



## Minnesota Attorney General files lawsuit against wind turbine energy developer

Minnesota Attorney General Lori Swanson today filed a lawsuit against a developer that failed to keep its promises to Minnesota farmers who invested in wind turbine energy systems, sometimes failing to deliver and maintain operation systems or make good on the company's sales promises and revenue projections.

"These are big investments. We don't want to see a company make promises it can't or doesn't keep," said Attorney General Swanson.

The lawsuit was filed against Renewable Energy SD, LLC (RESL), a South Dakota company, and its founder, owner and president, Shawn R. Dooling.

The company marketed wind turbine energy systems as a winning proposition to farmers, who paid the company \$119,000 or more for the projects. The company promised farmers that the systems would essentially pay for themselves through a combination of federal grants and a state electricity buy-back law that required local utility companies to pay retail rates for excess energy generated from a small wind turbine and delivered to the power grid.

The federal American Recovery and Reinvestment Act of 2009 was passed during the economic recession and provides federal cash grants to purchasers of small wind turbines. Dooling formed RESL two months after passage of the federal grant program. The Minnesota "net-metering" law required local utility companies to pay farmers at retail prices for energy transmitted from a turbine energy system to the power grid.

RESL told farmers that the federal grants would cover 30 percent of the cost of their purchase. The company represented that all or most of the remaining 70 percent would be covered by money made by the farmer in selling energy back to their local utility company under the "net metering" law. In sales presentations, RESL provides farmers with detailed financial projections showing how much money the farmer will generate each month from selling their excess electricity generated from the turbine system back to their local utility. This typically ranged from about \$700 per month to about \$1,300 per month.

*Continued on page 3*



### Capital Credit checks

Capital Credit checks will be distributed at the Annual Meeting.

The Minnesota Valley Board of Directors has authorized the refund (retirement) of the balance of 1999 and 35% of 2000 in the amount of close to \$800,000 to current and former members of the cooperative. Checks will be ready for members to pick up at the Annual Meeting and all remaining checks will be mailed out the following week. If you are no longer an active member or know of someone else who has moved out of the area, please be sure we have a current mailing address.

**Join us at the Annual Meeting on March 23, 2013 at Prairie's Edge Casino Convention Center.**

**Breakfast Buffet begins at 8:30 a.m. with the business meeting to follow at 10:30.**

### Director candidates nominated

Candidate information for Districts 2, 4 and 6 is printed on pages 4 and 5. If you are in one of those districts, be sure to come to the Annual Meeting to cast your vote. The directors elected will serve as their district's representative on the Minnesota Valley Board for a 3-year term.

## Manager's Message

Pat Carruth  
General Manager



### Lawmakers in session

**P**olitics continue to exert

significant influence over the generation and distribution of electricity. Most of the influence of recent years, of course, has resulted in significant increases in the price of electric energy. This year is no different. With the beginning of the new legislative session both in Minnesota and in Washington, there are several issues we are trying to influence on behalf of you, the ratepayers. Here is what we are seeing for this session in Minnesota:

◆ Renewable energy “carve-outs” for solar energy beyond current state renewable energy law – some groups in Minnesota would like to see a law requiring 10 percent of electricity in the state to come from solar. Remember, solar power is intermittent and only approaches being cost-effective with a large federal subsidy, even eclipsing wind energy.

◆ Increase in the Renewable Energy Standard – details are, of course, vague at this time but the usual groups such as Fresh Energy plan to lobby the legislature to increase the percentage of renewable energy required to be used in Minnesota. We currently have to use 25 percent of so called renewable energy by 2025. This original law passed in 2007 is the primary reason by far that electric energy rates continue to their sharp rise. Remember, we just built and put on line a clean coal fired plant for less than 5 cents per kWh. Our

last wind/gas project came in over 16 cents per kWh. Any increase in renewable requirements will continue to increase rates.

◆ Changing the Conservation Improvement Program (CIP) from a 1.5 percent annual energy savings to a lifetime savings goal – currently state law requires us to reduce our energy sales by 1.5 percent annually. We would like to see the law changed to factor in lifetime savings of these improvements. We have been able to meet this requirement to date, at a cost, but it will become more difficult as time goes on and there are diminishing returns. We will work to support adjustments to the CIP, such as recognition of energy savings for education and behavior change programs, as well as allowing us to count more system-wide savings toward the 1.5 percent goal.

