

**Virginia Birth-Related Neurological Injury Compensation Program
Board of Director's Meeting
Minutes for January 10, 2012**

Attendees:

Susan Lucas, MD, PhD, Chair
David Barrett
Hope Cupit, CPA
Francoise Mullen
McLain O'Ferrall
A. Lee Talley, Jr.
J. Scott Walters, Esq.

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Angela Conley, Claims Manager
Linda Chenoweth, Legislative Affairs Coordinator
Catherine Crooks Hill, Senior Assistant Attorney General, Office of the Attorney General
Carla Collins, Assistant Attorney General III, Office of the Attorney General
Tanya Williams, Administrative Assistant

Call to Order:

Susan Lucas, MD, PhD, Chair, called the January Board meeting to order at 1:00 p.m.

Introductions:

All attendees, including Board Members, Program staff and guests, introduced themselves. The Board Members each described the type of seat for which he or she was appointed to serve.

Minutes:

Mr. Barrett motioned to accept the December Board minutes. Ms. Cupit seconded the motion and it passed unanimously.

Finance:

Ms. Thomas reviewed the December 2011 financials. One new claimant was admitted into the Program during the month of December. There are currently 127 active claimants. Mr. O'Ferrall made the motion to accept the financial report. Ms. Cupit seconded the motion and it passed unanimously.

Investment:

Mr. O'Ferrall stated the Program's investments are right on target. The Investment Committee will meet next month and will review the Program's investment portfolio.

Legislature:

Ms. Chenoweth informed the Board the Virginia General Assembly session will begin tomorrow. She will inform the Board of any bills in which would affect the Program.

Public Comment:

None

Closed Session (Claimant Issue/Case Updates):

Dr. Lucas moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) and 2.2-3705.5 (16) of the Code of Virginia that the Board go into closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding pending litigation and case updates, including the discussion of records the Virginia Birth-Related Neurological Injury Compensation Program is required to keep confidential pursuant to Virginia Code Section §38.2-5002.2; more specifically, records concerning the deliberations of the Board of Directors in connection with specific claims, as prevented from being disclosed by Virginia Code Section §38.2-5002.2 (iii) and regarding specific legal matters requiring the provision of legal advice by such counsel regarding pending litigation. The motion was seconded by Ms. Cupit, and passed unanimously.

Upon the conclusion of the Closed Session, Dr. Lucas moved the adoption of the following resolution:

Whereas, the Virginia Birth-Related Neurological Injury Compensation Program's Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Virginia Birth-Related Neurological Injury Compensation Program's Board certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled and all certified the motion.

Results of Closed Session (Claimant Issue):

The Board instructed Ms. Collins to write a letter to Ann LaCroix Jones, Esq., stating that ██████████ may notify the Commission of her decision to withdraw her appeal if she no longer wishes to prosecute it. The Program understands ██████████ wishes to be bound by the Board's determination as reflected in its November 15 letter.

Old Business: Ms. Collins informed the Board that her review of the housing documentation is ongoing. She requests all of the housing files in order to complete her review. Mr. Deebo stated the information is readily available for Ms. Collins' use.

New Business:

None

Executive Director's Report:

Mr. Deebo informed the Board of a few minor changes effecting the Program's staff. Health insurance rates increased. Insurance coverage now starts at the beginning of the calendar year instead of in February. Ms. Thomas's request to Anthem for coverage was denied due to the Program staff participation being below their requirement. The Program's insurance coverage will continue to be provided by Optima.

Dr. Lucas opened the meeting up for comments. Ms. Cupit announced she is in this month's Virginia Society of CPAs' journal.

Adjournment:

A motion to adjourn was made by David Barrett at 2:15 pm. It was seconded by Hope Cupit, and passed unanimously.

**Virginia Birth-Related Neurological Injury Compensation Program
Board of Director's Meeting
Minutes for February 14, 2012**

Attendees:

Susan Lucas, MD, PhD, Chair
David Barrett
Francoise Mullen
McLain O'Ferrall
John Seeds, MD
J. Scott Walters, Esq.

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Angela Conley, Claims Manager
Linda Chenoweth, Legislative Affairs Coordinator
Carla Collins, Assistant Attorney General III, Office of the Attorney General
Farnaz Farkish, Assistant Attorney General, Office of the Attorney General
Tanya Williams, Administrative Assistant

Call to Order:

Susan Lucas, MD, PhD, Chair, called the February Board meeting to order at 1:05 p.m.

Introductions:

All attendees, including Board Members, Program staff and guests, introduced themselves. The Board Members each described the type of seat for which he or she was appointed to serve.

Minutes:

Mr. Barrett motioned to accept the January Board minutes. Mr. O'Ferrall seconded the motion and it passed unanimously.

Finance:

Ms. Thomas reviewed the January 2012 financials. One new claimant was admitted into the Program during the month of January. There are currently 128 active claimants. Mr. O'Ferrall made the motion to accept the financial report. Mr. Barrett seconded the motion and it passed unanimously.

