

**Texas Automobile Insurance Plan Association Governing Committee Meeting Notes  
Friday, August 20, 2021 - 9:00 A.M.**

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**Attendees:**

TAIPA Governing Committee Members

Michael Hass

Adam Payton

Leslie Hurley

Ramon Montalvo

Carmelita Hogan

David Nardecchia

Laura Hausman

Becky Jackson

Bill Brooks

Corise Morrison

Matt Snyder

Anh Vo

Mike Schalk

David Weber

Mary Carol Awalt

Atchley & Associates

Tyler Mosley

Attorney

Mike Jones

TAIPA STAFF

Stacy Dutton

Mimi Leece

Other Company Members

Carol Berthold

John Lusardi

Todd Feltman

OPIC

Kim Donovan

Talia Bright

TDI

John Mooney

**1. Call to Order**

Corise Morrison called the meeting to order at 9:04 AM.

Mimi Leece explained how the zoom meeting would work.

**2. Introductions**

Stacy Dutton called roll.

**3. Reading of the Anti-Trust Statement**

Stacy Dutton read the Anti-Trust Statement:

“The creation and operation of the Texas Automobile Insurance Plan Association is set forth in Chapter 2151 of the Texas Insurance Code. The Association is a non-profit corporate body composed of all authorized insurers. The organization was created to provide a means by which insurance may be assigned to an authorized insurer for a person required by the Texas Motor Vehicle Safety-Responsibility Act to show proof of financial responsibility for the future. Members of the Association and of its Governing Committee, when involved in meetings or other activities of the Association, are bound to limit their discussions and actions to matters relating to the business of the Association, and shall not discuss or pursue the business interest of individual insurers or others.”

**4. Audit/Finance Committee Report**

A. Report on 2020 Audit (Exhibit 1)

Corise Morrison introduced Tyler Mosley from Atchley and Associates to go over the 2020 Audit.

Tyler noted that Joy Qi was the senior on the audit. She was unavailable to be at the Governing Board Meeting. He noted that nothing had changed significantly since last year.

Audit Committee Letter (Exhibit 1, pages 1-3):

The auditing process was explained and stated that he found no issues of internal control findings or suggestions. Internal controls are properly in place. Tyler also stated that Stacy Dutton and Mimi Leece are communicative throughout the year and give updates to insure that changes that are made are still in compliance. Atchley & Associates opinion is that everything presents fairly in regards to the Independent Auditors report.

Statement of financial position (Exhibit 1, page 12):

Tyler Mosley explained that this report outlines the liabilities and assets. Tyler pointed out that cash was up from the previous year and the pension liability is down from the previous year.

Statement of activities (Exhibit 1, Page 13):

Tyler Mosby stated that this report outlines revenues and expenses. He also stated that revenues were down this year and expenses came down as well. He also noted that the pension liability adjustment is actually positive.

Statement of functional expenses (Exhibit 1, Page 14&15):

This statement provides more information on expenses natural classification. Mr. Mosley stated that the fact that expenses are down only thing of note.

Statement of Cash Flows (Exhibit 1, page 16):

This statement provides information on the cash inflow/out flow.

Tyler noted that TAIPA's overall cash flow was positive from operating activities and that overall cash went up for the year.

Notes to Financial Statements (Exhibit 1, page 17-24):

Note A-Organization and Significant Accounting Policies:

Mr. Mosley noted that the notes to the financial statement are the same as the notes from last year.

Note B-Employee Benefit Plans:

Tyler said that investment performance was good therefore liability went down.

Notes C-F

Tyler noted that nothing has changed from last year in regards to these reports.

Note G-Liquidity and Availability:

Tyler stated that TAIPA is in a good position with liquid assets.

Supplemental Information (Exhibit 1, page 26):

Tyler explained that this report details revenues and expenses versus the budget. He also noted that this report was something extra that management wanted to provide.

After Tyler Mosley finished the presentation, Corise Morrison asked if there were any questions or comments about the audit report. There were no questions or comments stated.

Corise asked for a motions to accept the 2020 audit. The motion was made by Matt Snyder and seconded by Leslie Hurley. The motion passed unanimously.

**5. Review and Approval of the Minutes of the March 26,2021 Meeting (Exhibit 2)**

Corise Morrison asked Matt Snyder to go over the meeting minutes.

