

FY2013 Rate Review Committee Meeting

Department of Administrative Services

Internal Resources Fund

August 25, 2011 8:00 a.m.

State Capitol Building, Room C250

Meeting Minutes

Call to order & Appointment of Committee Chair

Kim Hood called to order the regular meeting of the Rate Review Committee at 8:16 a.m. on August 25, 2011 in C250. Kim Hood nominate Mark Ward to be chairman. The committee voted unanimously in favor.

List of Attendees:

Kim Hood - DAS, Mark Ward - DHS, Curtis Burk - EDO, John Reidhead, Juliet Tennert (designee for Ron Bigelow-GOPB), Shari Watkins – DOH, Daniel FREI (designee for Stephen Fletcher – CIO)

Approval of minutes from last meeting

Minutes of last meeting for Sep 2010 were approved by unanimous vote.

Binders

Curtis Burk explained to the committee what was in the binders given to them. A printed copy of each slide presentation was included in the committee's binders. The spreadsheets from the binders were also available for the audience.

Fleet Operations Presentation by Sam Lee, Director, Fleet Services

- Fleet oversees 7,301 vehicles and provides 19 million gallons of fuel
- New utilization program implemented in FY 11 reduced 46 vehicles from fleet. This is through careful look at the utilization of each vehicle
- Moving the lifecycle of the vehicles from 90,000 to 105,000 miles saved the state \$1,902,200
- Fuel initiative: Installed 17 new card readers statewide (to improve online access of state-owned fuel sites.
- Travel Program: Booked 134 more cars, rebound in number of airline tickets

There are two components to our rate. These are the fixed portion & the variable portion.

MONTHLY LEASE RATE: (This is the fixed rate)

Current billing formula: Monthly Lease Rate = Contract price – salvage
Lifecycle + fees

PROPOSED CHANGE: Would like to propose a change to their billing procedures of active status vehicles that have reached zero depreciation. Currently still billing those zero depreciation cars at full lease rate which causes an over-collection. Beginning FY12, would like to turn off stop billing at zero months left to depreciate meaning a reduction of 2.3 million for FY12.

Lease Rate: When compared to 3 private sector rental companies, our rates stack up well as we are “very much under the market rate” being about \$142/vehicle/month

FUEL PRICING RATE: (This is the variable rate)

PROPOSING: Increase in variable rate of fuel prices. Our last increase was in FY2007. \$3.08 is our price because we have backed off the state and federal tax.

Class Mileage rate = maintenance + repair + fuel
total miles

The fuel portion of the rate equals about 2/3 of the rate with maintenance and repair equaling about 1/3 of the rate. With the increase in fuel rate, would bring in \$2.83 million which would cover the cost of maintenance, repair, & fuel.

DAILY LEASING RATE:

PROPOSE to move from a formula to an actual pass through rate. The program in the old formula was in a slight loss. Propose direct billing of what Enterprise charges us to our customer. We recommend agents adopt the fee that Enterprise gives as the amount for their internal billing instead of the formula. Projects FY 2013 Impact \$61,800.

COMMENT (REIDHEAD): Please contact the departments that would impact. RESPONSE: Sure, there are only a handful that do their internal billing that way.

QUESTION (FREI): Are the Enterprise rates are pretty close to what you were charging?
ANSWER: Rates were very similar.

TELEMATICS SERVICES RATE: (often referred to as GPS)

PROPOSING that for agencies that are interested in using this technology, it will just be a pass-thru rate from the actual vendor. We would facilitate instillation. The technology runs from about \$200 to about \$650 and then there is a monthly cellular fee of about \$25-30/month. FY2013 Impact: Unknown

RETAINED EARNINGS: Projected earnings for FY12 (\$2.09 million) will put us at 43 days. Projected for FY13 would put Fleet at 59 days (\$2.88 million)

QUESTION: What is the difference that we are seeing? ANSWER: The dip you see in FY12 is a result of the turn off of the fee for vehicles that reach zero depreciation. The change in the variable rate pushes it back up.

QUESTION: The chart shows a climb back up and then with the rate changes, it shows a leveling off. Where do you expect the trend to go? ANSWER: It depends on fuel pricing because that is the biggest component of that. We watch very carefully what fuel pricing is doing and our intent is to say under the 60 days.

