

**ATU LOCAL 1596 PENSION FUND
MINUTES OF MEETING HELD
MAY 25, 2010**

Board Members Present:

Robert Doane – Union Appointee
Frank Luna – Chairman, Union Appointee
Frank Lacock - Union Appointee
Edward Johnson - LYNX Appointee
Lisa Darnall - LYNX Appointee

Others Present

Nick Schiess - Plan Administrator
Robert Sugarman - Plan Attorney
Jay Seegers & Nadine Schaal – Legal Council for LYNX
Brian Anderson – LYNX Liaison
Burgess Chambers & Fran Wan – Investment Consultant

Agenda Item	Discussion	Decision	Status	Follow-up
1.	The meeting was called to order at 10:30 A.M. in the open space on the 2 nd Floor, Lynx Central Station, 455 N. Garland Av. Orlando, FL 32801.			
2.	Frank Luna expressed concerns over the proper posting of meeting agendas. Brian Anderson and Edward Johnson discussed the posting of the agenda for this specific meeting. A lengthy discussion ensued regarding purchasing separate bulletin boards just for the business of the Plan and also what is appropriate and necessary to meet the legal requirements for posting meeting agendas.	Robert Doane made a motion to authorize the expenditure of up to \$2K for the purchase of five bulletin boards to be selected by Lisa Darnall. Frank Lacock seconded the motion, approved by the Trustees 5-0.	Open	Lisa Darnall
3.	Robert Sugarman reviewed the history of proposed Amendment Nine, noting that the intent was to provide a conservative alternative investment vehicle for DROP Participants whose only current option was a market based return. Nadine Schaal requested and received clarification on language within the Amendment and also the proposed alternative investment vehicle. She requested a slight revision of the Amendment to include language that if a cost was incurred that it would be borne by the DROP Participants.	The Board agreed to amend the language within Amendment Nine to ensure that any costs of the proposed alternative investment vehicle are borne by the DROP Participants. Mr. Sugarman agreed to revise the Amendment and submit it to Ms. Schaal. Frank Lacock made a motion to implement Amendment Nine five days after consent is received from the Union and LYNX. Robert Doane seconded the motion, approved by the Trustees 5-0.	Open	Robert Sugarman Board

	<p>portfolio during a period in which the market favored lower quality equities.</p> <p>Mr. Wan reviewed the asset allocation noting that current allocation was appropriate. He then reviewed the compliance checklist noting that all was satisfactory except some performance objectives had not been met, which was attributable to the recent market downturn.</p>			
*	The meeting recessed at 12:06 P.M. for lunch and reconvened at 12:35 P.M.			
5. a.	As a follow up to the last meeting, Nick Schiess provided the Board with all available earnings and other statistical information on Jose Rios for the purpose of determining service credit for the years 1992 – 2000. A discussion arose regarding estimating the service credit for the year 1996 and it was noted that during this year his employment was terminated but was later reinstated with retroactive compensation and benefits.	Robert Doane made a motion to grant Jose Rios benefit credits in accordance to the schedule provided by the Administrator with the exception of a 1.0 benefit credits for the year 1996, which represents a full year of service credit considering the terms of his reinstatement. Frank Lacock seconded the motion, approved by the Trustees 5-0.	Closed	None
5. b.	As a follow up to the last meeting, Nick Schiess reported that his office was still gathering information on active participants who have missed service while out on worker's compensation within the last five years and would provide the information to the Board at the next meeting.		Open	PRC
5.c.	As a follow up to the last meeting, Robert Sugarman reported that the negotiation of a replacement Agreement with BNY/Mellon was nearly completed.		Open	Robert Sugarman
6.	The Board reviewed the minutes of the meeting held on April 8, 2010 and a correction was noted.	Lisa Darnall made a motion to approve the minutes of the meeting held on April 8, 2010 as corrected. Edward Johnson seconded the motion, approved by the Trustees 5-0.	Closed	None
7.a.	The Trustees reviewed the list of disbursements presented for approval.	Edward Johnson made a motion to approve the disbursements as presented. Robert Doane seconded the motion, approved by the Trustees 5-0.	Closed	None

