Warehouse Employees Union Local No. 730 and Contributing Companies' Prepaid Legal Services Fund

911 Ridgebrook Road
Sparks, Maryland 21152-9451
Telephone: (800) 730-2241
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Landover, Maryland 20785-2361
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<u>Agenda</u>

September 23, 2022

9:00 AM

I. Call to Order

II. Minutes, Regular Meeting – June 6, 2022

III. Financial Report – Investment Performance Services

IV. Counsel Report

V. Administrative Manager Report

VI. Invoices

VII. Other Fund Business

VIII. Next Meeting Date and Location

IX. Adjournment

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DRAFT

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE WAREHOUSE EMPLOYEES UNION LOCAL NO. 730 & CONTRIBUTING COMPANIES' PREPAID LEGAL SERVICES FUND JUNE 6, 2022 VIA TELECONFERENCE

The following Trustees were present:

UNION TRUSTEES
T. Richardson – Chairman
J. Venable

EMPLOYER TRUSTEES
M. Bull – Secretary
J. Paradis
H. Sebhat
M. Goble – Alternate

Also present were:

A. Cochran – Associated Administrators, LLC
M. DeLancey – Blank Rome LLP
R. Grant – Associated Administrators, LLC
R. Sichel – Investment Performance Services, LLC

I. CALL TO ORDER

A quorum being present, the meeting was called to order.

II. MINUTES

The Trustees reviewed the minutes of the last regular meeting held March 14, 2022.

On MOTION made and seconded, the Trustees voted unanimous approval of the following resolution:

> **RESOLVED that the minutes of the last regular meeting held on March 14, 2022 are approved as presented.**

III. FINANCIAL REPORT

The Trustees welcomed Mr. Rich Sichel of IPS to the meeting.

Mr. Sichel reviewed his report titled, “Investment Performance Analysis – March 31, 2022” beginning with IPS’ market commentary. Mr. Sichel noted the asset allocation as follows: 42.90% in Investment Grade Income, 50.20% in Short Duration High Yield Fixed Income, and 6.90% in cash and equivalents. The Atlanta Capital Management Fund held $400,701 in investments, and the Chartwell Short Duration High Yield Fund held $469,137. The PNC Prime Money Market held $64,183.

The Trustees thanked Mr. Sichel for his report, and he was excused from the meeting.

IV. COUNSEL REPORT

Mr. DeLancey said there were no legal matters pending before the Board of Trustees at this time.

V. ADMINISTRATIVE MANAGER’S REPORT

Ms. Cochran presented the Administrative Manager’s Report for the first quarter 2022. Such report showed employer contributions of $22,668, miscellaneous income of $0 and interest and dividend income of $5,018, producing a total income of $27,686 for the quarter. Benefit expenses were $5,817 and operating expenses were $6,908, producing a total expense of $12,725, resulting in a net surplus of $14,961 for the quarter. Ms. Cochran noted that contributions were made on behalf of 659 participants.

VI. <u>INVOICES</u>

Ms. Cochran presented a list of invoices dated June 6, 2022 for Trustee review. It was noted that there were no additions, deletions or changes to the list.

On MOTION made and seconded, the Trustees voted unanimous approval of the following resolution:

> **RESOLVED that the invoices on the list dated June 6, 2022 are approved for payment as presented.**

VII. <u>OTHER FUND BUSINESS</u>

A. <u>Memorandum of Agreement ("MOA") – Canada Dry Potomac Corporation</u>

Ms. Cochran reported the receipt of the Memorandum of Agreement between the Union and Canada Dry Potomac Corporation for the period February 27, 2020 through February 26, 2024.

After discussion and review of the MOA by Fund Co-Counsel, the Trustees voted approval of the following resolution:

> **RESOLVED to accept the MOA between Canada Dry Potomac Corporation and the Union for the period February 27, 2020 through February 26, 2024.**

B. Memorandum of Agreement ("MOA") – Giant Local 922

Ms. Cochran reported the receipt of the Memorandum of Agreement between the Union and Giant Local 922 for the period June 26, 2022 through June 20, 2026.

After discussion and review of the MOA by Fund Co-Counsel, the Trustees voted approval of the following resolution:

> **RESOLVED to accept the MOA between Giant Local 922 and the Union for the period June 26, 2022 through June 20, 2026.**

C. Cyber Liability Policy

Ms. Cochran noted interim action regarding the renewal of the Cyber Liability policy for the period May 20, 2022 through May 20, 2023 with Markel, through the broker NFP Property & Casualty Service, Inc. She said that the annual premium increased by $3,429.90. She said the renewal was approved by Chairman and Secretary in an electronic poll conducted in May 2022.

