



**Florida West Coast Operating Engineers
Apprenticeship Trust Fund**
911 Ridgebrook Road
Sparks, MD 21152-9451
Phone: 877-291-2387
www.associated-admin.com

**MINUTES OF THE MEETING OF THE
BOARD OF TRUSTEES OF THE
FLORIDA WEST COAST OPERATING ENGINEERS
APPRENTICESHIP TRUST FUND
WEDNESDAY, NOVEMBER 13, 2019
TAMPA, FLORIDA**

The following Trustees were present:

LABOR TRUSTEES

M. Schaunaman, Chairman
J. Junecko
D. Sherman

MANAGEMENT TRUSTEES

P. Taylor, Secretary-Treasurer

Also present were:

D. Clutts – Associated Administrators, LLC
T. DuBose – Legacy Wealth Management
A. Lacey – FWCOE Apprenticeship Director
E. Venable – Venable Law Firm, P.A.

I. CALL TO ORDER

A quorum being present, Chairman Schaunaman called the meeting to order.

II. MINUTES

The Trustees reviewed the minutes of the regular meeting held on August 14, 2019, which were circulated to the Trustees in advance of the meeting. After discussion, on Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

**RESOLVED to approve the minutes of the regular Board
meeting held on August 14, 2019.**

III. Legacy Wealth Management ("Legacy")

The Trustees welcomed Mr. Tony DuBose of Legacy Wealth Management to the meeting.

Mr. DuBose reviewed a report titled "Florida West Cost Operating Engineers Portfolio Review" dated November 13, 2019, a copy of which and is attached to and made a part of these minutes as Exhibit A. Mr. DuBose discussed key information from the report with the Trustees. As of July 30, 2019, the portfolio's market value was \$1,036,327.58. The portfolio had investment returns for the period of July 30, 2019 through October 31, 2019 of \$11,738.91. The ending market value on October 31, 2019 was \$1,048,066.49. The internal rate of return for the portfolio was 1.13%. He said all of the investments are short duration maturities with certificates of deposit ("CD") and high quality fixed income securities. Mr. DuBose said he had no recommended changes to the Fund's investments at this time.

Chairman Schaunaman discussed the need to fund the structural engineering study, geo-tech assessment and preparation work for the installation of the recently purchased tower crane. Mr. DuBose said the Fund has a Franklin Synergy Bank CD in the amount of \$100,000 that matures December 26, 2019. The Trustees instructed Mr. DuBose to liquidate the Franklin Synergy Bank CD and move the funds to the FWCOE Apprenticeship Trust Fund's operating account at PowerNet Credit Union. Mr. DuBose will work with the Administrative Manager on the logistics of the money transfer.

The Trustees thanked Mr. DuBose and he was excused from the meeting.

IV. APPRENTICESHIP DIRECTOR'S REPORT

Mr. Adrian Lacey presented the Director's Report dated November 13, 2019, a copy of which is attached to and made a part of these minutes as Exhibit B. He reported the following:

A. Apprentices

Ten new apprentices joined the Program since the August Board meeting. A total of forty apprentices are enrolled in the Program.

B. Upgrading the Training Program

Mr. Lacey passed the Rigger Level 1 and Signaller practical exams on September 17, 2019. He was granted full status as an NCCCO Practical Examiner and is authorized to administer NCCCO practical exams for Rigger Level 1 and Signaller. On September 27, 2019, Mr. Lacey completed the course requirements for Teaching Techniques 1, as certified by the IUOE International Training & Education Center.

Mr. Lacey completed the upgrades to the school site approved at the August 14, 2019 Board meeting, including installation of the double gate and electric gate opener, landscaping of the parking lot and the delivery and installation of the crane simulator, among other improvements. Preliminary work has begun on preparing the site for the tower crane, including installation of a new utility pole and power source.

C. Training Classes

Thirteen apprentices completed the NCCCO mobile crane exams during the past quarter. The test results have not yet been received. Mr. Lacey conducted forklift certifications for three candidates. Mr. Lacey is presently holding training classes for all apprentices to review the Rigger Level 1 and Signaller material in preparation for the written NCCCO exams.

