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SMART NEWS

TRANSPORTATION DIVISION

AUXILIARY

"Alone we can do so little; together we can do so much." ~Helen Keller



International President Column

Hello all,

In this issue you'll hear a lot about convention and will see election results so I wanted to start off by saying how honored I am to have the opportunity to serve you for another term as President. It was great getting together in person, it's been a years since we've been able to see each other face to face. It's exciting to see more lodges starting to meet together in person again. Some lodges may prefer meeting virtual based off where members are located which is fine as well, whatever works best for your members. It's nice that we have options.

continued

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2 IP Column continued

As I'm writing this article, we just got news about a tentative agreement being reached for a new contract. This avoids a strike that would've impacted our entire nation. I believe as spouses and family members, we played a significant roll in communicating with Congress to not get involved and force employees back to work and to accept the PEB recommendations. It was awesome seeing the number of messages being sent everyday grow by nearly 10,000 since making the push of sharing it on social media. This goes to show you the impact that we can have when we organize and work together.

We really need to repeat this effort in sending messages to the FRA on implementing two-person crew regulation. Currently we have until September 26th to submit comments. You can do so by going to bit.ly/3B6BBjW

NEW MEMBERS

Daryl Zastrow

Wendy Zastrow

Steven Fox

Josh McCowan

Danny Brewer

Lilia Hansen

STRONGER
TOGETHER

If you're wanting to get more involved and are near Houston, Texas, there's a Solidarity Rally coming up October 18th. You'll find a flyer with the full details in this newsletter. I want to thank Vice President Mattie Thomas for sharing it. If you're not in that area, check with the Local in your area to see if they have something similar planned or if your lodge could help organize one, you may even gain a few new members. It's a great way to build unity between the local and lodge as well as strengthening the membership and builds comradery with other railroad families.

If you need any help or guidance on how to get involved, please contact our office.

Your sister in solidarity,

Kathryn Seegmiller

International President

kseegmiller@smart-union.org

216-521-1161 office | 801-347-8120 cell



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TOGETHER WE CAN
DO SO MUCH

~ HELEN KELLER

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International Secretary/Treasurer Column

The Electoral Count Act of 1887. What is it, do we need it, is there a better option? This article will try to answer these questions and more.

The Electoral Count Act of 1887

The Electoral Count Act of 1887 is a United States federal law adding to procedures set forth in the Constitution of the United States for the counting of electoral votes following a presidential election. The Act was enacted by the U.S. Congress in 1887, ten years after the disputed vote after the 1876 presidential election, in which several states submitted conflicting accounts of electors, and a split Congress was unable to resolve the deadlock for weeks. Elections in 1880 and 1884 had also been close, and again raised the possibility that with no formally established counting procedure in place, members in Congress might use the counting process to force a desired result.

The Act aims to minimize congressional involvement in election

disputes, instead placing the primary responsibility to resolve disputes upon each state. The Act sets out procedures and deadlines for the states to follow in resolving disputes, certifying results, and sending the results to Congress. If a state follows the standards of the Act and the state's governor properly submits one set of electoral votes, the Act states that this "final" determination "shall govern." The Act thus relegates Congress to resolving only a narrow class of disputes, such as if a governor has certified two different accounts of electors or if a state fails to certify its results under the Act's procedures. Congress may also reject votes under the Act for other specific deficiencies, such as parliamentary error(s), if an elector or candidate is ineligible for office.



The counting of ballots under the act made the cover of the first issue of Newsweek in 1933.



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The provisions of the law have not been truly tested in a disputed election. Since the bill was enacted, some have doubted whether the Act can bind a future Congress. Since the Constitution gives Congress the power to set its own procedural rules, it is possible that simple majorities of the House and Senate could set new rules for the joint session convened to count electoral votes. In the controversial 2000 U.S. presidential election, the law's provisions did play a role in court decisions, such as Bush vs. Gore. The law has been largely criticized since it was enacted, with an early commentary describing it as "very confused, almost unintelligible.". Today's analysis has stated that the law "invites misinterpretation".

