

POLICE PENSION BOARD MEETING

September 20, 1991

The Police Pension Board met at 1:30 p.m. in Conference Room A at City Hall on September 20, 1991. Present were City Manager Mark Achen, Finance Director Ron Lappi, Police Representative Harvey Gorby, and City Clerk Neva Lockhart. Also in attendance were Personnel Director Claudia Hazelhurst, Assistant City Attorney John Shaver, and Sergeant Gary Richardson.

The meeting was called to: 1. Consider the request by Harvey Gorby to retire from the Police Department at the rank of Captain, the effective date to coincide with the starting date of the new Chief of Police; 2. Consider letter of resignation by Harvey Gorby from the Board as the Police Department representative; and 3. Consider the election of Sergeant Gary Richardson from the remaining members of the "Old Hire Police Pension Plan" as the Police Department representative to the Board.

The Board accepted the letter of resignation from the Police Pension Board by Harvey Gorby effective September 9, 1991, and welcomed Sergeant Gary Richardson as the Police Department representative to the Board.

The Board then considered the request by Harvey Gorby for retirement. Assistant City Attorney Shaver stated that the Legal Department's advice to the Board would be to deny the request as proposed.

Mr. Shaver: "There is a particular statute that says 'the average annual salary for the twelve months prior to the application is the rate that is considered.' And it is one half of that monthly average. And so with your present position, basically what your Services Captain level would be would tend to increase that average."

Mr. Lappi: "Have you been in an acting capacity about four months?"

Lieutenant Gorby: "Four months, yes."

Mr. Lappi: "So it would be four at one rate and eight at another rate, and the average, in effect, would be somewhere between a Captain and a Lieutenant."

Mr. Achen: "What have we done...have we had this situation before?"

Mrs. Hazelhurst: "No. And in fact we have been computing it at...even if we had, we had been computing it at one-half of the last month's salary."

Mr. Lappi: "As long as you've been on the Board?"

Mrs. Hazelhurst: "Since before."

Mr. Achen: "What's that mean?"

Mrs. Hazelhurst: "Rather than getting an average rate over the previous twelve months, we've been using the last month's rate, so we haven't had an acting individual retire."

Mr. Lappi: "What it means is in the past in many cases because people have waited until the new January raises came out and then retired, that we've retired people at the rate of pay as of that January, when really we should have been going back to twelve months."

Mr. Shaver: "That is correct."

Mr. Lappi: "Now as far as rank escalation, it probably doesn't make any difference a year later."

Mrs. Hazelhurst: "No, it doesn't."

Mr. Lappi: "It all catches up because you're back to the rank and the escalation for the rank, but I guess for those for the initial twelve months of retirement, or ten months, or eleven months, during that first year, a person retires in June and we use that rate of pay rather than the average of the previous twelve months, he had gotten a slightly higher retirement benefit for six months, so any where between six and eleven months people got two higher retirement benefits for those who retired."

Mr. Shaver: "Based upon the legalities and policy issues that we've researched, it has to be the recommendation of the Legal Department as legal counsel to this Board that the request as proposed must be denied. There are other options that may be available, but in terms of the actual request that would be our recommendation to this Board."

Mr. Achen: "Well I think with all the concern about..especially Police and Fire Pensions now because of the Denver situation at least Police Pension, but it's particularly important that we do something that is viewed as good public policy also. I'm not very persuaded that somebody that has served for less than a full year in an acting capacity really would be sort of viewed as being sort of 'eligible' or 'deserving' of that higher pension."

Mr. Shaver: "And there is, to amplify your comment Mark, there is a specific personnel policy directive that does talk about reassignment to different duty capacities, and if it is indeed not a promotion or a

full change of categorization, it is deemed to be an interim or temporary assignment. Based upon the fact that Lieutenant Gorby assumed the rank of Captain when the Chief left, it is also safe to assume that when the new Chief arrives, that he will then resume his normal Lieutenant's duties. So clearly the facts indicate that this is to be an interim position for Lieutenant Gorby."

Mr. Achen: "What are his options in terms of...if he wants to retire, what are sort of his options?"