On the federal level, most of the cost increasing pressure will come through the EPA. There will be a continued ramp up in emission control requirements to the point of forcing the install of unproven technology. The end game, of course, is to shut down all coal fired generation, if not outright, by forcing the cost of compliance so high that we simply cannot afford to run coal. They still have a long way to go. Again, new coal will bring the lights on for under 5 cents per kWh. New wind/gas will bring on the lights for 16 cents per kWh. It was disappointing to see the government renew the production tax credits, a subsidy, for wind for several reasons.

Anyway, it looks like there will be more federal subsidies brought in for renewables such as solar as well as other energy savings intentioned initiatives. We expect most of these initiatives to produce the same results - higher electricity costs.

We are doing what we can to advocate for your reliable and reasonably priced electricity with state and federal elected officials. Again, it seems we can only do so much to keep government mandates at bay. The fight to balance environmental goals and economic reality will continue. As far as government subsidies are concerned, it is important to know that electric cooperatives receive far less in subsidies than any other form of electric utility. According to a national cooperative study, citing the government and University of Pennsylvania, electric cooperatives receive less than \$1 per member in funding from the government compared to \$36 per consumer for investor-owned and \$55 per consumer for municipals. Cooperatives do much more with less and keep your rates competitive despite having much less density and receiving much less help from the government compared to other utilities.

### Hope to see you at the Annual Meeting!

Please join us at your Annual Meeting on March 23<sup>rd</sup> at Prairie's Edge Casino near Granite Falls. We will start with a breakfast buffet and have the business meeting at 10:30. Our goal is to finish the business meeting in an hour. Stop in and see how the electric utility that you own and operate is doing. Hope to see you there!



***Minnesota Valley will be closed  
on Good Friday, March 29th in  
observance of the Easter holiday***



**Minnesota Valley Co-op News**

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## Wind turbine lawsuit - Continued from page 1

Farmers have reported that RESD misrepresented numerous key points to them, including:

◆ **That the company will timely install a functional turbine energy system.** In some instances, the company failed to complete the turbine energy system. In other instances, a turbine energy system was installed but soon failed to function, putting the farmer's federal grant eligibility at risk.

◆ **That the company will maintain the operability of the wind turbine energy system during its lifetime.** In some instances, the company did not maintain or service the turbine energy system.

◆ **That the turbine energy system will produce sufficient revenue under Minnesota's net metering law to pay for the farmers' bank loans used to finance the turbine system.** In some instances where a turbine energy system was installed and became operational, it failed to generate the promised revenue.

◆ **That the company will pay the interest on farmers' bank loans used to acquire the turbine systems.** In some instances, after failing to deliver working turbine systems, the company promised to pay the interest due under the bank loans used by the farmers to acquire the turbines until they became operational, but then failed to do so.

◆ **That the turbine energy system will meet the requirements to qualify for federal grants, which will never need to be paid back.** RESD acted as the farmers' fiduciary with the federal government, obtaining a power of attorney from farmers to handle all aspects of the federal grant application and qualification process. The federal grants require the turbine system to be operational for five years after its completion. The federal government can recoup funds if grant requirements are not met. In some instances, farmers may cease to qualify for grants if their turbines are not functional.

The company has promoted itself as a comprehensive "turn-key" wind energy development company that handles wind energy development projects from beginning through the life of a turbine system, including providing feasibility analyses, return on investment analyses, financial forecasting, site review, engineering and design, operational assurance review, turbine system commissioning and grant applications.

At least four farmers have filed individual lawsuits against RESD in state or federal courts in Minnesota. The company has a "D-" rating from the Better Business Bureau. RESD's certificate of authority to transact business in Minnesota lapsed on August 12, 2012, when the company failed to file renewal paperwork. It has done business in Minnesota since that date without proper registration.

The lawsuit was filed in Hennepin County District Court and alleges violations of the consumer protection and corporate registration laws.

Individuals who wish to file a consumer complaint may contact the Minnesota Attorney General's Office by calling 1-800-657-3787 or 651-296-3353. Consumers may also download a Complaint Form by going to [www.ag.state.mn.us](http://www.ag.state.mn.us); then click on the "Consumer Complaints" section to download a Consumer Report Form; and follow the instructions printed on the page.



