

MONTANA PUBLIC DEFENDER COMMISSION

State Capitol, Room 137, Helena, MT

October 2, 2015

MINUTES

(Approved at the December 11, 2015 meeting)

Commissioners Present

Fritz Gillespie, (Chair), Helena; Margaret Novak, Chester; Ann Sherwood, Pablo; Ken Olson, Great Falls; Terry Jessee, Billings; Bonnie Olson, Marion; Roy Brown, Billings; Mike Metzger, Billings; Maylinn Smith, Missoula; Larry Mansch, Missoula

Commissioners Absent

Brian Gallik, Bozeman

Staff Members Present

Bill Hooks, Chief Public Defender; Wade Zolynski, Chief Appellate Defender; Kristina Neal, Conflict Coordinator; Harry Freebourn, Administrative Director; Wendy Johnson, Contract Manager; Peter Ohman, Training Coordinator; Eileen Larkin, Assistant Appellate Defender; Koan Mercer, Assistant Appellate Defender; Jennifer Streano, Assistant Public Defender; Carleen Green, Accountant; Malia Soyland, Accountant; Kyle Belcher, IT Supervisor

Interested Parties

Jim Taylor, Legal Director, American Civil Liberties Union of Montana (ACLU); Greg DeWitt, Legislative Fiscal Division

1. Call to Order

Chairman Fritz Gillespie called the meeting of the Public Defender Commission to order at 9:10 a.m.

2. Introductions

Chairman Gillespie introduced two new members, Maylinn Smith and Larry Mansch. Commissioner Smith directs the law school clinic, and her background includes working for the Confederated Salish and Kootenai tribes, and being a tribal judge. Commissioner Mansch has a background in public defense and is currently the legal director of the Montana Innocence Project.

Chairman Gillespie asked everyone around the table as well as those in the audience to introduce themselves. Commissioner Ken Olson announced he would be leaving the Commission in the near future. He said his tenure has been fun and interesting.

3. Minutes of March 19, 2015 Meeting (*Action Item)

The minutes of the March 19, 2015 meeting were approved as drafted by acclamation.

4. Legislative Update: OPD Bills and Funding

Chief Public Defender Bill Hooks explained the legislative activity worksheet. The worksheet contains all bills that were of interest to OPD; those that were signed into law are highlighted in yellow. Of the OPD-requested bills that passed, two are related to the eligibility determination process, a third authorizes the use of flat fee contracts in certain situations such as representation in treatment courts, and the last suspends payment of public defender fees during periods of incarceration.

Section IV contains bills that had a potential fiscal impact to OPD. Chief Hooks explained the process of preparing fiscal notes. The Governor's budget office reviews every bill proposal and determines which agencies might be affected financially, either positively or negatively. Those agencies typically have two days to respond to the fiscal note request, regardless of the perceived merit of the bill or its likelihood of progressing. The bill sponsor has a chance to question or refute the assumptions the agency uses to try to quantify the impact, or the dollar amounts submitted.

Administrative Director Harry Freebourn noted that HB 2, the appropriations bill, resulted in better funding than originally expected. Mr. Freebourn's May 29 letter explains OPD's final funding results in detail. In addition to the legislative appropriation, the agency received \$1.8 million and 4 permanent FTE from the Governor's contingency fund in each fiscal year, and the Commission received a \$250,000 appropriation to address agency issues.

A. Potential Uses for Commission Discretionary Funds

Mr. Freebourn distributed the bill language describing the legislative intent of the funding. The funds are restricted for use by the Commission, not staff, and must be approved by the budget director. Although \$250,000 per year is not a lot of money, there is a lot of demand for it.

Chairman Gillespie will refer the plan for using the funds to the Budget Committee, but opened the floor for a brief discussion. He encouraged every member to think about the best use of the funds and to discuss their ideas with Budget Committee members. The Commission will take action on the Budget Committee's recommendations at the December meeting.

Mentioned during the discussion of possible uses for the funds were addressing pressures on the appellate caseload, the continued increase in DNAs and criminal cases, conducting an independent workload study, and hiring an executive director. Commissioner Novak suggested that the areas of interest to the Task Force might be addressed in deciding how to spend this money.

