

**NOTE:** Appearing first is the Full Board summary which is the last meeting of the day. The committees will follow in the order of which time they were conducted. The Dealer Board staff felt it would benefit our readers to have the last meeting of the day appear first on the website.

~ 2<sup>nd</sup> DRAFT ~

Meeting Summary  
**Motor Vehicle Dealer Board**  
Monday, September 13, 2010

Chairman Rick Holcomb called the Dealer Board meeting to order at 11:21 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. The roll was called and there were 12 Board members present. Present were members Frank Pohanka, Wanda Lewark, Lynn Hooper, T.K. Hughes, David Lacy, Chip Lindsay, Thomas Moorehead, Pat Patrick, Larry Shelor, Joe Tate, Robert Woodall and Sally Woodson (Absent: Henry Jones, Matt Lohr, Matthew Queen, Kevin Reilly, Thomas Woodson and Jimmy Whitten). Executive Director Bruce Gould, Peggy Bailey, Prin Cowan, Wanda Neely and Frank McCormick represented the Dealer Board. Alice Weedon acted as Recording Secretary.

**PUBLIC COMMENT**

There was no public comment.

The July 12, 2010 meeting summary was approved.

**STATUTORY COMMITTEE REPORTS**

**Dealer Practices Committee:**

Full Board Chairman Frank Pohanka summarized discussions held and actions that were taken during the Committee Meeting.

- **Reggie Rudolph and Downtown Auto Brokers, Inc.** Full Board Vice-Chairman Frank Pohanka summarized for the Board the discussion held in the committee meeting regarding Reggie Rudolph and Downtown Auto Brokers, Inc. Based on that discussion, Mr. Pohanka made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Reggie Rudolph and Downtown Auto Brokers for alleged violations of VA Code Sections 46.2-1544 (failing to obtain a certificate of title or an assignment or reassignment of a certificate of title) and 46.2-1575 (9) (having been convicted of any criminal act involving the business of selling vehicles). Based on due consideration, the Board believes that successfully completing the dealer-operator course would benefit Mr. Rudolph. The Board mandates that Mr. Rudolph successfully complete the dealer-operator course by March 13, 2011. Failure to successfully complete the course by this date will result in a suspension of all licenses and certificates issued to Mr. Rudolph by the Board until such time Mr. Rudolph has successfully completed the course.

Pat Patrick seconded. The motion carried unanimously.

- **Francis A. Masika and Town Automotive Brokers, Inc.** Full Board Vice-Chairman Frank Pohanka summarized for the Board the discussion held in the committee meeting regarding Francis A. Masika and Town Automotive Brokers. Based on that discussion, Mr. Pohanka made the following motion: Based on the evidence and a report of an informal fact-finding conference as prepared by a hearing officer, the executive director, under the authority granted by the Motor Vehicle Dealer Board, assessed a \$5,000 civil penalty and revoked all licenses and certificates issued to Mr. Frank Masika. Mr. Masika appealed the decision based on the informal fact-finding conference and a formal hearing was conducted. The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning Frank Masika and Towne Automotive Brokers, Inc. for alleged violations of VA Code Sections 46.2-1575 (2) (failure to comply subsequent to receipt of a written warning/willful failure to comply), (4) (Defrauding any retail buyer to the buyer's damage), (6) (having used deceptive acts or practices) and (14) (failure to submit to the DMV within 30 days from the date of sale, any application, tax or fee collected for DMV). Based on due consideration, the Board believes a civil penalty should be assessed against Mr. Frank Masika. The Board hereby assesses a \$5,000 civil penalty against Mr. Frank Masika. Based on due consideration, the Board believes Mr. Masika's certificate of qualification should be revoked. The Board hereby revokes the certificate of qualification issued by the Board to Mr. Masika.

T.K. Hughes seconded. The motion carried unanimously.

### Licensing Committee

Chairman Chip Lindsay summarized discussions held and actions that were taken during the Committee Meeting.

- **VIADA and their Dealer-Operator Re-Certification Course Proposal.** Chairman Chip Lindsay summarized for the Board the discussion held in the committee meeting regarding VIADA and their Dealer-Operator Re-Certification Course Proposal. Based on that discussion, Mr. Lindsay made a motion to approve their proposal.

