONCORD, INC., 11-R2D2-0374 and 0375  
LAND O' LAKES PURINA FEED LLC, 08-R2D4-1843 AND 1844  
LIQUIVISION TECHNOLOGY, INC., 08-R2D1-1712 THROUGH 1714  
LION RAISINS, INC., 08-R2D5-2253 AND 2254  
L & S CONSTRUCTION, INC., 10-R3D1-1821 AND 1822  
M1 CONSTRUCTION, INC., 12-R4D1-0222 AND 0223  
McCARTHY BUILDING CO., INC., 11-R4D2-1706 AND 2406  
MORE GUSTO CATERING DBA EL CHOLO CATERING, 10-R4D1-1298  
NATIONAL STEEL AND SHIPBUILDING COMPANY, 10-R6D2-3791  
OWENS-ILLINOIS GLASS CONTAINER, INC., 09-R1D4-2021 AND 2022  
PARAMOUNT FARMS, KING FACILITY, 09-R4D3-0864  
PERFORMANCE CONTRACTING GROUP DBA PERFORMANCE CONTRACTING,  
INC., 08-R2D1-0025 AND 0026  
PERSONNEL PLUS, INC., 11-R3D5-1302  
ROLLED STEEL PRODUCTS CORP., 10-R6D2-4047 AND 4048  
JOSH AND CARRIE SALAZAR DBA CJ MANUFACTURING, 09-R6D2-1710  
SHEEDY DRAYAGE COMPANY, 06-R1D4-3053 THROUGH 3055  
SHIMMICK-OBAYASHI, 08-R3D3-5023 THROUGH 5025  
SIERRA FOREST PRODUCTS, 09-R2D5-3979  
SMUD, 08-R2D1-4887 THROUGH 4889  
MARTIN J. SOLIS DBA SOLIS FARM LABOR CONTRACTOR, 08-R2D1-3414  
THROUGH 3418  
STAFFCHEX, 10-R4D3-2456 THROUGH 2458  
SUNRISE GROWERES FROZUN FOODS, 09-R4D3-2850  
A. TEICHERT & SON, INC. DBA TEICHERT AGGREGATES, 09-R5D1-2443  
TL PALVICH CONSTRUCTION, INC., 11-R3D6-1303 THROUGH 1310

**MATTERS HELD OVER FROM PREVIOUS MEETINGS:**

*(If the Board is unable to conclude its deliberations and/or if any matter(s) is (are) put over from a previous meeting, they will be further discussed.)*

**ORDERS DISMISSING APPEAL:**

CENTRAL OREGON TRUCK COMPANY, 12-R2D2-1317

ACTION: Member Lowry moved that the Board approve this Order Dismissing Appeal of an Administrative Law Judge. Member Freyman seconded. The Board voted to approve this Order Dismissing Appeal of an Administrative Law Judge

**LEGISLATION:**

**PENDING LITIGATION:**

*(If the Division of Occupational Safety & Health or the Employer disagrees with a decision after reconsideration or a denial of a petition for reconsideration, either one or both parties may apply to the California Superior Court for a writ of mandate. The Appeals Board receives legal advice from its Legal Unit and provides policy direction regarding pending litigation.)*

**SUPERIOR COURT:**

1. M.C.M. CONSTRUCTION, INC., 34-2009-80000378 (09-9230)
2. WEBCOR BUILDER, INC., 34-2010-80000439 (06-R1D1-3030/3032)
3. GRANITE CONSTRUCTION CO., INC., (DOSH V OSHAB) 34-2010-80006047 (07-R5D1-3611)
4. CLARK PACIFIC, A GENERAL CALIFORNIA PARTNERSHIP, 34-2010-80000640 (08-R2D1-0027 THROUGH 0030)
5. SMUD, 34-2010-80000723 (08-R2D1-4887)
6. BAY AREA RAPID TRANSIT DISTRICT, 34-2011-80000819 (08-R1D1-5170)
7. MASCON, INC., 34-2011-80000820 (08-R2D1-4178 AND 4279)
8. CLARK PACIFIC DBA PACIFIC EMBEDDED PRODUCTS, 34-2011-80000965 (10-0188~0191)
9. CA PRISON INDUSTRY AUTHORITY, CIV 1105778 (09-R1D5-2459 THROUGH 2461)
10. FLATIRON CONSTRUCTION CORP, 34-2012-80001029 (10-R4D1-2789)

