

WORKERS' COMPENSATION INDUSTRIAL COUNCIL

JUNE 23, 2010

Minutes of the meeting of the workers' Compensation Industrial Council held on Wednesday, June 23, 2010, at 10:30 a.m., at the offices of the West Virginia Insurance Commissioner, 1124 Smith Street, Room 400, Charleston, West Virginia.

Industrial Council Members Present:

Bill Dean, Chairman
Kent Hartsog, Vice-Chairman
Dan Marshall
James Dissen
Mary Jane Pickens
Ryan Sims

1. Call to Order

Chairman Bill Dean called the meeting to order at 10:30 a.m.

2. Report on Safety Initiatives

MR. RYAN SIMS: Chairman Dean and members of the

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Industrial Council, we have presented to you today a draft of a report on basically safety initiatives that has to be filed with the Joint Committee on Government and Finance at the West Virginia legislature, Joint Committee on Government and Finance pursuant to the Code. And we've been working on this process over about the past six months and you all approved several surveys to send out both to self-insured employers and carriers. And this essentially is the product that we have created based on the surveys that were responded to over the past few months.

The report, as you can see, it's in the first real tab on your binder, the blue tab, and it's basically broken down into four sections. It starts with an introduction just sort of explaining the obligation to do this report and what data was collected and the manner it was collected.

Then Section One is the summary of the NCCI schedule of credit and debit information that we received from NCCI. And each section has an executive summary at the bottom of each section or at the conclusion of each section.

Then you go -- actually, there's no page numbering. This is a draft. There's no page numbers on it but we will put page numbers on it. And on Page 3 of Section Two, Summary of Workers' Compensation Carrier Safety Survey. These are the ten top carriers that we surveyed, and we had ten questions. And the way it breaks it down is it gives a summary of the responses we received to each question. And then, again, if you go to the end of that section, which is about five or six pages in, there's an executive summary, again, just succinctly summarizing the information.

And then the third section is a Summary of the Workers' Compensation Self-Insured Employers' Safety Survey. And, again, that was a more lengthy survey, if you'll recall, and there were actually, I believe, nineteen questions in that survey. And we provide a summary of the responses to each question. And then, again, at the end, the very end of the report, there's an executive summary for that section.

So that is the format we chose for this report and we sent it out to you all about a week ago, and the intent was for you all to review it and then ask

us questions or give us comments as to how we can sort of finalize this report before we present it to the Joint Committee. I guess it's due on July 1st, Mary Jane, I think.

MS. MARY JANE PICKENS: Yes. Well -- Yes.

MR. RYAN SIMS: There's also an appendix to the report and it's noted in the first section, the NCCI scheduled rating. NCCI provided us with some follow-up information which kind of gives some information about the average credits and debits in other states so you can compare, you know, West Virginia's data to the other states where NCCI is the rating organization. So that's actually at the very end of the report. And when we finalize the report, it will be labeled as Appendix A.

And so that is the draft of the report, and with that, we would be glad to take any of your questions or hear your comments.

CHAIRMAN BILL DEAN: Mr. Marshall, do you have any questions or comments you'd like to --

MR. DAN MARSHALL: Not at this point, Mr. Chairman.

CHAIRMAN BILL DEAN: Mr. Hartsog?

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MR. KENT HARTSOG: Remind me again, besides that the statute requires this, because I think that came up six, eight months ago or something like that, what's the objective.

MR. RYAN SIMS: Well, it really is just the statutory language, which is to do a -- you know, every two years look at safety initiatives in West Virginia. I guess -- I can't remember the exact language, but related to workers' Compensation or something like that.

MR. KENT HARTSOG: So the intent of this is to provide a compilation of different safety practices within the industry, both between self-insureds and fully insured employers, what their practices are, what they kind of offer, what they do, et cetera, in that arena?

MR. RYAN SIMS: Yeah.

MR. KENT HARTSOG: And then put that in a report that you, in turn, are going to issue. Is this front part the only piece that you plan to give to the Committee?

MS. MARY JANE PICKENS: I think that decision is sort of yet to be made. I think to answer your

question more generally, the language in the Code -- and we have kind of talked about this in prior Industrial Council meetings -- is pretty general. I think the safety study can be -- you know, can kind of go in whatever direction you all want it to go in. This is a first effort, and as we went through this and as we talked about it, you know, here at the OIC, I think we saw different directions that it could go in. This really -- The focus of this was to find out, you know, in the self-insured community in the TPAs and then in the insured community who is doing what, who is making what available to the employers.