D. Fiduciary Liability Policy

Ms. Cochran reported the Fiduciary Liability policy expires July 26, 2022 and that proposals with be distributed to the Trustees once available.

E. 2021 Annual Audit

Ms. Cochran reported that Novak Francella performed fieldwork for the audit in the Administrative Manager's office the week of May 23, 2022. Due to the timing of the fieldwork, draft financials are not yet available. She said the auditor expected to file the Form 990 and Form 5500 on time, however would like to request approval to file for extensions in case of an unforeseen delay.

On MOTION made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED to approve Novak Francella to file an extension for the Form 990 and Form 5500.

F. Payroll Audit Status – Warehouse Local 730 Union

Ms. Cochran reported that the audit for the period January 1, 2019 through December 31, 2021 was completed with no exceptions noted.

VIII. NEXT MEETING DATE AND LOCATION

After discussion, the Trustees selected September 23, 2022 as their next regular meeting via conference call.

IX. ADJOURNMENT

There being no additional business to come before the Trustees, the meeting was adjourned.

Respectfully submitted,

Michael Bull

Secretary

WAREHOUSE EMPLOYEES UNION
LOCAL NO. 730 AND CONTRIBUTING COMPANIES'
PREPAID LEGAL SERVICES FUND

SECOND QUARTER 2022

ADMINISTRATIVE MANAGER'S REPORT

SECOND QUARTER 2022
CONTRIBUTIONS

EMPLOYER	RATE	HOURS	PARTICIPANTS	CONTRIBUTIONS
CANADA DRY	$0.07	107,806.20	229	$ 7,546
CANTEEN VENDING	$0.07	43,352.00	94	$ 3,035
EIGHT O'CLOCK COFFEE	$0.07	23,670.00	51	$ 1,657
GIANT 922	$0.07	9,520.00	20	$ 666
GIANT RECYCLING	$0.07	11,190.27	22	$ 783
GIANT WAREHOUSE	$0.07	122,864.17	211	$ 8,600
QUALITY CUSTOM DISTRIBUTION	$0.07	26,881.20	60	$ 1,882
UNION LOCAL 730	$0.07	1,356.00	3	$ 95
WASHINGTON FOOD	$0.07	1,504.00	3	$ 105
TOTAL		**348,143.84**	**693**	**$ 24,369**

AVERAGE HOURLY INCOME	$0.07

SECOND QUARTER 2022
EXPENSES

BENEFIT EXPENSES	AMOUNT	AVG. HRLY. COST	PERCENTAGE
STEVEN M. SINDLER	$ 8,891	$ 0.026	33.24%
SUBTOTAL	$ 8,891	$ 0.026	33.24%

OPERATING EXPENSES	AMOUNT	AVG. HRLY. COST	PERCENTAGE
ADMINISTRATION	$ 4,335	$ 0.012	16.21%
MISCELLANEOUS	$ 13,520	$ 0.038	50.55%
SUBTOTAL	$ 17,855	$ 0.050	66.76%

TOTAL EXPENSES	**$ 26,746**	**$ 0.076**	**100.00%**

MISCELLANEOUS

MISCELLANEOUS EXPENSES	AMOUNT	AVG. HRLY. COST	PERCENTAGE
ACCOUNTING	$ 6,035	$ 0.017	22.564%
ATLANTA CAPITAL MNGMT	$ 150	$ -	0.561%
CONFERENCE	$ 23	$ -	0.086%
CYBER LIABILITY INSURANCE	$ 1,790	$ 0.005	6.693%
INVESTMENT MNGMT FEE	$ 657	$ 0.002	2.456%
IPS	$ 625	$ 0.002	2.337%
LEGAL	$ 4,158	$ 0.012	15.546%
POSTAGE	$ 82	$ -	0.307%

