PROFESSIONAL COUNSELORS SECTION
MEETING MINUTES
OCTOBER 26, 2009

PRESENT:  Leslie Mirkin, Evelyn Pumphrey, Charles Lindsey

EXCUSED:  LaMarr Franklin

STAFF:  Jeff Scanlan, Bureau Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant and other DRL Staff

GUESTS:  Tammy Scheidegger and Carrie King, Mt. Mary College; Susan Gould and Meg Albrinck, Lakeland College; John Klem and Kathleen Deery, University of Wisconsin – Stout; Thomas Scotfield and Alan Saginak, University of Wisconsin – Oshkosh; Joseph D’Costa, Department of Workforce Development; Dan DeSloover, Wisconsin Counseling Association; Tom Bakita, University of Wisconsin – Madison; Ruth Lynch, University of Wisconsin – Madison/Rehabilitation Counseling

CALL TO ORDER

Leslie Mirkin, Chair, called the meeting to order at 9:03 a.m. A quorum of three (3) members was present.

APPROVAL OF AGENDA

Amendments to the Agenda

- After Item “S” (open session) REMOVE: “Hearing on the Denial of Application for a Professional Counselor License – David Sanchez” (Deferred at the request of the applicant)
- Item “U” (closed session) REMOVE: “Deliberation on the Hearing for the Denial of Application for a Professional Counselor License – David Sanchez” (Deferred at the request of the applicant)

MOTION:  Charles Lindsey moved, seconded by Evelyn Pumphrey, to approve the October 26, 2009 agenda as amended. Motion carried unanimously.

BOARD ELECTIONS FOR 2010 OFFICERS: CHAIR; VICE CHAIR; SECRETARY

Jeff Scanlan informed the Section that the Department has created a training session for chairs and vice chairs. The reception and training session will be held in downtown Madison on December 3 and 4, 2009. Because of the timing of the training, the Department has requested that elections be held in the fall of each year so that those elected as chair or vice chair can attend this training session.
NOMINATION: Evelyn Pumphrey nominated the 2009 slate of officers to continue in 2010. Nomination carried unanimously.

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<th>2010 ELECTION RESULTS</th>
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APPOINTMENT OF PROFESSIONAL COUNSELOR SECTION LIAISONS

Leslie Mirkin, Chair, made the following appointments:

- Credentialing, Education Review – Charles Lindsey/Leslie Mirkin
- Continuing Education – No appointment at this time
- Division of Enforcement, Monitoring – Leslie Mirkin/Evelyn Pumphrey - alternate
- Screening – LaMarr Franklin, Leslie Mirkin, Evelyn Pumphrey

APPROVAL OF MINUTES OF SEPTEMBER 1, 2009

MOTION: Charles Lindsey moved, seconded by Evelyn Pumphrey, to approve the minutes of September 1, 2009 as published. Motion carried unanimously.

ADMINISTRATIVE REPORT

Jeff Scanlan reported to the Section regarding a number of Department related issues. Director Scanlan referred to a letter that was sent out by Secretary Jackson concerning the installation of a new bureau within the Department to facilitate the regulation of the Medical Examining Board and its affiliated credentialing boards, committees, and councils. A general outline of the staff structure was provided noting that existing staff have been transferred and that hiring of staff to fill new positions is being pursued.

The Section was then informed of updates pertaining to the Division of Board Services such as the renovations to Board Services office area and upcoming retirements of Peggy Wichmann and Ruby Jefferson-Moore and Joel Garb.

Mr. Scanlan also reported on the Secretary’s outreach series initiative. The Department is currently focusing on outreach to its top ten boards, the boards that generate the most work for the Department. The MPSW Joint Board has been identified as a candidate for an outreach event to be held in the Milwaukee area sometime in the first quarter. The purpose of this event is to communicate with the profession regarding areas of interest or concern to the professions under the purview of the Joint Board. The members of the Joint Board are invited and encouraged to attend this event.

2010 Meeting Dates
The Section reviewed its 2010 meeting dates. A correction was made to the start time listed on January 11, 2010. The Section then discussed a previous request to hold additional meetings in 2010. Jeff Scanlan reported that this request has not been approved at this time due to budget restraints.