And, you know, what it doesn't go into as much as perhaps we could do in the future is the effectiveness of those programs. So that might be a focus that we would want to do in the future, would suggest to the Industrial Council.

All of the back-up information in the binder, I kind of insisted that we do, and Sarah Chapman, our paralegal, who is behind us, me, worked diligently to compile all this information, and it's quite a bit of information. She basically took the surveys and put them in stacks according to industry, because I

thought it would be more meaningful if you could actually see who is doing -- because, you know, the safety that you need for Wal-Mart may not be the safety programs you need for the mining industry or whatever. So we tried to kind of compile it into industries and Sarah put this together.

I see no reason not to file the whole report. The only unanswered issue, Liberty Mutual did claim trade secret in some of their information, and we've not talked to them and we've not resolved that. That's still an outstanding issue. So that's why I think when we sent it out to you all we suggested that you not disseminate it, just because that's still an issue out there that we haven't discussed with them specifically. But that -- and their information that they assert qualifies as a trade secret under the Uniform Trade Secrets Act is in this compilation in the back. But once that issue is resolved, I would suggest that we file the whole thing, but that's up to you all.

MR. KENT HARTSOG: Is it your intent to provide this at the next interims in July?

MS. MARY JANE PICKENS: We file it. I think

that would be part of our report that we do routinely every month during interims, is to remind the committee when we're physically present there that we did file this and take any questions that they might have about it.

MR. KENT HARTSOG: Are there any natural -- having, I assume, Ryan, that you've been through all of this, are there any natural recommendations that would come out of here that would seem logical? I mean, my view is -- and this is as much to all of us -- is that, you know, I think workplace safety doesn't get enough attention or can -- or should -- as it should get, typically. It gets it in a lot of industries where they have problems and it gets intense focus there, and there's a lot of places it doesn't just because those industries don't get the focus. So, you know, what can we do to take this kind of a step further and say, "Okay. What are the recommendations that we can make with regard to, or suggestions, or what's the next logical step or is there one that we can do, that we can do as a group?"

MR. DAN MARSHAL: Mr. Chairman?

CHAIRMAN BILL DEAN: Mr. Marshall.

MR. DAN MARSHAL: Along the lines that Kent spoke about, I'm wondering if we can take this data and come up with some best practices based on what people in various industries are doing here in West Virginia but also somewhat beyond that, if there would be a way to take this data and the conclusions from it and lay it down next to some comparable data in other states and see if, perhaps, we, as the Industrial Council, could come up with, perhaps, some suggestions along the lines of best practices or at least see whether or not what is working elsewhere is being utilized here. I think that might be one way to utilize the data that we've collected here in an effective way.

CHAIRMAN BILL DEAN: Mr. Dissen, do you have any comments or questions?

MR. JAMES DISSEN: Yes. Actually, I did read through and I was glad you summarized it because it was a lot to try to put together. And the question I had was just, you know, is this confidential or just what can disseminate because once you file this, I would imagine that other employers in the state would look at this and maybe contact somebody and say, you

know, "Plagiarism is a way of life. I mean, what's your program? Let me take a look at it. I may want to use it." And that gets back to your best practices discussion.

One of the things that I think -- and maybe I'm more sensitive because one of the questions I had put in -- about any of them have like a third-party audit, very few, if any, do. And, I mean, if you -- in my view, if you have a safety program, if you really want it to be that, then you don't have the fox in the hen house. You have a third party, whether it's like an ISO certification or somebody comes in and checks your program out for you. But, you know, I think that's something that a lot of companies may or may not be comfortable with. But that would be my gut.

The other thing is maybe -- and Kent had said, too -- is I think on safety a lot of organizations have gone from like safety to EH&S, environmental health and safety, and now they've capsulized that in an EH&S department. Well, from my experience, they're going to concentrate primarily on environmental issues, the rules, regulations, and

then the safety part about, you know, the slip and fall, the broken finger or something sort of is not something that the environmental types concentrate on and I think in a lot of industries, I think safety sometimes gets pushed back a little bit. And I think that this is a good idea to bring it forward again.

CHAIRMAN BILL DEAN: Any other comments?

MS. MARY JANE PICKENS: I think all of everyone's observations are sort of where we were with it. We sent the surveys out. We got the responses, and it was very interesting, and we thought overall it was pretty positive in terms of what is available out there to employers in terms of safety initiatives, but we felt that in the future, with the next version of this, we probably could, with your all's input, obviously, do something that might be a little bit more meaningful. Again, a first effort, and our office not having done this before, we came up with the survey questions that we thought were appropriate, but I think once you get into that process and you see what's coming back, you come up with ideas that maybe would be a good area to focus on in the future.