Frank Pohanka seconded. The motion carried unanimously.

- **Wafi S. Akbury, Salesperson.** Chairman Chip Lindsay summarized for the Board the discussion held in the committee meeting regarding Wafi S. Akbury. Based on that discussion, Mr. Lindsay made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Mr. Mr. Akbary and based on due consideration, the Board believes that Mr. Akbary's application for a motor vehicle salesperson's license should be approved. The Board hereby approves the issuance of a salesperson's license to Mr. Wafi S. Akbary and directs the MVDB staff to notify Mr. Akbary's parole officer of any violations of the dealer laws.

T.K. Hughes seconded. The motion carried unanimously.

## Advertising Committee

Chairman Lynn Hooper summarized discussions that were held during the Committee Meeting.

**Bird Dogging Issue.** Chairman Lynn Hooper summarized discussions regarding Bird Dogging and it was the consensus of the Full Board to survey other states that allow gratitude to customers for referrals, invite statements from the two trade associations and to refer this issue to Dealer Practices for more review and action for the November meeting.

## Transaction Recovery Fund Committee:

Chairman Larry Shelor summarized discussions held and actions that were taken during the Committee Meeting.

- **Felix R. Mena and Rivera Motors, LLC.** Chairman Larry Shelor summarized for the Board the discussion held in the committee meeting regarding Felix R. Mena and Rivera Motors, LLC. Based on that discussion and the recommendations in these cases, Mr. Jones made the following motion: Pursuant to VA Code Section 46.2-1527.1 et. seq. of the Code of Virginia, which is known as the Motor Vehicle Transaction Recovery Fund (“Fund”), the Board has reviewed and considered a claim submitted for payment from the Fund and based on due consideration and recommendation of the hearing officer, the Board believes the following claims should be payable from the Fund. The fact that the Warrant in Debt indicated a “trade-in” was the key in determining that this claim met the criteria for payment from the Fund. The Board hereby approves and reaffirms the following claims and payment amount subject to compliance by the claimant with statutory requirements:

**Felix R. Mena and Rivera Motors, LLC.                      \$3,385.81**

Frank Pohanka seconded. All in favor: 12 (Holcomb, Pohanka, Lewark, Hooper, Hughes, Lacy, Lindsay, Moorehead, Patrick, Shelor, Woodall, S. Woodson). Opposed: 1 (Tate). The motion carried.

- **Douglas G. Lane and Turner Chevrolet, Inc.** Chairman Larry Shelor summarized for the Board the discussion held in the committee meeting regarding Felix R. Mena and Rivera Motors, LLC. Based on that discussion and the recommendations in these cases, Mr. Jones made the following motion: Pursuant to VA Code Section 46.2-1527.1 et. seq. of the Code of Virginia, which is known as the Motor Vehicle Transaction Recovery Fund (“Fund”), the Board has reviewed and considered a claim submitted for payment from the Fund and based on due consideration and recommendation of the hearing officer, the Board believes the following claims should be payable from the Fund. The Board hereby approves and reaffirms the following claims and payment amount subject to compliance by the claimant with statutory requirements:

**Douglas G. Lane and Turner Chevrolet, Inc.                      \$10,041.00**

Frank Pohanka seconded. The motion carried unanimously.

## OLD BUSINESS

There was no old business.

## OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

## NEW BUSINESS

### NEW BUSINESS FROM THE FLOOR

Pat Patrick indicated that he received a summons prior to the meetings beginning, as well as other Board members. After some general discussion, Eric Fiske indicated that the Attorney General's office is the legal representative for the Board and will be responding on behalf of all members involved and will keep the members updated on any actions taken. No action is required of the members that were summoned.

The next meeting will be scheduled for November 8, 2010.