5. Questions/Comments on Submitted Reports

A. Chief Appellate Defender Report

Chief Appellate Defender Wade Zolynski briefly covered his written report and discussed his departure. He takes great pride in his office and the tremendous amount of work they do. Koan Mercer and Eileen Larkin, the two Attorney 3-level staff, will share management responsibilities until a new chief is hired.

Chairman Gillespie asked Mr. Mercer and Ms. Larkin to discuss the caseload stress in the appellate office and their plans for the interim. Ms. Larkin said that the written liaison report that was submitted was a unanimous report from all staff. Caseloads are at a critical mass and they need additional FTE for relief because there is an inadequate supply of contractors. She will need to contract out some of her cases to handle the interim management duties.

Commissioner Mansch asked how many staff attorneys the Attorney General's office has compared to the appellate office, and whether there is any correlation between the number of appeals that come from cases represented at trial by FTE or contract attorneys. Chief Zolynski said the number of attorneys in the Attorney General's office is similar, but each side does different work; for instance, his office does an opening and a reply brief, and the opposition only does a reply brief. They also don't have 20-25% staff turnover, which creates significant inefficiency in his office. Mr. Mercer added that the caseload problem is throughout the appellate system—both sides are requesting extensions. In terms of where the appeals come from, Chief Zolynski only has two years of data so far, but it seems to be generally reflective of the proportion of cases handled by FTE or contractors at trial.

Chairman Gillespie noted that both the Attorney General and the county attorney are counsel of record in an appeal. He asked how much the county attorney contributes, and how much interface the appellate office has with the trial attorney. Mr. Mercer replied that it's just a matter of form that the county attorney remain the attorney of record; they don't actually do any work at the appellate level. In terms of the interaction with the trial attorney, the appellate office will connect once in a while, but the appeal is based on the record so it is not common.

Chairman Gillespie said that there is a perception that we should refuse to take appeals. It is hard for legislators to understand that this is one of the few things reserved for the client to decide, and we need to do a better job of educating them on this point.

Ms. Larkin said that the referral rate of less than 1% tells her that attorneys are having those discussions with their clients. Chairman Gillespie would like to be able to report on how many people wished to appeal and came to accept the wisdom to dismiss voluntarily.

B. Conflict Coordinator Report

Conflict Coordinator Kristina Neal explained that Programs 1 and 2 both refer cases to her when a conflict is identified. She then finds a private contract attorney to take the case. Her office had a 16% increase in cases last year, and the first quarter of FY 16 is showing an increase over those numbers. There is insufficient supply to meet the demand in some areas; Billings attorneys are often appointed to cases in Eastern Montana, draining the Billings contractor pool for overflow work.

Because of the supply problem, Ms. Neal is recruiting for FTE attorneys in certain areas. It will provide stability in availability and budgeting and will help control costs.

C. Chief Public Defender Report

Chief Public Defender Bill Hooks supervises the trial practice as well as central services, which includes contracts, training, IT, accounting, etc. He has a great staff.

Chief Hooks is optimistic that the Task Force will engage in open dialog, and will see that we have done a number of things well. Hiring Wendy Johnson as the full-time contract manager and developing the electronic claims system are just two examples of proactive improvements in productivity and efficiency. In addition, the changes to the proficiency determination process are raising the level of representation in the contract work force.

Jennifer Streano joins the Training Department following an acquittal in a cold case deliberate homicide trial that lasted three weeks. The tremendous teamwork of Ms. Streano, Mori Woods, the investigator supervisor, and contract counsel Bob Peterson fulfilled our obligation to match the opposition.

Chief Hooks discussed the pay increases for the non-attorney workforce and the attorney career ladder covered in his written report.

Regarding operations for the remainder of this biennium, some of the additional FTE and funding restricted to payroll will be shared with the conflict program. All three programs draw on the same contract attorney pool, so supporting Ms. Neal's plan to hire FTE to handle conflicts in some areas will positively impact the available contractor pool for the Billings, Glendive and Miles City regions.

An additional support staff position will be hired in the Havre office, and a social worker will be hired in Billings, following on the success of that position in Helena. Commissioner Jessee encouraged expanding the social work project, and Chief Hooks said that he is launching a social work internship program in Helena. An unknown number of FTE will be required as part of the reorganization that will result from Mr. Freebourn's impending retirement. His institutional knowledge is the heart of the agency.