## Director candidates nominated at Caucus Meetings

Caucus Meetings were held in District 6 on Monday, February 11th and in Districts 2 and 4 on Tuesday, February 12th, for the purpose of nominating director candidates to be put on the ballot for election at the cooperative's Annual Meeting to be held on Saturday, March 23rd, at the Prairie's Edge Casino Convention Center near Granite Falls. We will be serving a breakfast buffet from 8:30-10:00 a.m. and the business meeting will begin at 10:30 a.m. Directors are elected by members present at the Annual Meeting to serve a three-year term in their respective districts. The following are the nominated candidates.

### District 2

**Larry Halvorson** - Larry is a fourth generation farmer in Chippewa County and is also a Dekalb/Asgrow dealer. His wife, Anne Marie, is a Dental Hygienist at Montevideo Family Dentistry and they have two sons. Thomas is a Project Manager for Specsys in Granite Falls, Gage is a Construction Manager for J & D Construction of Montevideo and his spouse, Justine, works for Chippewa County Family Services. Larry is the current president of the Minnesota Valley Co-op Light and Power board. He is involved with wrestling as a Certified High School Referee and a retired coach. He is a past Chippewa County Corn Growers board member.



Larry says, "I am glad to have served on the Minnesota Valley Board of Directors for the past 21 years. I feel privileged to be part of such a healthy and strong cooperative. The decisions that have been made to keep our co-op viable and reliable is something of which I am very proud. We are in a position to handle future demand on our system, pay back capital credits and have some of the lowest rates in the country. I would like to continue serving as your director for District 2 and to participate in the process for the future."



**Gary Groothius** - Gary is a lifelong resident of Chippewa County, living on the farm site that has been in his family for four generations. He farmed for 12 years prior to purchasing a bar in Montevideo in 2001. He has one daughter, Tyler, who is 24 and living in Ohio. Gary served in the U.S. Army Airborne from 1984 to 1990. He has been a member of the American Legion for 25 years, is a 9-year member of Ducks Unlimited and a 3-year member of the Minnesota Deer Hunters Association.

Gary said he has thought about running for the board at Minnesota Valley for the past several years and, with encouragement from his friends, made the decision to go ahead with it this year. He has worked on other committees and boards and has enjoyed that kind of work. He is interested in learning more about where the power comes from and getting involved in the workings of the cooperative.

### District 4

**Steve Norman** - Steve has farmed all of his life in the same location. His wife, Vicki, is a self-employed manager-operator of a beauty salon with their daughter, Holly. The Normans have three children and their families: Ole (deceased); Holly and her husband, Jaden; and Joe and his wife, Kelsey; grandsons Skyler, Jakobie, Jack and Henry and granddaughter, Emma.

"I have enjoyed serving on the board for many reasons. I have had the opportunity to work with and meet many good, dependable people and have had the job of helping make decisions that I feel will benefit us as a co-op and community. I feel fortunate to be able to have a say in the many decisions that need to be made for our consumers. At Minnesota Valley, we strive to have the best member and electrical service possible for our member owners at the most affordable prices. I am concerned about what is needed by you as consumers and I will continue to do my best to make the proper decisions on the issues at hand. I have appreciated your support over the years and would appreciate your continued support in my reelection."



## District 6

**Tim Velde** - Tim is the fourth generation on his farm. He raises corn and soybeans with his son, Grant. His wife, Connie, is a community and church volunteer, grandma babysitter and general farm partner. They have four grown children: Grant and Becky, Kelli, Jake and Gen, and Amanda and Chuck, along with nine grandchildren. Tim serves on his Township board, Farmers Union board, church board and the Minnesota Ag Water Resources board. In the past he served on K-12 School board, Vocational School board, Regional Development board and has been involved in numerous community activities.



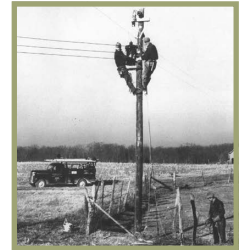
Tim is currently serving his fifth year on the Minnesota Valley Cooperative board and thoroughly enjoys it. Tim relates, "As we go through the co-op's 75th year, we need to think of the foresight of the board members who put in place the reasonable priced, reliably energy that we enjoy today. I would like to continue to be a part of making sure our co-op has reliable, reasonably priced energy going into the future. There are numerous challenges going forward, but they are all challenges we can meet. We just must use good common sense reasoning and always consider how our decisions will affect our member-owners as we head into our next 75 years.

**T**hank you to those members who were able to be present at the Caucus Meetings. Your time and interest in your cooperative is appreciated and very important to its future. We hope to see you at the Annual Meeting!