MR. JAMES DISSEN: I don't know if you could do it through your computers, and how you have your data and everything, but it also seems to me that a lot of this -- as let's say certain individuals or groups maybe come to the Commission and ask for a rule change on something. I mean, it may very well be if we have a database on this and go back and look and say, "well, wait a minute," you know, 90 percent of the companies, when you're asking for whatever it may be or doing it, and here's what our survey indicates. I mean, in other words, it may be something that we could either put something forward or sort of stop it in the bud and not get any political gyration from it.

MR. KENT HARTSOG: I guess there's no way to -- insurance companies are going to offer what they offer with discounts or credits or whatever services they're going to offer, and the way to generally try to get their interest in doing that is by showing or providing information on what other carriers are doing in that regard to, you know, perhaps try it at home and make them perhaps think about what they're offering or get other employers to think about

services that other carriers offer.

Embedded in all this detail, is there a way to put a chart or put something together that could kind of, on a one page -- since there is an awful lot of information here -- kind of drive that point home with regard to what, kind of competitively, insurance companies are providing with regard to third-party audit services, training manuals, tapes, on-site inspections and training, discounts for safety programs, stuff like that? I mean, is there enough information in here to kind of put the carriers and say, you know, "Here's what the carriers, and here's what they offer in the way of discounts, on-site services," to kind of show competitively where the different carriers are at?

MR. RYAN SIMS: Are you talking about among the ones surveyed?

MR. KENT HARTSOG: Correct.

MR. RYAN SIMS: Well, I think the report at least attempted to do that.

MR. KENT HARTSOG: It does, and I agree with you, but folks with a limited attention span like myself find a nice colorful one-pager, you know,

where it lists the companies and shows them across to be much more apt to look at that than read through a report. What I was looking at or what I was just kind of contemplating was like a one-pager because generally when insurance companies see somebody else that's doing something and employers see somebody else, that generates a couple phone calls, a couple questions to their agent, you know. And maybe it makes zero difference, but it could help improve the services that companies provide when they see what their competitors are doing directly.

MS. MARY JANE PICKENS: I think we can try to do that, because I kind of agree with you. This is nice, but it's a bunch of stuff and you really have to be pretty determined to kind of wade through it. I think some of the problem that we had is sometimes it's hard for us to characterize something as a yes or no because it may be some variation, something in the middle. And that's why when we asked Sarah to put this together, I think she was more comfortable in just basically putting their answers in the blocks so that you could draw the conclusions that you wanted to draw, because this is really for you all at

this point, to give us some guidance on whether we were doing down the right path or not. But I think we could probably try to kind of drill down into this information and see, in the next couple of weeks, what we can put together before July 1st.

Even if it's not part of the report that we file, we can certainly -- you know, if there's a time constraint or whatever, we can certainly try to still do that and present it to you all so that you've got the benefit of that information.

MR. KENT HARTSOG: I certainly don't have any intent to going back and reworking the huge amount of work that's already gone into this. I just think a page or two of highlights and maybe identify three or four or five or six kind of key metrics of services in the safety area that different insurance companies offer and kind of do that on a page or two to highlight that. And maybe you put in their responses if they're short enough, but if they're six paragraphs, obviously, that's a problem, or kind of boil it down to a couple of sentences if that can be done realistically and paraphrase it.

MS. MARY JANE PICKENS: I think we could work on

that.

MR. JAMES DISSEN: Obviously, you guys are diplomatic, but even on some it depends on even the questions. If you talk to one about the third-party audit, well, if you're in manufacturing you have third-party audits that vary, too. But to me you could just point out, you know, most companies do not do third-party audits, and if they do it and there's an expense, is there an incentive for organizations that take that extra step, you know, and maybe you would be encouraging it. But that's what we want to do, we want to encourage safe practices, is what you want to do.

MS. MARY JANE PICKENS: Right.

MR. KENT HARTSOG: Can we go to this chart here for just a second?

MS. MARY JANE PICKENS: Sure.