**MOTION:** Evelyn Pumphrey moved, seconded by Charles Lindsey, to adopt the proposed 2010 meeting dates (1/11/10, 4/12/10, 7/26/09, 10/25/09) with a corrected start time for 1/11/10. Motion carried unanimously.

**PRESENTATION OF PROPOSED STIPULATIONS**

None.

**PRESENTATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER MAILING OF AGENDA**

None.

**REPORT ON PENDING COURT CASES, DISCIPLINARY CASES, PRESS RELEASES AND ADMINISTRATIVE RULES**

None.

**STATUS OF RULES AND STATUTES**

Jeff Scanlan reported the status of administrative rules to the Section. Mr. Scanlan will be drafting a scope statement for publication to amend Wisconsin administrative code chapter MPSW 20, regarding unprofessional conduct, to include a provision defining failure to have a grievance procedure as unprofessional conduct. The Section noted a proposal to add the Chapter 457.25 reporting requirement to the code of conduct. Jeff Scanlan then informed the Board that MPSW 1.09 amendments are still under discussion by the Joint Board and finally MPSW 1.11 relating to psychometric testing is nearing completion. Jeff Scanlan gave a succinct overview of the next steps to be pursued relating to all pending rules.

**EDUCATION REQUIRED FOR WISCONSIN PROFESSIONAL COUNSELOR LICENSURE AND PROFESSIONAL COUNSELOR SECTION DETERMINATION ON ADEQUACY OF EXISTING EDUCATION REQUIREMENTS. DISCUSSION AND SECTION ACTION TO OCCUR ON FOLLOWING ISSUES:**

* Sufficiency of Minimum Credit Requirements – WI Standard of 42 Credit Minimum for Masters Degree (per MPSW 14.01 (2), Wis. Adm. Code), Review of Surrounding States
(IA, IL, MI & MN) Professional Counselor Education Requirements; Minimum Counselor Program Requirements in Other States, and Request for Input from Wisconsin Counselor Education Programs

The Section welcomed professional counseling program educators that were invited to attend today’s meeting to participate in a discussion relating to the adequacy of existing education requirements for licensure, currently forty-two (42) graduate semester hours.

It was indicated that of forty-nine (49) states which license counselors twenty-nine (29) states require sixty (60) graduate semester hours for their masters program and forty-four (44) states require between forty-eight (48) and sixty (60) graduate semester hours. In, the Section noted that CACREP is moving to a clinical mental health model which will increase its accreditation requirements to sixty (60) credit hours. The Section worked to address questions relating to the discrepancy in Wisconsin’s educational requirements as compared to the national average. The Section discussed mobility and public protection relating to the educational standard currently utilized.

The Section referenced correspondence, which was reviewed at its April meeting, regarding issues faced by CACREP accredited schools. The authors of this letter, David Van Doren, EdD, UW Whitewater and M. Alan Saginak, EdD, UW Oshkosh, discussed the impact of CACREP’s intent to require sixty (60) credit hours and the issue of an increase in educational requirements for Wisconsin licensure. The Section received comments relating to a number of concerns and opinions on the potential increase in credit hours. Some of the many topics covered include the impact to CORE accredited programs as a result of an increase to sixty (60) credit hours, workforce and potential access issues, and enrollment concerns. Comments were received from both CACREP and CORE accredited programs and from a representative of the Department of Workforce Development.

The Section discussed concerns regarding individuals with insufficient clinical education working in psychotherapeutic practices. The Section reviewed the requirements of other jurisdictions and contemplated the option of multi-tiered licensure. The Section felt that students must be prepared for professional practice and as such elected to pursue an increase of the educational requirement for licensure. The Section did not determine the number of credit hours to require at this time but will revisit this topic at its next meeting. The Section requested that feedback from educators and employers of professional counselors.

**MOTION:** Charles Lindsey moved, seconded by Evelyn Pumphrey, to develop a scope statement to review the credit hours towards the degree for licensure. Motion carried unanimously.