Investment:

Mr. O'Ferrall stated the Program's Investment Committee decided not to reallocate any Program investments at this time. The Program investments had an increase of 5.25% for the quarter. For the last three years the Program has had a 10% average annual return.

Legislature:

Ms. Chenoweth stated SB 577, a bill essentially allowing WCC Commissioner level decisions to be made without all three commissioners, when such seats are unfilled, passed and is now in the House. The Commission currently has two vacancies and no set date for new appointments. Ms.

Collins agreed this is a problem that needs to be addressed; however, she believes the matter will be resolved. Ms. Chenoweth also informed the Board that Crossover is today and she will continue to keep the Board updated and informed.

Public Comment:

None

Closed Session (Claimant Issue/Case Updates):

Dr. Lucas moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) and 2.2-3705.5 (16) of the Code of Virginia that the Board go into closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding discussion of records the Virginia Birth-Related Neurological Injury Compensation Program is required to keep confidential pursuant to Virginia Code Section 38.2-5002.2; more specifically, records concerning the deliberations of the Board of Directors in connection with specific claims, as prevented from being disclosed by Virginia Code Section 38.2-5002.2 (iii) and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding pending litigation – specifically regarding In re Hershberger, Weisfelner v. the Virginia Birth-Related Neurological Injury Compensation Program, and an update regarding the CBH case. The motion was seconded by Mr. Walters, and passed unanimously.

Upon the conclusion of the Closed Session, Dr. Lucas moved the adoption of the following resolution:

Whereas, the Virginia Birth-Related Neurological Injury Compensation Program’s Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Virginia Birth-Related Neurological Injury Compensation Program’s Board certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled and all certified the motion.

For the first part of this session, Carla Collins excused herself for the Morris & Morris update given by Dr. Lucas, Board Chair.

Results of Closed Session (Claimant Issue):

Dr. Lucas made the motion to table [REDACTED] issue due to pending litigation. Dr. Seeds seconded the motion and it passed unanimously.

Old Business:

Ms. Collins gave the Board a verbal summary of the Program's housing history, general concerns regarding the administration of the housing benefit, and potential alternatives regarding its future administration. As of today, there are 17 trust homes, 9 cash grant homes and 43 modified homes.

New Business:

None

Executive Director's Report:

None

Adjournment:

A motion to adjourn was made by Dr. John Seeds at 2:25 pm. It was seconded by Mr. David Barrett, and passed unanimously.

**Virginia Birth-Related Neurological Injury Compensation Program
Board of Director's Meeting
Minutes for March 13, 2012**

Attendees:

Susan Lucas, MD, PhD, Chair
David Barrett
Hope Cupit, CPA
Francoise Mullen
McLain O'Ferrall
Neal Schulwolf, Esq.
A. Lee Talley, Jr.
J. Scott Walters, Esq.

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Angela Conley, Claims Manager
Linda Chenoweth, Legislative Affairs Coordinator
Carla Collins, Assistant Attorney General III, Office of the Attorney General
Philip B. Morris, Esq., Morris & Morris, P.C.
Matthew D. Green, Esq., Morris & Morris, P.C.
Tanya Williams, Administrative Assistant

Call to Order:

Susan Lucas, MD, PhD, Chair, called the March Board meeting to order at 1:00 p.m.

Minutes:

Dr. Susan Lucas motioned to accept the February Board minutes. Mr. Barrett seconded the motion and it passed unanimously.

Finance:

Ms. Thomas reviewed the February 2012 financials. Auditors have started the annual review of the Program. They will return in April for three weeks to complete their field work. Mr. Deebo informed the Board the mandated physician fees are not up to date due to previous software issues, but will be completed by next board meeting. Ms. Cupit made the motion to accept the financial report. Mr. Talley seconded the motion and it passed unanimously.

Investment:

Dr. Lucas reminded the Board the Investment Committee meeting will be held in April. Mr. O'Ferrall announced the Program has received a certificate for its substantial conformity to best practices under the Global Fiduciary Standard of Excellence. The Program investments had an increase of 6.09% for the quarter.

Mr. O’Ferrall informed the Board the current investment advisor is asking for a fee increase for their services. Mr. O’Ferrall presented the Board with his findings comparing competitors’ fees. Ms. Thomas will have the current contract at the April meeting for review by the Board. Dr. Lucas asked Mr. O’Ferrall to inform the Program’s advisor the Board is favorably considering them to continue services at the requested increased fee.

Legislature:

Ms. Chenoweth stated the General Assembly concluded Saturday. The House Joint Resolution No. 533 may indirectly affect the Program. HJ 533 includes the election of a Workers’ Compensation Commission member for a six-year term. Ms. Chenoweth will notify the Board of any updates.