Matt Snyder noted that other than the nominations of the new officers, movement of the nominating committee, and the procedural error that Stacy Dutton gave information on, it

was a straight forward meeting. Mr. Snyder then asked if anyone had any changes or concerns. Mike Jones pointed out that on page 10 item 13 that “the motion carried unanimously” should be added to the last sentence. Mary Carol Awalt stated that on page 10 item 14 “she” needs to be deleted from the last paragraph. There were no more edits or comments.

Mrs. Morrison asked for a motion to accept the meeting notes with the edits. Ahn Vo made the motion and Bill Brooks seconded the motion. The motion passed unanimously.

## **6. Chair’s Report**

### **A. Future 2022 TAIPA Governing Committee Meetings**

Corise Morrison stated that since we are entering into another phase of COVID, we need to discuss whether the 2022 Governing Board Meetings will be held in person or via Zoom. The officers discussed what we should do for the 2022 meetings and thought that it would be best to hold at least the March meeting via Zoom. Ms. Morrison added that were many of Governing Board members on the call whose companies still have a travel ban in place and it is unclear as to when these will be lifted. Corise also noted that TAIPA is still operating under the Governor’s orders that allow TAIPA meetings to be held via Zoom. She noted that Mike Jones is monitoring the situation. Corise then asked Mr. Jones to update the Governing Board of the changes.

Mike Jones discussed that TAIPA is allowed to hold their meetings by Zoom at any time. Regarding the Open Meetings act he stated that the Attorney General’s website reports that the Governor has lifted the suspension of the requirement to comply with the Open Meetings Act effective for meetings held on and after September 1, 2021. However, Mike has not been able to find a copy of the Governor’s approval. Mike also noted that he sent an email to Attorney General’s office to obtain a copy of the document. He then received a phone call from the Attorney General’s office and was told that there was not a formal document. He will keep monitoring the situation and will keep Governing Board posted on whether we have to have a public space with a member present for the November 19, 2021 meeting.

TAIPA staff has reserved the building management’s conference room for the meeting on November 19, 2021 and will make reservations for the March 2022 meeting in the same conference room. One member of the Governing Committee will need to be present in the conference room for these meetings. Corise asked if there was anyone willing to be at the meeting in person if that is a requirement. Bill Brooks, Matt Snyder, and David Weber all stated that they were available to be in Austin for the November 19, 2021 meeting if needed.

Corise Morrison asked for a motion to hold the March 2022 meeting via Zoom. The motion was made by David Weber and seconded by Bill Brooks. The motion passed unanimously.

## **B. Pete Hamel retiring from TAIPA**

Pete let us know a month or so ago that he planned to retire from TAIPA after this meeting. It was Pete's plan to attend this meeting with us today, however, he was unable to do so due to some medical issues.

Pete sent an email stating that:

"It has been a great experience for me as an Insurance Producer, as I had the unusual opportunity to meet Company people I never would have met, and Public Members I never would have had the opportunity to meet"

In Pete's normal style, he worked with IIAT to ensure that Ramon would take his place on the Governing Committee and made recommendations to IIAT to fill the alternate position as well.

Pete started with TAIPA when it was still TAIP. Pete attended his first TAIP meeting on

- November 9, 1992 –as the Professional Insurance Agents of Texas Representative The Texas Legislature passed legislation to change TAIP to TAIPA in 1993.
- Texas Association of Independent Agents selected Pete to be its temporary ad hoc member of the Governing Committee.
  - In this role, Pete worked on creating the Plan of Operation for TAIPA. The Plan of Operation was completed 1995 Texas Automobile Insurance Plan became Texas Automobile Insurance Plan Association.

Since that time, Pete has served on various sub committees including:

- Operations Sub Committee (Not sure Pete ever didn't serve on the Operations Subcommittee)
- Nominating Committee which he has chaired for many years
- Producer Review which he chaired for many years
- Management Transition Committee
- 2020 COVID-19 TAIPA Relief Program

Pete was always willing to volunteer, give feedback, share his wisdom, and looked out for the Texas producers he represented. He represented TAIPA well whether making presentations about TAIPA to the Independent Insurance Agents of Texas, attending the funeral of a colleague. We will miss the amount of knowledge Pete accumulated about TAIPA and the industry, but we will miss the story teller and guy who never met a stranger even more.