Mr. Shaver: "We identified the option, and if indeed he wants to submit a letter of retirement, or even formally on the record today, request that the retirement be at the rank of Lieutenant that, specifically, the Board could entertain that and as we've discussed the service of Captain for the past four months would be computed in terms of the retirement benefit adjustment in averaging. That clearly is within the province of the Board to consider that request if indeed he wants to make that request. In our reading of the letter, it does look like this is a conditional request by Lieutenant Gorby that if indeed he were not to be granted retirement at the rank of Captain that he would choose to continue in service of the Department."

Lieutenant Gorby: "That is still the case."

Mr. Achen: "Well, I guess in that circumstance then we don't have much choice but to, at least from my perspective, to act probably negatively on the request and then there may be some need to...Harve either knows what he's going to do, or needs some more time to evaluate what choices you've got."

Lieutenant Gorby: "Is there an appeal process?"

Mr. Shaver: "This Board essentially has the final determination. If you wanted to file an appeal, that appeal would be done through the District Court through Court action. I would be happy to talk with you about statutes, and I might suggest that you may want to consult with a private attorney, but I'm happy to give you the information if you'd like me to."

Lieutenant Gorby: "No, not that that's my intent."

Mr. Shaver: "Sure, I understand. That's a legitimate question, and there's no problem with asking that type of question. I think we should do it outside the purview of this Board. It's probably not germane to their consideration."

Mr. Achen: "Is there any historical precedent that you're aware of Harve? Or that you're aware of, Gary, that sort of clouds this issue?"

Lieutenant Gorby: "It was just something I felt I had to do. I had to make that request in my own mind, and I can live with a 'No' answer."

Mr. Achen: "If it would work, it is certainly an advantage. Are there any other...anything else that we need to take into consideration before we formally make a decision?"

Mr. Lappi: "But there is an advantage to him retiring now where at four months would increase his average legally versus waiting twelve months."

Mr. Achen: "Well if I understand right, he could wait eight more months and still have the benefit of the..."

Mr. Lappi: "Absolutely correct."

Mr. Shaver: "Up until there has been a lapse of..."

Mr. Lappi: "They start dropping off then, and you're back to averaging..."

Mr. Achen: "...the tenth, eleventh, twelfth month...to the extent that he's making less than he is at an Acting Captain, then it's a disadvantage..."

Lieutenant Gorby: "Are you going to go by State Law versus what we've done over the past seventeen years?"

Mrs. Hazelhurst: "That was the advice we received from both John and Dan that in the absence of anything in the record indicating legal authority to do what we have been doing that now that we're aware again how the Statute reads that we should abide by it, yes."

Lieutenant Gorby: "Yes. It came up during...it used to be three years, over a three year period, if you remember when Jerry was still here. When I asked about it, he said 'well technically, it should be, but historically we've done it this way, and we'll continue forward with the last month's salary.' And we've stayed with that."

Mr. Achen: "So that came to our attention before that the State Law was different than what we were doing?"

Lieutenant Gorby: "Probably back ten years or better ago."

Mrs. Hazelhurst: "It was brought up...we had seen, John and I, a reference to an opinion letter in the file when we were reviewing the

minutes from 1950 forward, and in the '60's we saw that it was computed correctly, at least according to Statutes, and then January, 1974, the minutes indicated one half of the last month's salary and that seemed to be the standard then from that point on. There is also an opinion letter, it is not an official opinion letter, from Jerry Ashby that that was what was being used, though we have no legal basis, there was no Council action, no official..."

Mr. Shaver: "There is no official Council action. I think it was 1974 as well. There's no official Council action by ordinance or resolution to modify the statutory requirements. There were, and this may be a particular circumstance, there were some interesting changes to the Fire Pension and to some of the other Pension programs, and it could have been that simply inadvertently this became the course of action for this Board. There are lots of potential answers as to what happened and why that became the case."

Mr. Lappi: "Does Fire pay at last month's pay?"

Mr. Shaver: "Fire's is the last month's pay."

Mr. Achen: "In the State Statute?"

Mr. Shaver: "That is correct, in the Statute. So there are some potential answers as to why this happened. But since it has been brought to our attention, it's our opinion that we are required to adhere to the State Law, and that will be our recommendation to this Board."

Mr. Achen: "I guess...what additional research would be appropriate to sort of look at the issue?"