Public Comment:

None

Closed Session (Case Updates/Old Business):

Dr. Lucas moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) and 2.2-3705.5 (16) of the Code of Virginia that the Board go into closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding pending litigation and issues relating to the Program’s administration of the housing benefit for claimants and the update regarding the CBH lawsuit (Morris and Morris update). The motion was seconded by Mr. Walters, and passed unanimously.

Upon the conclusion of the Closed Session, Dr. Lucas moved the adoption of the following resolution:

Whereas, the Virginia Birth-Related Neurological Injury Compensation Program’s Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Virginia Birth-Related Neurological Injury Compensation Program’s Board certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled and all certified the motion.

Carla Collins excused herself for the presentation made by Morris & Morris. She returned to the closed session once Morris and Morris left the closed session to continue with the housing update.

Results of Closed Session (Old Business):

Mr. Schulwolf made the motion to authorize Dr. Lucas to exercise her judgment based on counsel's recommendation to settle and/or resolve on behalf of the Board the litigation pending against Cherry, Bakaert & Holland. Ms. Cupit seconded the motion and it passed unanimously.

New Business:

The Board agreed not to reschedule the April meeting.

Executive Director's Report:

None

Adjournment:

Meeting was adjourned by Dr. Lucas, Chair, at 3:07 p.m.

**Virginia Birth-Related Neurological Injury Compensation Program
Board of Director's Meeting
Minutes for April 10, 2012**

Attendees:

Susan Lucas, MD, PhD, Chair
David Barrett
Francoise Mullen
McLain O'Ferrall
Neal Schulwolf, Esq.
John Seeds, MD
A. Lee Talley, Jr.
J. Scott Walters, Esq.

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Angela Conley, Claims Manager
Linda Chenoweth, Legislative Affairs Coordinator
Farnaz Farkish, Assistant Attorney General, Office of the Attorney General

Call to Order:

Susan Lucas, MD, PhD, Chair, called the April Board meeting to order at 1:00 p.m.

Minutes:

Upon review, Mr. Walters motioned to accept the March Board minutes. Mr. Talley seconded the motion and it passed unanimously.

Finance:

Mrs. Thomas reviewed the March 2012 financials. The Program has 130 active claimants with two awarded in March. Auditors are continuing with their field work. Mr. Talley made the motion to accept the financial report. Mr. Schulwolf seconded the motion and it passed unanimously.

Investment:

Mr. O'Ferrall announced that the Investment Committee met today. The Investment Committee voted to follow the recommendation from CapGroup to terminate Atlantic Asset Management due to performance and rebalance the portfolio to include JP Morgan Strategic Income Opportunities Fund. The Program investments had an increase of 7.09% for YTD, and currently down by .74% from March.

Mr. O'Ferrall and Mrs. Thomas presented additional information for consideration of increasing CapGroup fees. Mr. O'Ferrall motioned to accept CapGroup's proposed fee schedule effective April 1, 2012. Mr. Walters seconded the motion and it passed unanimously.

Legislature:

Ms. Chenoweth stated the budget for the General Assembly was due on April 17th, 2012. The only bill that may possibly affect the Program was HJ 533 regarding Commissioners of the Workers Compensation Commission.

Public Comment:

None

Closed Session (Legal/Old Business):

Dr. Lucas moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) and 2.2-3705.5 (16) of the Code of Virginia that the Board go into closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding pending litigation and issues relating to the Program's administration of the housing benefit for claimants and the update regarding the CBH lawsuit (Morris and Morris update). The motion was seconded by Mr. Schulwolf, and passed unanimously.

Upon the conclusion of the Closed Session, Dr. Lucas moved the adoption of the following resolution:

Whereas, the Virginia Birth-Related Neurological Injury Compensation Program's Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Virginia Birth-Related Neurological Injury Compensation Program's Board certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled and all certified the motion.

Results of Closed Session (Legal/Old Business):

Mr. Schulwolf made the motion to contact Morris and Morris and notify them that the Board instructs them to note the Petition to Appeal, and request their appearance at the May Board meeting. Mr. O'Ferrall seconded the motion and it passed unanimously.

New Business:

Dr. Lucas reminded the Board to review their information on housing for discussion at the May Board meeting.

Executive Director's Report:

Mr. Deebo announced to the Board that Donald Harvey would be presented with a Public Service Award from the United States Attorney's Office, Department of Justice.

Adjournment:

Meeting was adjourned by Dr. Lucas, Chair, at 2:10 p.m.

**Virginia Birth-Related Neurological Injury Compensation Program
Board of Director's Meeting
Minutes for May 8, 2012**

Attendees:

Susan Lucas, MD, PhD, Chair
David Barrett
Hope Cupit, CPA
Francoise Mullen
McLain O'Ferrall
Neal Schulwolf, Esq.

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Angela Conley, Claims Manager
Carla Collins, Assistant Attorney General III, Office of the Attorney General
Farnaz Farkish, Assistant Attorney General, Office of the Attorney General
Matthew D. Green, Esq., Morris & Morris, P.C.
Tanya Williams, Administrative Assistant

Call to Order:

Susan Lucas, MD, PhD, Chair, called the May Board meeting to order at 1:00 p.m.