Under the Twelfth Amendment, the vice president (President of the Senate) opens the electoral certificates. The act clarifies the vice president's limited role in the count. Both houses can overrule the vice president's decision to include or exclude votes, and under the Act even if the chambers disagree, the governor's certification, not the vice president, breaks the tie. On many

occasions, the vice president has had the duty of finalizing his party's defeat, and his own on some of those occasions. Richard Nixon, Walter Mondale, Dan Quayle, Al Gore, Dick Cheney, Joe Biden and Mike Pence, all particularly presided over counts that handed their party, a loss.

The United States Electoral College

The United States Electoral College is the group of presidential electors required by the Constitution of the United States to form every four years for the sole purpose of appointing the president and vice president. Each state and the District of Columbia, appoints electors pursuant to the methods described by its legislature, equal in number to its congressional delegation (representatives and senators). Federal office holders, including senators and representatives, cannot be electors. Of the current 538 electors, an absolute majority of 270 or more electoral votes is required to elect the president and vice president. If no candidate achieves an absolute majority there, a contingent election is held by the United States House of Representatives to elect the president,

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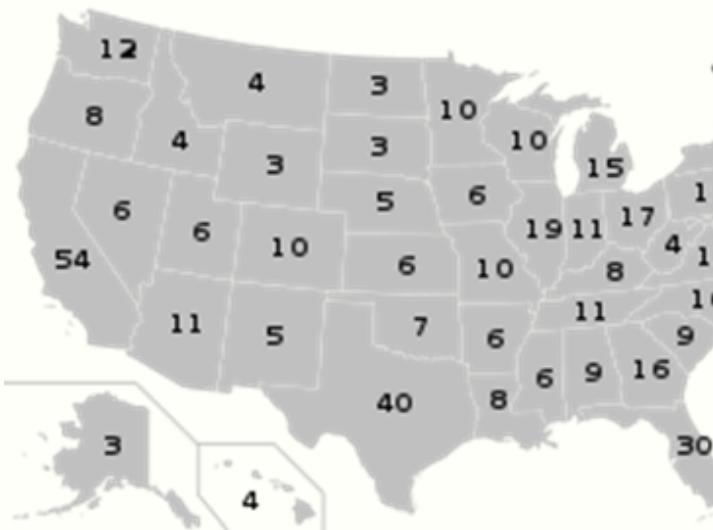
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IST Column - continued

and by the United States Senate to elect the vice president.

Currently, the states and the District of Columbia hold a statewide or districtwide popular vote on the Tuesday next after the first Monday in the month of November to choose electors based upon how they have pledged to vote for president and vice president, with some state laws proscribing faithless electors. All states except Maine and Nebraska use a party block voting, or general ticket method, to choose their electors, meaning all their electors go to one winning ticket. Maine and Nebraska choose one elector per congressional district and two electors for the ticket with the highest statewide vote.



Electoral votes, out of 538, allocated to each state and the District of Columbia for presidential elections to be held in 2024 and 2028, based on representation, which depends on population data from the 2020 census. Every jurisdiction is entitled to at least 3.

Alternative to the Electoral College

There are several alternatives to the Electoral Count Act of 1887. This simplest of which is substituting the electoral college with a single nationwide count of popular votes. The candidates winning a majority of votes would be elected President and Vice President. This is a simple; one person = one vote, majority wins.

The appropriateness of the Electoral College system is a matter of ongoing debate. Supporters argue that it requires presidential candidates to have broad appeal across the country to win, while critics argue that it is not representative of the popular will of the nation when viewed without regard to the states. Almost 10% of presidential elections under the system have not elected the winners of the nationwide popular vote.



Critics argue that the Electoral College system is less democratic than a direct popular vote and that the College violates the democratic principle of one person = one vote.