- **Executive Director's Report.** Bruce Gould indicated that two legislative proposals that were submitted to the Governor's office, on behalf of the Dealer Board, were approved. Bruce indicated that Frank McCormick will represent the Dealer Board at the NAMVBC meeting in Mississippi. Bruce indicated that he will participate in the Governor's Transportation Conference in December and will be moderating a short panel, along with Lois and Don, talking about how the Motor Vehicle Dealer industry fits in the with the Transportation picture at large, particularly in funding. Bruce also reported that the Board is near fully transformed with VITA/NG. However, the old applications are still posing a problem with the new domain. He will keep the Board informed on this. Bruce discussed a web site called Zag.com. He indicated that Virginia dealers, in particular franchise dealers have agreements with Zag.com. The agreements have the dealer pay Zag.com when a lead provided by Zag.com turns into a sale. This is a form of Bird Dogging and is not legal in Virginia. He indicated that he will get the word out to the dealer community to cease any agreements they may have with Zag.com.

There being no further business to come before the Motor Vehicle Dealer Board, Chairman Holcomb adjourned the meeting at 11:56 a.m.

**Meeting Summary**  
**Dealer Practices Committee**  
**Monday, September 13, 2010**

Full Board Vice-Chairman Frank Pohanka called the Dealer Practices Committee meeting to order at 9:03 a.m. in Room 702 of the DMV Headquarters Building at 2300 W. Broad Street in Richmond. Present were Committee members T.K. Hughes, David Lacy, Wanda Lewark, Chip Lindsay, Thomas Moorehead, Robert Woodall and Sally Woodson. (Absent: Kevin Reilly, Matt Queen, Larry Shelor and Tommy Woodson). Other Board members present: Pat Patrick, Joe Tate, Rick Holcomb, Lynn Hooper. Executive Director Bruce Gould, Peggy Bailey, Prin Cowan, Wanda Neely and Frank McCormick represented the Dealer Board.

The July 12, 2010 meeting summary was approved.

**PUBLIC COMMENT**

There was no public comment.

**OLD BUSINESS**

**OLD BUSINESS FROM THE FLOOR**

There was no old business from the floor.

**NEW BUSINESS**

**Review and Action: Informal Fact-Finding Conferences:**

- **Reggie Rudolph and Downtown Auto Brokers, Inc.** On May 3, 2010, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1544 (failing to obtain a certificate of title or an assignment or reassignment of a certificate of title) and 46.2-1575 (9) (having been convicted of any criminal act involving the business of selling vehicles). Based on the information provided at the conference, the hearing officer recommended that he retain his license; however, should if any future convictions come his way, a revocation would be recommended. Also it would be beneficial that he attend the Dealer-Operator Course.

Motion was made by Robert Woodall to accept hearing officer's recommendation. Sally Woodson seconded.

Amended motion made by Robert Woodall to accept the hearing officer's recommendation and for Mr. Rudolph to successfully take the Dealer-Operator course. David Lacy seconded. The motion carried unanimously.

## **Review and Action: Formal Hearing:**

- **Frank Masika and Towne Automotive Brokers, Inc.** Historical overview leading up to the formal hearing: On January 5, 2010, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1575 (2) (failure to comply subsequent to receipt of a written warning/willful failure to comply), (4) (Defrauding any retail buyer to the buyer's damage), (6) (having used deceptive acts or practices), and (14) (failure to submit to the DMV within 30 days from the date of sale, any application, tax or fee collected for DMV), as well as 10 consumer complaints filed against Mr. Masika. The hearing officer found Mr. Masika in violation and recommended that a civil penalty of \$5,000 be assessed, revocation of license and that Mr. Masika should never be able to obtain any license issued by the Motor Vehicle Dealer Board. In a letter dated March 1, 2010, MVDB Executive Director, Bruce Gould agreed with the hearing officer that Mr. Masika be assessed a civil penalty of \$5,000 and that all licenses issued by the Board to Mr. Masika should be revoked. On February 24, 2010, Mr. Masika appealed and requested a formal hearing. It was at that time that staff explained to Mr. Masika that he did not renew the licenses prior to their expiration in February of 2010 there may be no need of convening a formal hearing. However, based upon the conference decision, Mr. Masika wanted the opportunity to meet with the hearing officer and address each of the complaints and provide updated information with respect as to what steps had been taken to resolve the issues. On June 8, 2010, a formal hearing was conducted to address the alleged violations as mentioned above. Based on the information provided at the conference, the hearing officer concurred with the recommendation from the informal fact-finding conference to revoke all licenses issued to Towne Automotive Brokers, Inc. and Frank Masika without an opportunity for renewal, indefinitely and to assess a civil penalty of \$5,000.00.