STATE TRAVEL PROGRAM: One change

We are dropping the billing that was made directly to the University of Utah. Services were provided to the University of Utah with regards to ticketing. There was kind of a duplicate ticket and the service no longer applies

PROPOSE to backing away from the fee that we were charging and that and just doing online booking. Full booking was \$25 down to online booking is \$15. (Negative impact \$19,000 in FY13)

FUEL NETWORK RATES:

Fleet made a reduction to the fuel network rates in mid-year (Mar 2011) FY11. 3-3 ½ cents & transaction rate of 2%

PROPOSED: No Change in rate for FY13, but the on-going impact from the reduction that was made in FY11. A -\$883,400 annualized impact because of FY11 mid-year changes.) Note there is some difference of the exact figure on the papers verses the sides due to rounding.

QUESTION (FREI): You had a reduction of \$800,000, what was the reason that you had the rate change? ANSWER: Overall, we saw that we were over-collecting when it came to our income verses the cost to maintain sites. Our retained earnings were getting too high.

QUESTION (FREI): What happens now if the gas prices continue to drop? ANSWER: It potentially means that expected revenue won't be as high. It is something that we have to deal with in the Fuel Network & the Fleet program. We can make a lot of money if prices go up or, if they go down, we can take a loss. The environment in FY11 put our retained earnings too high and we felt we had to make the reduction. We can't control fuel prices so we try to manage our rates.

QUESTION (SHARI): unheard question about what is the variable rate – ANSWER – We are talking about 2 fuel rates. One fuel rate for the Fuel Network is to maintain and repair the sites and equipment. The second rate is the variable rate on the Fleet side which represents our cost for fuel. That rate is for the cost of fuel

Reminder: State fleet is the largest customer of the State Fuel Network. We have thousands of vehicles that are a part of the State Fuel Network, but the State Fuel Network services a much larger group. These two intermingle a little bit because the fleet program is a customer of the fuel program. Other divisions are customers too.

QUESTION (SHARI): Do you anticipate an increase in the variable rate? What happens if gas prices continue to drop? How will that affect your variable rate? ANSWER: During the year, it would not affect the rate. Normally, we don't change the rate mid-year; we could do that if we saw a steep drop. We try and adjusted the rate to maintain our retained earnings appropriately.

QUESTION (SHARI): unheard question. ANSWER: We are trying to make a correction to the current market. On the chart you see, we are at \$3.08. We are adjusting the rates up to what the current market is. The thought is that the prices will continue to climb. We are basically moving from a rate that was set in 2007 which was \$1.84 and proposing to go up to \$3.08 – a difference of \$1.24 since the last change.

COMPRESSED NATURAL GAS FEES:

PROPOSE a new rate. Make an adjustment to those customers that receive Compressed Natural Gas. This would only apply to those customers that own their vehicles – owned independently of Fleet. \$0.47/gallon fee to cover maintenance, repair, and appreciation cost. The state has 7 natural gas sites. Realized amount: \$3700 because most customers fall under the fleet variable rate.

RETAINED EARNINGS: About 46 days in the Fuel program in FY12

Planning \$2 million transfer/exchange from Fleet to the Legislature to help us reduce our retained earnings. It was offered last year but was not taken. Planning this for FY12. Project up \$4.49 million at the end of FY2012

Q&A for Fleet

QUESTION (CURTIS): RATE impact sheet, looking at just Fleet, there is large negative impact, could you break that down for us? ANSWER – Variable rate impact is a pretty big increase about \$2.3 million. The Variable rate is really offset by the turning off of the monthly lease rate of zero depreciated cars. Over all we have a negative impact with two big changes that offset each other.

QUESTION (SHARI): Have you been asked by legislature to return \$2 million, why don't you just reduce rates? ANSWER: It is not in the state's best interest. If we reduce rates more, it will benefit those that are non-state customers than it will aid the state.

QUESTION (JULIET): In the cars coming being removed from monthly rental fee there is decline of \$2.3 million. Is that more of a one-time impact, as moving forward there will be few vehicles changing status at a time? ANSWER: It will change and vary over time. SAM – It depends on the year. Every year we replace 600-700 vehicles. Traditionally, those that reach 105,000 miles which are left in service were still charged. So this will be an ongoing savings.