Thus, a president may be elected who did not win the national popular vote, as occurred in

1824, 1876, 1888, 2000, and 2016. Critics object to the inequity that due to the distribution of electors, individual citizens in states with smaller populations have proportionately more voting power than those in larger states. This is because the number of electors each state appoints is equal to the size of its congressional delegation, each state is entitled to at least three regardless of population, and the appointment of the statutorily fixed number of the rest is only roughly proportional. In addition, faithless electors may not vote in accord with their pledge. Further objection is that instead of spending equally on each voter in the nation, candidates focus their campaigns on just a few swing states. While polling data show having a direct popular vote for presidential elections is consistently favored by

many Americans, the popularity of the Electoral College has diminished between 35% and 44% in the 21st century.

In closing I leave you with this. As designed, the electoral college binds all the different states together, yet the electoral college divides the states as it may elect a president that is not the popular candidate.

Denise "Niki" Wallace

International Secretary Treasurer

dwallace@smart-union.org

216-521-2522 office | 715-493-6850 cell

"No problem can be solved from the same level of consciousness that created it"



DEPARTED MEMBERS

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Alt. National Legislative Director Column

Greetings Brothers & Sisters,

I would like to take this moment and thank the delegates, and all those that attended the recent 13th International Convention of the SMART TD Auxiliary, for their support in electing me to the position of National Legislative Director. It will be my honor and privilege to serve our members of this great organization.

I am a retired railroader. I worked for Norfolk Western/Southern as a brakeman, conductor and locomotive engineer for 38 years. I served Local 0225 in Bellevue, OH as the Legislative Representative for over 20 years, and I was elected and served as the Chairman and Legislative Director of Ohio in April 2012 until my retirement in May 2020. I was appointed to serve as the Alternate Legislative Director of the SMART TD Auxiliary by President Kathryn Seegmiller to fill the vacancy in this position.

The Legislative Office is tasked with the duty of staying current with the ever-changing political climate in Washington, DC, and state houses.

We do this by being active in each and every Election cycle (every two years). At the Federal level – Congressional races (two year terms), Senate races (six year terms) and Presidential races (four year terms). In the State – House of Representatives (two year terms), Governor & other statewide races including – Secretary of State, Treasurer, Auditor, Attorney General & State Senate are (four year terms).

The SMART TD Auxiliary Legislative Office works closely and in cooperation with the SMART TD National Legislative Director & Alternate. Their issues and legislative priorities are ours!

I believe in an informed & educated voter. I will not tell you whom you have to vote for! Rather, I want to be able to give you the means in which to make an educated decision about the candidates. Through our mailing, emails, social media and newsletters you will be given the tools to do your own research (internet, newspapers, magazines) to make an educated vote, based upon you and your family's needs. Not based upon hot topic issues.



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Please get out the vote for this upcoming mid-term election. Vote for those that will protect you and your families own best interest.

My term of office begins on 1 January 2023, but please know this – I have been fighting for the safety and rights of my Brother and Sister Railroaders for the past 48 years!

Fraternally yours,



Stu Gardner

Alt. National Legislative Director

National Legislative Director - Elect

stuartgardnersld@gmail.com

419-217-8787

Vice President Corner



Steve Fritter

Vice President District 2

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District 2: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Washington D.C.



continued VP Corner

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The United States Supreme Court has cautioned railroad workers that:

"Injured workers or their families often fall prey on one hand to persuasive claims adjusters eager to gain a quick and cheap settlement for their railroad employers, or on the other to lawyers either not competent to try these lawsuits against the able railroad counsel or too willing to settle a case for a quick dollar."

"Laymen cannot be expected to know how to protect their rights when dealing with practiced and carefully counseled adversaries."
Brotherhood of Railroad Trainmen v. Virginia, 84 S. Ct. 1113 (1964)



Geralyn Gardner

Vice President District 4

419-217-5492 | geralyn_g40@yahoo.com

District 4: Indiana, Kentucky, Michigan, Ohio, West Virginia



Where has our summer gone? Here we go off to another place to visit in my hometown of Bellevue, Ohio. The famous Seneca Caverns are located at 15248 E. Township Road 178, Bellevue, Ohio.