Motion was made by Robert Woodall to accept the hearing officer's recommendation. T.K. Hughes seconded. The motion carried unanimously.

## **NEW BUSINESS FROM THE FLOOR**

The next meeting was scheduled for November 8, 2010.

The meeting adjourned at 9:21 a.m.

**Meeting Summary**  
**Dealer Licensing Committee**  
**Monday, September 13, 2010**

Chairman Chip Lindsay called the Dealer Licensing Committee meeting to order at 9:21 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members T.K. Hughes, Pat Patrick, Frank Pohanka, Joe Tate and Robert Woodall. (Absent: Henry Jones and Jimmy Whitten). Other Board members present: Sally Woodson, Thomas Moorehead, David Lacy, Rick Holcomb, Wanda Lewark and Larry Shelor (came in during this meeting). Executive Director Bruce Gould, Peggy Bailey, Prin Cowan, Wanda Neely and Frank McCormick represented the Dealer Board.

The July 12, 2010 meeting summary was approved.

**PUBLIC COMMENT**

There was no public comment.

**OLD BUSINESS**

- **Update: Dealer-Operator Continuing Education.** Bruce Gould indicated that the recertification regulations were published. The 30-day comment period was up on September 2. They are officially on the books. In addition to taking the course, a test will be offered as well. The test will be conducted at the DMV KATS machines. A \$50 fee is required and will be paid directly to the Dealer Board for the test and the course will be a \$25 fee. Once a week, DMV will send the Dealer Board a report of all those who took the test. A tracking system will also be put in place.
- **VIADA Recertification Presentation.** Pete Iaracci and Mindy Fast presented a sample of what the VIADA online recertification course will look like. Mr. Iaracci also stated that the in-class training is finished and can be presented once the Dealer-Operator schedules are advertised. The fee for the class room course will be \$125, plus the \$25.00 Dealer Board fee. Ms. Fast indicated that the on-line platform course is called Blackboard. The fee for this on-line course will be approximately \$175.00, plus the \$25 Dealer Board fee. However, the \$175 fee is still being discussed.

**OLD BUSINESS FROM THE FLOOR:**

There was no old business from the floor.

## **NEW BUSINESS**

### **Review and Action: Informal Fact-Finding Conferences:**

- **Wafi S. Akbary.** On May 6, 2010, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1575 (2) (willful failure to comply subsequent to receipt of a written warning from the Department or the Board), (4) (defrauding any other person in the conduct of the licensee's business), (6) (having used deceptive acts or practices), (9) (having been convicted of any criminal act involving the business of selling vehicles) and 46.2-1575(13) (having been convicted of a felony). Based on the information provided at the conference, the hearing officer recommended that Mr. Akbary be allowed to maintain his salesperson's license and have it transferred to Regal Motors.

The Manager of Regal Motors and Mr. Akbary were present and spoke on behalf of Mr. Akbary.

Motion made by T.K. Hughes to approve Mr. Akbary's license. Pat Patrick seconded. The motion carried unanimously.

## **NEW BUSINESS FROM THE FLOOR**

There was no new business from the floor.

The next meeting was scheduled for November 8, 2010.

The meeting adjourned at 10:36 a.m.

**Meeting Summary**  
**Advertising Committee**  
**Monday, September 13, 2010**

Chairman Lynn Hooper called the Advertising Committee meeting to order at 10:37 a.m. in Room 702, at DMV Headquarters, 2300 West Broad Street, Richmond, Virginia. Present were Committee members Larry Shelor, Joe Tate and Sally Woodson. (Absent: Matt Lohr, Matt Queen, Kevin Reilly, Jimmy Whitten and Tommy Woodson). Other Board members present: Thomas Moorehead, Pat Patrick, T.K. Hughes, Frank Pohanka, Wanda Lewark, Chip Lindsay and Robert Woodall. Executive Director Bruce Gould, Peggy Bailey, Prin Cowan, Wanda Neely and Frank McCormick represented the Dealer Board.

The July 12, 2010 meeting summary was approved.

**PUBLIC COMMENT**

There was no public comment.