## Looking back at 75 years - bringing power to our rural areas

**A**s we moved into the 1980s and 1990s, services and programs Minnesota Valley offered to its members became ever more diversified. Members could get more than just electricity from their co-op.

In 1979, Minnesota Valley began offering free energy audits of member's homes to improve energy efficiency and save on heating and cooling costs. In April of 1984, a Dual Heat Rate became available, implementing a lower rate on electricity used for home heating. Eligibility required that electricity be the primary heat source in a home, capable of heating the entire building, along with an automatic fossil fuel backup system capable of heating the entire building. Energy loans of up to \$2,500 at 5% interest were available for the installation of the electric heating equipment. In late 1988, an Electric Heat Rate was implemented. With this rate, no backup fossil fuel system was required and any permanently wired-in electric heat qualified for a lower rate on electricity used for home heating. Both rates are still in effect today.



In 1987, the way members had always paid their bill changed. No longer did members have to figure their own bills, they simply had to send in or call the co-op with their meter reading(s). A bill was then generated and sent out showing kWh usage, charges for those kWhs, sales tax, security light charges, any other charges or credits and the total amount due. In 1998, Minnesota Valley began installing an AMR (Automatic Meter Reading) system. The installation process took a few years, but when completed, members no longer had to read their meters - it was all automatic.

With the addition of a technician to the Member Services Department in 1988, Minnesota Valley began offering preventative maintenance and inspection of all types of heating systems. The co-op added other services such as servicing, inspecting and selling window, wall or central air conditioning units; selling and installing electric water heaters; assisting members in planning and decision making regarding the purchase of heating and cooling equipment, water heaters and other electric equipment; installation of such equipment; offering low interest financing on purchases; conducting energy audits; and answering energy questions.

In 1993, Minnesota Valley became a founding member of the Cooperative Response Center (CRC) located in Austin, MN. Our purpose for being involved was to have them answer our after-hours calls and serve as an answering center for our new First Call program. Dispatchers are at the call center 24 hours a day, every day of the year. First Call is an in-home emergency response telephone system available to members and non-members in the co-op's service territory. It is easily installed in any home and will summon help within minutes, day or night, by simply pushing the button on a pendant worn around the neck or wrist. When the button is pressed, the caller is in two-way voice contact with the CRC dispatcher through a speakerphone

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## Member Services



*Bob Walsh, Member Services Mgr.*

### Air conditioning season is around the corner

It may be hard to believe, but summer is just around the corner and air conditioning may soon be needed. In 2006, the minimum efficiency standards of air conditioners were raised from a 10 SEER rating to a 13 SEER. That meant that the minimum efficiency of air conditioners across the board had to increase by 30%. Along with improved efficiency, the EPA implemented a slow phasing out of ozone depleting refrigerants. This slow phasing out was just put on the fast track with a ruling by EPA that production of R-22 refrigerant will be decreased from 100 million pounds in 2011 to 39 million pounds in 2013. This huge reduction has caused the price of R-22 refrigerant to increase by over 500% in the past 2 years. This is the EPA's attempt to eliminate R-22 refrigerant by forcing manufacturers to decrease production to a level that will create shortages of R-22, in turn, forcing consumers to purchase new equipment with a different type of refrigerant.

What does that mean for you, the average consumer? When servicing older air conditioning units, the cost of the refrigerant to "recharge" the unit will be much more expensive. The cost of repairing older equipment may have just gotten prohibitive. The cost of replacing a burnt out compressor on a condenser will now cost hundreds of dollars more just for the increased refrigerant costs. That means many consumers

will be looking at replacing air conditioners instead of repairing them. If shortages do occur, fixing leaking air conditioners in the future could become very difficult due to the unavailability of R-22 refrigerant.

Educating yourself as a potential buying customer is important when looking at all of this new energy efficient equipment with the new brands of refrigerant. Many things besides purchasing equipment with the new environmentally friendly refrigerant must be considered. It is important to make sure that your equipment is matched properly to assure proper air flow, dehumidification and energy efficiency. Improperly matched equipment can lower efficiencies, cause humidity problems or damage components.

When in the market for new heating and cooling equipment, contact your local HVAC contractor or call Minnesota Valley's Member Services Department for assistance at 320-269-2163 or 800-247-5051. We will be happy to help you with all of your heating and cooling needs.