Seneca Caverns is a show cave located in northeastern Seneca County, OH. The

cave is designated as a Registered Natural Landmark by the Ohio Department of Natural Resources. The Caverns have been independently operated by Denise Bell, and opened

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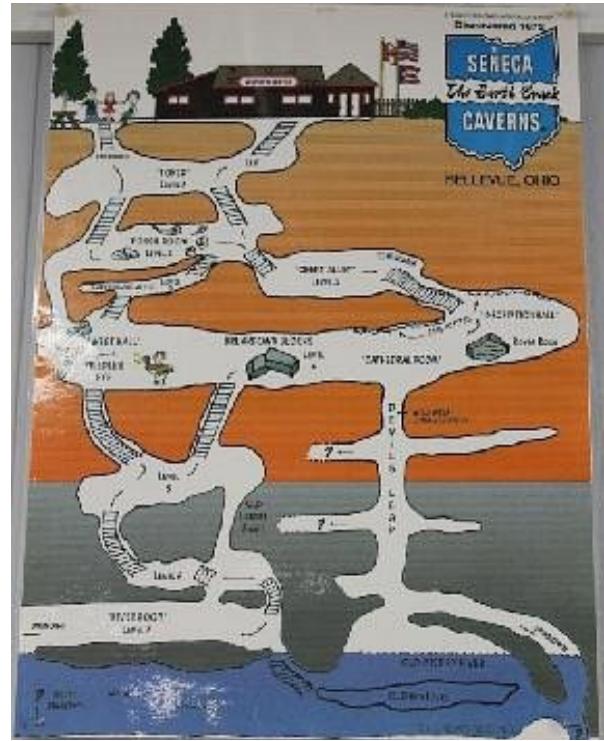
Vice President District 5

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District 5: Illinois, Iowa, Minnesota, Wisconsin



With our 13th quadrennial Conference behind us, we look forward to starting fresh and with full motivation. As Vice Presidents we discussed many new ways to approach being accountable in our role as VP's to the President and Secretary/Treasurer's positions, but



GOT NEWS?



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Send articles and pictures to
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also to our Districts. What can we do better? What can we do to motivate others? How do we kick off to a running start of a new four-year term? How do we work with legislators to motivate a larger group of people to support the transportation divisions?

I decided I needed to start with my local Lodge in Chicago and Northwest Indiana. I went straight from our



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conference into our White Sox Annual Outing (on hold for past 3 years). The Outing is hosted by our Local, Lodge, and Designated Legal Counsel. We have a “Taco Guy” with all the fixings, margaritas, and several other beverage choices. We all gather (this year 170 people) and talk “Railroad” and about our families, reconnecting after many years of absence. I talked to many spouses, saying I was excited to start fresh (after being lackadaisical for better lack of words) and that I am motivated to do some fun activities to grow our lodge. I feel like I need to motivate others to join our organization for our great guest speakers and valuable resources. I want to motivate them so we can have the power to help get important legislation passed, presented, talked about, such as two-person crews. If each of us can motivate a few people on the importance of the legislation going on right now in this world and motivate them to continue to grow. We can be the change! We can make a difference!

I was excited for this convention, as we had some simple changes to make. I really missed seeing everyone in

person after four years of Zoom and Microsoft Meetings. Our discussion went further, but the things we discussed would be quite simple to execute without changing more bylaws, such as holding each other accountable and keeping up with transparency. If we can do that, we will do so much better as an organization. I believe we all left more motivated and excited as a group, to see what is next for us. We have a great collection of minds with people that work well together as team. Everyone wants to support our Locals and the safety of the industry.

Speaking of safety of the industry, Two-Person Crew is our #1 priority!!! We cannot emphasize this enough. AND you can help! Here is how:

Please connect to this link and write your story of how the safety of Two-Person Crew affects you, your

community, and your family. Please also ask everyone in your household, family, friends, adult children, community, retired railroad workers and spouses, just everyone to write a letter. This affects the safety of our entire country! Here is the link below: bit.ly/3B6BBjW



Barbara Purdon

Vice President District 8

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District 8: Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington and Wyoming

The 13th Quadrennial convention for the SMART TD Auxiliary was held in Cleveland, Ohio with committee members and Vice Presidents arriving July 25, delegates arrived July 26. The business portion ran July 27 and 28.