Chairman Gillespie asked Chief Hooks to comment on the eligibility determination process. OPD is responsible for all aspects of the process based on statutory criteria. There is an updated form, a revised policy, a training manual and a resource person in the training office. There are 11 people, one in each region, whose daily job includes, but is not limited to, doing eligibility determinations for 28,000 applications per year. It is just not enough people to follow up on that many applications. A request for proposals was issued to contract with a private company, with no responses. Chief Hooks continues to explore a better way of doing things, and is considering hiring individuals whose only job is to process applications for a multi-region area. In response to questions from the Commission, Chief Hooks said that to avoid delays for the clients and the courts, telecommunications would be part of a multi-region process. We do provide assistance if clients can't read or need help understanding the form. In addition, some presumptive eligibility criteria were developed so that not everyone has to complete the entire form.

Commissioner Sherwood asked about the process to have an attorney present at initial appearances as required by the Practice Standards. Chief Hooks said that in the larger regions there is someone in court, but in smaller regions (fewer cases but covering a large geographic area) it isn't always possible. Application forms are in every court and detention facility, and representation is provided before the financial decision is made. Chief Hooks said that he will investigate to determine if there are internal or institutional problems regarding initial appearances.

D. Contract Manager Report

Contract Manager Wendy Johnson said that many attorneys are interested in doing both trial and appellate work. She provides writing samples to Chief Zolynski if they express an interest in appellate work. However, contractors cannot be required to take any number of cases or any specific case. Some of the 244 "available" attorneys only commit 1% of their practice to OPD work.

Commissioner Mansch asked what goes in to the proficiency determination packet. It consists of a thorough billing review, a review of any client complaints, an evaluation of the attorney's use of mental health evaluations and expert witnesses, as well as cold calling clients and conversations with the regional deputies and Ms. Neal. There is a lot of information from various places to consider.

Ms. Johnson discussed the implementation of the new online billing system. It has been a lengthy process; complete implementation is expected in November. The new system will improve efficiency and provide additional data on how much time is going into certain types of cases, which could be useful in terms of setting soft caps. The system integrates with both SABHRS (the accounting system) and the case management system. Feedback from the contract attorneys has been overwhelmingly positive.

Chairman Gillespie agreed that this will be a good tool to help collect data regarding contract attorney costs. In his own insurance defense work, he submits a budget and is required to report periodically. When he is approaching his estimate, the claims handler will ask him to justify expenses exceeding the budget. He hopes the new claims system will eventually provide a way to track the expenditures by case type and ask for an explanation for work that exceeds the expected amount.

E. Training Report

Training Coordinator Peter Ohman distributed the agenda for the upcoming annual meeting. Investigator training will be included as part of the annual conference this year, and Commissioners Smith and Sherwood will be part of a panel on Native American issues.

Distance learning and new employee orientation are in development. Orientation for new attorneys is currently being done on a one-on-one basis via Lync (videoconferencing). Both synchronous (e.g., webinars) and asynchronous (e.g., Moodle and Blackboard) trainings that attorneys can do on their own time and at their own pace are being developed.

Public Comment

Chairman Gillespie invited public comment before breaking for lunch.

Jim Taylor, ACLU Montana Legal Director, congratulated Commissioners Mansch and Smith on their appointments. He looks forward to their contributions. Mr. Taylor echoed Chief Hooks' remarks about Mr. Freebourn. OPD would never have gotten off ground without him. He also congratulated Chief Zolynski on his work for OPD.

Mr. Taylor agrees with Representative Brodehl that the agency needs to come up with new and innovative solutions to bring to the legislature. He would like to see pilot programs in every region. He urged the Commission not to spend their discretionary funds on the immediate problems facing the agency, but on where they want to go and how to get there. He suggests hiring a deputy director for Program 1, someone to send out when problems come up in the regions. He would like to see eligibility determination and fee collection removed from OPD's responsibilities since OPD is held accountable without having adequate resources. There should be a funding formula driven by caseloads, just as school funding is based on enrollment, and a simpler case weighting

system. Windshield time should be tracked separately so you can report on the cost. Finally, Mr. Taylor said the agency must categorically reject providing a lesser quality of service.