TOTAL	**$ 13,520**	**$ 0.038**	**50.55%**

2022
QUARTERLY RECAP

	FIRST 2022	SECOND 2022	THIRD 2022	FOURTH 2022	TOTAL
CONTRIBUTIONS	$ 22,668	$ 24,369	$ -	$ -	$ 47,037
MISCELLANEOUS	$ -	$ -	$ -	$ -	$ -
INTEREST & DIVIDENDS	$ 5,018	$ 5,151	$ -	$ -	$ 10,169
TOTAL INCOME	$ 27,686	$ 29,520	$ -	$ -	$ 57,206
BENEFIT EXPENSES					
PROVIDER	$ 5,817	$ 8,891	$ -	$ -	$ 14,708
SUBTOTAL	$ 5,817	$ 8,891	$ -	$ -	$ 14,708
OPERATING EXPENSES					
ADMINISTRATION	$ 4,111	$ 4,335	$ -	$ -	$ 8,446
MISCELLANEOUS	$ 2,797	$ 13,520	$ -	$ -	$ 16,317
SUBTOTAL	$ 6,908	$ 17,855	$ -	$ -	$ 24,763
TOTAL EXPENSES	$ 12,725	$ 26,746	$ -	$ -	$ 39,471
TOTAL INCOME	$ 27,686	$ 29,520	$ -	$ -	$ 57,206
TOTAL EXPENSES	$ 12,725	$ 26,746	$ -	$ -	$ 39,471
SURPLUS (DEFICIT)	**$ 14,961**	**$ 2,774**	**$ -**	**$ -**	**$ 17,735**
AVERAGE HOURLY INCOME	$ 0.09	$ 0.09	$ -	$ -	$ 0.09
AVERAGE HOURLY EXPENSES	$ 0.04	$ 0.08	$ -	$ -	$ 0.06
SURPLUS (DEFICIT)	$ 0.05	$ 0.01	$ -	$ -	$ 0.03
NUMBER OF PARTICIPANTS	659	693	0	0	676

2021
QUARTERLY RECAP

	FIRST 2021	SECOND 2021	THIRD 2021	FOURTH 2021	TOTAL
CONTRIBUTIONS	$ 21,967	$ 22,528	$ 23,555	$ 24,242	$ 92,292
MISCELLANEOUS	$ -	$ -	$ -	$ -	$ -
INTEREST & DIVIDENDS	$ 5,712	$ 6,166	$ 5,583	$ 5,169	$ 22,630
TOTAL INCOME	$ 27,679	$ 28,694	$ 29,138	$ 29,411	$ 114,922
BENEFIT EXPENSES					
PROVIDER	$ 4,840	$ 17,774	$ 11,104	$ 12,806	$ 46,524
SUBTOTAL	$ 4,840	$ 17,774	$ 11,104	$ 12,806	$ 46,524
OPERATING EXPENSES					
ADMINISTRATION	$ 3,926	$ 3,931	$ 3,932	$ 3,960	$ 15,749
MISCELLANEOUS	$ 2,841	$ 6,865	$ 8,275	$ 3,324	$ 21,305
SUBTOTAL	$ 6,767	$ 10,796	$ 12,207	$ 7,284	$ 37,054
TOTAL EXPENSES	$ 11,607	$ 28,570	$ 23,311	$ 20,090	$ 83,578
TOTAL INCOME	$ 27,679	$ 28,694	$ 29,138	$ 29,411	$ 114,922
TOTAL EXPENSES	$ 11,607	$ 28,570	$ 23,311	$ 20,090	$ 83,578
SURPLUS (DEFICIT)	**$ 16,072**	**$ 124**	**$ 5,827**	**$ 9,321**	**$ 31,344**
AVERAGE HOURLY INCOME	$ 0.09	$ 0.09	$ 0.09	$ 0.09	$ 0.09
AVERAGE HOURLY EXPENSES	$ 0.04	$ 0.09	$ 0.07	$ 0.06	$ 0.07
SURPLUS (DEFICIT)	$ 0.05	$ -	$ 0.02	$ 0.03	$ 0.02
NUMBER OF PARTICIPANTS	641	643	642	646	643

SECOND QUARTER 2022
CONTRACT INFORMATION

COMPANY	CURRENT RATE	RATE EFF. DATE	CBA EXPIRATION
CANADA DRY	$0.07	02-27-15	02-26-24
CANTEEN VENDING	$0.07	10-13-17	10-12-21
EIGHT O'CLOCK COFFEE	$0.07	10-01-04	07-17-27
GIANT 922	$0.07	04-28-11	06-20-26
GIANT RECYCLING	$0.07	08-01-04	06-20-26
GIANT WAREHOUSE	$0.07	05-30-04	05-15-27
QUALITY CUSTOM DISTRIBUTION	$0.07	07-28-16	07-28-25
UNION LOCAL 730	$0.07	05-30-04	Follows Giant Warehouse CBA
WASHINGTON FOOD	$0.07	11-01-06	10-31-24

SECOND QUARTER 2022
UTILIZATION

STEVEN M. SINDLER

CATEGORY	TYPE	NEW CASES	ATTORNEY HOURS	PARALEGAL HOURS	HOURLY RATE	TOTAL CHARGES
01	ADVISE AND CONSULTATION	2	2.50	0.00	$ 140	$ 350
02	WILL	2	6.00	0.00	$ 140	$ 840
03	FAMILY	1	16.20	0.00	$ 140	$ 2,268
04	REAL ESTATE	0	0.00	0.00	$ 140	$ 0
05	TRAFFIC	0	20.86	0.00	$ 140	$ 2,920
06	CRIMINAL	0	10.80	0.00	$ 140	$ 1,512
07	JUVENILE	0	0.00	0.00	$ 140	$ 0
08	PROBATE/ESTATE	0	0.00	0.00	$ 140	$ 0
09	CIVIL PROCEEDINGS	2	7.15	0.00	$ 140	$ 1,001
TOTALS		7	63.51	0.00		$8,891