On Tuesday evening, there was a welcoming reception serving hors d'oeuvres, where old and new acquaintances gathered for a bit of sustenance. The reception was followed by a very nice memorial service honoring Grand Lodge members that had passed.

Wednesday was an early start with breakfast followed by the convention

session. The session was a busy one, starting with resolutions to the constitution. Resolutions are made by submitting them in writing to the constitution committee before December 31 of the Quadrennial. The Wednesday session was ahead of schedule, so the session ended early. Several people meet for a walk and dinner.

Thursday was another early start. The breakfast was a pleasant start to the day. There was much debate on the convention floor with unfinished business. The election of the Grand Lodge officers followed lunch. Each district broke to elect their Vice-President and Alternate Vice-President. Past President/Chairperson of the Executive Board

Carol Menges swore in re-elected International President Kathryn Seegmiller. The International President then sworn in all elected officers.

The convention closed with the retiring of the flag and closing of the Bible. The last events of the convention were cocktails before the President's dinner, followed by a DJ and dancing.



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International Secretary/Treasurer

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Geralyn Gardner

Board of Trustees - Secretary

Tonja Adams

Board of Trustees - Member

Jessica Hobbs

Board of Trustees - Alt. 1

Bettinna Moos

Board of Trustees - Alt. 2

Nora Grutzuis

National Legislative Director

Stu Gardner

Alt. National Legislative Director

Pam Neal

ELECTIONS OF OFFICERS

Vice President - District 2 ***Steve Fritter***

Alternate Vice President District 2 ***Julie Fritter***

Vice President - District 3 ***Jennie Steverson***

Alternate Vice President District 3 ***Jessica Hobbs***

Vice President - District 4 ***Geralyn Gardner***

Alternate Vice President District 4 ***Paula Rauch***

Vice President - District 5 ***Nora Grutzius***

Alternate Vice President District 5 ***Billie Joiner***

Vice President - District 6 ***Carol Menges (Chairperson)***

Alternate Vice President District 6 ***Don Davis***

Vice President - District 7 ***Pam Neal***

Alternate Vice President District 7 ***Tonja Adams***

Vice President - District 8 ***Barbara Purdon (Secretary)***

Alternate Vice President District 8 ***Ashley Burnside***

CONVENTION



**International President
& Secretary/Treasurer**



Board of Trustees and Alternates



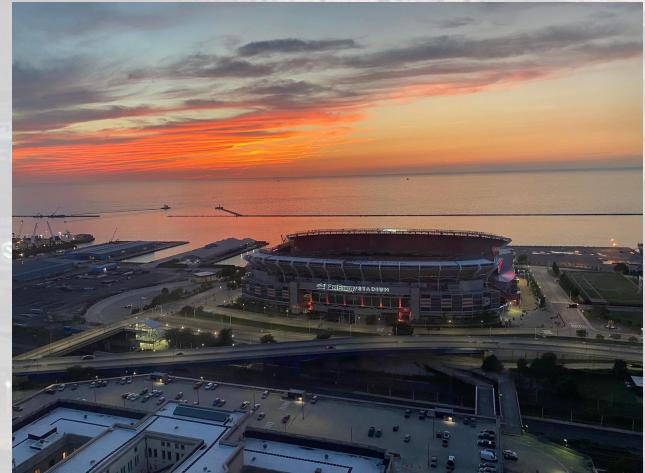
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CONVENTION



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Marilyn Spangler Lodge 5 \$50.00

Norbert and Patricia Shacklette Lodge 28 \$25.00

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Attica, OH 44807-9435

Our Sincere Thanks to all lodges and individuals for their continued generous support to the Scholarship Fund.