MR. KENT HARTSOG: Can you explain this chart on the back here to me a little bit? Is that just average credit adjustment? I mean, is that for safety stuff only or is it just in total or --

MR. RYAN SIMS: Well, our finding, if you look at the report, was that five of the seven total

categories in the scheduled rating plan for which you can be debited or credited -- and that's in the first section -- premises; medical facilities; safety devices; employees, dash, selection, training, supervision; and management safety organization are the five that we thought directly related to safety. The other two, I think, were management cooperation with the carrier, which we didn't think directly related to safety, and there's one other that we didn't.

So what NCCI was able to provide us is the aggregate debit or credit that they received based on analysis, if the carriers used that file. And I think one carrier we surveyed or it might have been two said they did not use the NCCI system, they just had their underwriter analyze things.

MR. KENT HARTSOG: Right, there were two.

MR. RYAN SIMS: But for the ones that -- the eight of the ten I guess that did use it, it would be -- you know, they analyze all seven categories, five of which we believe relate directly to safety, and then they give a net credit or debit based on the whole analysis.

So, for example, average credit adjustment, in Alabama the average credit adjustment for insureds of carriers that use this file in Alabama is 21.3 percent. So those that get a credit, the average credit is 21.3. Average debit adjustment is 15.7 percent.

And as you see, the numbers run pretty similar in most states, although there are some anomalies. For example, in Kansas, the average debit is 32.5 percent and the average credit is about half of what it is in most states. So what NC -- and actually, we mention this in section one, too, that it would have been more useful to get specific credit and debit by category, but NCCI said that information wasn't available.

So what that led me to believe is that carriers analyze all seven categories and then they just give a net debit or credit, that there's not this percentage for this category, this percentage. I'm not sure on that, though. It might be they do break it down by category and then they do the net. I'm not sure on that. But what NCCI said is they don't track the data for each category, which is what we

were hoping to get but NCCI said that wasn't available.

MR. KENT HARTSOG: Okay. So this is an aggregate credit adjustment for the things that you noted up front?

MR. RYAN SIMS: Correct.

MR. KENT HARTSOG: And then that's --

MR. RYAN SIMS: It correlates to -- right, to section one.

MR. KENT HARTSOG: It correlates to these bulleted items up here?

MR. RYAN SIMS: Well, it actually -- No. It's these bulleted items plus two other categories that I didn't note. And we could note all seven categories, if you think that would be more clear.

MR. KENT HARTSOG: Average debit adjustment, that's for those same categories?

MR. RYAN SIMS: Well, I guess what I'm saying, the average adjustment in here is for seven categories. I only listed five in the report because five of the seven have to do with safety, in our view.

MR. KENT HARTSOG: I understand. But the seven

categories are included in the credit and the debit adjustments that are on this chart?

MR. RYAN SIMS: In the appendix?

MR. KENT HARTSOG: Yes.

MR. RYAN SIMS: That's correct. To my understanding, it's all seven categories.

MR. KENT HARTSOG: What's the difference between policies with scheduled ratings and statewide all policies?

MR. RYAN SIMS: Well, I believe what that means is policies with scheduled rating, it's just taking a look at the world of carriers that use this scheduled rating process. Whereas statewide all policies -- and this is my understanding, you know, I'm not sure on this. But my understanding is statewide all policies is the average credit for policies that use scheduled rating plus policies from insurance companies that do not use NCCI scheduled ratings. So it's averaging in all the policies where there was no debit or credit, probably averages them just to zero for all the other policies. That is my understanding. I'm not certain on that. That's how I interpreted it.

MR. DAN MARSHALL: Could we clarify that with NCCI, just to -- it's hard to make sense of the entire chart if you don't understand what that -- the components and the distinction there.

MS. MARY JANE PICKENS: We can do that, and there's -- you know, we've got staff here that I'm sure could help Ryan and I add some language to the report that would clarify and bring some clarity to that.

MR. RYAN SIMS: Yeah, I'll ask them. The reason I assume that is because if you look at the average debit adjustment, for example, under the statewide it's very low, so I'm assuming they average in the whole body of policies where there was no debit or credit but they just didn't scheduled rating. So, for example, it's usually under one percent when it says all policies, but it's anywhere from ten to twenty percent.

MR. JAMES DISSEN: You could just flip out the categories.

MR. RYAN SIMS: Flip, okay.

MS. MARY JANE PICKENS: We can do that. What we'll do is go back and clarify it and we can resend

just the report to you all so that you have another opportunity, because we're not going to have -- this is going to be the last meeting before we have to get this filed. So if that's okay with you all, we can communicate by email so that -- we want you all to see what gets sent up the street.

CHAIRMAN BILL DEAN: I'm sure that's fine.