Mr. Shaver: "Well, essentially, what I had done is I have tried to contact the former City Attorney, Mr. Ashby, and speak with him about his reasonings and if he recalls if there was any particular reasoning. We can certainly look back at statutory language, but I did do some of that in anticipation of today's Board meeting, going back as far as 1963. And in comparing the '63 statutory language to the language that is presently codified, it is virtually identical, and, in fact, does reference the 'average annual salary' for one half of the monthly computation of the average annual salary. So, clearly, the Statute has not changed. The practice of the City changed for whatever reason, and that's why I did want to contact Mr. Ashby. We did some historical research through the minutes and ordinance books that Neva keeps and we could not find that there was express reference on Council action to change the policy."

Mr. Achen: "Did the Fire Statute change?"

Mr. Shaver: "The Fire Statute changed probably about 1972 or 1973, I believe. I did not reference that language now. I looked at that as a possible explanation. The language now does talk about one half of the last month's pay."

Mr. Achen: "Maybe what we ought to do is talk to CML's legal staff too, to try to get some sense of historically what happened, because it would seem to me that the legislative intent would be...has been just sort of treat Police and Fire similarly. I'm speculating more than..."

Mrs. Hazelhurst: "Agent's servant's requirements are different under both plans. The survivor benefits are different, so they are separate statutes and separate..."

Mr. Shaver: "Distinctly separate...well I'll just specifically refer...this is 31-34-08 in the Fire Pension it talks about age retirement pensions specifically equating to monthly pension equate to one-half the amount of his monthly salary as of the date of his retirement. So there is express language in contravention where it is distinctly different from that of the Police Retirement Statute."

Mr. Achen: "Well, I think we still ought to talk with CML and let them get a sense of what this is because I wasn't aware we were doing it on the last month. It has never come up since I've been here that it was just last month, that it was sort of an issue of what rank you were when you retired. And it seems to me the last month thing raises all kinds of potential for abuse if you've got enough parties that want to do it. For example, if somebody retired as a Patrol Officer who is eligible for overtime, you know, it could be loaded up with overtime the last month to really substantially increase..."

Mrs. Hazelhurst: "That is not..."

Mr. Shaver: "Generally, the opinion is that it would be the salary. And that overtime would be exceptional circumstances and it would not be computed for purposes of the base salary."

Mr. Achen: "So they really..."

Lieutenant Gorby: "But they took retirement money out of that overtime. They took the monies, 10% of that overtime into the retirement fund; therefore, I think it should be salaried into it..considered."

Mr. Lappi: "We've researched this question before, though. I mean, we really have."

Lieutenant Gorby: "Well they've now quit taking it out of overtime on the old hires, but up till this year it was taken on everything."

Mr. Lappi: "I understand."

Mr. Shaver: "Well I think, just as a practical matter, we need to get a formal vote and formal resolution as to the factual issue alone. And there are some of these ancillary policy questions that we might have to address later if Lieutenant Gorby chooses to resubmit his retirement letter at the rank of Lieutenant, and then maybe some of these other issues we can deal with. But, truly, from a legal standpoint, this appears to be a factual issue and is amenable to resolution on those facts presently."

Lieutenant Gorby: "Well, I'll give you plenty of time to research it."

Mr. Achen: "I'd like to make sure that we get this squared away so that there is clear understanding of what's going on, clear understanding of what our policy is because it certainly comes as a surprise, and particularly if we sort of consciously have been doing this since 1974, I'd like to understand why."

Mrs. Lockhart: "I'm not real sure that it has been a conscious thing. You were talking about the law changing about '72, and I believe right about that time the Finance Director also changed, and it may have been that it was something that one led into another because the Finance Department was usually the one that provided us with the amount of the salary and what the retirement benefit would be."

Lieutenant Gorby: "Well 1974 is when I went on the Board and from that point on it has always been one-half of the last month's salary. Like I say, when I asked Jerry why we did not use the State Law he said 'well, technically, we probably should but we've done it this way."

Mr. Shaver: "Maybe we can sit down, Neva, and visit with Mr. Ashby since you do have a history and being as you can contribute to that discussion as well."

Mrs. Lockhart: "Sure."

Mr. Achen: "Well to that extent it does sound to me like it was conscious. At some point, somebody decided we would do something different than what we had been doing, and something different than apparently what the State Law says. I'd like to understand that because I assume it wasn't cavalier. The question is whether it has a justification or not."

Mr. Shaver: "We've made an effort to at least try and understand it from the standpoint of the minutes, ordinances and resolutions. And we could not find any particular answer in those documents."