BOARD NOMINATION PROCESS BEGINS

In the months ahead, we will be electing two (2) Auxiliary members to serve on the Scholarship Fund Board for a (3) three-year term beginning in April of 2023. *Inserted in this issue of the Auxiliary newsletter, each Lodge Secretary will receive the nomination-form and instructional letter.*

Lodge Presidents should receive a memorandum telling them about the nomination process. Each Lodge may nominate one (1) member to run for a Scholarship Fund Board position. Nomination forms must be returned postmarked by November 1, 2022. The Scholarship Fund Board is looking for individuals who have both the ability and the willingness to serve. Each board member holds an office with assigned responsibilities throughout the year. Although the position is not salaried, expenses will be reimbursed according to Scholarship Fund Board policies. Lodges are encouraged to nominate qualified candidates.

Auxiliary of the UTU Scholarship Fund News

The upcoming election information and ballot will be sent out with the **December** Auxiliary newsletter. Lodges will be able to vote and return ballots postmarked on or before February 15, 2023.

RENEWAL SCHOLARSHIPS FOR 2022

Scholarships awarded thru the Auxiliary of the UTU Scholarship Fund may be renewable for up to four (4) continuous years if certain requirements are met. Students must be enrolled full-time and maintain at least a 2.0 grade point average to qualify for the continuous renewal award. Scholarship applications are accepted between January 1st and March 31st. Students receiving new scholarship awards are notified by May 1st. Acceptance or a decline of the award is needed by June 1st. The renewals are notified next and must accept or decline by August 1st. First year acceptance of a scholarship requires a full enrollment confirmation from the college. 2nd thru 4th year acceptance of a renewal scholarship requires a full enrollment confirmation and transcripts from the previous year.

PLEASE NOTE: This year colleges are slower in processing the request for proof of full-time status and or transcripts. If you are aware that your college is not going to meet the October 1st deadline please contact Marilyn Spangler (216) 502-7226 or by email utuauxscholarship@gmail.com.

For the Fall 2022 term, 36 scholarship renewals have been issued so far and 21 new scholarships have been awarded. We are having an unusually difficult time awarding the available scholarships again this year. A lot of students are not attending college because of the usual explanations but COVID has caused more to step away from attending college this year. Another difficulty that is a normal obstacle is bad contact information. If we cannot reach the student or family for acceptance of a scholarship, the scholarship must be given to someone else. The easy solution to avoid missing out on a scholarship is to keep your contact information current. Make sure your Lodge has your most recent email, address and phone numbers. The Lodge may delay notifying the Grand Lodge of this information, so to be safe it is recommended that if you have someone applying for a scholarship make sure to send the contact information to the Grand Lodge also. The Grand Lodge can be notified by phone (216) 521-2522 or email dwallace@smart-union.org.

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INJURY LAW

Lloyd (Chip) Rabb

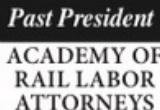
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Former Locomotive Engineer

Matthew Rabb

Attorney

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Auxiliary of the UTU Scholarship Fund News

There is a very good chance that your student could be the one drawn from the applications received. Not only because of the small list but also because they could be chosen any of the next three years to replace someone who no longer attends college. When a student completes their education, or does not meet board criteria, the next available alternate is offered the remainder of the scholarship award. Another way of increasing the chance of a scholarship is to send in an application every year that the student has not been awarded one.

PLEASE NOTE: Reminder to Auxiliary Sponsor Members – membership must be retained throughout the duration of the scholarship award.

Thank You notes from scholarship recipients and their families

Our Granddaughter, Natalie Mechem, just graduated, summa cum laude, from Drake University in Des Moines IA. We wanted to thank the Scholarship Fund for picking her to receive a 4-year scholarship from them to help with her expenses.(There was also a generous donation sent and noted above)

I want to thank you for the scholarship I have received. I have been a member of the Smart-TD Auxiliary since I turned 16. This is a great organization that has helped many people, including me!

~Samantha Grant

I would like to thank each of you for this award. Your generosity will help my family and I with the total expense of a college education. Again, thank you

~Nate Winslow



RAILROAD RETIREMENT BOARD

PRE-RETIREMENT SEMINAR

YOU CAN NOW VIEW THE PRE-RETIREMENT SEMINAR ONLINE

www.rrb.gov

→ **from homepage select "Our Agency"**

→ **from dropdown menu select "Office of the Labor Member"**

→ **then select "Pre-Retirement Seminar"**

● other educational materials can be found on their website as well ●

What if?...



