

**MINUTES OF THE
WV CONSOLIDATED PUBLIC RETIREMENT BOARD
BOARD OF TRUSTEES MEETING
MEETING OF MARCH 24, 2021**

A meeting of the West Virginia Consolidated Public Retirement Board (CPRB), Board of Trustees, was held on Wednesday, March 24, 2021 in the Conference Room A at 4101 MacCorkle Avenue, Charleston, West Virginia, 25302.

Call to Order

The meeting was called to order at 10:01 a.m. by Joseph G. Bunn, Chair.

Roll Call:

Trustees participating:

Joseph G. Bunn, Chair

Ann Urling, *representing Governor James C. Justice, II (via Teams)*

Jeff Waybright, *representing State Auditor John B. McCuskey*

Sarah Canterbury, Esquire, *representing State Treasurer Riley Moore*

Cabinet Secretary Allan L. McVey *(via Teams)*

Bill Barker

Andy Bird

Rhonda Bolyard

Michael Haney

Mike McKown

D. Todd Murray

David Nelson

Reginald Patterson

Jeffrey Vallet

Trustees absent:

Joe Lynch

A quorum was present.

Others present:

Jeffrey E. Fleck, CPRB Executive Director
Terasa Miller, CPRB Deputy Director
Nancy Butcher, CPRB Executive Assistant
Jeaneen Legato, CPRB General Counsel
Ken Woodson, CPRB Actuary
Tina Baker, CPRB Internal Auditor
Patricia Bowgren, CPRB IT Staff
Tanner Mann, CPRB Actuarial Analyst Trainee
John Galloway, CPRB Chief Financial Officer
Tim Abraham, CPRB Compliance Officer
Craig Slaughter, Investment Officer, WVIMB
Ronda Harvey, Esquire, Bowles Rice
Chris Meadows, Empower

Tab 1: Approval of the January 27, 2021 Minutes

Mr. Barker made a motion to approve the minutes of the January 27, 2021 meeting of the Board. The motion was seconded by Mr. Vallet. The motion was adopted.

The minutes were located behind Tab #1 of the Board materials.

Tab 2: Report of the Executive Director

Mr. Jeffrey Fleck, Executive Director, gave his report to the Board which included the following information:

1. *CPRB Metric Chart* - Mr. Fleck said that the retirement section continues to process retirements applications as quickly as possible. He added that the Retirement Section had processed 48 March 1st retirement applications since March 23, 2021. He also reviewed the numbers for each of the retirement plans as well as reviewing the statistics for deaths, refunds, and benefit estimates.
2. *TDC Statistics* - He reported that the Plan had 3,968 participants and said that even with its declining participants, the assets continue to grow. He stated that its assets were \$669,293,930.

3. *Delinquent Employers* – Director Fleck stated that Green Acres continues to reimburse according to their agreement. He added that staff is working with the new city manager of the City of Weston to get them current. He added that the Lincoln County P.S.D. had been sent a certified letter regarding their delinquency.
4. *Eide Bailly LLP Contract Renewal* – Mr. Fleck informed the Board that the contract for Eide Bailly LLP was up for renewal. He said this contract is for Assurance Services & Technical Assistance (auditing). He added that the amount of the renewal was \$205,000.00 for the year and he recommended renewing the contract.

Mr. Vallet made a motion to renew the Eide Bailly LLP contract for one year in the amount of \$205,000.00. Mr. Waybright seconded the motion. The motion was adopted.

5. *Revolution Data Systems Contract Renewal* – Director Fleck informed the Board that the Revolution Data Systems Contract was up for renewal. He said that this contract is for the maintenance of the agency imaging software. He added that the amount of the renewal was \$118,272.62 for the year and recommended the renewing of the contract.

Mr. Waybright made a motion to renew the Revolution Data Systems contract for one year in the amount of \$118,272.62. Mr. Vallet seconded the motion. The motion was adopted.