ALL HOURS	63.51
ADJUSTED HOURS	63.51
COST PER HOUR	$139.99

LEGAL
DELINQUENCY REPORT
As of June 30, 2022

NONE

Warehouse Employees Union Local No. 730
and Contributing Companies' Prepaid Legal Services Fund

INVOICES

September 23, 2022

Atlanta Capital Management Co., LLC

8/1/2022	Fee for investment services rendered through June 30, 2022	$ 150.00

Blank Rome LLP

8/9/2022	Fee for professional services rendered through July 31, 2022	$ 2,112.00
7/7/2022	Fee for professional services rendered through June 30, 2022	$ 1,320.00
6/3/2022	Fee for professional services rendered through May 31, 2022	$ 2,640.00

Investment Performance Services, LLC

6/14/2022	Fee for professional services rendered through June 30, 2022	$ 625.00

NFP (The Meltzer Group)

7/25/2022	Fee for Fiduciary Liability Policy through July 26, 2023	$ 2,609.00
5/23/2022	Fee for Cyber Liability Insurance Policy through May 20, 2023	$ 1,761.30

Novak Francella, LLC

8/22/2022	Fee for Annual Audit services performed for plan year ended December 31, 2021	$ 6,500.00

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2021 SUMMARY OF ANNUAL REPORT

FOR

WAREHOUSE EMPLOYEES UNION LOCAL NO. 730
& CONTRIBUTING COMPANIES' PREPAID LEGAL SERVICES FUND

This is a summary of the annual report for the Trustees of the WAREHOUSE EMPLOYEES UNION LOCAL NO. 730 & CONTRIBUTING COMPANIES' PREPAID LEGAL SERVICES FUND (Employer Identification No. 22-3408915, Plan No. 501) for the period January 1, 2021 to December 31, 2021. The annual report has been filed with the Employee Benefits Security Administration, as required under the Employee Retirement Income Security Act of 1974 ("ERISA").

BASIC FINANCIAL STATEMENT

The value of Plan assets, after subtracting liabilities of the Plan, was $954,459 as of December 31, 2021 compared to $939,913 as of January 1, 2021. During the Plan year, the Plan experienced an increase in its net assets of $14,546. During the Plan year, the Plan had total income of $100,125. This income included employer contributions of $92,296, realized loss of $5,653 from the sale of assets and earnings from investments of $13,482. Plan expenses were $85,579. These expenses included $37,809 in administrative expenses and $47,770 in benefits paid to participants and beneficiaries.

YOUR RIGHTS TO ADDITIONAL INFORMATION

You have the right to receive a copy of the full annual report, or any part thereof, on request. The items listed below are included in that report:

An accountant's report;

1. Financial information and information on payments to service providers;
2. Assets held for investment; and
3. Transactions in excess of 5 percent of the Plan assets.

To obtain a copy of the full annual report, or any part thereof, write or call the office of

Associated Administrators, LLC (Administrative Manager)
c/o Warehouse Employees Union Local No. 730
& Contributing Companies' Prepaid Legal Services Fund
911 Ridgebrook Road
Sparks, MD 21152-9451
(800) 730-2241

The charge to cover copying costs will be $5.00 for the full report, or $0.25 per page for any part thereof.

You also have the right to receive from the Plan administrator, on request and at no charge, a statement of the assets and liabilities of the Plan and accompanying notes, or a statement of income and expenses of the Plan and accompanying notes, or both. If you request a copy of the full annual report from the Plan administrator, these two statements and accompanying notes will be included as part of that report. The charge to cover copying costs given above does not include a charge for the copying of these portions of the report because these portions are furnished without charge.

You also have the legally protected right to examine the annual report at the main office of the Plan:

Associated Administrators, LLC (Administrative Manager)
911 Ridgebrook Road
Sparks, MD 21152-9451

and at the U.S. Department of Labor in Washington, D.C., or to obtain a copy from the U.S. Department of Labor upon payment of copying costs. Request to the Department should be addressed to: U.S. Department of Labor, Employees Benefits Security Administration, Public Disclosure Room, 200 Constitution Avenue, NW Suite N-1513, Washington, D.C. 20210.

BOARD OF TRUSTEES