

**MINUTES OF REGULAR MEETING
CITY OF HIGHLAND POLICE PENSION BOARD
HIGHLAND POLICE DEPARTMENT – APRIL 1, 2022
8:15AM**

1. Call to Order / Roll Call
 - a. Called to order by Twyford at 8:21am
 - b. Roll call: Twyford, Haberer, Sutton
 - c. In attendance: Orsey – attorney, Ohren – City Treasurer, CNB Gorman and Wright
2. Public Comments - none
3. Minutes
 - a. Approval of January meeting minutes – approved.
 - b. Make sure secretary or president signs minutes at the end of them
 - c. Motion to approve: aye’s Twyford, Hab and Sutton. Nay’s: none, motion carries
4. Correspondence
 - a. Recent correspondence from IPOPIF
 - i. Orsey reviewed his letter to IPOPIF written on the HPPF’s behalf.
 - ii. Goal is to have all pension fund money moved by June 1, at the latest June 30 (the State is pushing this). HPPF will probably receive notification from the state to transfer by June 1. If anything is received from the State, forward it to Orsey.
 - b. Notification of resignation McGinley
 - i. Resigned March 4, 2022
5. Bills
 - a. None upcoming aside from Orsey’s quarterly retainer which is \$1800. Due quarterly: Jan 21, April 21, July 21, October 21
6. Treasurers Report
 - a. Reanna Ohren presented:
 - i. Last balance 194,006.04, transfer of \$500,00 approved previously
 - ii. Interest Jan / Feb 646.95
 - iii. Further review available from treasurer’s report in pension files on L drive
7. Investment Report – Darren Wright and Bryan Gorman of CNB Bank
 - a. Presentation from Gorman and Wright with CNB
 - i. Cash is around 5%
 - ii. Accounts are down, the whole market is down currently
 - iii. Would like to move back to 64% equity
 - iv. \$290,000 in bonds coming due in July
 - b. For further see the CNB report attached on L drive in pension files
 - c. Motion to approve CNB report by Haberer, second Sutton.
 - i. By roll call, all ayes, motion carries
 - d. Motion to allow CNB to invest \$500,000 by Haberer, seconded by Twyford
 - i. By roll call, all ayes, motion carries
 - e. Motion to add Reanna Ohren to FCB / CNB accounts and remove Kelly Korte
 - i. Motion by Twyford, second by Haberer
 - ii. By roll call, all ayes, motion carries
8. Old Business

- a. Status of Circuit Court filing of lawsuit to challenge consolidation law
 - i. Orsey discussed / explained updates
 - 1. Kane County lawsuit ruling – no ruling yet.
 - 2. Orsey has spoken to both parties in this case and belief is the judge may rule the law unconstitutional.
 - 3. Case will go to IL Supreme Court.
 - 4. Jan 27, order entered by both parties that there will be no sanctions/penalties if boards don't transfer funds before June 30 or before court ruling.
 - 5. Orsey doesn't believe the IL Supreme Court can make a ruling before June 30, even if the Kane Co ruling came today.
 - 6. Discussed sanction provisions in legislation: was in old legislation but was removed.
 - 7. Regardless of the ruling on Kane Co case, it will go to IL Supreme Court.
 - 8. If ruled constitutional then all funds will transition per Orsey.
 - 9. If funds transfer before that ruling, state of IL will keep a portion when transferring funds back.
 - 10. If no ruling by June 30, then we are in violation but there are no sanctions unless DOI or AG Office ask for hearings, our risk is probably minimal for now per Orsey.
 - 11. Twyford recommends to defer any communication / requests to Orsey.
- b. Discuss status of receipt from Affidavits of Beneficiary
 - i. Discussion of forms that have been received back. Ones that have been received have been uploaded to L drive and placed with the pension files.
 - ii. 8 of 19 returned so far.
 - iii. Orsey suggested to retain a copy of durable power of attorney for property.
- c. Confirm filing of Illinois Finance Entity Form due Feb 28, 2022
 - i. Has been done per CNB and sent to counsellor and DOI.
 - ii. CNB will send Sutton a copy to retain.
- d. Confirm filing of Statement of Economic Interest with County Clerk
 - i. Discussion:
 - 1. Supported by IML.
 - 2. These are public record per Orsey, can be FOIA'd.
 - 3. Personal homes, vehicles, etc aren't necessary to be included.
 - 4. Looking for extras like vacation homes, etc, that don't line up with salary you are currently paid.
- e. Discuss status of nomination and upcoming election / appointment of board members
 - i. Christopher Flake, active, term expires 5/10/22
 - 1. Only nominations for Flake have been received
 - ii. Vacancy due to McGinley resignation, appointed, term expires 5/10/22

1. If any members are aware of someone who would be willing to serve, make them aware.
- f. Discuss states of Steinbeck disability matter
- i. All medical records have been obtained by Orsey, they are now looking for three doctors.
 - ii. Orsey advised it will be tough to find three doctors.
 - iii. Municipal Attorney McGinley contacted Orsey questioning the status of the case.
 - iv. City has determined that "Steinbeck is disabled, but is a non-duty disability."
 - v. City will challenge Steinbecks on duty disability request.
 - vi. City can file a petition to intervene in pension board decision on the duty vs non-duty related pension decision.
 - vii. Pension Board can make the decision to allow the city to take part in the decision or not
 1. Generally, let them take part, per Orsey, because of the potential monetary impact on the city.
 - viii. They can ask questions, call witnesses, etc all of the same things the board can do.
 - ix. City wants to expedite the process.
 - x. City can terminate employment at any time, but the pension board won't be able to allow him to draw his pension until a decision is made
 - xi. As a board member, don't ask Steinbeck about his health issues related to the injury at hand.
 1. Board members are the "jury" for the hearing and shouldn't discuss Steinbecks health issues with him.
 - xii. Discussion of process for the administrative hearing (no date yet).
 - xiii. Orsey and his firm are looking for doctors, however, it is difficult to locate one for this case because it is COVID related.
 - xiv. Once doctors are located the process will move quickly.
 - xv. Orsey hopes to have doctors located by the next meeting.
 - xvi. \$1500-\$3000 is average cost for an evaluation per doctor.
 - xvii. Motion to allow Orsey to identify the doctors and authorize pre-payment.
 1. Motion by Twyford, second by Haberer
 2. All members in favor by roll call, motion carries.

9. New Business

- a. Discuss 2022 mandatory trustee training for board members
 - i. Orsey reminded all members that trustees need 8 hours of training before October.
 - ii. 4 hour trainings available on IL AG website. Open meetings Act, FOIA, etc trainings are available.
 - iii. IML offers free training to trustees also.
 - iv. Fiduciary, ethics, processing retirement/disability claims, OMA and FOIA are areas of trainings the statute requires.
 - v. Orsey suggested to get this done by the July training.

- b. Orsey addressed ability of making sure that people can phone in, even if not required by law. Pension Board is an independent body and isn't required to have a phone in option since the Governor's disaster proclamation has expired. City of Highland called Deputy Chief Becherer during the meeting to request a phone be set up. Deputy Chief Becherer and Twyford conversed, Becherer will call city hall and let them know this meeting won't be available via phone. Efforts will be made in the future to accommodate phoning in.
- 10. Application for membership
 - a. None.
 - 11. Application for benefits
 - a. No new applications besides Sgt. Steinbeck .
 - 12. Next Meeting date (Friday, July 15, 2022 @ 8:15am).
 - 13. Adjournment
 - a. Motion to adjourn by Twyford, second by Haberer
 - b. All in favor by roll call, motion carries. Meeting adjourned at 10am.

X Brodley Sutton