Minutes:

Ms. Cupit motioned to accept the April Board minutes. Mr. Barrett seconded the motion and it passed unanimously.

Finance:

Ms. Thomas reviewed the April 2012 financials. There were no new claimants during the month of April. Atlantic Asset Management was terminated and replaced by the purchase of JP Morgan Strategic Income Opportunities Fund. The Audit Committee meeting will be held on June 12, 2012 at 11:00 a.m., followed by the Investment Committee meeting at 11:30 a.m. Mr. Barrett made the motion to approve the financial report. Mr. Schulwolf seconded the motion and it passed unanimously.

Investment:

Mr. O'Ferrall stated the Program investments had an increase of 8.2 % through the end of April. A more detailed report will be given at the June Board meeting. Board members were asked to let Ms. Williams know if they plan to attend the Investment Committee meeting.

Legislature:

In Ms. Chenoweth's absence, Mr. Deebo stated there is nothing to report at this time.

Public Comment:

None

Old Business (Housing Benefit Information):

Mr. Deebo gave a synopsis of the housing benefit research findings. He and Ms. Collins will continue to research the benefit and update the Board. Dr. Lucas acknowledged this is still a work in progress.

Closed Session (Claimant Issue/Case Updates):

Dr. Lucas moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) and 2.2-3705.5 (16) of the Code of Virginia that the Board go into closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding discussion of records the Virginia Birth-Related Neurological Injury Compensation Program is required to keep confidential pursuant to Virginia Code Section 38.2-5002.2; more specifically, records concerning the deliberations of the board of directors in connection with specific claims, as prevented from being disclosed by Virginia Code Section 38.2-5002.2 (iii) and regarding specific legal matters requiring the provision of legal advice by such counsel regarding pending litigation/case updates. The motion was seconded by Mr. O'Ferrall, and passed unanimously.

Upon the conclusion of the Closed Session, Dr. Lucas moved the adoption of the following resolution:

Whereas, the Virginia Birth-Related Neurological Injury Compensation Program's Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Virginia Birth-Related Neurological Injury Compensation Program's Board certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled and all certified the motion.

Results of Closed Session (Claimant Issue):

Dr. Lucas moved for the Board to approve the purchase of trailer hitch and rear carrier for this particular case (██████████) up to \$2,000. The motion was seconded and passed unanimously.

Closed Session (Old Business):

Dr. Lucas moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) and 2.2-3705.5 (16) of the Code of Virginia, that the Board go into closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with

legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding the CBH litigation. The motion was seconded by Mr. Schulwolf, and passed unanimously.

Upon the conclusion of the Closed Session, Dr. Lucas moved the adoption of the following resolution:

Whereas, the Virginia Birth-Related Neurological Injury Compensation Program's Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Virginia Birth-Related Neurological Injury Compensation Program's Board certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled and all certified the motion.

Ms. Collins excused herself for the presentation made by Mr. Green of Morris & Morris. She returned upon conclusion of the closed session.

New Business:

Dr. Lucas asked the Board to please make preparations to stay after the June Board meeting is adjourned in order to complete Mr. Deebo's annual review.

Executive Director's Report:

None

Adjournment:

A motion to adjourn was made by Hope Cupit at 2:40 p.m. It was seconded by David Barrett, and passed unanimously.

**Virginia Birth-Related Neurological Injury Compensation Program
Board of Director's Meeting
Minutes for June 12, 2012**

Attendees:

Susan Lucas, MD, PhD, Chair
David Barrett
Hope Cupit, CPA
Francoise Mullen
McLain O'Ferrall
A. Lee Talley
J. Scott Walters, Esq.

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Angela Conley, Claims Manager
Linda Chenoweth, Legislative Affairs Coordinator
Carla Collins, Assistant Attorney General III, Office of the Attorney General
Wesley G. Russell, Jr., Deputy Attorney General, Office of the Attorney General
Tanya Williams, Administrative Assistant

Call to Order:

Susan Lucas, MD, PhD, Chair, called the June Board meeting to order at 1:00 p.m.

Introductions:

All attendees, including Board Members, Program staff and guests, introduced themselves. The Board Members each described the type of seat for which he or she was appointed to serve.

Minutes:

Mr. Barrett motioned to accept the May Board minutes. Ms. Cupit seconded the motion and it passed unanimously.

Finance:

Ms. Thomas reviewed the May 2012 financials. The Program has 132 active claimants with 2 awarded in May. Mr. Talley made the motion to approve the financial report. Ms. Mullen seconded the motion and it passed unanimously.

Investment:

Mr. O'Ferrall stated the Program's investments had an increase of 7.1 % for the 1st quarter and year-to-date. Mr. O'Ferrall informed the Board the Investment Committee met earlier today to consider the replacement of Janus INTECH and Eagle Asset Management with Capital Counsel Equity and Geneva Advisors All Cap Growth. This change will take place in June or July.