**OLD BUSINESS**

**OLD BUSINESS FROM THE FLOOR**

There was no old business from the floor.

**NEW BUSINESS**

Lynn Hooper reviewed and discussed the Advertising Report with the Committee members.

- **Bird Dogging Issue.** Kenny Lovelace spoke against the current prohibition against Bird Dog Fees. He felt that the prohibition was outdated and needed to be reviewed for possible changes in legislation to have these restrictions lifted from the books. He indicated that a simple thank you is not enough to let his customers know that they are appreciated. Mr. Lovelace stated that Virginia Code Section 46.2-1537 will not allow him to properly thank his loyal customers that refer other customers to him. After some general discussion, Wanda Lewark suggested that other states, that allow gratitude to customers for referrals, be surveyed. Rick Holcomb recommended that this issue be presented in the Dealer Practices Committee at the November 8 meeting, with the results of the survey. He also requested that the two trade associations be prepared to state their position on this issue.

The next meeting was scheduled for November 8, 2010.

**NEW BUSINESS FROM THE FLOOR**

There was no new business from the floor.

The meeting adjourned at 10:53 a.m.

**Meeting Summary**  
**Transaction Recovery Fund Committee**  
**Monday, September 13, 2010**

Chairman Larry Shelor called the Transaction Recovery Fund Committee meeting to order at 10:53 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: David Lacy, Wanda Lewark, Pat Patrick, Frank Pohanka and Joe Tate. (Absent: Henry Jones, Matt Lohr and Matt Queen). Other Board members present: Sally Woodson, Thomas Moorehead, T.K. Hughes, Rick Holcomb, Chip Lindsay, Lynn Hooper and Robert Woodall. Executive Director Bruce Gould, Peggy Bailey, Prin Cowan, Wanda Neely and Frank McCormick represented the Dealer Board.

The July 12, 2010 summary was approved.

**PUBLIC COMMENT**

There was no public comment.

**OLD BUSINESS**

**OLD BUSINESS FROM THE FLOOR**

There was no old business from the floor.

**NEW BUSINESS**

**Review and Action: Informal Fact-Finding Conference Results:**

- **Felix R. Mena and Rivera Motors, LLC.** On April 6, 2009, Mr. Mena entered into a contract to purchase a 2005 Audi from Rivera Motors, LLC. The base price of the vehicle was \$22,888.62 plus \$295.00 processing fee, \$39.50 license fee, \$10.00 title fee, the 3% title tax of \$695.51, \$46.37 dealer's business tax and the \$25.00 on-line systems filing fee making the total balance due in the amount of \$24,000.00 Mr. Mena traded-in a 2001 Lexus GS300 that had an outstanding balance of \$2,900.00. Mr. Mena and Jose Rivera, the owner of Rivera Motors made an agreement that Mr. Rivera would pay the remaining balance on the Lexus. As long as Mr. Mena had at least \$6,000 equity on the Lexus, Mr. Mena did not have to make any down payments on his purchase. Mr. Mena financed the purchase with Navy Federal Credit Union.

On the day of the transaction, Mr. Rivera did not provide any paperwork to Mr. Mena, nor did he list his trade-in on the Buyer's Order. Mr. Rivera requested that copies be made of the paperwork and for Mr. Mena to return the next day to pick up his paperwork. The following day, Mr. Mena returned but Mr. Rivera was no where to be found. After returning many times and leaving numerous voice mail messages, Mr. Mena learned that Mr. Rivera had sold the Lexus without a title and never paid off the existing loan with Navy Federal Credit Union, which was still holding Mr. Mena liable for the loan. On April 18, 2009, Rivera Motors sold the Lexus to Angel A. Rivera for \$10,600.00 (DMV records indicate a title was established on June 1, 2009 with a title held indicator).