What if you could find an insurance company that:

- Pays the membership back rather than paying stockholders and greedy CEOs
- Provided over 200 college scholarships yearly to the children and grandchildren of members
- Provided up to 100 Trade School scholarships to help build America's skilled labor force
- Provided Memorial Scholarships to the children of its members who were killed while performing the duties of their trade
- Had benefits designed to meet the unique needs of Union Trade Workers and their families
- Had highly affordable plans and flexible payment options

- Gave thousands of hours of volunteer work and matched member donations for charities in the communities they serve
- Financially Supported Disaster relief to assist Union members and their families in dire times of need
- Paid claims in days, not months
- Was established over 150 years ago by Trade workers like yourself

I would like more information on UTUIA's available policies:

- | | |
|---|---|
| <input type="checkbox"/> Accident Indemnity | <input type="checkbox"/> Life Insurance |
| <input type="checkbox"/> Accidental Death and Dismemberment | <input type="checkbox"/> Annuities |
| <input type="checkbox"/> Cancer Hospital Indemnity | <input type="checkbox"/> IRAs |



Please Print

Full Name

Date of Birth

SMART TD Local

Street Address

City

State

Zip code

Telephone number with area code

Male Female

Complete and mail to: UTUIA Sales Dept., 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333.

What if I told you that UTUIA is that insurance company and as a Union member, you had access to some of the best benefits available today? To find out more information as to how we can help you protect your family and yourself, simply go to www.UTUIA.org/information, fill out the form and submit or contact a Field Supervisor Direct. You can find your Field Supervisor at [www.utuia.org /map](http://www.utuia.org/map)



Auxiliary of the UTU Scholarship Fund News

2022 SCHOLARSHIP WINNERS

The winners of the \$1,000 Scholarships for 2022-23 are listed in the order they were drawn:

Morgan Horn

Grandchild of Kathleen Huston
Jefferson City, MO, Lodge 933

Yasmine Spangler

Step-Grandchild of Marilyn Spangler
Cleveland OH, Lodge 5

Nicholas Winslow

Grandchild of Delbert Strunk
Bellevue, OH, Lodge 225

James Menges

Grandchild of Carol & Ken Menges
Jefferson City, MO, Lodge 933

Samuel Pierce

Grandchild of Theresa Northup
Glasgow, MT, Lodge 228

Zachery Allgyre

Child of Jan Allgyre
Bellevue, OH, Lodge 225

Debra Todd

Child of Edelmira Todd
Bellevue, OH, Lodge 225

Aaron Breivogel

Child of Lori Breivogel
St. Louis, MO, Lodge 28

Douglas Reer

Child of Joyce Reer
Bellevue, OH, Lodge 225

Kaile Nodland

Child of Lynette Nodland
Forsyth, MT, Lodge 486

Jerrid Rolfe

Child of Cheryl Rolfe
St. Louis, MO, Lodge 28

Tate Brooks

Grandchild of Wanda Fisher
Jefferson City, MO, Lodge 933

Sydney Gray

Child of Billie Joiner
Chicago, IL, Lodge 723

Meghan Duley

Grandchild of Deanna Duley
Jefferson City, MO, Lodge 933

Ashley Cashin

Child of Karen Cashin
Cleveland, OH Lodge 5

Ian McKenzie

Grandchild of Marie Davis
St. Louis, MO, Lodge 28

Andrew Northup

Grandchild of Theresa Northup
Glasgow, MT, Lodge 228

Fran Derner IV

Child of Jori Derner
St. Louis, MO, Lodge 28

Stephanie Rubel

Child of Becky Rubel
Brewster, OH, Lodge 897

Hannah Menges

Grandchild of Carol & Ken Menges
Jefferson City, MO, Lodge 933

Samantha Grant

Child of Paula Grant
Cleveland, OH, Lodge 5

Congratulations to all of the winners and their families!