MR. KENT HARTSOG: The only other thing outside of that is I would like to see you put together a chart like I had mentioned to include in the filing, also. Because the more you can highlight who's better and who's worse and who offers what, you have an opportunity of getting some -- to generate some competition and some attention in that area and they can see that you spend some money on this and it improves your rating. And that would be great if could see if NCCI or someone had some correlation between expenditures on a safety program and how that, in turn, impacts your workers' comp costs or stuff like that.

MS. MARY JANE PICKENS: We will definitely do that, and if -- let me ask you all, if we think we can come up with a more succinct chart to attach as

another exhibit to the report, itself, I guess it would probably be my suggestion that with the actual document that's filed, we would file that document and not file all of this, which is an awful lot of paper, and probably honestly is going to get studied very carefully. would that be agreeable to you all?

MR. KENT HARTSOG: My two cents on that is I would do exactly that, unless you just want to say, you know, "Hey, look at all the work we did." If you want to do that, that's fine, too, but the executive summary in the front part is what's going to get read.

MS. MARY JANE PICKENS: Right.

MR. KENT HARTSOG: And hopefully these couple of charts will get looked at because they have nice colors and stuff and people will look at them and that's what -- hopefully this other one will have some good facts on it that people will look at.

MS. MARY JANE PICKENS: Okay.

MR. DAN MARSHALL: That will satisfy the confidentiality concerns that were raised as well.

MS. MARY JANE PICKENS: It would, yes. I think so. We still need to talk to them.

MR. RYAN SIMS: Probably not a hundred percent because the report actually has some of the responses of Liberty Mutual. I think what will satisfy it is us contacting Liberty Mutual.

MR. JAMES DISSEN: Right.

MR. RYAN SIMS: And I think they just put that in there as a safeguard, but I reviewed their response and I think it's a stretch to say anything they put in there is actually trade secrets. I'm hoping we just call them and they say, "Yeah, we're okay with you using it."

MR. DAN MARSHALL: Well, I think you'll want to do that because what if somebody said, "Hey, I'd like to see some backup documents"?

MR. RYAN SIMS: Sure. Sure.

MS. MARY JANE PICKENS: We have to do that.

MR. RYAN SIMS: And there was only one that asserted any kind of trade secret. None of the other respondents either in the self-insured community or the carrier community asserted anything, and since they didn't --

MR. DAN MARSHALL: Hyperactive counsel syndrome.

MR. RYAN SIMS: It well might have been. Now,

just for clarity purposes, we're talking a chart only for the ten carriers. I'm assuming we're going to leave the backup data for the self-insured, since there was 96 of them and we're not going to attempt to do -- I mean, it would almost be impossible, I think, to do a chart for the self-insured employers.

MR. KENT HARTSOG: Well, I would think that would be the best way to approach it, only because the self-insureds are paying first dollar costs, typically, out of their own pocket.

MR. RYAN SIMS: Right. Right.

MR. KENT HARTSOG: And it's really the smaller to mid-sized companies that are buying insurance that it would be great if you could turn some more attention to safety programs and initiatives.

MR. RYAN SIMS: Sure.

MR. KENT HARTSOG: And you might put at the end -- if that's all you're going to file, Mary Jane, is put a note here at the end or something, the back page, that basically says, "Additional Detail" or "Comparisons" or "Summaries are available in the OIC's office upon request if somebody wants more."

MS. MARY JANE PICKENS: We can do that.

CHAIRMAN BILL DEAN: Any other comments? Mary Jane, Ryan, either one of you have any other --

MS. MARY JANE PICKENS: I don't think so. I guess we need an official act. If everybody has an understanding of what the plan is, you know, and one of the members wants to make a motion to authorize the OIC to proceed as we've discussed during the meeting, we'll certainly do that. We'll work on the shortened chart. We will make -- I've tried to take some notes as we've talked here -- and make any changes to the report, itself, consistent with the comments that have been made. And we'll make sure that we email -- because I was just looking at the calendar and the end of the month is a week from today, so we've got to get on this. But we'll make sure that we email, you know, any changes and anything new that we do to you all so that you've got at least an opportunity to take a quick look at it before we file it with the Joint Committee.

CHAIRMAN BILL DEAN: Is there a motion for the OIC to proceed?

MR. DAN MARSHALL: I'll move, Mr. Chairman, that the Commission authorize the OIC to proceed with

completion of the report in accordance with the recommendations made by this body today.