11. SECA EQUIPMENT REMOVAL & DISMANTLING, INC., 12CV01039  
(07-R2D3-0275)
12. JENSEN PRECAST, 34-2012-80001120 (05-R2D1-2377)
13. THE HERRICK CORPORATION, 34-2012-80001118 (07-0495)
14. UNDERGROUND CONSTRUCTION, 34-2012-80001124 (09-3518)
15. DUININCK BROS., INC., 34-2012-80001129 (06-2871)
16. SHERWOOD MECHANICAL, INC., 37-2012-00101466 (08-R3D2-4690 ~ 4693)
17. C.A. RASMUSSEN, INC., 34-2012-80001241-CU-WM-GDS (08-R4D5-0219  
AND 0220)
18. SHIMMICK CONSTRUCTION CO., INC., 34-2012-80001248 (09-R2D3-0399)
19. A TEICHERT & SON, DBA TEICHERT CONSTRUCTION, 34-2012-80001258  
(05-R2D4-2650 AND 2651)
20. CA DEPT OF FORESTRY, 34-2012-80001263 (10-R2D1-0728)
21. A. TEICHERT & SON, 34-2012-80001265 (05-R2D5-2650 AND 2651)
22. PRESTON PIPELINES, INC., 34-2012-80001277 (09-R6D7-3345)
23. BLUE DIAMOND GROWERS, 34-2012-80001308 (10-R2D1-1280/1281)
24. CLARK PACIFIC PRECAST LLC, et al, 34-2012-80001319 (09-R2D1-0282/0283)
25. A. TEICHERT & SON, DBA TEICHERT CONSTRUCTION, 34-2012-80001332  
(09-R4D5-0459 & 0460)
26. A. TEICHERT & SON, DBA TEICHERT AGGREGATES, RG12 659881  
(10-R5D1-3029)
27. HOME DEPOT USA, INC., BS141301 (10-3284)
28. PRESTON PIPELINES, INC., 34-2013-8001381 (11-2530)
29. ORANGE COUNTY FIRE AUTHORITY, 30-2013-00628178 (10-3667)
30. THYSSENKRUPP ELEVATOR CORP., 34-2013-80001456 (11-2217 ~ 2219)
31. BIG LOTS STORES, INC., 37-2013-00045936 (11-R3D2-1929 ~ 1931)

**ORDERS OF ADMINISTRATIVE LAW JUDGES:**

*(Written order issued by an Administrative Law Judge after a pre-hearing conference in which the Division of Occupational Safety & Health and the Employer agree to settle an appeal without a hearing. The Board Members review the order and decide if they will reconsider or remand the issued order.)*

3411 BUILDERS, INC., 12-R3D3-2368 AND 2369  
AFC FINISHING SYSTEMS INC., 12-R2D3-1484 THROUGH 1488  
AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA, 12-R4D1-1844  
AZUSA UNIFIED SCHOOL DISTRICT, 12-R3D6-2075 THROUGH 2077  
BAY AREA RAPID TRANSIT DISTRICT, 11-R2D2-0701 THROUGH 0704  
BAYVIEW ENGINEERING & CONSTRUCTION COMPANY, INC., 12-R2D4-2397  
BCI COCA COLA BOTTLING CO. OF LOS ANGELES, 12-R2D2-2037  
BEAVER MEDICAL GROUP, LP., 12-R3D3-2398  
BERKELEY UNIFIED SCHOOL DISTRICT, 13-R1D4-0920  
BOTTLING GROUP, LLC., DBA PEPSI BEVERAGES COMPANY,  
12-R6D1-2436 THROUGH 2438  
BOTTLING GROUP, LLC., DBA PEPSI BEVERAGES COMPANY,  
12-R6D1-2801 THROUGH 2806  
KATHLEEN J BRINTON DBA BLOOMINGTON #1 FLORIST, 13-R3D3-0349  
BROOKFIELD NORCAL BUILDERS, INC., 12-R1D4-2884  
SAMUEL BRUTTOMESSO, 12-R4D3-1279 THROUGH 1283  
CAL COAST STUCCO, INC., 12-R4D3-2788 AND 2789  
CALIFORNIA HOME IMPROVEMENT & DESIGN, INC., 12-R3D1-2421 THROUGH  
2423  
CALIFORNIA STATE UNIVERSITY, LOS ANGELES/CAL STATE LOS ANGELES,  
12-R4D1-2478  
CAL SUN GROWERS, 12-R2D5-3462 AND 3463  
CAMPBELL CERTIFIED, INC., 12-R3D2-1115 THROUGH 1118  
CASTLEROCK ENVIRONMENTAL, INC., 12-R4D1-2377 AND 2378  
CHARADES LLC, 12-R3D6-1238  
CHICO'S AUTO WRECKING, INC., 12-R3D3-0988 AND 0989  
COMPLETE DECON, INC., 12-R2D2-1667 AND 1668  
CVC CONSTRUCTION, INC., 12-R6D7-3768 AND 3769  
D & W FINE PACK, LLC., 12-R3D3-3751  
EXACT STAFF, INC., 12-R2D5-2319  
FPI MANAGEMENT, INC., 12-R3D6-1940  
FRAMING BY SUPERIOR, INC., 12-R4D1-2053  
GENCO ATC, 13-R3D3-0454  
GIUMARRA VINEYARDS CORPORATION, 10-R2D5-2781 AND 2782  
G.K. WELDING INC., 12-R6D1-3049  
GOODWILL INDUSTRIES OF ORANGE COUNTY, 13-R3D1-0577  
GRANITE CONSTRUCTION COMPANY, 12-R5D1-2434  
GULBRANSON SERVICES, INC., 12-R3D6-1684  
HONG KONG BANJUM, 12-R3D1-2746