Mr. Lacey attended the "It's Time to Get Uncomfortable" training course on August 18 – 23, 2019 in Crosby, Texas. He also attended the Teaching Techniques 1 Workshop on September 22 – 29, 2019 in Crosby Texas.

D. School Board of Hillsborough County ("SBHC")

Mr. Lacey confirmed with Hillsborough County that all apprentice applications and action forms are up-to-date.

E. Equipment

The Grove RT630, Lull GTH-636, Link-Belt Crawler, Neck Breaker Loraine, Dozer D7 Caterpillar, Case Backhoe, Kubota Lawn Mower, John Deere Gator, John Deere Tractor and John Deere Bush Hog had various repairs and routine maintenance completed. The Ford Semi Truck L8000 was sold on October 21, 2019 and removed from the Apprentice School's commercial insurance policy. The John Deere Tractor was recalled for faulty cab support bolts and will be repaired by the local John Deere dealer.

F. New Business

Mr. Lacey presented the Trustees with a proposal from Terminex Pest Control for pest treatment at the Apprentice School at a cost of \$9,936.50, as shown on pages 1 – 24 of the Director's Report, Quotes tab. After discussion, the Trustees instructed Mr. Lacey to obtain additional proposals. Mr. Lacey also requested permission to send the Apprentice School mechanic, Mr. Thomas Richards III, to a training class in January 2020 in Shady Groves, Pennsylvania for the Manitowoc Tower Crane. He will obtain further information about this course for Trustee consideration. The Trustees approved a Sam's Club account for the Apprentice School to obtain discounts on supplies for the school site.

Mr. Lacey discussed a concern with apprentices who do not show up for scheduled training classes and the need to implement a new rule about missed classes. He proposed that, if an apprentice misses a training class, the missed hours will be added back to the total hours that must be completed for his/her apprenticeship. If the apprentice calls in advance of the missed class with a reasonable excuse, he/she will not be penalized. The Trustees agreed that this procedure seems reasonable. Fund counsel advised Mr. Lacey to draft a written rule and distribute it to each apprentice.

The Trustees thanked Mr. Lacey for his report.

V. ATTORNEY'S REPORT

Mr. Venable reported on the following:

A. Department of Labor Exemption from Filing Form 5500

Mr. Venable notified the Trustees between meetings, by letter dated September 24, 2019, of a recent Final Regulation issued by the Department of Labor. The Department of Labor is requiring Apprentice Programs to file the "Apprentice and Training Plan Notice Online Filing System" form electronically to continue exemption from the requirement to file Form 5500. Ms. Krista Bates, Gramling and Haya CPA's PA, filed the exemption form on behalf of the Fund on October 18, 2019, a copy of which is attached to and made a part of these minutes as Exhibit C.

B. Tower Crane

Mr. Venable drafted a document to memorialize the Tower Crane Grant ("Grant"), a copy of which is attached to and made a part of these minutes as Exhibit D. The Grant states that IUOE Local

487 is providing a Grant to the Fund in the amount of \$245,790 to be used for the sole purpose of purchasing a tower crane to be owned by the Fund. The Tower Crane Grant was executed on October 28, 2019. The Trustees were polled between meetings and approved the Grant. On Motion made and seconded, The Trustees voted approval of the following resolution:

RESOLVED to ratify the action taken between Board meetings to approve acceptance of the Grant offered by the IUOE Local 487 in the amount of \$245,790 to be used to purchase a tower crane with oceanic transport.

Chairman Schaunaman abstained from the vote.

The Trustees were polled between meetings to approve the purchase of the tower crane and all costs related to ground transport and construction. On Motion made and seconded, The Trustees voted unanimous approval of the following resolution:

RESOLVED to ratify the action taken between Board meetings to approve the purchase of the tower crane and all costs related to ground transport and construction of the crane.

