

**ATU LOCAL 1596 PENSION FUND
MINUTES OF MEETING HELD
FEBRUARY 14, 2012**

Board Members Present:

Robert Doane – Union Appointee
Lisa Darnall - LYNX Appointee
Tom Lapins - Union Appointee
Donna Tefertiller - LYNX Appointee
Bert Francis - LYNX Appointee

Others Present

Nick Schiess - Plan Administrator
Robert Sugarman – Plan Attorney
Brian Anderson – LYNX Liaison
Frank Wan - Investment Consultant
Norm Audet – Union President
Edward Johnson – LYNX

Agenda Item	Discussion	Decision	Status	Follow-up
1.	The meeting was called to order at 10:50 A.M. in the Board Room, Lynx Central Station, 455 N. Garland Av. Orlando, FL 32801.			
2.	It was noted that Frank Luna was unavailable to attend the meeting and the Board by consensus approved Robert Doane as temporary chairman for the meeting.		Closed	None
4. a.b.c.&d	The Board expressed hope that the agenda items of the 2012 fiscal year contribution rate, removal of interest for refunds of contributions, proposed Amendment Six and proposed benefit changes might be addressed and perhaps even resolved through collective bargaining currently in progress.	The Board by consensus tabled these agenda items until the May meeting unless a special meeting was scheduled beforehand.	Open	Board
3.	Frank Wan provided a report on the investment performance of the portfolio for the quarter ending December 31, 2011. The investment return for the quarter was 6.3% versus 7.7% for the index. Mr. Wan reviewed the performance of the individual investment products in great detail and attributed the underperformance primarily to the underperformance of			

	<p>the American Funds large cap growth fund. He discussed the characteristics and short-term and long-term performance of the fund and ultimately recommended replacement of the product. Mr. Wan provided an analysis of a search for a replacement large cap growth fund. He reviewed in great detail the firms, performance, risk and other factors of the potential candidates and ultimately recommended the selection of ING Large Cap Growth R16 commingled fund. It was noted that the management fee was 55 basis points. A lengthy discussion ensued regarding the selection of a replacement fund and timing.</p> <p>Mr. Wan continued his review of the individual investment products, noting all was satisfactory. A discussion arose regarding the performance of the fund managed by the Westwood Holdings Group. Mr. Wan explained that performance relative to the respective benchmark had improved and further improvement was anticipated. He advised that exhaustive research had been conducted into the manager and their investment strategy and he recommended the retention of the investment. Mr. Wan then discussed the flaws of their respective benchmark and therefore the inherent difficulty of evaluating their relative performance. A discussion arose regarding scheduling a special meeting if necessary to consider interim performance of the fund before the next meeting.</p> <p>Mr. Wan concluded his report with a review of the asset allocation, noting all was satisfactory.</p>	<p>Bert Francis made a motion to terminate the Plan's investment in the American Funds large cap growth fund and transfer as soon as possible the proceeds to the ING Large Cap Growth R16 product based upon the recommendation of the Investment Consultant and contingent upon the successful negotiation of an Agreement by the Plan Attorney and granting the chairperson authority to execute the necessary documents between meetings. Lisa Darnall seconded the motion, approved by the Trustees 5-0.</p> <p>Lisa Darnall made a motion to grant Bert Francis limited authority to schedule a special meeting if deemed necessary by the Investment Consultant. Robert Doane seconded the motion, approved by the Trustees 5-0.</p>	Open	<p>Bob Sugarman</p> <p>Nick Schiess</p> <p>Frank Luna</p>
4.f.	<p>Nick Schiess reported that the distribution of annual benefit statements had occurred. Tom Lapins proposed improving the process of distributing the annual benefit statements to active members by distributing them via regular mail then hosting sessions afterwards to respond to specific inquiries by individual members.</p>	<p>Improvement of annual benefit statements distribution was requested to be on the next agenda for further consideration.</p>	Open	Board
5.	<p>The Board reviewed the minutes of the meeting held on November 29, 2011 and a correction was noted.</p>	<p>Lisa Darnall made a motion to approve the minutes of the meeting held on November 29, 2011 as corrected. Bert Francis</p>	Closed	None