On January 11, 2010, the Norfolk General District Court awarded Felix Mena a judgment against Rivera Motors, LLC in the amount of \$4,000.00 plus \$56.00 in court costs. On May 7, 2010, Mr. Mena submitted to the Dealer Board documentation for consideration of payment from the Fund. On May 11, 2010, staff acknowledged Mr. Mena's letter and requested additional documentation in order to complete the review process. On May 27, 2010, the Dealer Board staff received the original Warrant in Debt that was issued on December 11, 2009. On the Warrant in Debt the basis of his claim indicated that Mr. Rivera sold Mr. Mena's Lexus he traded-in. The vehicle was never paid off. Mr. Mena ended up paying for the vehicle. On June 25, 2010, via fax, the Navy Federal Credit Union submitted a letter to the Dealer Board staff indicating that the pay-off amount owed on the 2001 Lexus was \$3,329.81.

On August 10, 2010, an informal fact-finding conference was conducted and based on the information provided at the conference, the hearing officer recommended paying \$3,385.81 (\$3,329.81 for the pay-off amount and \$56.00 in court cost). The fact that the Warrant in Debt indicated a "trade-in" was key to determining that this claim met the criteria for payment from the Fund.

Motion was made by Frank Pohanka to accept the hearing officer's recommendation. Pat Patrick seconded. All in favor: 5 (Lacy, Lewark, Patrick, Pohanka and Shelor). Opposed: 1 (Tate). The motion carried.

**Douglas G. Lane and Emory L. Turner and Turner Chevrolet, Inc.** On September 12, 2007, Mr. Lane entered into a written contract to purchase a 2007 Pontiac Solstice for a total purchase price of \$30,951.61, minus equity of trade-in of \$2,342.16 leaving a balance due of \$28,609.25. Mr. Lane traded-in a 2005 Chevrolet Cobalt with an outstanding lien with TruPoint Bank and Mr. Lane was given an allowance of \$11,000.00 minus the amount owed of \$8,657.84 (in which Turner agreed to pay off) leaving equity balance of \$2,342.16.

On September 30, 2007, Mr. Lane had learned that the owner of Turner Chevrolet, Emory L. Turner had been killed in an automobile accident. At that time, Mr. Lane had no idea that the loan on the Chevrolet Cobalt had not been paid off by Turner Chevrolet, until he began to receive late notices from TruPoint. Mr. Lane contacted TruPoint and indicated that the vehicle had been traded-in and then sold to a third party, but they were not concerned with that information and continued to hold Mr. Lane liable for the loan. DMV records reflect that the Cobalt was sold on September 18, 2007 and that the title was issued "In lieu of title" and released to the customer's recorded lien holder.

On September 2, 2008, Allison Mullins, an attorney who had been willing to help several other individuals that were in the same situation, filed on behalf of Mr. Lane, a Warrant in Debt against Turner Chevrolet, Inc. in the Dickenson General District Court in the amount of \$10,000.00 plus \$53.00 in court costs. Basis for the claim "Contract" box checked with explanation "Turner Chevrolet failed to pay-off trade-in". On October 14, 2008, the Dickenson General District Court awarded Mr. Lane a default judgment against Turner Chevrolet in the amount of \$10,000.00 and \$41.00 in costs.

On June 22, 2009, Ms. Mullins submitted Mr. Lane's claim for consideration of payment from the Motor Vehicle Transaction Recovery Fund. In August of 2009, Dealer Board contacted the law firm where Ms. Mullins was an associate only to learn that she longer worked there. The firm indicated that they would have Ms. Mullins contact the Dealer Board. On October 23, 2009, Ms. Mullins contacted the Dealer Board via e-mail and inquired what documentation was needed on claims for consideration of payment from the Fund. The Dealer Board responded that same day. On May 20, 2010, Mr. Lane contacted the Dealer Board to inquire on the status of his claim against the Fund. Staff provided Mr. Lane with the documentation that was needed in order to move forward with his claim. On May 30, 2010, Mr. Lane submitted the required documentation for consideration of payment of his judgment from the Fund.

On August 10, 2010, an informal fact-finding conference was conducted and based on the information provided at the conference, the hearing officer recommended paying \$10,041.00 (\$10,000.00 for the judgment and \$41.00 in court costs).

Motion was made by Joe Tate to accept the hearing officer's recommendation. Frank Pohanka seconded. The motion carried unanimously.

#### **NEW BUSINESS FROM THE FLOOR**

There was no new business from the floor.

The next meeting was scheduled for November 8, 2010.

The meeting adjourned at 11:07 a.m.