Audit:

Mr. Walters stated the annual audit was completed by KPMG. Their audit included the services of an independent actuary. KPMG's opinion stated the Program's accounting activities were proper.

Legislature:

Ms. Chenoweth announced the General Assembly has chosen Wesley G. Marshall as a Commissioner of the Workers Compensation Commission. His six-year term started June 1st.

Public Comment:

None

Closed Session (Claimant Issue/Case Updates/Old Business/New Business):

Dr. Lucas moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) of the Code of Virginia that the Board go into closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding pending litigation, including the CBH litigation and the monthly case updates. The motion was seconded by Mr. Walters, and passed unanimously.

Upon the conclusion of the Closed Session, Dr. Lucas moved the adoption of the following resolution:

Whereas, the Virginia Birth-Related Neurological Injury Compensation Program's Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Virginia Birth-Related Neurological Injury Compensation Program's Board certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled and all certified the motion.

Carla Collins excused herself for the Morris & Morris update given by George Deebo, Executive Director.

Results of Closed Session (New Business):

Board decided to form a subcommittee consisting of Mr. Walters, Mr. Barrett, Ms. Cupit and Ms. Mullen to review personnel concerns regarding caregiver practices.

New Business:

Dr. Lucas stated the Board thanks Mr. O’Ferrall for his years of service as a Board member. Mr. Walters made the motion to send Dr. Lucas and Mr. O’Ferrall letters of appreciation for their years of service on the Board and passed unanimously.

Executive Director’s Report:

None

Closed Session (Personnel Issue):

Dr. Lucas moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) and 2.2-3711 (A)(1) of the Code of Virginia, that the Board go into closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding a personnel matter pursuant to Virginia Code § 2.2-3711 (A)(1). The motion was seconded by Mr. Walters, and passed unanimously.

The Board excused staff members and legal counsel to discuss the personnel issue.

Upon the conclusion of the Closed Session, Dr. Lucas moved the adoption of the following resolution:

Whereas, the Virginia Birth-Related Neurological Injury Compensation Program’s Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Virginia Birth-Related Neurological Injury Compensation Program’s Board certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled and all certified the motion.

Adjournment:

A motion to adjourn was made by Susan J. Lucas, MD, PhD, Chair, at 3:15 p.m., and passed unanimously.

July No Meeting

August No Meeting

**Virginia Birth-Related Neurological Injury Compensation Program
Board of Director's Meeting
Minutes for September 21, 2012**

Attendees:

J. Scott Walters, Esq., Vice-Chair, Acting Chair
David Barrett
Hope Cupit, CPA
Francoise Mullen
Neal Schulwolf, Esq.
John W. Seeds, MD
A. Lee Talley

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Angela Conley, Claims Manager
Carla Collins, Assistant Attorney General III, Office of the Attorney General
Bill McKelway, Richmond Times Dispatch
Tanya Williams, Administrative Assistant

Call to Order:

J. Scott Walters, Esq., Vice-Chair, Acting Chair, called the September Board meeting to order at 1:00 p.m.

Introductions:

All attendees, including Board Members, Program staff and guests, introduced themselves. The Board Members each described the type of seat for which he or she was appointed to serve.

Minutes:

Ms. Cupit motioned to accept the June Board minutes. Mr. Barrett seconded the motion and it passed unanimously.

Finance:

Ms. Thomas reviewed the July/August 2012 financials. The Program has 133 active claimants with one awarded in July. Mr. Talley made the motion to approve the financial report. Ms. Cupit seconded the motion and it passed unanimously.

Ms. Thomas reviewed the findings of the Program's second annual internal controls assessment. Using Agency Risk Management and Internal Control Standards (ARMICS) guidelines no significant weaknesses were found. Mr. Deebo stated this is a proactive step taken by the Program and it is not an audit. Ms. Cupit asked if these guidelines could be located online. Ms. Thomas informed the Board the Standards may be found on the Virginia Department of Accounts (DOA) website.

Ms. Thomas also informed the Board of the implementation of two new banking services for the Program. Mr. Schulwolf asked if these new services are free. Mr. Deebo informed the Board these services are included in the account package.

Investment:

Mr. Barrett stated the Investment Committee met earlier today and is pleased with the Program's portfolio. The Fund's investments had an increase of 5.5 % for the last quarter and year-to-date. Through September 9, 2012, the Fund's investments had an increase of 9.56% year-to-date. The Program is very well diversified.

Board Member Appointments:

Mr. Deebo announced the appointments of two new Board members, Vienne K. Murray, MD, and Vanessa S. Rakestraw, Ph.D.

Public Comment:

Mr. McKelway asked if there's any legislation planned. Mr. Deebo stated no. Mr. McKelway also inquired about the Program's status from the actuarial standpoint. Mr. Deebo informed Mr. McKelway that the information may be given to him upon his request or he may retrieve it from the Program's website.