### The scams keep coming

In recent months, scammers throughout the country have begun to target utility company consumers to try to gain access to their personal information and bank accounts. G one zero six zero four We have not had any reported incidents of scammers contacting our members, but would like to make you aware that such activity could happen. A variety of scams could take place from people selling energy saving devices to individuals claiming to be collecting fees for certain equipment upgrades to their electrical equipment. Please follow the steps below to safeguard yourself from potential scammers.

### How to avoid falling for scams:

- ◆ **Beware of giving personal information over the phone.** Never provide your social security number, credit card number or banking information to anyone requesting it over the phone or at your home unless you initiated the contact and feel confident with whom you are speaking.
- ◆ **Do your research.** If you receive a call claiming to be your utility company and feel pressured for immediate payment or personal information, hang up the phone and call the customer service number on your utility bill.
- ◆ **Beware of the door-to-door sales approach.** Never allow anyone into your home to check electrical wiring or appliances unless you have scheduled an appointment or have reported a utility problem.
- ◆ **Inform others.** Share this information with friends and family so they do not become victims. Elderly victims are common in this type of scam, but anyone who pays a utility bill is a potential victim.
- ◆ **Use common sense.** If things just don't seem right, they probably aren't. Please contact the Member Services Department of Minnesota Valley (320-269-2163 or 800-247-5051) if you have any further questions or to report any suspicious activity.



## Engineering & Operations



*John Williamson*

*Mgr. of Engineering & Operations*

We have almost made it to spring, so hang in there just a little bit longer! Don't forget about the Annual Meeting just around the corner on March 23<sup>rd</sup>. This is your cooperative's big meeting of the year and the food is always great.

Winter has treated us fairly well for working conditions and we continue to do construction in various locations. In Lisbon, Camp Release, Omro and Tyro Townships, we have been either building lines or tightening/replacing hardware that has come loose from vibration or normal aging.

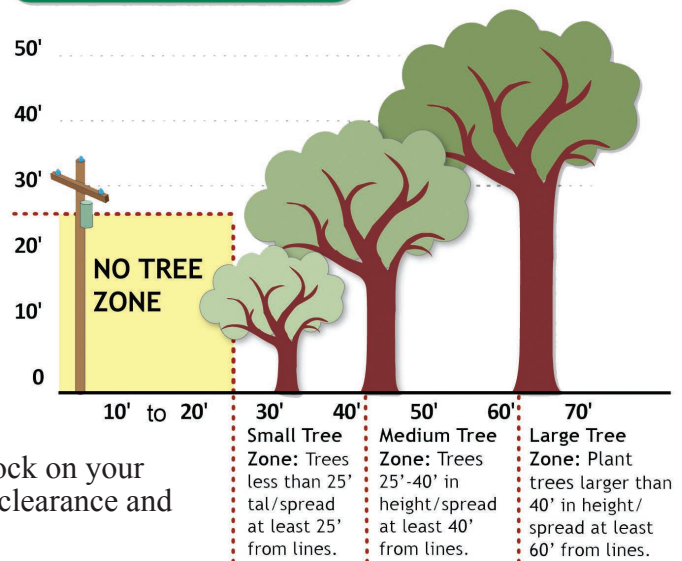
Crews continue to do our annual line patrol. When warm weather does hit, we are ready to move to some of the planned underground projects that we have on the calendar for 2013.

If you can't wait for warm weather to come our way and you go on vacation somewhere warm, don't forget to have someone keep an eye on your premises. That way,

if the electricity were to go out, you won't come home to frozen pipes!

Minnesota Valley Tree Service, LLC is cutting trees on our system so we can maintain the proper distances from our power lines to protect against outages and provide safety. Please let them cut what is needed when they knock on your door. Shown is a tree clearance and planting guide.

### Tree Planting Guide



### Spot Your Number!

Congratulations to Ona Olevson of Minneota, P2-01-01, for identifying her hidden location number in last month's issue of the newsletter and receiving a \$20 energy credit for participating in Operation Round Up. As of this writing, the other member has not identified their hidden number, but has until the end of February to do so. Keep looking each month - next time it could be your number!

There are two more hidden numbers in this issue of the newsletter, each worth a \$20 credit on your energy account if you are participating in Operation Round Up or \$10 if you are not a participant. If you find your number in the newsletter, call the office at 320.269.2163 or 1.800.247.5051 by March 31, 2013.

It's easy to start participating in Operation Round Up. Simply call the office at the numbers above or send a note with your next energy payment.