VI. ADMINISTRATIVE MANAGER'S REPORT

A. Income and Expense Statement

Ms. Clutts reviewed the Income and Expense Statement for September 30, 2019, a copy of which is attached to and made a part of these minutes as Exhibit E. Ms. Clutts reported total assets for the month of September 2019 of \$2,710,324.34, compared to \$2,784,544.89 in September 2018. Ms. Clutts presented a Comparative Income Statement for the twelve months ended September 30, 2019. She reported that for the month of September 2019, the Fund had total income of \$36,889.03 and total expenses of \$39,039.06, resulting in a deficit of \$2,150.03 for the month.

B. Disbursements

Ms. Clutts presented the expense check register for September 2019, which indicated total disbursements of \$63,473.97. She reviewed the payroll check register for September 2019, which indicated total payroll of \$17,898.32. On Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED to accept the Administrative Manager's Report as presented.

VII. OTHER FUND BUSINESS

Ms. Clutts reported the following:

A. International Foundation of Employee Benefit Plans ("IFEBP") Membership

The Fund's IFEBP membership renewal notice was received at a cost of \$1,065 for 2020. After discussion on Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED to renew the IFEBP membership for 2020 at a cost of \$1,065.

B. Part-Time Instructor

The Trustees were polled between Board meetings regarding a request to hire a part-time instructor for the Apprentice School. On Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED to ratify the action taken between Board meetings to approve hiring a part-time instructor for the Apprentice School at a wage rate of \$47.35 per hour with no benefits.

C. Plasma Cutter

Chairman Schaunaman and Secretary Taylor authorized the purchase of a plasma cutter in the amount of \$1,861.36, subject to Board approval. After discussion on Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED to approve the purchase of a plasma cutter in the amount of \$1,861.36 for the Apprentice School.

D. Central Pension Fund Payment

Upon notification from the Central Pension Fund, the Fund office paid \$72 in additional accrued pension contributions for the previous Apprentice Director, Mr. Michael Howard.

E. Commercial Insurance Policy

Equipment and vehicles were added to the commercial insurance policy for the Apprentice Fund resulting in additional premiums of \$39.01 for the policy period April 28, 2018 to April 28, 2019 and \$353 for the policy period April 28, 2019 to April 28, 2020.

F. National Training Fund ("NTF")

Effective July 1, 2019, employers began remitting \$.05 per hour for the IUOE NTF, in accordance with their renewed collective bargaining agreements. The IUOE NTF has proposed a Contribution Collection and Cost Sharing Agreement ("Agreement") to contract with the Fund for collection of contributions. The proposal requires the collection of contributions and transmitting the contributions and reports to the NTF. After discussion, on Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED to adopt a Contribution Collection and Cost Sharing Agreement between the National Training Fund and the FWCOE Apprentice & Training Fund, subject to Fund counsel's review.

Ms. Clutts will provide Fund Counsel the draft Agreement for review.

G. Payroll Audits

Payroll audits of Maxim Crane, Moretrench Environmental Services, and North American Crane & Rigging are underway. Krista Bates, Gramling and Haya, CPA's PA, will attend the February Board meeting to review the audit progress with the Trustees.

VIII. MEETING DATES AND LOCATION

The next quarterly Board meeting is scheduled for Wednesday, February 12, 2020 at 1:00 p.m. at IUOE Apprentice School site in Plant City, Florida. The remaining meetings were scheduled for May 13, August 12, and November 11, 2020.

IX. ADJOURNMENT

There being no further business to come before the Board of Trustees, the meeting was adjourned.

Respectfully submitted,

Chairman

Secretary-Treasurer

These Minutes were adopted on

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Attachments:

Exhibit A: Legacy Wealth Management FWCOE Portfolio Review – November 13, 2019

Exhibit B: Apprenticeship Director's Report – November 13, 2019

Exhibit C: Form 5500 Exemption

Exhibit D: Tower Crane Grant

Exhibit E: Income and Expense Statement – September 30, 2019