Closed Session (Claimant Issues/Case Updates/Old Business/Personnel):

Mr. Walters moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) of the Code of Virginia that the Board go into closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding pending litigation, including the CBH litigation and the monthly case updates. The motion was seconded by Dr. Seeds, and passed unanimously.

Upon the conclusion of the Closed Session, Mr. Walters moved the adoption of the following resolution:

Whereas, the Virginia Birth-Related Neurological Injury Compensation Program's Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Virginia Birth-Related Neurological Injury Compensation Program's Board certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled and all certified the motion.

New Business:

Board members agreed to make a change to the time Board meetings are held. Mr. Walters announced starting January 2013, Board meetings will be held at 10:00 a.m., and Investment Committee meetings will be held at 9:00 a.m. Meetings will continue to be on the second Tuesday of the month with the exception of no meeting in August.

Executive Director's Report:

Mr. Deebo informed the Board the new website is now operative and for everyone to visit the new site.

Adjournment:

Meeting was adjourned by Mr. Walters, Vice-Chair, Acting Chair at 3:10 p.m.

**Virginia Birth-Related Neurological Injury Compensation Program
Board of Director's Meeting
Minutes for October 9, 2012**

Attendees:

J. Scott Walters, Esq., Vice-Chair, Acting Chair
Hope Cupit, CPA
Francoise Mullen
Vienne K. Murray, M.D.
Vanessa S. Rakestraw, Ph.D., CRC
John W. Seeds, M.D.

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Angela Conley, Claims Manager
Carla Collins, Assistant Attorney General III, Office of the Attorney General
Tanya Williams, Administrative Assistant

Call to Order:

J. Scott Walters, Esq., Vice-Chair, Acting Chair, called the October Board meeting to order at 1:05 p.m.

Introductions:

All attendees, including Board Members and Program staff, introduced themselves. The Board Members each described the type of seat for which he or she was appointed to serve.

Minutes:

Dr. Seeds motioned to accept the September Board minutes. Ms. Cupit seconded the motion and it passed unanimously.

Finance:

Due to a minor correction in the P&L Notes, updated copies of the financial report were given to the Board. Deputy Director Thomas then reviewed the September 2012 financials. The Program has 133 active claimants.

Executive Director Deebo informed the Board the Program's income decreased 1.2% primarily due to increased liability insurance premiums and declines in the stock market. Ms. Cupit asked Deputy Director Thomas to clarify the Program's negative Total Equity amount. Dr. Seeds requested that someone make a presentation to the Board regarding the duties of an actuary and the actuarial process. Executive Director Deebo stated he'd arrange for an Actuary to attend January's Board meeting via conference call. Mr. Walters, Vice-Chair, Acting Chair, asked the Board to accept Deputy Director Thomas's report, as given, if there were no objections. The Board members expressed no objections, and the report was accepted.

Investment:

Deputy Director Thomas stated the Program's investments yielded an increase of 1.78% for September, and an increase of 10.18% year-to-date.

Public Comment:

None

Closed Session (Old Business/Claimant Issues):

Ms. Mullen moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) and 2.2-3705.5 (16) of the Code of Virginia that the Board go into closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding discussion of records the Virginia Birth-Related Neurological Injury Compensation Program is required to keep confidential pursuant to Virginia Code Section 38.2-5002.2; more specifically, records concerning the deliberations of the Board of Directors in connection with specific claims, as prevented from being disclosed by Virginia Code Section 38.2-5002.2 (iii). The motion was seconded by Dr. Seeds, and passed unanimously.

Upon the conclusion of the Closed Session, Ms. Mullen moved the adoption of the following resolution:

Whereas, the Virginia Birth-Related Neurological Injury Compensation Program's Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Virginia Birth-Related Neurological Injury Compensation Program's Board certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled and all certified the motion.

Dr. Vienne Murray excused herself from the meeting due to prior engagements, but a quorum was present for the entire Board meeting.

Results of Closed Session (Claimant Issues):

Mr. Walters motioned to apply the Program's allowance towards a van for [REDACTED] with a factory installed Auto Access Seat. Dr. John Seeds seconded the motion and it passed by unanimous vote of the remaining five Board members.

Mr. Walters motioned to deny [REDACTED] request for the Program to purchase an Adjustable Positioning System Car Seat for use in [REDACTED] personal vehicle. Ms. Francoise Mullen seconded the motion and it passed by unanimous vote of the remaining Board members.

Mr. Walters motioned to deny [REDACTED] request for the Program's purchase of a stroller for a family caregiver's use. Ms. Mullen seconded the motion and it passed by unanimous vote of the remaining Board members.

New Business:

Board members requested presentations to review FOIA, COIA, and to describe the actuarial process. Board members agreed to devote approximately one hour to these presentations during the December or January Board meeting.