**REQUEST SUBMITTED BY MARIAH LEBER TO CHANGE DATE OF ISSUANCE OF PROFESSIONAL COUNSELOR TRAINING LICENSE**

The Section reviewed a request submitted by Mariah Lefeber to provide a retroactive adjustment to the issuance date of her professional counselor-training license. Ms. Lefeber’s request is based on a delay in issuance of the training license.
MOTION: Evelyn Pumphrey moved, seconded by Charles Lindsey, to grant the request submitted by Mariah Lefeber to change the date of issuance of her professional counselor-training certificate three months retroactively. Motion carried unanimously.

PROFESSIONAL COUNSELOR SECTION REVIEW FOR APPROVAL OF UNIVERSITY OF WISCONSIN-STOUT’S M.S.-MENTAL HEALTH COUNSELING PROGRAM

The Section reviewed UW Stout’s request for approval of its M.S. mental health-counseling program. Dr. John Klem, UW Stout, joined the Section to address questions pertaining to this request.

MOTION: Charles Lindsey moved, seconded by Evelyn Pumphrey, to approve UW Stout’s M.S. mental health counseling program as presented. Motion carried unanimously.

PROFESSIONAL COUNSELOR SECTION REVIEW FOR APPROVAL OF WISCONSIN SCHOOL OF PROFESSIONAL PSYCHOLOGY’S M.S.-CLINICAL PSYCHOLOGY PROGRAM

The Section reviewed the request submitted by Wisconsin School of Professional Psychology for approval of its M.S. clinical psychology program. A representative of this program was not present during Section deliberation. A question arose regarding the orientation of a psychology-based program being submitted for acceptance as a professional counseling license. Jeff Scanlan and Charles Lindsey will work together to draft a letter regarding this program for the purpose of clarification. Deliberation of this topic was deferred pending receipt of additional information.

PROFESSIONAL COUNSELOR SECTION REVIEW FOR APPROVAL OF MOUNT MARY COLLEGE’S M.S.-COUNSELING PROGRAM

The Section reviewed Mount Mary College’s request for approval its M.S. counseling program. Representatives from Mount Mary College were available for questions relating to its request for educational approval.

MOTION: Charles Lindsey moved, seconded by Evelyn Pumphrey, to approve Mount Mary College’s M.S. counseling program. Motion carried unanimously.

PROFESSIONAL COUNSELOR SECTION REVIEW FOR APPROVAL OF UNIVERSITY OF WISCONSIN-SUPERIOR’S M.S.-COUNSELING PROFESSIONS PROGRAM

The Section reviewed the request for approval of Wisconsin-Superior’s M.S. counseling professions program. It was requested that Wisconsin-Superior resubmit its grid to demonstrate
at least forty-two (42) credits. The Section asked about the three areas of counseling professions. Deliberation of this approval request was deferred pending receipt of additional information relating to this program.

PROFESSIONAL COUNSELOR SECTION REVIEW FOR APPROVAL OF UNIVERSITY OF WISCONSIN-MADISON’S M.S.-COUNSELING PSYCHOLOGY PROGRAM

The Section reviewed UW-Madison’s M.S. Counseling Psychology program. UW – Madison did not have a representative present to answer questions relating to the approval of its program. Clarification regarding the use of the orientation class, which is based in the practice of psychology, was requested. Jeff Scanlan and Charles Lindsey will work together to draft a letter requesting additional information.

MOTION: Evelyn Pumphrey moved, seconded by Charles Lindsey, to approve UW-Madison’s M.S. - counseling psychology program. Motion carried unanimously.

PROFESSIONAL COUNSELOR SECTION REVIEW FOR APPROVAL OF UNIVERSITY OF WISCONSIN-PLATTEVILLE’S COUNSELING EDUCATION PROGRAM

The Section considered the approval of UW – Platteville’s Counseling Education program. Representatives from UW – Platteville were available to answer questions.

MOTION: Charles Lindsey moved, seconded by Evelyn Pumphrey, to approve UW-Platteville’s counseling education program. Motion carried unanimously.

PROFESSIONAL COUNSELOR SECTION REVIEW FOR APPROVAL OF SOUTHERN NEW HAMPSHIRE UNIVERSITY’S M.S.-COMMUNITY MENTAL HEALTH PROGRAM

The Section deliberated acceptance of the M.S. – Community Mental Health program submitted by Southern New Hampshire University. Representation from Southern New Hampshire University was not available. A discrepancy in the amount of hours listed was identified. The Section asked that this school complete the new grid form and account for at least forty-two (42) credit hours. Deliberation of this item was deferred pending receipt of additional information.