CHAIRMAN BILL DEAN: Is there a second?

MR. JAMES DISSEN: Second.

CHAIRMAN BILL DEAN: Motion made and seconded. Are there any questions on the motion? All in favor, "aye." All opposed? (Motion passed unanimously.) The "ayes" have it. So now you've got a lot more work to do.

Anything else we need to discuss today on this?

MS. MARY JANE PICKENS: Not from our standpoint.

3. General Public Comment

MR. RANDALL SUITER: Mr. Dean, I have a question.

CHAIRMAN BILL DEAN: Yes, sir.

MR. RANDALL SUITER: Where would a member of the public go to get a copy of this report, with the understanding that some folks have marked things trade secret and there would be redactions.

MR. RYAN SIMS: Are we going to publish it on the web site, Mary Jane?

MS. MARY JANE PICKENS: Yeah. The draft, because of the trade secret unresolved issue, we

didn't make available publicly yet. And we do need to resolve that quickly. We just haven't had an opportunity to get Liberty on the phone and find out if they're serious or if it was just a routine thing that they always say.

MR. RANDALL SUITER: Well, even without that information, I'm sure our folks would be interested in taking a look at it. We're very concerned about safety in the workplace on other things we're doing.

MS. MARY JANE PICKENS: It's actually in the body of the report somewhat, too, so we didn't think that we could -- it wasn't easy to put out there without resolving that issue. We'll do that as quickly as we can and then put the -- I don't think there's anything wrong with putting the information out on the web site. Again, with the timeframe that we're working with, the official version will be available hopefully within the next week to ten days anyway.

MR. RANDALL SUITER: Okay. And that will include all of the material that you have today except for that that's been resolved to be trade secret information?

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MS. MARY JANE PICKENS: I would say yes.

MR. RYAN SIMS: Well, it sounds like we're going to not include the backup data, the lengthy backup data for the ten carriers and instead just do a chart summary.

MS. MARY JANE PICKENS: Right. But it will all be available. I think it's public information. It may not be part of the official report that gets filed, but it will all be available.

4. Old Business

CHAIRMAN BILL DEAN: Anything else?

MR. HARTSOG: I have one thing on another topic, if I may, for just a second. The old fund report that we got at the last Industrial Council meeting, I actually spent a little time with it and the one thing that kind of popped out, I wanted to ask today so maybe we could follow up at the next meeting is with regard to the \$17 million of administrative costs for the last year. And that seems -- for that body and for the fact that claims should be really settling down and most of it is paying out PTD and monitoring medical, that just seemed like a huge

number. And I was wondering if you could provide some additional detail on what kind of makes that up and kind of why it's as significant as it is, or maybe it's not, relatively speaking. But I do have some experience with large bodies of claims and processing, and that seemed to be -- that just seemed to me to be pretty high, so I was wondering if you could shed some light on that.

MS. MARY JANE PICKENS: We can do that.

CHAIRMAN BILL DEAN: Anything else you want to look at for the next meeting?

MR. KENT HARTSOG: No.

5. Adjourn

CHAIRMAN BILL DEAN: Is there a motion to adjourn this special Industrial Council meeting?

MR. DISSEN: So moved.

MR. HARTSOG: Seconded.

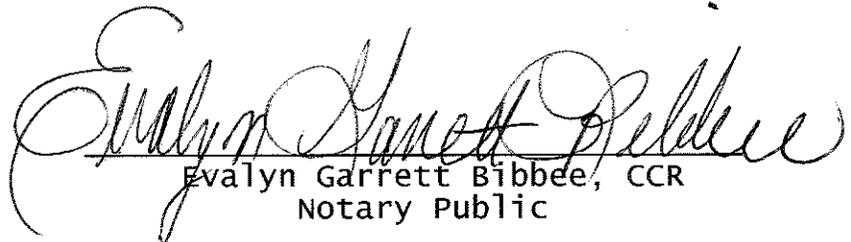
CHAIRMAN BILL DEAN: Made and seconded to adjourn. Any questions on the motion? All in favor "aye". All opposed? (Motion passed unanimously.) The "ayes" have it. We're adjourned.

REPORTER'S CERTIFICATE

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, To-wit:

I, Evalyn Garrett Bibbee, Certified Court Reporter, do hereby certify that the foregoing is a correct verbatim record of the meeting held at the time and place set forth herein.

Given under my hand this 6th day of July,
2010.


Evalyn Garrett Bibbee, CCR
Notary Public

My commission expires June 8, 2018.