Commissioner Sherwood asked about the possibility of taking it a step further and eliminating fee assessments altogether. Mr. Taylor doesn't think that is feasible politically, and Chairman Gillespie agreed—a first, claimed Mr. Taylor. Commissioner Novak asked if fee assessments are based on income. The statute says the courts determine how much the person can pay. In summary, OPD decides if they are entitled to services, the court determines how much to assess, and OPD is expected to collect. The Task Force has discussed a sliding scale; the prevailing idea seems to be that everyone should have to pay something.

Chairman Gillespie said that his sense of why eligibility determination was assigned to OPD was to avoid political and judicial interference, and he asked Mr. Taylor to comment on that history. Mr. Taylor said that is correct, but it has become a burden. Chairman Gillespie said that the biggest political interference was having to ask the judge for permission to hire an expert or get tests done. He would consider giving the eligibility determination back to the courts, but not allowing them to say how much could be spent on a case.

Former Commissioner Chuck Petaja was asked to step forward. Chairman Gillespie recognized Commissioner Petaja and soon-to-depart Commissioner Ken Olson for their service to the Commission, OPD and the people of the state of Montana. They were each presented with a letter of commendation and a plaque commemorating their service, and invited to comment.

Commissioner Petaja said that when he was appointed in 2009, he was told that he was joining a working Commission, and it was true. During his tenure he served on the Collective Bargaining and Personnel Committees, and was a member of the Labor Management Committee. He really got to know the staff and attorneys, and what it was like to be in the trenches. It was a lot of work, but very rewarding. He also reiterated Mr. Taylor's position that collecting fees from indigent people is ridiculous and said he feels there is a fundamental conflict of interest in acting as a collection agency against our own clients, which could land them back in jail.

Commissioner Ken Olson echoed Commissioner Petaja's words, especially regarding forcing people to pay for the defense they are entitled to under the constitution. He complimented the staff and the Chair for their good work, and said that he is proud to have been a part of what has gone on here. He hopes the public defender system will continue to get stronger.

Chairman Gillespie presented departing Chief Zolynski with a memento to take to Boston and thanked him for his hard work.

F. Financial and Operating Status

i. Draft Financial and Operating Report for FY 2015

Mr. Freebourn distributed graphs showing the trends during FY 2015. Increased payroll costs are due to adjustments to market. Wage adjustments have reduced excessive turnover.

The net case and case duration reports are required annual reports. The DN case durations have increased quite a bit. Commissioner Metzger asked why those case durations would be increasing, and Chief Hooks said there could be a number of

variables. Some could be internal to OPD, or there could be some outside of our control such as a lack of prosecutors or not enough DPHHS case workers.

Mr. Freebourn said that the sheer number of cases could also be causing the slowdown. The “inactive” cases on the case duration report include deferred sentences and some DN cases. They are cases that are not being actively worked but that cannot be closed until final disposition.

ii. Consolidated Draft Operating Plan for FY 2016

Mr. Freebourn explained the FY 2016 graphs. The appropriation for Program 3 is primarily for operations, which includes contractor costs. This is where all the volatility in the agency is in terms of expenditures. He foresees Program 1 stabilizing because it has mostly fixed costs related to FTE, but Program 3 is likely to need a transfer of funds from FY 2017 to cover FY 2016 expenditures. It closed last year with \$7 million in costs and he doesn't expect it to decrease this year.

The “contingency base funding” in the second graph are funds provided by the governor's office to add up to 20 FTE in Program 1.

iii. State Special Revenue

Mr. Freebourn gave some background on the state special revenue issue, which is expected to be a focal point for the Task Force. Public defender fee assessments have increased over time due to legislation establishing fixed fees for misdemeanor and felony cases. During the 2013 session, not only were the fees increased, but the collection point was changed. Instead of payments being made directly to OPD, the 207 courts were assigned the task of collecting the money and sending it to the county treasurer, who in turn sends the funds to the Department of Revenue for deposit into OPD's state special revenue account. Since OPD no longer has information on individual assessments and collections, it can no longer provide the required reports or set up individual receivables. Further complicating the collection issue is that statutorily OPD is last in line for allocation of client payments, and there is no way to know if the other fees have been paid. Finally, only the court can decide if an assessment is uncollectible, even though the largest portion of what we might consider bad debt consists of people sentenced to prison for a very long time.

Commissioner Bonnie Olson said that we need to fix this. If we come up with a solution maybe the Task Force will agree and help get us out of an untenable situation. Because of her background as a court administrator, she agreed to work with Mr. Freebourn and Chairman Gillespie to find a resolution.

