



**South Florida Operating Engineers
Apprentice & Training Fund**
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**MINUTES OF THE MEETING OF THE
BOARD OF TRUSTEES OF THE
SOUTH FLORIDA OPERATING ENGINEERS
APPRENTICE AND TRAINING FUND
THURSDAY, NOVEMBER 9, 2023
VIA VIDEOCONFERENCE
(DRAFT)**

The following Trustees were present:

LABOR TRUSTEES

M. Schaunaman, Chairman
J. Kammer
C. Potter
W. Utreras

MANAGEMENT TRUSTEES

J. Turk, Secretary-Treasurer
S. Alfele
J. Epperson
D. Short

Also present were:

D. Bellows – Bellows CPA's
T. Dubose – Legacy Wealth Management
J. Herron - Associated Administrators, LLC
J. Ianniello - Associated Administrators, LLC
K. Phillips - Phillips, Richard & Rind, PA
M. Smith - Apprenticeship Director

I. CALL TO ORDER

Mr. Ianniello reported that Mr. James Kammer and Mr. Claude Potter had accepted the vacant Union Trustee positions. A quorum being present, the Chairman called the meeting to order.

II. MINUTES

The Trustees reviewed the minutes of the regular meeting held on August 10, 2023, which were circulated to the Trustees in advance of the meeting.

After discussion, on motion made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED, to approve the minutes of the regular Board meeting held on August 10, 2023, as presented.

III. AUDITOR'S REPORT

The Trustees welcomed Ms. Dina Bellows-Levine from Bellows Associates, CPA, to the meeting.

A. Audited Financial Statements for Years Ended March 31, 2023, & 2022

Ms. Bellows-Levine presented a Summary of the draft Audited Financial Statements for the Plan years ended March 31, 2023, and 2022, a copy of which is attached to and made a part of these minutes as Exhibit A. She expressed an unmodified (clean) opinion on the Financial Statements, meaning that, in her opinion, the Financial Statements present fairly, in all material respects, the financial status of the Fund as of March 31, 2023, and 2022. She reviewed the audit and reported that the net assets available for benefits as of March 31, 2023, were \$5,745,963 compared to \$4,958,387 as of March 31, 2022, representing an increase of \$787,576. Ms. Bellows-Levine reviewed the Notes to Financial Statements as of the years ended March 31, 2023, and 2022.

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

RESOLVED, to approve the audited Financial Statements for the Plan years ended March 31, 2023, and 2022, as presented.

B. Form 990 for plan Year Ended March 31, 2023

Ms. Bellows-Levine said that for the Plan Year ended March 31, 2023, Form 990 would be filed before February 15, 2024, under the allowable extension of time to file.

The Trustees thanked Ms. Bellows-Levine for her report and excused her from the meeting.

IV. INVESTMENT CONSULTANT'S REPORT

The Trustees welcomed Mr. Tony Dubose from Legacy Wealth Management to the meeting.

A. Performance Report

Mr. DuBose reviewed a report titled "Portfolio Review," which is attached to and made a part of these minutes as Exhibit B. Mr. DuBose discussed vital information from the report with the Trustees. As of October 25, 2023, the portfolio's market value was \$1,434,721. The portfolio had an investment loss of \$36,463 for the period August 8, 2023, through October 25, 2023.

Mr. DuBose said that the asset allocation as of October 25, 2023, was 42.51% in cash, 44.89% in bonds, 8.83% in U.S. stocks, 3.19% in non-U.S. stocks, and 0.57% in other. Mr. DuBose said the Fund's investments comply with its Investment Policy Statement. Discussion ensued regarding permissible investments consistent with current asset allocations in the Investment Policy Statement.

V. DIRECTOR'S REPORT

Mr. Michael Smith presented the Director's Report dated November 9, 2023, a copy of which is attached to and made a part of these minutes as Exhibit C. He reported the following:

A. Apprentices

Six new apprentices joined the Apprenticeship Program. Two graduated and eleven apprentices were terminated from the Apprenticeship Program since the last Board meeting. Ninety-one apprentices are enrolled in the Apprentice Program. The Apprenticeship Program has implemented a test for the apprentices to take to elevate from the A to B class and from the B to C class.