Mr. Achen: "Let me ask a question. If a month from now we developed enough information to demonstrate that there is sound basis for that policy, where does that put Harve?"

Mr. Shaver: "Well, essentially, I think we're still at the same predicate factual issue as to whether indeed he is serving at the rank of Lieutenant acting as Captain, or if indeed he is at the Captain level. I don't think that changes the situation from the standpoint that the policy manual says that he is still a Lieutenant and will continue to be a Lieutenant even though he has been acting as a Captain."

Sergeant Richardson: "What does that do, though, to his last month's salary?"

Mr. Shaver: "Well, I'm sorry..."

Sergeant Richardson: "If we were to decide that he would retire at his last month's salary, even though it's an acting salary, the salary is still higher than it would be if he were getting a Lieutenant's salary."

Mr. Shaver: "I understand that. I think that's a question that you asked and I didn't answer. If there is policy, if there is an ordinance specifically adopting that as a policy, then I think you would be eligible for retirement at the Captain's salary."

Mr. Achen: "I guess my primary point is, it may take some time to understand if there is anything else. And I hear what you're saying is that you've done quite a bit of work already, and you're not optimistic we'll find something. But a month from now Harve's most recent salary is going to be different than what it is this month and will he be if we find out..."

Mr. Shaver: "If there was indeed an ordinance or some law modifying the statutory structure, then it would be within the province of this Board to say we will accept that based upon this discussion."

Mr. Achen: "This is two months later, but it makes sense."

Lieutenant Gorby: "I don't think you'll find an ordinance or resolution or anything other than Jerry sitting in the same seat you're sitting in, an advisory capacity to this Board."

Mrs. Lockhart: "I'm not sure but if I understand you, John, you're suggesting that if there is an ordinance forthcoming modifying..."

Mr. Shaver: "No. If there is some history..."

Mr. Lappi: "...not a new one."

Mr. Shaver: "Some historical precedent, some law establishing Mr. Ashby's advice as legal position of this Board."

Mr. Lappi: "Let me add one more comment to it, though, even if there were a legal position and we had a Lieutenant, clearly a Lieutenant, retiring at Captain's pay a year later or a year or two later, whatever, when those ranks caught up with each other that would be a short-lived benefit because during the rank escalation he'd still be escalated at the rank of Lieutenant the difference being that at the day of retirement he started up here so he had to wait for all the Lieutenants on rank escalation to catch up with him. At that point then years forward he moves forward with the Lieutenants because he would still be retiring at a Lieutenant. But if you use last month's salary when he was an acting, he starts at a higher level for a short period of time if that were the case."

Mr. Achen: "I just want to make sure that if we learn something that changed your legal opinion that the lapse in time from now until then would not sort of prejudice the original request."

Mr. Shaver: "That clearly could be reserved to the Board, that if indeed since the request was timely filed and we do not have a specific answer, at least an answer to that question at this point, the Board can certainly reserve that as a yes, in fact, not only would it be retroactive, but it would be at the rate, establish that rate."

Mr. Achen: "Anything else?"

Mrs. Hazelhurst: "Do we get an official vote?"

Mr. Achen: "Yes, I think we should. I was trying to get as much discussion out of it as possible so that all the ideas and thoughts were heard, then I think we ought to have somebody make a motion and we will vote. You're welcome to stay and hear that part. You'll know the outcome. You don't have to absent yourself, you just don't get to vote."

Sergeant Richardson: "Okay. I move that we vote on Harvey's request for retirement."

Mrs. Lockhart: "I'll second."

Mr. Achen: "I'll just make a comment that if the vote turns out the way I suspect it will that the minutes adequately reflect the discussion so it is clear as to why and what the rationale is. All those in favor signify by saying Aye."

Sergeant Richardson: "Aye"

Mr. Achen: "All those opposed No."

Mr. Lappi, Mr. Achen, Mrs. Lockhart: "No."

Mr. Achen: "Therefore, there are four members of the Board, so the motion fails three to one. I would like to make sure that we contact Ashby and try to get his interpretation and that we contact CML and see if they have run into this or heard of it and if not maybe contact a couple of other municipalities that might have encountered a similar kind of problem."

Mr. Shaver: "I have already begun that process and I will diligently follow that through. If you have any questions, I'll be happy to talk to you about that process, and I think it might not be a bad idea if Jerry is available for Claudia, and you and I need to sit in on it and chew the fat for a little bit on this."