7.b.	Un-audited statements of the balance sheet and income and expense were provided to the Board. A discussion arose regarding the management of the checking account maintained on behalf of the Plan for the payment of benefits and operational expenses.	The Trustees received and filed the financial statements.	Closed	None
8. a.	The Trustees reviewed the list of benefit approvals presented for approval.	Lisa Darnall made a motion to approve the benefit approvals as presented. Robert Doane seconded the motion, approved by the Trustees 5-0.	Closed	None
8.	<p>Nick Schiess reported that a Florida State Sales Tax Exempt Certificate had been issued to the Plan.</p> <p>Mr. Schiess discussed the development of the interactive internet based version of information on the benefits and mechanics of the Plan that had been requested by the Trustees, noting that the project would commence only after the completion of the Audit and Actuarial Valuation as these were higher priority items that were very time intensive.</p> <p>As a follow up to the last meeting and pursuant to the direction of the Board, Mr. Schiess reported the successful conversion of existing share class of the American Funds' Large Cap Growth Fund and also the EuroPacifac Fund to the lower cost R6 share class.</p>		<p>Closed</p> <p>Open</p> <p>Closed</p>	<p>None</p> <p>Nick Schiess</p> <p>None</p>
9. 10.b	Robert Sugarman discussed a request from active participant Clarissa Suarez to use her power of attorney for her husband Hector Suarez to execute a spousal waiver of benefits. Mr. Sugarman explained that the premise of a power of attorney is that actions should be in the best interests of the person being represented, which may not be the case in this particular request. He recommended the denial of the request and to notify Ms. Suarez that only a spousal waiver of benefits executed by Mr. Suarez was acceptable.	Frank Lacock made a motion to deny Clarissa Suarez's request to use her power of attorney for her husband Hector Suarez to execute a spousal waiver of benefits and to notify Ms. Suarez that only a spousal waiver of benefits executed by Mr. Suarez was acceptable. Edward Johnson seconded the motion, approved by the Trustees 5-0.	Closed	None
9.	Mr. Sugarman reminded the Trustees to file their annual Statements of Financial Interests by the deadline of July 1, 2010.		Closed	None

10. a.	Nick Schiess reported that the very first DROP Participant would be soon be exiting the DROP. He explained that because the DROP is credited with a market return, the final amount owed to the participant cannot be determined until approximately 30 days after the end of any quarter. He advised that Participants are usually not satisfied with waiting as long as 90 days for their distribution. Mr. Schiess recommended the adoption of a policy to immediately issue to DROP Participants after separation of service an initial distribution equivalent to 80% of their previous quarter's DROP balance. The remaining 20% would be held in reserve in case of negative market movement and this should likely prevent the DROP participant from owing any money to the Plan if the market declines. The remaining 20%, plus or minus the current quarter's market movement, would be issued as soon as possible after the end of the quarter. A discussion arose regarding the proposed DROP policy and whether the retained percentage was sufficient to cover extreme negative market.	Frank Lacock made a motion to establish a policy for DROP Participants to issue an initial a distribution equivalent to 75% of their previous quarter's DROP balance with the remaining 25% plus or minus the current quarter's market movement to be issued as soon as possible after the end of the quarter unless the Participant had selected the money market fund alternative which could be immediately issued in full. Edward Johnson seconded the motion, approved by the Trustees 5-0.	Closed	None
10.	The Trustees discussed compiling the various policies established by the Board. Frank Luna discussed the cancellation of attendance at educational conferences and questioned whether any liability existed for the Trustees if the cancellation resulted in a cost to the Plan. Edward Johnson discussed the unavoidable circumstances behind his inability to attend a conference last year and advised that he would issue reimbursement to the Plan. He noted that he had previously offered to reimburse the Plan, however, it was determined at a prior Board meeting that this was unnecessary as it was considered part of conducting business on behalf of the Plan.	The Trustees tasked the Administrator with compiling the various policies established by the Board.	Open Closed	PRC None
11.	The next meetings were scheduled for August 24, and November 30, 2010.		Closed	None
	The meeting adjourned at 3:23 P.M.		Closed	None

Respectfully submitted,

Secretary