As you know, TAIPA typically has a Texas Flag flown over the Capitol and has it framed for the Chairs that serve on TAIPA's Governing Committee. I asked them to make an exception and do the same for Pete Hamel as TAIPA's longest serving

volunteer. Therefore, TAIPA staff will be presenting a framed Texas flag to Pete Hamel for his almost 30 years of dedicated service to TAIPA.

In addition, if anyone wants to contact Pete directly, he has authorized TAIPA staff to give you his personal cell number.

Governing Committee Member comments on Pete and his time with TAIPA: In gratitude for his years of service.

Corise Morrison- Pete was always willing to volunteer, give feedback, share his wisdom, and looked out the for Texas producers he represented. He represented TAIPA well throughout his service whether making presentations about TAIPA to the Independent Insurance Agents of Texas, attending the funeral of a colleague where he made a presentation. We are certainly going to miss the knowledge that Pete brought to our association from the industry. We will miss his story telling, his friendliness and his fellowship. He has just been a really great person to work for and work with over the years. Y'all know that TAIPA typically has a Texas flag flown over the Capitol and has it framed for Chairs that serve on the TAIPA Governing Committee. I asked for an exception to be made for Pete because he has been the longest serving volunteer Governing Board Member for TAIPA.

Carol Berthold- I just want to say that I was Chair of Ops back in the 90s and Pete was on that committee then. He was just invaluable. His contributions helped us tremendously during that time.

Bill Brooks-I want to add a comment, too. I was in the gallery, I guess you would call it, in the early 90s and whenever I think of TAIPA I think of Pete Hamel. It has been a blessing to serve with him. He's always been such a gentleman in the way he approaches everything as well. Thank you, Pete. Thanks for your service, buddy.

Ramon Montalvo-I have mighty big shoes to fill. Pete's been a mentor all of these years to me, so I just wanted to mention that. He's going to be missed.

Stacy Dutton-I'd like to say that I utilized Pete as our historian because anytime we had any research to do he'll tell me about how far back it is, and he's always pretty close on how far back I need to look back on the records. I would give him a ride to the Governing Committee dinners and I think he thought it was a favor to him but it was actually really great for me because he'd catch me up on everything that was going on in the market that he was seeing, tell me where everybody have moved to. So I will definitely miss having Pete on the committee.

Corise Morrison-I appreciate everyone's comments and we will, again, make sure that we've got proper information in the minutes that recognize Pete and what a friendly individual he is, what a great colleague he has been, and what a contributor

he's been for TAIPA. So, thanks to Pete. Everyone should reach out to him via email or telephone if needed. I think that would be a great thing, too.

**C. Ramon Montalvo moving from Alternate to Producer Member**

Corise Morrison welcomed Ramon Montalvo to the Governing Committee and detailed his history with TAIPA. Corise also explained that with Pete Hamel retiring, TAIPA needed to fill his subcommittee roles with producer members. Ramon Montalvo has agreed to sit on the Operations Subcommittee, Adam Payton will sit on the Nominating Committee, and Carmelita Hogan will chair the Nominating Committee. There was no further discussion on this matter.

**7. Manager's Report**

Corise Morrison turned the meeting over to Stacy Dutton for the manager's report.

**A. Application Count Update as of July (Exhibit 3)**

A new exhibit was sent on August 19, 2021 to show the corrections for the July 2020 as well as the July 2021 numbers. In July 2021, TAIPA received 106 applications. Year-to-date through July 2021, TAIPA has received 813 applications. Stacy noted that right now TAIPA is expecting to receive about 1400 applications in 2021. This would put the 2021 volume at the lowest number of applications and it would be about 200 less than TAIPA received last year. Mrs. Dutton asked if anyone had any questions or comments on the application count. There were no questions or comments.

**B. Financial Update as of June (Exhibit 4)**

Mrs. Dutton noted that TAIPA ended June at 39.64% of budget so we are about 10.0% under budget. The line items that are currently over-budget are the taxes because we paid our property tax in April. It looks over budget but it will end on budget.

We are under budget on computer expenses, governing meetings, subcommittee meetings, audit expenses, consultants, and actuary. There were no questions or comments.