Executive Director's Report:

Executive Director Deebo informed the Board he has been speaking with consultants to obtain legislative affairs representation for the Program on a temporary basis. Mr. Walters and Ms. Cupit asked whether the duties of the former Legislative Affairs Coordinator would be undertaken by an individual, a registered lobbyist, or a firm. Executive Director Deebo informed the Board there is an individual who has expressed a strong interest in the position. He will keep the Board posted.

Adjournment:

Meeting was adjourned by Mr. Walters, Vice-Chair, Acting Chair at 2:30 p.m.

**Virginia Birth-Related Neurological Injury Compensation Program
Board of Director's Meeting
Minutes for November 13, 2012**

Attendees:

David R. Barrett, Acting Chair
Hope Cupit, CPA
Francoise Mullen
Vanessa S. Rakestraw, Ph.D., CRC
Neal C. Schulwolf, Esq.
A. Lee. Talley, Jr.

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Angela Conley, Claims Manager
Farnaz Farkish, Assistant Attorney General, Office of the Attorney General
Tanya Williams, Administrative Assistant

Call to Order:

David R. Barrett, Acting Chair, called the November Board meeting to order at 1:00 p.m.

Introductions:

All attendees, including Board Members and Program staff, introduced themselves. The Board Members each described the type of seat for which he or she was appointed to serve.

Minutes:

Ms. Cupit motioned to accept the October Board minutes. Ms. Mullen seconded the motion and it passed unanimously.

Finance:

Deputy Director Thomas reviewed the October 2012 financials. One new claimant, who was deceased upon admission, was admitted into the Program in October. The Program has 133 active claimants.

Mr. Talley inquired of the Program's responsibility for a deceased new claimant. Deputy Director Thomas informed the Board the WCC can award up to \$100,000 providing the date of death is within 180 days of birth. Ms. Mullen asked how long this has been part of policy. Executive Director Deebo told the Board it became a part of Legislation in 2003.

Investment:

Mr. Barrett stated the Program's investments yielded a decrease of 0.69% for October, and an increase of 9.35% year-to-date. The Investment Committee will meet in December and a more extensive report will be presented to the Board next month.

Legislative:

Executive Director Deebo informed the Board the Program's former Legislative Affairs Coordinator, Ms. Linda Chenoweth, resigned due to an out-of-state relocation. In lieu of rehiring someone, Ms. Sue Rowland of SR Consulting has been engaged to monitor the Program's legislative affairs.

Ms. Cupit asked Executive Director Deebo would Ms. Rowland meet with the Board, if the Board requested. He assured her Ms. Rowland would be happy to meet with the Board if asked. Mr. Schulwolf inquired of Ms. Rowland's knowledge of the Program. Executive Director Deebo informed the Board Ms. Rowland is generally knowledgeable and if any questions were to arise, he will work closely with her.

Public Comment:

None

Closed Session (Claimant Issues/Old Business):

Mr. Barrett moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) and 2.2-3705.5 (16) of the Code of Virginia that the Board go into closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding discussion of records the Virginia Birth-Related Neurological Injury Compensation Program is required to keep confidential pursuant to Virginia Code Section 38.2-5002.2; more specifically, records concerning the deliberations of the Board of Directors in connection with specific claims, as prevented from being disclosed by Virginia Code Section 38.2-5002.2 (iii). The motion was seconded by Ms. Mullen, and passed unanimously.

Upon the conclusion of the Closed Session, Mr. Barrett moved the adoption of the following resolution:

Whereas, the Virginia Birth-Related Neurological Injury Compensation Program's Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Virginia Birth-Related Neurological Injury Compensation Program's Board certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled and all certified the motion.

Results of Closed Session (Claimant Issues):

Ms. Cupit motioned to deny Claimant #1 ([REDACTED]) reimbursement for a generator. Motion was seconded by Mr. Talley, and passed unanimously.

Ms. Mullen motioned to authorize the purchase of a new van with power conversion and modifications for Claimant #2 ([REDACTED]). Motion was seconded by Mr. Talley, and passed unanimously.

New Business:

None

Executive Director's Report:

Executive Director Deebo announced Board elections will be held next month. The election process was reviewed with the Board. The Board was also informed a Vice-Chair is needed and to please consider the position.

Executive Director Deebo announced the presentations to review FOIA and to describe the actuarial process will occur in January or February. He also reminded the Board the time, and not the dates, of the 2013 Board meetings will change in January. Mr. Schulwolf stated the 10:00 AM time will be inconvenient for Board members who travel. The Board agreed to possibly change the time to 11:00 AM but to table the issue and make a final decision in December.

Adjournment:

The motion to adjourn was made by David L. Barrett, Acting Chair at 2:05 p.m. The motion was seconded by Ms. Hope Cupit, and passed unanimously.

**Virginia Birth-Related Neurological Injury Compensation Program
Board of Director's Meeting
Minutes for December 11, 2012**

Attendees:

J. Scott Walters, Esq., Vice-Chair, Acting Chair
David Barrett
Hope Cupit, CPA
Francoise Mullen
Vienne K. Murray, MD
Vanessa S. Rakestraw, Ph.D., CRC
John W. Seeds, MD
A. Lee. Talley, Jr.