B. Upgrading the Apprenticeship Program

Mr. Smith reported that there were 24 applications for the Apprenticeship Program. Due to the high demand from contractors needing apprentices, advertising is done on Indeed and Google. Mr. Smith continues to visit with contractors to discuss the apprenticeship training program and the apprentices.

The Apprenticeship Program updated the Apprenticeship Standards in Section 18 for apprentice advancement per approval by the Board. They are now waiting for approval from

the State of Florida. Mr. Smith renewed his CPR on August 30, 2023. Mr. Smith attended a CPR Train the Trainer class on October 5, 2023. Mr. Smith requested the purchase of CPR aids and submitted costs. The item was deferred pending looking into other options that may be less costly to the fund. Ms. Pam Durant attended an NCCCO Virtual Proctor workshop for Event Online Testing (EOT) on October 5, 2023, to earn Proctor Credentials for the upcoming NCCCO written testing. Mr. Smith completed the training to be the Test Site Administrator (TSA) and Test Site Coordinator (TSC) for Event Online Testing (EOT) for the NCCCO. Mr. Smith attended a job fair at Plantation High School on October 19, 2023. Mr. Smith attended the CDL Advisory Committee at Sheridan Technical on October 23, 2023. Mr. Smith attended the State Advisory Council (SAC) virtual meeting on October 31, 2023. Mr. Smith attended a job fair at the Boys and Girls Club on November 1, 2023. Mr. Smith continues to go to the PCJAC and UJAC meetings.

Mr. Smith requested approval to attend the International Foundation of Employee Benefit Plans Conference for the Institute for Apprenticeship Training and Education Program in Las Vegas, Nevada, on January 22-24, 2024.

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

RESOLVED, to approve the Apprenticeship Director to attend the Employee Benefits Conference on January 22-24, 2023, in Las Vegas, Nevada, with expenses not to exceed \$1,600.00.

Mr. Smith is looking to replace their ten-year-old copy machine, which is working poorly, and the maintenance plan for next year will be \$4,500.00. The total cost of the new copier would be \$10,900.00. After some discussion,

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

RESOLVED, to approve the purchase of a new printer not to exceed \$11,000.00.

Mr. Smith wants to order nine Lenovo laptops for the NCCCO Event Online Testing (EOT). The funds from the Supply Chain Automation Workforce Hub Incentive Program would be used for the purchase. The total cost for the laptops is \$6,128.32. After some discussion,

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

RESOLVED, to approve the purchase of nine Lenovo laptops to be used for the NCO Event Online Testing.

C. Apprenticeship Classes

Twenty-two apprentices attended an OSHA 10 class on August 19-20, 2023. Nineteen apprentices participated in a rigging class on September 9, 2023. Fourteen apprentices attended a rigging practical on September 23, 2023. Twenty-two apprentices participated in a signaling class on October 7, 2023. Twenty-three apprentices attended a signaling class for Sims Crane on October 21, 2023. An OSHA 10 class was held on November 4-5, 2023. An extra rigging class was held for Sims Crane on November 4, 2023. An additional rigging practical is scheduled for November 11, 2023.

D. School Board of Broward County ("SBBC")

A \$64,881.00 check was received from the School Board.

E. Equipment

Batteries, hoses, and hydraulic cylinder packing kits continue to be the most frequent repairs on equipment. Mr. Smith reported that the fuel tanks at the Apprenticeship School are out of code and need to be replaced. The Trustees asked Mr. Smith to speak with Port Consolidated and Palmdale to see if either provider has fuel tanks for sale.

F. Training Center

Mr. Smith reported that thirteen NCCCO practical exams were administered during the third quarter of 2023. Seventy-one visitors signed the on-site visitor list during the third quarter of 2023. The Fort Lauderdale Fire Department will use the training site for training drills on November 6-10, 2023. The new building is finished, and classes are in the new building. The old trailer has been demolished and removed from the training site.

Mr. Smith would like to purchase security cameras to monitor the property for the security system that is already installed. The cost to install the security cameras is \$8,730.00. After discussion,

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

RESOLVED, to approve the purchase of the security cameras and not to exceed \$8,800.00.

VI. ATTORNEY'S REPORT

Ms. Phillips distributed the "Trustees Report" dated November 9, 2023, a copy of which is attached to and made a part of these minutes as Exhibit D.