**C. Line of Credit Renewal**

Stacy Dutton explained that TAIPA retains a \$300,000 line of credit that has never been used but is kept as a contingency. Corise Morrison asked if there was a reason why \$300,000 was the amount that was given. Stacy Dutton did not know how the amount was originally chosen or by whom. Stacy will look at the budget for next year and compare that to the line of credit and determine how long TAIPA could get by. Corise asked for a motion to renew the line of credit and authorize Stacy Dutton and Mimi Leece as approved signers. David Weber made the motion and Mike Schaulk seconded the motion. The motion passed unanimously.

**D. COVID-19**

**a. TAIPA's work procedural changes due to COVID-19.**

TAIPA had originally divided the staff into two teams and each team would come in every other day. There was one employee that left in May so everyone came back into the office full time. This was a great help while training Amanda Reynolds. The TAIPA office as well as the office building has continued with the protocols that were set in place at the beginning of the pandemic. Corise asked if TAIPA staff is documenting the training for future use. It was explained that TAIPA staff is working

on the Standard Operating Procedures and putting them all in one place. Matt Snyder asked if the operating procedures documents are available to everyone if the office has to shut down again. Stacy assured him that they are in a shared folder on the computer and everyone has access to them. Stacy explained that TAIPA also updated the phone system so if we had to make phone calls from home we would not have to use our personal numbers. There were no other questions or comments.

E. **Stacy Dutton 2022 Meeting Dates (Exhibit 5)**

The proposed dates for 2022 meeting dates are March 25, 2022, August 19, 2022, and November 18, 2022. Ms. Morrison asked for a motion to accept these dates. Leslie Hurley made the motion and David Weber seconded the motion. The motion passed unanimously.

**8. Conflict of Interest (Exhibit 6)**

Corise turned the meeting over to David Weber. He discussed updating TAIPA's current conflict of interest policy. It was discussed that Governing Committee members will look through the policy and give their feedback to Stacy Dutton. These changes will be taken into consideration at the November 2021 officers meeting and distributed at the March 2022 meeting.

Corise asked for a motion to accept that the officer committee can review the conflict of interest policy and will come back to the Governing Committee with suggestions. David Weber made this motion. Mary Carol Awalt seconded. There was no further discussion and the motion passed unanimously.

**9. Strategic Planning Subcommittee Report**

Corise Morrison turned the meeting over to Mary Carol Awalt. Mary Carol discussed that subcommittee had been working on recommendations related to the letter from James Person (Exhibit 7) and the welcome letter and handbook for new governing committee members (Exhibit 8).

A. Mary Carol updated everyone on the new welcome letter and handbook for governing committee member. There was no further discussion.

B. It was recommended by Mary Carol Awalt that all Governing Committee members review the Open Meetings Act Training every two years. Two options for training were proposed: Members can listen to the online training provided by the Attorney General's office or Members can go through the Open Meetings Refresher training that TAIPA staff will provide (Exhibit 9). It was asked by a member if this training would be required for subcommittee members. It was discussed that this training is not required for subcommittee members but information about the training will be added to subcommittee information.

Corise asked for a motion to require all Governing Committee members to go through updated/refresher Open Meetings Act training every two years effective January 2022. David Weber made the motion and Matt Snyder seconded the motion. There was no further discussion and the motion passed unanimously.

C. **Access and control of counsel (Exhibit 10)**

Mary Carol turned the meeting over to Mike Jones.



Mike Jones went over Thompson Coe Representation of TAIPA document (Exhibit 10). He also noted that Thompson Coe has an ethics board which will advise him on any ethics questions that may come up. Mr. Jones reiterated that he is always available to anyone on the board. There were no questions or comments and the meeting was turned back over to Mary Carol Awalt.

D. TAIPA 3rd Party Relationships

1. Draft of Revised Vendor Selection Process (Exhibit 11)

The draft of the Revised Vendor Selection Process document was discussed. The revised process would allow TAIPA to make changes to their vendors more readily. It was noted that TAIPA has also asked the current vendors to provide addendums to contracts/agreements with any changes to the agreements on an annual basis. This process will begin with the upcoming budget process.