6. Task Force on Public Defender Operations

Commissioner Bonnie Olson met with Representative Brodehl following the September 17 meeting. Her impression is that Representative Brodehl wants us to be proactive in decision making, to look at ourselves long and hard and made effective business decisions. What are we doing to make the agency effective and fiscally responsible?

Commissioner Brown attended the Task Force meeting, and said it was an interesting dialog with some of the members. Not everyone is familiar with how the agency got here, and some of them want something that looks like a business plan. He tried to explain that it is hard to use a business model

when the agency has no control over the number of clients, which increases every year, or the amount of income, which is controlled by the legislature.

An area of particular interest to the Task Force is the use of contract vs. FTE attorneys. Although the agency includes a comparison of those costs in the annual Governor's Report, some people doubt the validity of the numbers. Mr. Freebourn said that cost is not the only issue in deciding what the best model is—control and responsiveness of the workforce are also considerations. There is a perception that contract attorneys are more efficient, but if there was money in it more members of the private bar would be contracting with us. FTE are cheaper because they are overburdened with cases and the fixed costs absorb some of that expense. Commissioner Brown said that it isn't clear that we are comparing apples to apples in looking at contractor vs. FTE costs. It needs to be spelled out more clearly, including the cost of windshield time, especially in the east. The new online billing system should improve data gathering regarding contract costs.

There was a suggestion at the Task Force meeting that the agency needs to change its attitude about what effective representation means. Chairman Gillespie took that to mean that we should lower our expectations and change the client's idea of a reasonable outcome.

Improving the indigency determination and fee collection processes are also of interest to the Task Force. Commissioner Novak said that some debts are worth collecting and some are not; that's good business. Collecting minimal fees at state expense is foolish, especially since they amount to a very small part of OPD's budget.

7. Public Comment

Public comment was taken previously.

8. Committee Reports

A. Strategic Planning

Committee co-chair Ken Olson said the focus of the current strategic planning process is to make the plan both simpler and more goal-oriented. The modified plan was developed with the assistance of Dr. Pat Edgar, director of the State Human Resources Division Professional Development Center. The plan will be presented in final form at a later date, with a goal of being finalized by next spring.

Chief Hooks met with his managers to develop the Program 1 goals; his group is very enthusiastic about the process. Chairman Gillespie would like to see another draft of the plan incorporating the Program 1 goals, or creating a separate plan for each program. Public comment will be invited before the Commission adopts the revised plan.

Commissioner Ken Olson will not be replaced on the committee; membership will remain at four.

B. Personnel

Commissioner Jessee is the new committee chair. The committee will be engaged in replacing Chief Zolynski. Chairman Gillespie will meet with the State Human Resources Division next week to initiate a national search. The Personnel Committee will review the applications, conduct phone interviews, and select three finalists to be interviewed by the full Commission at a public meeting in December.

The committee will also work on performance evaluations for the program managers and the administrative director. In the past, evaluation forms were distributed to the employees' direct reports, Commission members, and to selected contractors. The committee reviewed the forms, met with each individual and forwarded their recommendations to the full Commission, who then conducted individual evaluations in closed session. The existing forms will be forwarded to the committee for review before distributing them.

Commissioners Sherwood, Mansch and Novak volunteered to join the committee.

C. Holistic Defense

Committee chair Sherwood said that she would like some input from the Commission and the staff on whether they are interested in pursuing the holistic defense model. Holistic defense deals with issues that bring people into the criminal justice system, as well as collateral consequences from being charged with a crime: loss of housing, employment, child protective services involvement, loss of benefits, custody issues, immigration issues, etc.

The four pillars of holistic defense are seamless access to services; dynamic interdisciplinary communication; advocates with an interdisciplinary skill set; and a robust understanding of, and connection to, the community served. It is a proactive, cost-saving model of public defense that reduces recidivism. Commissioner Sherwood offered to do a half-hour presentation at the next Commission meeting, or at a public defender office that might be interested in a pilot project. She has implemented this model in her office with no additional staff. Does the Commission have any interest in exploring this model?

The Commission supported the idea as a way to increase effectiveness and embrace innovation. Commissioner Smith volunteered to join the committee. She and the committee will work with Chief Hooks on a possible pilot project in the Missoula region, coordinating with the University of Montana social work programs. Commissioner Sherwood will do a half-hour presentation at the December meeting on how she has implemented holistic defense in her office.