6. *February Financials* - He stated that the February financials showed that the agency is at 63.90 percent of its YTD Actual budget.
7. *Legislative Update* - Director Fleck stated that the regular Legislative Session began on February 10. He gave an update on the status of the agency legislation.

Report of the Chairman

Chairman Bunn announced that with new appointments to the Board, he was making the following committee assignment changes:

- Rhonda Bolyard to the Investment Committee
- David Nelson to the Accounting & Audit Committee
- Reginald Patterson to the Disability Committee

The Report of the Executive Director and the Chairman were located behind Tab #2 of the Board Materials.

Tab #3: Plans Investment Data

Chairman Bunn recognized Craig Slaughter, Executive Director of the West Virginia Investment Management Board (WVIMB). Mr. Slaughter reviewed the Plan's Investment Returns Preliminary Report for the period ending January 31, 2021. He reported that investment returns were up .2 percent for the month, 12.1 percent for the quarter and 16.2 percent for the year. He added that February 2021 returns would be very good. He further noted that the December 31, 2020 investment information and the Participant Plans Allocation & Performance Net of Fees information were included in the Board materials.

Chris Meadows of Empower Retirement gave an update on the TDC Outreach and Reality Investing. Mr. Meadows' counselling sessions continue to be virtual due to the COVID and total 287 for the year. Mr. Meadows also reported on the TDC Survey Results and the TDC Winter Newsletter.

Chris Meadows of Empower Retirement gave an update on the TDC Investment Data. He reported that the GDP is up, and the S&P is up 5 percent since his last report, but Bond investments are down.

The Plans Investment Data reports, TDC Educational Meeting reports and TDC Outreach materials were located behind Tab #3 of the Board materials.

Executive Session

Chairman Bunn announced he would entertain a motion to go into Executive Session to discuss legal matters.

Mr. Vallet made a motion the Board go into Executive Session to discuss legal matters as allowed by West Virginia Code §6-9A-4. The motion was seconded by Mr. Barker. The motion was adopted.

The Board went into Executive Session at 10:34 a.m.

Chairman Bunn reconvened the Public Session of the March 24, 2021, meeting of the CPRB Board of Trustees meeting from Executive Session at 10:44 a.m. He announced the Board was in Executive Session to discuss legal matters as allowed by West Virginia

Code §6-9A-4 and that no decisions were made during Executive Session.

Tab #4: Legal Counsel Reports

Report of In-House Legal Counsel – Jeaneen Legato

Jeaneen Legato, In-House Legal Counsel, presented her report to the Board on all pending legal matters. She reported on all current Administrative, Circuit Court, Supreme Court and Less than Honorable Service (LTHS) cases.

Ms. Legato reviewed the LTHS case of **Joanna Bias**. She reported that on January 28, 2021, this PERS member and former City of Madison employee pled guilty to the felony offense of embezzlement in the Circuit Court of Boone County.

Ms. Legato recommended the Board disqualify and terminate the PERS retirement of Joanna Bias.

Mr. Vallet made a motion that the Board accept the recommendation of Counsel and disqualify and terminate the retirement in the PERS of Joanna Bias and to authorize legal counsel to proceed with Less Than Honorable Service action. Mr. Haney seconded the motion. The motion was adopted.

Ms. Legato reviewed the LTHS case of **Tammy Hill**. She reported that on January 28, 2021, this PERS member and former City of Madison employee pled guilty to the felony offense of embezzlement in the Circuit Court of Boone County.

Ms. Legato recommended the Board disqualify and terminate the PERS retirement of Tammy Hill.

Mr. Vallet made a motion that the Board accept the recommendation of Counsel and disqualify and terminate the retirement in the PERS of Tammy Hill and to authorize legal counsel to proceed with at Less Than Honorable Service action. Mr. Bird seconded the motion. The motion was adopted.