Corise Morrison asked for a motion to accept the Revised Vendor Selection Process. Becky Jackson made the motion and Ramon Montalvo seconded the motion. The motion passed unanimously.

E. Summary of changes since February 25, 2016 to present with regard to staffing, volume, expenses.

February 25, 2016 was the last time that the Strategic Planning Subcommittee met prior to this year.

Staffing: The current TAIPA staff consists of four full time employees which is the staffing level that the Management Transition Subcommittee approved in 2017. TAIPA found that, as the Management Consultant indicated, it was difficult to fill the Customer Service & Administrative Support Specialist position. TAIPA has filled this position ten times, with most of the employees staying only a short time. Three employees have stayed for a year or more including Ruth Wise who is presently in this position.

In March 2019, the previous Manager of Operations/Financial Management left TAIPA and Mimi Leece was promoted to this position. Due to COVID, turnover of the team member that was trained, the turnaround required of the time of projects, Mimi's most difficult part of her transition has been that she's was unable to train the customer service & administrative support specialist on some of the more complicated duties. In 2018, TAIPA had three tenured employees and only one new staff member. Since October of 2019, there have been one or two new employees and two tenured employees.

TAIPA is currently using an Atchley & Associates accountant to assist Mimi with the accounting until she can turn over all of the Customer Service/Admin Support Specialist Level 2 duties. TAIPA management reports that they are confident that both Ruth Wise and Amanda Reynolds will be able to learn these duties in the next year.

Application count: The application count since 2016 moved up in 2017 and consistently down since then. Assignments per year are as follows:

2016-3089  
2017-3508 up 419  
2018-3338 down 170  
2019-2606 down 732  
2020-1629 down 977

While the volume has declined, the Association Manager does not consider TAIPA to be over staffed. The following reasons were noted:

- Certain functions need to be performed regardless of volume.
- TAIPA is still training employees so that they can be adequately staffed when employees are out of the office.
- TAIPA is currently working to update all Standard Operating Procedures put into one format and in one accessible space.
- If the volume were to increase, staff would be able to absorb the additional volume.

- F. Enterprise Risk Management Update (Exhibit 12)  
 TAIPA staff has put the Enterprise Risk Management Plan in a manual form. In addition, the plan has been updated to include a pandemic, the accounting risks that the auditors asked about as well as the risks associated with having a defined benefit program. There was no questions or comments regarding this.

Mary Carol Awalt asked for a motion to accept the revised enterprise risk management plan. Ahn Vo made the motion. Adam Payton seconded the motion. The motion passed unanimously.

## 10. Operations Subcommittee Report

Corise turned the meeting over to Bill Brooks.

- A. Over/Under Report (Exhibit 13)  
 Everyone on the Governing Committee and everyone who writes TAIPA policies received an email from TAIPA regarding the fact that there was an error during the 1<sup>st</sup> and 2<sup>nd</sup> quarter of 2021. Companies that currently write the private passenger policies for TAIPA all experienced a large change in their quota for 2021. This occurred when AIPSO's system only used the first quarter of 2021 data to calculate one of the numbers on the quota report. This was corrected in the 3<sup>rd</sup> quarter. AIPSO has implemented an additional review process that will prevent the process from moving forward if the basic quarters are not in alignment. There were no questions or comments regarding this topic.
- B. Update on recommendation for Plan of Operation change on what companies leaving the market must do.  
 Mike Jones prepared language for the Plan of Operation change, but it was later determined that TAIPA staff may be able to utilize a formula similar to what Pennsylvania uses. TAIPA will be able to run the calculations of what each company should pay when they leave the market if they do not group or LAD out. TAIPA staff was tasked with contacting TAIPA's actuary to find out if they can provide the number that would be needed for the calculations. As of August 20, 2021 this process is still ongoing.
- C. Update on the review of the TAIPA policies by staff and counsel  
 Mike Jones, Stacy Dutton and Mimi Leece have started the process of reviewing the private passenger policies against the TDI's checklist. This has not been completed, but Mike Jones believe that TAIPA is in compliance given that TDI has approved the policy with the temporary vehicle amendment. Mike Jones and TAIPA staff will continue this project. There were no questions or comments regarding this topic.
- D. Update on the review of TAIPA procedures to determine where it can be more efficient.  
 After previous discussion on this topic the major changes TAIPA has implemented so far in regards to this are:

- TAIPA is now sending out bulletins via email. This is in effort to save the expense of copying, envelopes, staff time, and mailing costs.
  - TAIPA has updated the phone system so that in the future, if staff has to work from home, employees will be able to make calls without giving out their personal numbers.
- E. Recommendation regarding the \$1 fee for the first vehicle or dealer's plate for an individual, husband and wife with each designated person. (Exhibit 14)  
TAIPA staff researched the fee and could not find any documentation regarding it. They contacted several sources including TDI, long term Governing Committee members, company members, and Mike Miller, to find out information on where it came from. Nothing concrete was discovered while researching this, therefore, the operations subcommittee recommends that TAIPA eliminate this rule from the Rules and Ratings Manual. This needs to be done through the rate filing so it is recommended that Mike Miller and Mike Jones add this to TAIPA's next rate filing.

Corise Morrison asked for a motion to remove the \$1 fee for the first vehicle or dealer's plate for an individual, husband and wife with each designated person and have Mike Jones/Mike Miller add this to the next rate filing. The motion was made by Becky Jackson and seconded by Matt Snyder. The motion passed unanimously.

- F. Update on the discussion of what to do if LAD carrier leave the Texas Market  
Operations subcommittee discussed the following regarding this topic:
- The situation in Texas with LAD carriers
  - How LADs currently work in Texas
  - The risk of LADs leave the Texas market today is low
  - TAIPA's relationship with the LADs
  - Companies relationship with the LADs
  - How TAIPA could incentivize carriers to stay in the market and what TAIPA could do to ensure that carriers give extended notice if they do decide to leave
  - Dynamics in which any solution TAIPA would need to take into consideration

Bill Brooks noted that the Operations Subcommittee will be meeting again before the November 2021 Governing Committee meeting so this topic will continue on that meeting's agenda. He also asked other members to consider solutions to discuss at the next meeting as well as contact TAIPA staff with any suggestions.

## **11. Report of Counsel**

### **A. TAIPA Rates**

Mike Jones has been working with Mike Miller on the TAIPA rates. Mike Miller has been using the quarterly trend reports through the end of 2020. The overall rate he has come up with is -1% for private passenger. Mr. Miller suggested delaying the rate filing until TAIPA has at least 2021's first quarter data to assess. He suggested that we wait until the November 2021 Governing Committee meeting to readdress this. He also recommended that moving forward that the timing of the rate filing be reviewed at the November meeting instead of the August meeting. John Lusardi questioned whether Mike Miller will be making any adjustments on the data due to COVID. Mike Jones was unsure of this. There was no motion needed on this topic.

**B. Legislative Update (Exhibit 15)**

Mike Jones stated that no new bills affected either TAIPA statutes or TAIPA's Open Meetings Act. He did note, however, that HB 19 while not directly affecting TAIPA, it could affect the commercial carriers in general. HB 113 regarding peer to peer car sharing could affect TAIPA. The bill states that the car must have primary coverage that is met by the owner, driver, or peer to peer car sharing program. TAIPA policy indicates that this is excluded, but it is Mike Jones's recommendation that TAIPA refer this to the Operations Subcommittee to look into this and see if we need to make a specific exclusion for peer to peer car sharing programs as well as look into what other companies are doing in response to this.

Corise Morrison ask for a motion to refer HB 113 to the Operation Subcommittee to study this and determine how companies are addressing this as well as how TAIPA should move forward on the matter. David Weber made the motion and Carmelita Hogan seconded the motion. There was no further discussion and the motion passed unanimously.

**12. Next Meeting-November 19,2021**

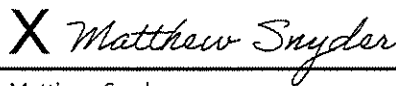
There was discussion regarding the next meeting and if anyone needed to be present. TAIPA staff was asked to work with Mike Jones on this.

**13. Personnel Matters**

There were no personnel matters to discuss

**14. Adjournment**

Corise thanked everyone for their time and participation. A motion was requested to adjourn the meeting. Ramon Montalvo made the motion and Leslie Hurley seconded the motion. This motion passed unanimously.

 X *Matthew Snyder*

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Matthew Snyder  
Secretary