Mr. Achen: "I think also it might....I think it is important that we may have to meet again in the not too distant future to talk about the policy that we are going to proceed with in additional cases so it is clear to the remaining members of this pension plan what's going to happen in the future, because their own personal planning is based on that. Is there anything else? So I would like to suggest that we have another meeting in a couple of months, if it isn't appropriate sooner, at least within a couple of months in order to reaffirm that we're right where we are here today or that we found out some additional information and the issue is a little more complex."

Mr. Shaver: "I'll keep the Board notified of our progress."

Mr. Achen: "You may also want to contact the Finance Director at that time. Is that when John came up?"

Mrs. Lockhart: "No, Vic Vance, I believe, between Bill Manchester and John Tasker."

Mr. Achen: "Between Manchester and Tasker was Vance. Is that what you are saying?"

Mrs. Lockhart: "Yes."

Lieutenant Gorby: "Vic Vance was Finance Director when I started in..."

Mrs. Lockhart: "I think he was here when you started on the Board."

Mr. Achen: "Well that is a long time to remember things. I know if people call me and ask what our rationale was in '74, something I did in any city, it may be hard but at least it is worth the effort to inquire because it seems sort of peculiar that we would be doing one thing and then suddenly alter. There must have been some rationale for it. Whether the rationale was legitimate or not, I guess, is another thing, but still it would be good for us to understand."

Mr. Shaver: "And that is essentially the question we are seeking to address...is if indeed there was some rationale we will know that and if there wasn't we will know that too."

Mrs. Hazelhurst: "Well there is about a ten-year gap between any reference to how pensions were computed, and we don't know what happened between '64, '65, '70."

Mrs. Lockhart: "In fact I really don't think there was very much computing going on. The Police Fund was...excuse me...I mean that was turned over to the Board. I'm sure there was plenty of computing going on in the Finance Department. The Police Pension group requested that the Police Pension Funds be moved into the Trust Department to have it handled by someone other than the City of Grand Junction."

Lieutenant Gorby: "First National Bank Trust."

Mrs. Lockhart: "And really in going back through those minutes, I don't think there was ever a breakdown submitted during the period of time you are talking about. And by the way, I believe that bill was adopted in 1938 and I believe that is when the City of Grand Junction became involved in it."

Mr. Shaver: "I think it became effective January 1st of '39, if I am not mistaken."

Mrs. Lockhart: "Somewhere along in that neighborhood. And there may not have been too much activity until in the 1960s, and then it was after the money was placed in the Trust Account at the First National Bank that we started having these annual reports that became a part of the minutes thereafter."

Mr. Achen: "Would there be any current pensioners that would be affected by this policy?"

Mr. Shaver: "No. We would not propose that it be retroactive."

Mr. Achen: "No, I mean if you applied it retroactively would there be any that would be affected."

Mrs. Lockhart: "I don't recall a situation coming up..."

Lieutenant Gorby: "Jim Birdsill might."

Mrs. Hazelhurst: "Why is that?"

Sergeant Richardson: "He hasn't been retired a year yet, has he?"

Mrs. Hazelhurst: "Oh, okay. So he may have had some at a different rate than..."

Lieutenant Gorby: "There would be overtime that pension money was taken out of that could figure within his year."

Mr. Achen: "This would be the overtime issue. It wouldn't be the..."

Mrs. Hazelhurst: "...salary."

Sergeant Richardson: "Well it would be because he retired at his last month's salary, didn't he?"

Mrs. Hazelhurst: "If he retired..."

Sergeant Richardson: "Well, see, if he goes back a year on that, he is going..."

Mrs. Hazelhurst: "It could be..."

Mr. Shaver: "...depending upon where the timing would be, if it was mid-year, that is correct."

Mr. Achen: "Generally speaking, this problem would be a problem that they likely received more than was ...for their first year, two or three, depending on...since there has been nobody else in this situation where it was a temporary acting capacity then it would be...if I retire in January in theory my pay should be the average of January's rate and December's rate, if all raises were given on January 1st which I know historically has not been true."

Mr. Shaver: "That's essentially correct."

Mr. Achen: "In essence, with rank escalation, if rank escalation were fully involved then the next year it wouldn't matter."

Mr. Shaver: "It would be equalized."