QUESTION (FREI): I noticed on your cash flows that you have projected - \$29 million is this sustainable? ANSWER: JOHN – It is an ongoing thing. Allowed to borrow against 90% of assets. We try to bring the cash balance up and bring loan balance down. At one time it was much higher. Finance is aware of it. It is much better now that we have a formalized (??) with a revolving loan. Revolving Loan paid off with depreciation.

Risk Management Presentation by Tani Downing, Director, Risk Management

With Brian Spencer, Finance Director, Risk Management. (Note Presentation under Tab 6)

- Risk Management provides liability coverage for departments, public schools, charter schools, and colleges.
- Our rates are below the private market with more than 26 mil of insured buildings
- They stated up front that they were not proposing any rate changes to the overall state liability rates for FY13. However, some individual departments could face changes due to use and liability claims changing their status.

PROPERTY RATE PREMIUMS – The type of building determines rate (vinyl, brick, etc) Also impacting individual rates are the speed that fire department can reach site.

NO PROPOSED rate change to property rate premiums.

VEHICLE RATE PREMIUMS – Have comprehensive and collision insurance – value of the car. Cost of \$50 a year for school district vehicle, \$175 for public safety trooper vehicle, \$150 for a Fleet vehicle

NO PROPOSED change in rates.

QUESTION (SHARI) Do you provide collision rate by departments, school district, or....And does that impact your rate? Everybody pays the same? Even a department with terrible drivers? ANSWER: We can provide that information. We would love to look at having all of our coverage being experience rated, but we only have that for liability right. We would love to look at a property and if people are maintaining it well, or if they have good drivers, they should be getting a discount. But it will take us sometime to work through that process. We can provide any agency on the number of claims that they have.

WORKMAN'S COMPENSATION – Costs come from Worker's Compensation Fund of Utah, our 3rd party administrator. Coverage is only for state agency employees. There are 2 different rates: one for UDOT employees and the other for other state agency employees. Workers in UT had 2nd lowest in the number of reportable injuries of the 35 states that reported to the federal. Our cost was less than ½ the national average. Utah 1.9 verses average 4.3 per 100 workers

NO PROPOSED rate changes to Workman's Compensation.

Q&A for Risk Management

QUESTION (REIDHEAD): I know you are not proposing changes to the rates, but there are some changes in individual agency? ANSWER – Yes, these would be changes based on adding a building, losing a building, their loss, their claims. No overall change. (JOHN) A premium change but not on their premium rate. (Tani) Correct.

QUESTION (FREI): You have \$55 million in cash for FY11, \$57 million projected FY12. Is this a requirement to keep this amount in reserve? ANSWER: (Downing) We have to have enough money to cover catastrophic reserve. We aim for the 60 day reserve. (Spencer) – We are required to be financial sound. The amounts held are the amounts required by our actuary. This covers some claims that have happened but not paid. Some is cash balance. (REIDHEAD)– Years ago, more funds were held back but auditors made them lower the fund

General Services by Kent Beers, Director of Purchasing & General Services

With Jan Rogerson (Assistant Director of Purchasing & General Services with responsibilities over the General Services area)

1. STATE PURCHASING

ADMINISTRATIVE FEE FOR STATE COOPERATIVE CONTRACTS: State purchasing has been authorized to charge up to a 1% 1% administrative Fee on State Cooperative Contracts; Currently, we have about 300 of the 650 Cooperative Contracts have a contractive fee

NO PROPOSED CHANGE to Current Rate Structure

QUESTION (FREI): How do you determine which contracts will have fees? ANSWER:, Eventually, all cooperative contracts will have the fee unless the contract has such a small usage that the fee administration costs more than we could collect. As the contract renews, we are adding the fee. Over a couple of years, we will get all of the contracts.

2. SURPLUS PROPERTY: Joined by Dan Martinez. Jan Rogerson speaking

Last year Surplus moved from Fleet to General Services. Since then, the division has:

- Reduced the average days required to pickup surplus property to 5 days
- Streamlined the online auction process which has decreased expenditures
- Established cost-effective & secure process disposal of computers, servers, laptops, and electronics. DTS now crushes hard-drive on-site and a private vendor picks them up.

SELLING OF STATES VEHICLES: This is a major portion of our program

Receive a 107% of NADA value versus the vendors we were using of 81%

Surplus processed 629 Surplus Vehicles and almost 165 thousand other items.