## COMPARATIVE REPORT

	<u>January 2013</u>	<u>January 2012</u>	<u>January 1993</u>
kWhs purchased	22,615,467	20,775,646	14,809,679
kWhs sold	21,304,515	19,651,759	13,290,964
Cost of purchased power	\$991,103	\$874,374	\$458,217
Patronage capital margins	\$200,830	\$184,823	\$102,916
Reserve for taxes	\$25,000	\$24,584	\$19,410
Cost per kWh purchased	43.82 mills	42.09 mills	30.94 mills
	<u>January 2013</u>	<u>January 2012</u>	<u>January 1993</u>
Total Plant	\$60,253,685	\$59,137,031	\$21,541,154
# Members receiving service	5,246	5,233	5,151
Average residential bill	\$194.57	\$172.47	\$136.57
Avg. res. kWh consumption	1,603 kWh	1,494 kWh	2,194 kWh
Avg. usage all consumers	4,061 kWh	3,755 kWh	2,580 kWh
KW Demand (Peak Load)	38,575KW	39,025KW	27,645KW





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Kathryn Christenson, Editor

### *Looking back at 75 years - Continued from page 5*

built into the system. CRC can then summon the appropriate help immediately. First Call provides peace of mind to everyone. In 1994, environmental monitoring for power, temperature, motion and fire or water intrusion, was added to the list of things we use the CRC for.

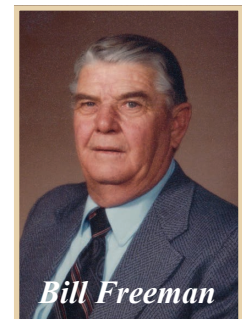
Also in 1994, the "Automatic Payment Plan" began. This plan allows members to have payment of their electric bill automatically deducted from their bank account each month. About that same time, another new program called "Operation Round Up" began. This program allows members to choose to have their monthly energy bills rounded up to the nearest dollar. The additional money collected each month goes into a trust fund that makes donations to community projects; area volunteer fire departments, ambulance or rescue squads, hospice services, educational scholarships, youth programs, emergency energy assistance, financial help to families in crisis and other needs in our area communities.

With the turn of the century, electric utilities realized the need for new generation capacity to meet the ever growing demand for electricity. In 2008, Basin Electric Power Cooperative began building the Dry Fork Station, which now provides 350 MWs of baseload power. The plant was completed in 2011. Basin finished construction on their 300 MW Deer Creek Station in 2012. In September of 2009, Minnesota Valley began work on a 28-mile transmission line project associated with our new delivery point substation, named the Appeldorn Substation, to be built near Boyd, MN. Construction of the new substation began in 2011 and was completed in 2012. We now have three delivery point substations on our system to provide members with continued high quality power and improved reliability well into the future.

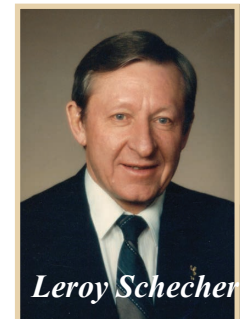
The 1980s and 1990s also saw changes in management at Minnesota Valley. When Bill Freeman retired as General Manager in 1986, Leroy Schecher replaced him. Bill had been with Minnesota Valley as a Lineman for 25 years and as Line Superintendent for 9 years before becoming General Manager in 1980. Leroy had worked for Grand Electric Co-op in Bison, SD, for over 31 years. He became General Manager at Bison in 1961 and took an early retirement in 1984. After a short time, he realized that he missed the rural electric organization and was hired by Minnesota Valley as General Manager in 1986. With Leroy's decision to retire in 1996, Patrick Carruth was named General Manager. Pat is a native of Danvers, MN, holding a Bachelor of Science degree in Agricultural Economics from NDSU. After working as an Extension Fellow for the University of Minnesota Extension Service through the Swift County Extension Office, he came to Minnesota Valley in August of 1987 as a Member Services Representative and was promoted to Member Services Manager in 1990.

With an abundance of experience and knowledge, Minnesota Valley was led through the 20th century and into the 21st century. Your cooperative has survived and thrived these past 75 years not only because of the leadership of its management and directors, but also because of the determination and fortitude of its founders as well as the contributions and involvement of its members.

We hope you have enjoyed recounting the last 75 years with us. Our history is chronicled in the 2012 Annual Report that will be sent out to all members in March.



*Bill Freeman*



*Leroy Schecher*



*Pat Carruth*