D. Other Committee Tasks/Appointments

Commissioner Jessee joined the Collective Bargaining Committee. Collective bargaining agreements have been renegotiated effective through this biennium, but Commissioner Jessee will try to attend the upcoming Labor Management Committee meetings in person or by phone. Chairman Gillespie asked for another volunteer for this committee by the December meeting.

The Budget Committee will develop recommendations for use of the Commission's discretionary funds. No new members were appointed to replace Commissioner Ken Olson.

The Contract Steering Committee is depleted. There are no upcoming tasks, but volunteers would be accepted.

9. Old Business/New Business (*Action Items)

*A. Election of Officers (*Action Item)*

Officers to be elected are Chair and Vice-Chair. Commissioner Jessee nominated Chairman Gillespie to continue as Chair. Commissioner Bonnie Olson seconded, and the motion carried.

Commissioner Jessee suggested that the Vice-Chair should be an attorney. Commissioner Novak nominated Commissioner Sherwood. Commissioner Jessee seconded. Commissioner Sherwood accepted the nomination, and the motion carried.

B. Telmate Communications System

Commissioner Jessee is interested in a pilot project using the Telmate Communications System at the Yellowstone County Detention Facility. Because of overcrowding in the jail, there is no guarantee that an attorney traveling 30 minutes to the jail will get in to see their client, especially not with any degree of privacy. Telmate would allow an attorney to call the client from his desk on a secure line. Commissioner Jessee believes the system would increase efficiency, allow for more client contact and provide more confidentiality than the current arrangement.

Commissioner Sherwood expressed concerns regarding the lack of privacy, especially since the agency would be paying for the calls, effectively endorsing the waiver of confidentiality. Chief Hooks agreed to meet with Commissioner Jessee in Billings to look at the system and determine the cost. He will report to the Commission at the next meeting.

C. Technical Assistance from the National Association for Public Defense

Chief Hooks has been reaching out to colleagues across the country regarding the new strategic plan and other issues. With Mr. Freebourn's impending departure, he has also been thinking about organizational and structural changes. The National Association for Public Defense Systems Builders Committee has offered to help us with whatever issues we would like them to address. Chief Hooks said the committee members come from various system configurations, and they are veterans of both rural and urban states. They are a great resource willing to consult in any capacity the Commission wishes. He asked the Commission if they are interested and what type of consultation they would like to request.

The group discussed possible areas for consultation including reorganization to include an Executive Director; assistance developing a job description and skill sets for that position; an analysis of the Case Weighting System; and a time/workload study for attorneys, investigators and staff to assess case-related and non-case related workloads.

The Commission endorsed the idea enthusiastically. Chairman Gillespie asked the Strategic Planning Committee to work with Chief Hooks to develop ideas, determine costs, and get it ready to go over the next two weeks.

D. Set Future Commission Meeting Dates

The next regular meeting date will be partly driven by the hiring schedule for the Chief Appellate Defender. Commissioner Bonnie Olson suggested that commissioners attend the next Task Force meeting, scheduled for December 10, if possible. The Commission meeting will be scheduled for the day before or day after the Task Force meeting. Commissioner Novak asked that the Task Force be invited to the Commission meeting.

10. Public Comment

Mr. Taylor said that Chief Hooks' idea of bringing in NAPD for consultation is tremendous. He supports the alternative mission and vision statements in the draft strategic plan, but

suggested the addition of pilot projects to the overall goals. He would like to see timelines and specific goals (e.g., reduce the rate of incarceration by x%) as part of the objectives— something you can use to create a GANTT chart.

Regarding the Telmate issue, Mr. Taylor said that inmates are entitled to meet with their attorneys alone and in private (37-61-418, MCA), and it's not okay for Yellowstone County to say "this is the only amount of space we have."

Finally, Mr. Taylor suggested that OPD try to contribute to a new study of border town racism being conducted by the US Civil Rights Commission.

Mr. Mercer said that he is excited about the next year and the opportunities for improvement. Anyone worthy of being a public defender puts the client above anything else. He encouraged the Commission and the agency to engage with the Task Force and embrace new ideas. Commissioner Bonnie Olson thanked Mr. Mercer for his passion for his work.

11. Adjourn

The meeting adjourned at 4:30 p.m.