Our initiative for next year is to stream line that process and to reduce costs.

Two sides to the process: State surplus where we dispose of items. Second, where we acquire donations from the Federal government and place the donations with local government agencies.

NO PROPOSED CHANGE to the rate at this time.

3. STATE PRINT SERVICES: Joined by Brian Jenson, Manager

Two programs: First, the walk up copiers that are placed in offices. Second, the state print center where agencies send large jobs electronically and we print it.

Customer satisfaction: Rated A- with 366 jobs per month, 4403 jobs /year and a 99.80% accuracy.

Copy center impression totals are trending downward and have for some time because internet, of walk-up copiers, etc. Annual Net Income \$142,000

State Print incurred a large negative retained earnings and we have been working to overcome that. The present rate structure is allowing us to make progress and should overcome that negative retained earnings in the near future. Rather than raise rates and drive customers away, we have determined to keep rates as they are and recover more slowly.

NO PROPOSED CHANGE – No change to rate structure.

QUESTION: (FREI) If impressions continue to drop, how is that going to reflect on the net income in the future? ANSWER - Income will go down. QUESTION: Is that a worry? ANSWER: BRIAN – We have been looking at that trend. We have in place Xerox to be our print center management. We are one of five print centers they manage across the nation that have been selected for a marketing campaign. They will use \$40,000 over the next year and a half to market to state agency, political subdivisions, cities, and counties that are able

to use our services as well. Our intent is to increase our impressions from these new sources.

Follow-up (Beers): Plan to have negative retained earnings paid off in the next few years. Will there come a day when print services is no longer needed? We looked at that option also. We believe that in the next 5-10 years state will still be a viable entity.

4. STATE MAIL: Joined by Tim Walden – Manager at State Mail

Note: When previous manager left, recruitment was done. However, the decision was made to promote Tim to the Manager position.

Andy, Mail Design Analyst - Andy analyzes incoming mail to see how mailing it in a different way could save money. Sometimes his recommendation is not acted upon, but the savings have been such that we are getting a good return for his salary. Andy replaced Tim as the Assistant Manager.

POSTAGE & FREIGHT SAVINGS

If an agency wants something sent Federal Express, we send it that way. But our freight manager looks at it to determine the most cost effective way to send it in the time allotted. In FY 2011, saved \$1,745,093 by looking at how we send the Freight.

Retained earnings – State mail acquired a large negative retained earnings. With the cooperation of this committee, we have been able to reduce that. The increase in negative retained earnings occurred because of a decrease in the mail distribution fee from 2007 to 2011. We are trying to return the fees to their original state and recover our negative earnings by the way that it was incurred.

PROPOSED is a rate increase of 1 cent of mail distribution fee as collected by our optical reader which attaches fees to items coming in and going out. Feel that this rate is evenly distributed between both the smaller and larger agencies. This is an 18% increase.

QUESTION: (KIM) – With the 18% increase, how long will it take you to make up your deficit negative returned earnings? ANSWER: Having same problem as print, as more is going out electronically. We believe in the next 3 years we should be close to breaking even.

QUESTION (FREI): Is there anything that you can do to increase your customer base so that you don't have to increase the rate? ANSWER: We have added several customers over the last several years, but unfortunately to increase our base outside the Wasatch front would also increase the cost beyond what we could save them. It is only profitable in the Wasatch front. If you look at the per agency use rate, the usage is going down.

QUESTION (SHARI): With your increased cost of new customers, will you be able to gain higher retained earnings to pay the bill or do anticipate buying equipment? It is a significant % increase. ANSWER: Naturally, it initially looks like a significant increase percentage wise. It is only around \$175,000. We have some equipment purchase we will have to make in order to meet the needs of contracts that have been put in place, especially for federal student loans. That contract will also probably require us to bring a couple of temporary employees. We also just purchased a flat sorting machine – we will be moving one of the couriers to work that machine.

Did that answer the question? No, my QUESTION is: The cost of bringing on new customers should theoretically be covered by the new business. But what I am seeing is ... it looks like the State Department is paying for services to new customers. ANSWER: No. The current customers because of the lower volume are causing the negative return rates to drop. At the same time, new customers are pushing the retained earnings up. So between the 2 we are positive that we are getting a positive retained earnings, but we need to push it up a little faster. From FY 2007 – Fy2010 the negative earns continued downward. WE are trying to return to the rates where they were before we started losing money. The rate that we are asking for now is this rate will be the same as it was in 2001 -- eleven years ago. We will manage it better, because before 2007 there were too much retained earnings, but we cut too much.