PROFESSIONAL COUNSELOR SECTION REVIEW FOR APPROVAL OF UNIVERSITY OF WISCONSIN-MILWAUKEE’S M.S. EDUCATION PSYCHOLOGY-COMMUNITY COUNSELING PROGRAM

A review of the M.S. Education Psychology – Community Counseling program submitted by UW- Milwaukee was conducted by the Section. A representative from UW-Milwaukee was not
present to address the Section’s questions. Additional information regarding the orientation class included in this psychology-based program was requested.

MOTION: Charles Lindsey moved, seconded by Evelyn Pumphrey, to approve UW-Milwaukee’s M.S. education psychology-community counseling program. Motion carried unanimously.

PROFESSIONAL COUNSELOR SECTION REVIEW FOR APPROVAL OF UNIVERSITY OF MARQUETTE

M.A.-Community Counseling & M.A.-School Counseling Concentration

The Section reviewed two separate programs submitted by the University of Marquette. The Section requested the utilization of its new grid and asked that the school account for at least forty-two (42) credit hours. Deliberation of this request was deferred pending receipt of additional information.

PROFESSIONAL COUNSELOR SECTION REVIEW FOR APPROVAL OF SPRINGFIELD COLLEGE MILWAUKEE SCHOOL OF HUMAN SERVICES’-MASTERS IN HUMAN SERVICES-COMMUNITY COUNSELING CONCENTRATION

The Section reviewed Springfield College – Milwaukee School of Human Services’ Masters in Human Services – Community Counseling Concentration. The Section requested the utilization of its new grid and asked that the school account for at least forty-two (42) credit hours. Deliberation of this request was deferred pending receipt of additional information.

LETTER FROM KARI ESBEN REGARDING DIFFICULTY IN OBTAINING PAID SUPERVISED EXPERIENCE OPPORTUNITIES REQUIRED FOR PROFESSIONAL COUNSELOR LICENSURE

The Section reviewed correspondence received from Kari Esben and discussed her concern regarding difficulty in obtaining paid supervised experience required for the purpose of licensure. The concern raised by Ms. Esben was noted by the Section. It was requested that Jeff Scanlan send a response to Karie Esben indicating that this is an issue that the Joint Board is currently working to address this issue and direct her to contact the Office of the Commissioner of Insurance.

REVIEW OF “AFFIDAVIT OF PROFESSIONAL COUNSELING SUPERVISED EXPERIENCE” FORM. UPDATE OF FORM TO INCLUDE DEMONSTRATION OF COMPETENCIES AS PER S. MPSW 12.03 WIS. ADM. CODE

The Section reviewed the “Affidavit of Professional Counseling Supervised Experience” form and was informed that the supervisor affidavit contains no attestation of competencies required in MPSW 12.03 Wis. Admin. Code. The Section discussed this issue and contemplated the best
approach to this issue. Leslie Mirkin will work with Department staff to revise the affidavit form. A draft of the affidavit will be reviewed by the Section at a future meeting.

DISCUSSION ON PORTABILITY OF PROFESSIONAL COUNSELOR LICENSURE BETWEEN STATE JURISDICTIONS, REVIEW OF REQUIREMENTS OF AMERICAN ASSOCIATION OF STATE COUNSELING BOARDS (AASCB) NATIONAL CREDENTIAL REGISTRY

The Section briefly discussed portability of licensure with other jurisdictions. The AASCB’s National Credential Registry was included in the agenda packet and was reviewed by the Section. Also discussed was NBCC’s approach to unique areas and its trade of experience for deficiencies. Jeff Scanlan suggested that the Section may wish to review NBCC’s portability and model regulations in the future. The issue of portability will be discussed in conjunction with the Sections decision to draft rules increasing educational requirement for Wisconsin professional counselor license. The Section requested that information regarding licensure portability be collected by its delegate to the AASCB Annual Conference. The Section will review this issue at its January 2010 meeting.