Mr. Achen: "Okay. So the potential for this to have a significant effect on anybody in the past is negligible. In all cases it would be that they got a little more the first year or two, and I would agree that there is no reason for the Board to consider trying to remedy this retroactively if it were true. If Birdsill is the only one, I mean it seems to me it raises some questions of...also can you retire somebody and then later tell them no..."

Lieutenant Gorby: "...and get the money back..."

Mr. Achen: "If you're retired, then ...might say I want to come back to work."

Mr. Shaver: "There are what are named estoppel issues that in fact we would be ...a certain position different than what we are based upon their detrimental reliance that indeed they did rely on the plan as previously..."

Mr. Achen: "...and has been accepted by the Board."

Mr. Shaver: "...he was doing everything in good faith, that's correct, and it clearly is in good faith that, simply, there, for whatever reason, was a course deviation and now we feel that we are back on course, we feel we are governed by the Statute, and the Statute is clear as to what the requirements are and the thresholds measuring level should be."

Mr. Lappi: "You know maybe back in '72, '73, '74, that period, that there was an expectation that somehow...I mean there was even proposed legislation at the state level to change the Fire Pension laws, I mean, the Police Pension laws to go along with the change it adopted by the Fire and jumped the gun. It never got passed by the legislature."

Lieutenant Gorby: "...go back from '74 like that?"

Mrs. Lockhart: "You remember, or at least to my recollection and you correct me if I am wrong, but there was each time that the Police Department got something that the Fire Department didn't have in their Pension Plan there was usually a squabble going on or when the Fire Department got something the Police Department wanted...and right about that time there could have been something that maybe you would remember better than I that you people were going to take it to the state legislature."

Mr. Shaver: "Apparently there was some very extensive lobbying efforts at that time as well, not just from the local departments but state-wide."

Mrs. Lockhart: "That's how I remember it."

Lieutenant Gorby: "There was. We were prepared and were in the process of taking rank escalation to the state level, and Jerry requested that we try to keep it on a local level and do it by Council resolution, which we did which was a bad mistake on our part."

Mrs. Lockhart: "But it wasn't done by Council resolution."

Lieutenant Gorby: "Yes it was."

Mrs. Lockhart: "Oh, was it?"

Lieutenant Gorby: "Yes."

Mrs. Lockhart: "Do you have a copy of it?"

Lieutenant Gorby: "Yes."

Mrs. Lockhart: "I sure would love to see it."

Mr. Shaver: "In what year, Harve?"

Lieutenant Gorby: "'68. Does that sound right? '78?"

Mrs. Lockhart: "That's what I gave you this morning."

Mr. Shaver: "Yes, I do have a copy of it."

Lieutenant Gorby: "...because they repealed their resolution."

Mr. Shaver: "Anything prior to '78 that you are aware of?"

Lieutenant Gorby: "Well I've got everything back from 1974 forward that was written down that the Board did."

Mrs. Lockhart: "Well anything between '74 and '78, if you wouldn't mind sharing it with me I sure would like to see it, resolution, ordinance, or anything, because..."

Lieutenant Gorby: "Actually, you sent me the copy of the resolution on my request, and I don't remember even why I requested it, but I did, but you did send me a copy."

Mrs. Lockhart: "In '78...the one you are referring to in '78, I believe this is a copy of it here, but at any rate..."

Mr. Shaver: "If you would be willing to talk and..."

Lieutenant Gorby: "Surely."

Mr. Shaver: "...we will see what we can do to get this thing sorted out."

Lieutenant Gorby: "Anytime. Great."

Mr. Achen: "Okay, then we'll probably meet sometime in the next couple of months and get the latest update and hopefully clarify exactly where we are and where we are headed. The issue is probably relatively new because for most people the issue only relates to that first year or two retirement pay, and if I understand it correctly, that, I mean, money is money so it is still real, but it is not a long-term issue as it might have been in Harve's case at least with a multi-year issue. But if I am retiring, I want to have an understanding what the heck...if I am looking forward to retirement, I want to have an understanding of what the rules are."

Lieutenant Gorby: "Well even if that is the case in one year I can go to June 1 of next year and still these four months would figure in that."

Mr. Achen: "Okay. All right, any other business? If not, we are adjourned."

Neva B. Lockhart

Neva B. Lockhart
Secretary to the Board