Report from Outside Legal Counsel – Ronda Harvey

Ms. Harvey updated the Board on matters still pending in the Circuit Courts of West Virginia and other administrative matters. Ms. Harvey also reported that the DNR subsistence allowance case would be heard by the West Virginia Supreme Court of Appeals on April 13, 2021. She also reported that Judge O'Hanlon had issued an order affirming the Board's position in the Truman Sayre case.

The reports of the In-House and Outside Legal Counsel were located behind Tab #4 of the Board materials.

Tab #5: Committee Reports

Accounting & Audit Committee

Mr. Bunn recognized Mr. Waybright, Chair of the Accounting & Audit Committee. Mr. Waybright reported that the Accounting & Audit Committee met on Tuesday, March 23, 2021 and had received a report from the Internal Auditor, Tina Baker regarding the Active Death Annuities Internal Audit and recommended that the Board accept the report.

Mr. Barker made a motion to accept the report by the Internal Auditor regarding the Active Death Annuities Internal Audit. Mr. Vallet seconded the motion. The motion was adopted.

Mr. Waybright also reported that John Galloway, CPRB Chief Financial Officer, had presented the GASB 68 Employer Allocation Schedules. He added that Mr. Galloway would explain the schedules and then recommended that the Board approve the release of the Employer Allocation Schedules.

Mr. Galloway explained the necessity of the employer allocation schedules and added that Eide Bailly, the CPRB outside Auditor, had reviewed the schedules and provided a summary of their audit results and that they had issued a clean report regarding the schedules.

Mr. Vallet made a motion to approve the release of the Employer Allocation Schedules. Mr. Haney seconded the motion. The motion was adopted.

Mr. Waybright recommended the Board approve the minutes of the December 15, 2020 Internal Audit Committee.

Mr. Vallet made a motion to approve the minutes of the December 15, 2020 Internal Audit Committee meeting. Mr. Barker seconded the motion. The motion was adopted.

Disability Review Committee

Mr. Bunn recognized Mr. Waybright, Acting Chair of the Disability Review Committee. Mr. Waybright reported that the Disability Committee met on Tuesday, March 23, 2021 via telephone conference call and the Disability Committee approved the staff's recommendations of disability retirement applications and made the following recommendations to the Board for their approval:

System	Approved	Denied	Total
PERS	6	0	6
Plan B	0 - Total Duty 1 - Partial Duty	1 - Total Duty	0 - Total Duty 1 - Partial Duty
TRS	7	0	7
TOTALS	14	0	14

Mr. Haney made a motion the Board accept and approve the Disability Committee's recommendations concerning the disability retirement applications. The motion was seconded by Mr. Vallet. The motion to accept and approve the recommendations was adopted.

Investment Committee

Mr. Bunn recognized Mr. Vallet, Chair of the Investment Committee. Mr. Vallet reported that the Investment Committee had met on Tuesday, March 23, 2021 and recommended that the Board approve the minutes of the November 17, 2020 Accounting and Investment Committee meeting.

Mr. Waybright made a motion to approve the minutes of the November 17, 2020 Accounting and Investment Committee meeting. Mr. Haney seconded the motion. The motion was adopted.

The Committee reports and minutes were located behind Tab #5 of the Board materials.

Tab #6: Old Business

Chairman Bunn inquired as to any old business to come before the Board. None was heard.

Tab #11: New Business

Chairman Bunn announced under New Business that there was a vacancy in the Vice-Chair position of the Board of Trustees and that anyone interested in the position should let him or Mr. Fleck know before the next Board meeting when an election would be held to fill that position.

No other new business was heard.

Adjournment

Mr. Bunn announced that the next Board of Trustees meeting would be May 19, 2021 at 10:00 a.m. There being no further business to come before the board, the meeting adjourned at 11:20 a.m.



Joseph G. Bunn, Chairman
Consolidated Public Retirement Board



Jeffrey E. Fleck, Executive Director
Consolidated Public Retirement Board