A. Delinquency and Collections

Ms. Phillips provided an update on delinquency and collection matters involving Florida Rigging & Crane Company, Able Logistics South, LLC, R & S Concrete South, Inc., Berkel Company Contractor, and North American Crane & Rigging, LLC.

1. **Florida Rigging & Crane Company** - Paid late fees but still need to pay attorney's fee.
2. **Able Logistics South, LLC** – Made all outstanding payments, and no monies are due.
3. **R&S Concrete South, Inc.** – still owes a late fee for August 2023 and an attorney fee totaling \$874.77. No payment has been received.
4. **Berkel Company Contractor** - Made all outstanding payments, and no monies are due.
5. **North American Crane & Rigging, LLC** – payment was made for outstanding contributions but not attorney fees. \$310 Attorney fees are still owed - late fee notice mailed October 25, 2023.

B. Payroll Audits

Ms. Phillips provided the following payroll audit status report from the Bellows firm. Sims Crane & Equipment, Laney Directional Drilling, PreCon Construction, Williams Specialty Service, and Zeiger Crane Rental are all compliant, and all the employers have been notified.

Ms. Phillips asked Associated Administrators, LLC to compose a list of next year's next group of Payroll Audits.

VII. ADMINISTRATIVE MANAGER'S REPORT

A. Income and Expense Statement

Mr. Ianniello reviewed the Income and Expense Statement for September 30, 2023, a copy of which is attached to and made a part of these minutes as Exhibit E. He reported that total assets on September 30, 2023, were \$7,153,301.36 compared to \$5,276,549.98 in September 2022. He presented a Comparative Income Statement for the twelve months ended September 30, 2023. He reported that in September 2023, the Fund had total receipts of \$86,104.00 and total expenses of \$68,669.57, resulting in a \$17,434.43 income.

B. Disbursements

Mr. Ianniello presented the expense check register for September 2023, which indicated total disbursements of \$291,903.36. He reviewed the payroll check register for September 2023, which showed a total payroll of \$28,853.51.

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

RESOLVED, to accept the Administrative Manager's Report as presented.

VIII. OTHER FUND BUSINESS

Mr. Ianniello reported the following:

A. Smart Board Email Vote

Between meetings, the Trustees unanimously approved the purchase of four 86" interactive panels, two fixed and two adjustable stands, including installation, for \$21,098.00.

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

RESOLVED, to approve the purchase of four 86" interactive panels, two fixed and two adjustable stands, including installation, for \$21,098.00.

B. Fiduciary Liability Insurance Renewal

A quote was received for the renewal of the Fiduciary Liability Policy from January 1, 2024, to January 1, 2025. The renewal premium is \$11,945.00, with a base policy premium of \$11,720.00 and a waiver of recourse premium of \$225.

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

RESOLVED to approve the renewal of the fiduciary liability insurance policy for the period January 1, 2024, to January 1, 2025, at a premium of \$11,945 (\$11,720 base premium and \$225 waiver of recourse premium), with \$9,376 to be paid by the Health & Welfare Fund and \$2,344 to be paid by the Apprentice and Training Fund (80/20% split).

C. International Foundation for Employee Benefit Plans (IFEBP) Membership

The Fund's IFEBP membership renewal invoice for \$1,425.00 for 2023 was received.

After discussion, on Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED to renew the 2024 IFEBP membership for \$1,425.00, with \$1,140 to be paid by the Health & Welfare Fund and \$285 to be paid by the Apprentice and Training Fund (80/20% split).

IX. MEETING DATES AND LOCATION

The next quarterly Board meeting was scheduled for Thursday, February 15, 2024, at 9 a.m., via videoconference. The remaining regular Board meetings were scheduled for May 9, August 15, and November 14, 2024.

X. ADJOURNMENT

There being no further business to come before the Board of Trustees, the meeting was adjourned.

Respectfully submitted,

Jonathan Turk, Fund Secretary

These Minutes were adopted on:

Attachments:

- Exhibit A: Audited Financial Statements for Plan years ended March 31, 2023, and 2022
- Exhibit B: Legacy Wealth Management Investment Report November 9, 2023
- Exhibit C: Director's Report, November 9, 2023
- Exhibit D: Trustees Report from Fund Counsel, November 9, 2023
- Exhibit E: Income and Expense Statement, September 30, 2023