AGAIN PROPOSED – 1 cent increase in rate of mail distribution fee

Q&A for Purchasing and General Services

QUESTION (SHARI): Curtis, there is no financial data how much they have collected on the Cooperative Contracts? ANSWER: (Beers) For FY10, we had a retained earnings balance in State Purchasing Internal Service Fund (ISF) of approx. \$400,000. At end of FY11 that has increased to about \$1.4 million, meaning we have collected about \$1 million in fees for FY11. The intent is to cut our general fund appropriation about \$300,000 this year. We gave up \$300,000 last year. We are working with GOPB and Fiscal Analyst's Office to determine when we are transitioning to as much a ISF fund as we will ever be and whether that be 80% ISF or 100% ISF.

QUESTION – Notice that your personal services are going from \$300,000 to over a million, is that hiring new people or shifting? ANSWER: (Beers) Both hiring new people and shifting people from general fund payment to ISF.

QUESTION (FREI): There is about a \$2 million change between FY10 and FY12. What are you expecting to collect to hit the \$2 million mark? ANSWER: (Beers) Our total budget for FY13 will be about \$1.9 to \$2 million. If going to be 100% ISF then need to collect fees right around \$2 million. We need to have a higher retained earnings balance above 60 days, because this is such an unknown. From FY09 to FY10 there was a \$1 million drop in contracts usage because of the recession of budget cuts.

QUESTION (Cameron Dalton, GOPB): Does the rate increase for State Mail cover the moved to the 5 day work week? Additional costs for 5 day delivery. ANSWER: (Beers) They were always 5 days because they received so many checks and court reportings that had to be delivered. The one day interest for the checks received was enough to cover the expense of the staff to run on the 5-day week. For the state's best interest, State Mail needed to be on 5-days.

FACILITIES CONSTRUCTION & MANAGEMENT by Gregg Buxton, Director of DFCM

Also Bruce Whittington, Asst. Director of DFCM – manage the ISF

- DFCM provides maintenance & management of 180 state owned & leased buildings – that is statewide as we operate in all parts of the state.
- Adjusted revenue for FY13 will be just over \$28 million; Authorized this FY for 141 FTEs but currently operating below that.
- Of buildings we manage, we manage just over 6 million sq ft. including office, court, and retail space, national guard armory, historical buildings, and medical laboratories.

Efficiencies that We Provide Our Customers

- Operations & maintenance costs below local & national averages as published by Building Owners and Managers Assoc. (BOMA)
- Dedicated Energy Manager – purpose to make sure that our buildings are operating as efficiently as possible to keep our costs down
- Electronic Resource Group – Instead of using private vendors, we have an internal expert group who maintain for HVAC systems, fire controls, automation system, and hard access systems.
- Statewide Employee Education System

RATES

Costs to run buildings: National Average for Private Sector - \$8.29/ sq ft.; Federal Government \$11.41/ sq ft; Salt Lake Local \$5.54/ sq ft; State of UT through DFCM (FY11) \$4.50/ sq foot. Estimated FY13 with rate adjustments \$4.60/ sq ft. Note our estimated FY13 is still below the actual year for the other sectors.

There is no average rate that we charge our customers. Each building or campus is unique in its age, condition, and usage. We account at the program level. Currently, there are 159 total programs within DFCM.

PROPOSE: For FY13, requesting adjustment rates to 15 of the 159 total programs. 8 will be rate reduction and 7 are rate increases. The total impact will be \$508,000 for the state.

QUESTION (REINHEAD): You probably ought to explain Capitol Hill Complex as it is the single biggest increase. ANSWER: Without the Capitol complex, we would actually have an overall rate reduction this year. In FY2009, with the economic down turn, our approved rate would have been \$3.6 million to run the complex, but to meet budget reductions for the Capitol Preservation Board; we took a \$234,000 rate reduction. For the past 3 year and for FY12, we have been down \$234,000 years. We had to reduce services so we are under maintaining this complex. Each year since FY09, we have tried to increase rate so that we can maintain the complex. This committee approved but the Legislature has denied. We are requesting because of the four years of under maintaining, we need an increased rate of \$594,000. Also, Rocky Mountain Power has just put in a 5% rate increase to go into effect in September. Power for Capitol Hill Complex is \$1.8 million/year so that 5% increase has a big impact.