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Angela Conley, Claims Manager
Carla Collins, Assistant Attorney General III, Office of the Attorney General
Tanya Williams, Administrative Assistant

Call to Order:

J. Scott Walters, Acting Chair, called the December Board meeting to order at 1:08 p.m.

Minutes:

Ms. Cupit motioned to accept the November Board minutes as corrected by Dave Barrett. Mr. Barrett seconded the motion and it passed unanimously.

Finance:

Deputy Director Thomas reviewed the November 2012 financials. The Program has 133 active claimants.

Deputy Director Thomas announced the Program has been awarded the *Certificate of Achievement for Excellence in Financial Reporting* for the fifth consecutive year. Deputy Director Thomas was individually awarded an *Award of Financial Reporting Achievement*. Mr. Walters congratulated Deputy Director Thomas on behalf of the Board.

Deputy Director Thomas thanked the members of the Board that have completed and submitted the Conflict of Interest Forms. She reminded the others to complete and submit their Forms as soon as possible. Director Deebo informed the Board there have been some technical submission errors with completing the Form online.

Mr. Walters reminded the Board the Forms are due every year by January 15th.

Investment:

Mr. Barrett stated the Investment Committee met earlier today and is pleased with the Program's investments. Compared to November 2011, the Fund's investments had an increase of 10% year-to-date. The Program's investments are well diversified should be able to withstand any future market fluctuations.

Mr. Barrett informed the Board the Investment Committee authorized a few fund changes. Dr. Seeds inquired if the changes were based on the funds' performances. Mr. Barrett informed the Board the funds in question were primarily eliminated due to concerns about their transparency.

Legislative:

Executive Director Deebo informed the Board the Program has engaged Sue Rowland to monitor the Program's legislative affairs. The pre-filing and filing period deadlines are approaching, and at this time, there have been no filings directly related to the Program.

Ms. Cupit inquired if the Commonwealth could borrow from the Program. Mr. Barrett stated the Program is actuarially unsound. Ms. Collins noted changes were made to the language in the statute so money is held "In Trust". However the argument could arise again.

The Board will have Rob Walling via video conference to explain the actuarial process in an upcoming Board meeting.

Public Comment:

None

Closed Session (Claimant Issues/Case Updates):

Mr. Walters moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) and 2.2-3705.5 (16) of the Code of Virginia that the Board go into closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding pending litigation and case updates, including the discussion of records the Virginia Birth-Related Neurological Injury Compensation Program is required to keep confidential pursuant to Virginia Code Section 38.2-5002.2; more specifically, records concerning the deliberations of the Board of Directors in connection with specific claims, as prevented from being disclosed by Virginia Code Section 38.2-5002.2 (iii) and regarding specific legal matters requiring the provision of legal advice by such counsel regarding pending litigation. The motion was seconded by Mr. Talley, and passed unanimously.

Upon the conclusion of the Closed Session, Mr. Walters moved the adoption of the following resolution:

Whereas, the Virginia Birth-Related Neurological Injury Compensation Program's Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Virginia Birth-Related Neurological Injury Compensation Program's Board certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled and all certified the motion.

Dr. Vienne Murray excused herself from the meeting due to prior engagements, but a quorum was present for the entire Board meeting.

Results of Closed Session (Claimant Issues):

Mr. Walters motioned that the Board resolved that this claimant's [REDACTED] request is clearly not a request that is for medically necessary and reasonable expense. 1) The Board denies the request for removal of carpet and installation of hard wood floors and 2) recommends the Program work with the family to install air filters or other possible alternatives for addressing the need within the Program's guidelines. Motion was seconded by Mr. Talley, and passed unanimously.

Mr. Scott Walters, Acting Chair, excused himself from the meeting due to prior engagements, but a quorum was present for the entire Board meeting. At this time, Mr. David Barrett was asked to continue the meeting as Acting Chair.

Old Business:

The Board made its final decision in regards to the 2013 meeting schedule. Starting January 2013, Board meetings will be held at 10:00 a.m., and Investment Committee meeting will be held at 9:00 a.m. Meetings will continue to be held on the second Tuesday of each month, except August. No Board meeting will be held in August.

New Business: Board Elections were held. Mr. Barrett nominated Mr. Scott Walters for Board-Chair and Mr. Neal Schulwolf as Vice Chair. Dr. John Seeds seconded the motion and it passed unanimously.

Executive Director's Report:

Executive Director Deebo reminded the Board the first hour of the next meeting will be devoted to review of the actuary process and FOIA. The Audit Committee meeting will be held on January 8, 2013 at 9:00 a.m.

Adjournment:

The motion to adjourn was made by Ms. Hope Cupit at 2:30 p.m. The motion was seconded by Mr. David Barrett, Acting Chair, and passed unanimously.