		seconded the motion, approved by the Trustees 5-0.		
6.a.	Robert Sugarman discussed State Statutes respective to dual office holding, noting that serving on multiple governmental boards was prohibited. He explained that an exception existed if serving on specific boards was stated within a job description. A discussion arose among those Trustees serving on multiple boards and Bert Francis agreed to resign from another board on which he also served.	The matter of dual office holding was determined to be still open and to be considered again at the next meeting.	Open	Board
6.b.	The Board considered an application for disability benefit received from Douglas Sullen. It was noted that Mr. Sullen had been awarded disability benefits from the Social Security Administration and met the service requirements to qualify for disability benefits.	Lisa Darnall made a motion to award Douglas Sullen disability benefits based upon the award of disability benefits from the Social Security Administration. Tom Lapins seconded the motion, approved by the Trustees 5-0.	Closed	None
6.	Robert Sugarman discussed the fulfillment of public records requests and recommended the establishment of a policy to specifically omit birthdates and beneficiary information unless specifically requested.	Lisa Darnall made a motion to adopt a policy to omit birthdates and beneficiary information from public records requests unless specifically requested. Donna Tefertiller seconded the motion, approved by the Trustees 5-0.	Closed	None
	The meeting adjourned at 12:40 P.M. for lunch and reconvened at 1:05 P.M.			
6.d.	The Board discussed the periodic review of service providers, noting that the rotation was to review the relationship with the attorney and custodian. Frank Wan advised that the custodial fee charged by BNY Asset Servicing was very competitive at 8 basis points but he agreed to research fees charged by others and report back at the next meeting. A lengthy discussion ensued regarding the service provider review process.	The Board amended the review process to include survey for individual Trustees to complete on whether the service necessary, satisfaction with services and whether the fee is reasonable. The administrator was directed to prepare the survey for the next meeting.	Open Open	Frank Wan Nick Schiess
7.a.	The Trustees reviewed the list of disbursements presented for approval.	Tom Lapins made a motion to approve the disbursements as presented. Donna Tefertiller seconded the motion, approved	Closed	None

		by the Trustees 5-0.		
7.b.	Un-audited statements of the balance sheet and income and expense were provided to the Board.	The Trustees received and filed the financial statements.	Closed	None
6.c.	The Board considered an application for disability benefit received from Charles Matos. Robert Sugarman reviewed in great detail the procedures for the disability hearing, Plan provisions, and substantive law for the Trustees. Mr. Matos appeared before the Board and discussed his illness and medical treatments. He was informed that a full Board was not present and agreed to proceed regardless. Mr. Matos acknowledged that he had applied for disability benefits from the Social Security Administration twice but had been declined. He advised that he had appealed the declination of benefits and it was noted that obtaining disability benefits oftentimes required multiple attempts and appeals. A discussion arose whether he was capable of engaging in different employment within LYNX or elsewhere. He was questioned whether he had attempted to gain other employment and responded that he had not sought other employment. Mr. Matos disclosed an additional medical affliction and verbally amended his application to include this condition. A lengthy discussion ensued and the Board determined that this condition might also affect his eligibility for disability benefits under the Plan.	Tom Lapins made a motion to accept Mr. Matos' amendment to his Application for Disability Benefit to include a secondary medical condition and authorize an independent medical examination for that condition. Bert Francis seconded the motion, approved by the Trustees 5-0.	Open	Board
9.a.	The Trustees reviewed the list of benefit approvals presented for approval.	Tom Lapins made a motion to approve the benefit approvals as presented. Lisa Darnall seconded the motion, approved by the Trustees 5-0.	Closed	None
10.	Tom Lapins discussed a proposal presented within collective bargaining for closing the Plan to new members who would instead participate in a defined contribution plan. He expressed for the record that it would be imperative to research the long-term financial impact on the Plan if closed to new membership. It was acknowledged that an actuarial firm was engaged by LYNX to prepare a cost study of the effects but it was not		Closed	None

	the Plan's actuarial firm.			
11.	The next quarterly meeting was scheduled for May 15, 2012.		Open	All
	The meeting adjourned at 2:22 P.M.		Closed	None

Respectfully submitted,

Secretary