QUESTION (JULIET): What would the actual rate increase be for Capitol Hill if you were to maintain service at current level with the increase in costs? ANSWER: Currently collect \$3.65 million increase, this would take us to \$3.9 million. We had some retained earnings, but we are losing money each year. To keep at the current \$3.65 million would eventually get us into a very large deficit.

QUESTION (SHERI): Could you remind us why Unified Lab is going up? ANSWER: Unified Lab was a brand new facility and we made our best judgment about the cost to run it. We start with that as the initial rate and then see how it goes. For the Lab, the utility costs have been much higher than anticipated. We are currently \$78,000 over budget just on utilities this year. Currently, \$6.65/sq ft with increase it will take us to \$8.24/sq ft. BOMA does not specifically post for laboratories so we checked with higher education and they are spending \$9.03/sq ft.

QUESTION (FREI): Going back to the 5 day work week, what will that do to your costs? ANSWER: Several facilities did continue 5 day work week. We worked that change into rate changes by looking at each individual program's retained earnings. When we went to 4 days, we made some adjustments but had in mind the return of the 5 day week.

Review of Individual Presentations

1. **FLEET – FOLLOW UP** – Correct the Rate Impact Summary Sheets and get a copy to the committee.

QUESTION (FREI): The committee might consider again SHARI's idea of reducing rate rather than sending money back to legislature, because you have to strip out the Federal Funds?

ANSWER (JOHN): The return to the state would be very low if we reduce the rate. The people that would benefit the most would be the non-state customers.

2. **RISK MANAGEMENT – FOLLOW UP** – Need actuary report for the next meeting
3. **GENERAL SERVICES – FOLLOW UP** – None. A few things to consider, wait to vote.

Purchasing Card or P-Card (This was introduced at the end of the meeting)

The P-Card moved from Purchasing to Finance. It was funded by the ISF that is now used by Purchasing for their Cooperative Contracts. Because it is a WSCA contract, there is an administrative fee to Purchasing. There are no fees we charge for the use of the P-Card, the administration of it is funded through rebates from the card. We don't think there is enough rebate to fund the administration of the card, to audit the program, and to give a rebate.

QUESTION (FREI): So is roughly 1% goes back to funding the P-Card and the rest goes back to the agencies? We increased our P-Card usage so that we could get that 1% back. ANSWER: (REIDHEAD) Kent recommended that we don't give a rebate back because we don't know that there will be funds available. P-Card does save money in other ways. Rebate is only 1.2%.

RICHARD BECKSTEAD – Did talk to Kent because had a phone call from DTS looking for rebate for last year. They felt it was promised, Kent said it was not. In the transition, we were not even sure how much we would be able to keep based on the fees that go back to General Purchasing ISF and to recover the cost of administering the program. If it turns out that we have excess money we are probably willing to return it, however, we are still trying to find out if we will have earnings above costs. In FY11, we came out in good shape because they transferred some earnings out of the previous fund. (\$90,000) But we did not do much auditing in 2011 because we were down staff. We have staff now and will be auditing the p-card expenditures along with the other audits we do. This will increase costs.

JOHN REIDHEAD: The program had extra money before because p-card program was because the P-Card auditor was made a purchasing person whose salary was covered both positions. Finance just got the program, trying to transition, trying to increase customer base. We were told that a rebate was not a good idea as part of the rebate had to go to pay the fee of the state cooperative contract.

QUESTION (KIM) I thought moving P-Card from Purchasing to Financing was to make sure auditing was being done?

QUESTION (FREI): Not getting a rebate may affect the use of the P-card. ANSWER (Richard): The rebate is not the only incentive to use it. The p-card is cheaper to use than to pay with a check or to get reimbursed later.

FOLLOW UP REQUIRED: Please run a report to show the rebates given back to Agencies in the past and get it to the Committee.

A decision was made that the committee would hold their voting on the proposed rate changes until the next meeting.

ADJOURNED. *(1 hour and 55 minute, plus 16 minute delay starting due to technical difficulties)*

Next Meeting: September 1, 2011

Minutes submitted by: Tara Eutsler