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

May 29, 2013

Page 9

J & J ACOUSTICS, INC., 12-R1D1-2059  
J.R. ROBERTS/DEACON, INC., 12-R2D1-1589  
KAY GENERAL SERVICES, INC., 12-R3D6-0929  
KERN COUNTY FIRE DEPT., 12-R2D5-1253 THROUGH 1258 \*  
KERN RIDGE GROWERS, INC., 09-R2D5-0809 AND 0810  
KINDER MORGAN LIQUIDS TERMINALS LLC AKA KINDER MORGAN,  
12-R2D2-2638  
LABOR READY NORTHWEST, INC., 12-R2D4-3671  
LA DOUGHMAKERS LLC DBA PANERA BREAD, 12-R3D5-3260  
LAMPS PLUS, INC. STORE #35, 12-R2D2-2069  
LAUSD DISTRICT NURSING SERVICES & STUDENT MEDICAL SERVICES,  
12-R4D1-2406  
LIBERTY PACKING COMPANY, LLC, 12-R2D4-3422  
LOMO GOLD STORAGE, 12-R6D3-3727 THROUGH 3731 \*  
JUAN LUIS AYALA LOPEZ DBA J.A. CONTRACTING, 12-R2D5-1155  
LUCKY FARMS, INC., 13-R3D3-0551  
MANPOWER GROUP DBA MANPOWER, 12-R3D1-2695  
MATSUI NURSERY, INC., 12-R6D7-3454 THROUGH 3457  
WILLIAM P MCGRATH JR. DBA MOTHER EARTH LANDSCAPING,  
12-R1D5-1982 AND 1983  
MEK AIR TECH, 12-R4D1-2479  
MEPCO LABEL SYSTEMS, INC., 12-R2D4-2731 AND 2732  
MILODON, INC., 12-R4D3-2510 THROUGH 2513  
MINUTE MAN, INC., 13-R4D3-0630 \*  
MV PUBLIC TRANSPORTATION, INC., 12-R4D2-1911  
NBTY MANUFACTURING LLC, 12-R6D2-2560 THROUGH 2562  
NATION'S FOODSERVICE, INC., 12-R2D2-2576 THROUGH 2577 \*  
NEWPORT THIN FILM LABORATORY, 12-R3D6-2549  
NIAGARA BOTTLING, LLC., 12-R6D2-2821 THROUGH 2824  
OM CONTRACTING INC., 12-R3D3-1996  
PARADIGM STEEL FABRICATORS, INC., 12-R4D2-1846 THROUGH 1848  
PARAMOUNT CITRUS LCC., 12-R4D6-3170  
PENINSULA PACKAGING, LLC DBA PENINSULA PACKAGING CO., 12-R1D2-3124  
THROUGH 3126  
PERFECTION METAL PRODUCTS, INC., 12-R6D1-2599 THROUGH 2602  
PLANT SCIENCES INC., 13-R2D3-0606 AND 0607  
PLI LOGISTICS, INC., 12-R1D4-2878 THROUGH 2882  
PREMIUM PACKAGING INC., 12-R6D7-3346  
PRIDE CONCRETE CALIFORNIA, 12-R2D2-3568 AND 3569  
PSS CONSTRUCTION, INC., 12-R6D5-1979 THROUGH 1981  
RECOLOGY, INC. DBA JEPSON PRAIRIE ORGANICS, 13-R2D2-0044  
SANDMAN, INC., DBA STAR CONCRETE, 12-R1D2-0414 THROUGH 0415  
SAVANT CONSTRUCTION, INC., 12-R4D2-1845  
SCHLOSSER FORGE CO., 12-R3D6-2771 AND 2772  
SNAK-KING CORP., 12-R3D6-2548 \*  
SUNNYGEM, LLC., 12-R4D6-2793 AND 2794

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

May 29, 2013

Page 10

SUNTREAT PACKING & SHIPPING CO., 09-R2D5-1809 AND 1810

SUPERIOR FRAMING, INC., 12-R3D5-2931

TENCATE ADVANCED COMPOSITES USA, INC., 13-R2D2-0335 THROUGH 0337

TRACY CENTER FOR DENTISTRY, 12-R2D4-3358

U S LOGISTICS, INC., 12-R3D3-2102

VENTURA FOODS, LLC., 12-R3D5-2933

WINDSOR FOODS, INC., 12-R3D5-3162

XUE PEI HU DBA AC FIRE PROTECTION, 12-R6D5-2452

ACTION: Member Lowry moved that the Board approve these Orders of Administrative Law Judges. Chair Carter seconded. The Board voted to approve these Orders of Administrative Law Judges. Orders with asterisks are deemed approved as amended.

**PERSONNEL:**

*(Issues regarding staff)*

ACTION: The Board discussed personnel matters.

The Closed Session adjourned at 12:29 p.m. and the Board returned to the Public Meeting. The Appeals Board incorporated by reference its ACTIONS in the Closed Session, as indicated above. The meeting was adjourned at 12:30 p.m.