QUESTION – MAY SUPERVISED PROFESSIONAL COUNSELOR TRAINING HOURS ACCRUED WITHOUT A TRAINING LICENSE DURING A POSTDOCTORAL PROFESSIONAL COUNSELING PROGRAM COUNT TOWARD PROFESSIONAL COUNSELING LICENSURE

Jeff Scanlan explained that a question relating to masters level vs. doctoral level professional counseling education and the requirements for accruing training hours was received. The Section indicated that if an individual in Wisconsin is in their doctoral program a training license is needed in order to have that experience apply towards a professional counselor license. It was noted by the Section that there are no postdoctoral degree programs in Wisconsin for professional counseling and that the program in question is actually psychology based. The Section expressed concerns about the appearance that psychology students utilizing the professional counselor training license while working to accrue postdoctoral hours for a psychology license. Aaron Knautz will respond to this question.

AMERICAN ASSOCIATION OF STATE COUNSELING BOARDS (AASCB) – FYI ITEM - NEWSLETTER: THE LIAISON

Noted.

Board Member Travel to AASCB Annual Conference, January 7-9, 2010, Orlando FL

The Section discussed attendance at the AASCB Annual Conference.

MOTION: Evelyn Pumphrey moved, seconded by Charles Lindsey, to authorize Jeff Scanlan as the Section’s representative to attend the 2010 AASCB Annual Conference and to designate an alternate delegate as appointed by the Section Chair as needed. Motion carried unanimously.
The Section discussed professional counselor applicants that are submitting 3,000 hours of experience without having obtained the professional counselor training license. Concerns regarding unlicensed practice were expressed. Another concern is those individuals that work in DHS certified clinics and obtain the 3,000 hour letter (aka: Dan Crossman letter). In the past the Section has denied applications for licensure based upon the fact that they were not licensed when they accrued their experience, however is being requested that the Section reconsider this position and deliberate an alternative path. The statutes are clear that a professional counselor license is required for the practice of professional counseling including the supervised practice of professional counseling required for full licensure; however until 2009, the administrative code had no explicit requirement for a person to hold a training certificate for the hours to be counted toward full licensure (see CR 08−088 Register June 2009 No. 642, eff. 7−1−09). The requirement may now be found in s. MPSW 12.01 (5), Wis. Admin. code. The Section also discussed how the issuance of the DHS 3,000 hour 3rd party provider letter had an impact on this issue.

Jack Zwieg, Division of Enforcement, joined the Section to discuss the denial of an applicant due to lack of a training license during the supervised practice period and to review other possible alternatives for the Section’s consideration. The section discussed the history of how previous applicants are handled, when the Section may deny applicants, and when they may approve them. The Section also discussed offering the full license as well as a discipline for the fact that applicants in this area have been practicing without a license, which is a potential violation of chapter 457, Wis. Stats., and as such a violation of code of conduct (any violation of the practice act may be construed as a violation of code of conduct).

CLASS 1 HEARINGS ON DENIAL OF APPLICATIONS FOR LICENSURE

Hearing on the Denial of Application for a Professional Counselor License – David Sanchez

This hearing was deferred at the request of the applicant.

Hearing on the Denial of Application for a Professional Counselor License – Janice Johnson

Janice Johnson appeared before the Section to provide additional information regarding the denial of her application for Licensed Professional Counselor credential. The Section will deliberate on this issue in closed session.

Hearing on the Denial of Application for a Professional Counselor License – Andrew Cameron

Andrew Cameron appeared before the Section to provide additional information regarding the denial of his application for Licensed Professional Counselor credential. The Section will deliberate on this issue in closed session.
APPROVALS FOR PSYCHOMETRIC TESTING RECEIVED AFTER THE MAILING OF THE AGENDA

None.

CORRESPONDENCE AND PHONE INQUIRIES BY LEGAL COUNSEL

None.

REPORT OF SCREENING PANEL

Leslie Mirkin reported that two (2) cases were reviewed and two (2) cases were opened.

INFORMATIONAL ITEMS

None.

PUBLIC COMMENTS

None.

CLOSED SESSION

MOTION: Evelyn Pumphrey moved, seconded by Charles Lindsey, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g), to consult with legal counsel to deliberate on proposed stipulations, deliberate on administrative warnings, deliberate on monitoring issues, application review, monitoring report and DOE case status reports. Roll Call Vote: Leslie Mirkin-yes; Evelyn Pumphrey-yes; and Charles Lindsey-yes. Motion carried unanimously.

The Board convened into Closed Session at 1:26 p.m.

RECONVENE TO OPEN SESSION

MOTION: Charles Lindsey moved, seconded by Evelyn Pumphrey, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 4:13 p.m.
MONITORING

MARK WIERSCHKE
REQUESTING REINSTATEMENT OF FULL LICENSURE

MOTION: Evelyn Pumphrey moved, seconded by Charles Lindsey, to deny Mark Wierschke’s request for reinstatement of full licensure. Reason for Denial: Failure to submit evidence to the Section of completion of continuing education. Motion carried unanimously.

STEPHEN G. FLECK
REQUESTING REINSTATEMENT OF LICENSE


(*Note – The Professional Counselor Section Accepted the Surrender of Stephen G. Fleck’s License on January 31, 2006)

DELIBERATION OF MONITORING ISSUES THAT MAY BE RECEIVED AFTER MAILING OF AGENDA

None.

SUPERVISOR APPROVALS RECEIVED AFTER THE MAILING OF THE AGENDA

None.

DELIBERATION REGARDING HEARINGS ON APPLICATION DENIALS

Deliberation on the Hearing for the Denial of Application for a Professional Counselor License - David Sanchez

David Sanchez requested that the Section reschedule his appearance before the Section. This item has been removed from the agenda and has been deferred to the Section’s next meeting.

Deliberation on the Hearing for the Denial of Application for a Professional Counselor License – Janice Johnson

MOTION: Charles moved, seconded by Evelyn Pumphrey, to grant a limited license to Janice Johnson, which shall require completion of pre-approved coursework, passage of the national exam, and six (6) months supervision by a pre-approved supervisor with all the pre-approvals to be made by
Charles Lindsey acting as designee of the Section. Motion carried unanimously.

**Deliberation on the Hearing for the Denial of Application for a Professional Counselor License – Andrew Cameron**

**MOTION:** Evelyn Pumphrey moved, seconded by Charles Lindsey, to issue a professional counselor license to Andrew Cameron once all requirements are met. Motion carried unanimously.

**DELIBERATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER MAILING OF THE AGENDA**

None.

**DELIBERATION OF PROPOSED ADMINISTRATIVE WARNINGS THAT MAY BE SIGNED AFTER THE MAILING OF THE AGENDA**

None.

**DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS FOR DISCIPLINARY PROCEEDINGS RECEIVED AFTER THE MAILING OF THE AGENDA**

None.

**DELIBERATION OF PETITIONS FOR RE-HEARINGS THAT MAY BE SIGNED AFTER THE MAILING OF THE AGENDA**

None.

**DIVISION OF ENFORCEMENT CASE STATUS REPORT, CASE CLOSINGS**

**09 CPC 001**

**MOTION:** Charles Lindsey moved, seconded by Evelyn Pumphrey, to close case 09 CPC 001 for prosecutorial discretion (P2). Motion carried unanimously.

**06 CPC 015**
MOTION: Evelyn Pumphrey moved, seconded by Charles Lindsey, to close case 06 CPC 015 for insufficient evidence. Motion carried unanimously.

06 CPC 024

MOTION: Charles Lindsey moved, seconded by Evelyn Pumphrey, to close case 06 CPC 024 for insufficient evidence. Motion carried unanimously.

REVIEW OF APPLICATIONS

Due to time constraints the Section will meet on October 27, 2009 to review applications that were not completed today, the motion below reflects the actions taken by the Section at today’s meeting. Please review October 27, 2009 meeting minutes for a list of application files reviewed.

MOTION: Evelyn Pumphrey moved, seconded by Charles Lindsey, to approve the applications approved, deny the applications denied, and to request further information on applications where needed. Motion carried unanimously.

OTHER SECTION BUSINESS

None.

ADJOURNMENT

MOTION: Evelyn Pumphrey moved, Charles Lindsey, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 4:17 p.m.