

**MEETING OF THE RETIREMENT BOARD
OF THE COUNTY EMPLOYEES' AND OFFICERS' ANNUITY AND BENEFIT FUND
OF COOK COUNTY AND EX OFFICIO FOR THE FOREST PRESERVE DISTRICT
EMPLOYEES' ANNUITY AND BENEFIT FUND OF COOK COUNTY**

**70 West Madison, Suite 1925
Chicago, IL 60602**

November 3, 2022 - 9:30 A.M.

The County Employees' and Officers' Annuity and Benefit Fund of Cook County and the Forest Preserve District Employees' Annuity and Benefit Fund of Cook County are herein collectively referred to as the "Fund."

Call to Order and Roll Call

Trustees Present: Lawrence Wilson, President; Patrick McFadden, Vice-President; Stephen Hughes, Secretary; John Blair, Bill Kouruklis, Joseph Nevius, Kevin Ochalla, James O'Rourke, Tracy Reed

Staff Present: Brent Lewandowski, Interim Executive Director; Margaret Fahrenbach, Legal Advisor; Michael Maratea, Director, Finance and Administration; Gary LeDonne, Director, Benefits Administration; Francis Gonzalez-Crussi, Senior IT Manager; Saron Tegegne, Comptroller

Others Present: Mary Pat Burns, Burke Burns & Pinelli, Ltd; Hal Dardick, Cook County Treasurer's Office; Olyvia Jarmoszka, Cook County Bureau of Finance; Adelaide Del Angel, Cook County, Bureau of Finance; Colin Kruse, Cook County; Derek Blaida, Legislative Liaison

President Wilson asked if any member of the public wanted to address the Board, but no one requested to do so.

1. Review and Consideration of October 6, 2022, Board Meeting Minutes

It was moved by Trustee Blair and seconded by Trustee O'Rourke that the presented minutes of the Board meeting on October 6, 2022, be adopted.

Vote Result: MOTION ADOPTED BY VOICE VOTE

2. Review and Consideration of:

a. Bills, Payroll Records

It was moved by Trustee McFadden and seconded by Trustee Nevius, having received confirmation from Fund staff that the indicated payments were consistent with the administrative budget approved for 2022, that the Board ratify the action taken by Fund staff in paying the presented bills and payroll records in October, 2022, and that the Board approve the recommendations from Fund staff to remit payments for the expenses incurred in October, 2022.

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke, Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

b. Annuities, Spouse and Child Annuities and Refunds

It was moved by Trustee Reed and seconded by Trustee O'Rourke, after due consideration of the applications presented to the Board and having confirmed that the Fund staff followed the Fund's procedures in reviewing and processing the applications, that the recommendations from the Fund's staff for the presented annuities and refunds be approved.

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke, Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

c. Ordinary and Duty Disabilities

It was moved by Trustee McFadden and seconded by Trustee O'Rourke, after due consideration of the applications presented to the Board and having confirmed that the Fund staff followed the Fund's procedures in reviewing and processing the applications, that the recommendations from the Fund's staff for the presented disability applications be approved.

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke, Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

3. Election Matters – Proclamation of Election and Declaration of the Winner of the following Elections:

Brent Lewandowski, Interim Executive Director, stated that the Fund had received the Final Report of the Retained Attorney, Matthew Welch, regarding the election held on October 26, 2022. The report stated that Diahann Goode was the successful candidate in the election for the Cook County Employee Member; Jerry Pray prevailed as the sole candidate for the Cook County Annuitant Member and Samuel Richardson, Jr. prevailed as the sole candidate for the Forest Preserve District Annuitant Member.

a. Cook County Employee Member Election Held on October 26, 2022

It was moved by Trustee Hughes and seconded by Trustee Reed that the Final Report of the Retained Attorney, Montana & Welch, LLC, as submitted by Matthew M. Welch, dated November 2, 2022, which concerned the results of the election that was held on October 26, 2022, for the Cook County Employee Member Trustee Position be accepted as a true and accurate report and, consistent therewith, that Ms. Diahann Goode was elected as the Cook County Employee Member Trustee.

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke, Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

It was moved by Trustee McFadden and seconded by Trustee Reed that the Proclamation of Election and Declaration of the Winner of the Cook County Employee Member Election held on October 26, 2022, be accepted and, consistent therewith, that Ms. Diahann Goode be declared the winner of that election and that she be administered and execute the Oath of Office. It was further moved that the Fund staff should take all action necessary to file a copy of the Oath of Office with the Cook County Clerk as required by Section 9-186 of the Illinois Pension Code.

Vote Result: MOTION ADOPTED BY VOICE VOTE

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke, Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

b. Cook County Annuitant Member Election by Acclamation

The trustees discussed that they would propose a single motion to accept the Final Report and declare the winner for the elections by acclamation for the Cook County Annuitant Member and the Forest Preserve District Annuitant Member.

It was moved by Trustee McFadden and seconded by Trustee Blair that the Final Report of the Retained Attorney, Montana & Welch, LLC, as submitted by Matthew M. Welch, dated November 2, 2022, which concerned the Sole Candidacy for the Cook County Annuitant Member Trustee Position be accepted as a true and accurate report and, consistent therewith, that Mr. Jerry Pray was elected as the Cook County Annuitant Member. It was further moved that the Proclamation of Election and Declaration of the Winner of the Cook County Annuitant Member Election held on October 26, 2022, be accepted and that, consistent therewith, that Mr. Jerry Pray be declared the winner of that election and that he be administered and execute the Oath of Office. It was further moved that the Fund staff take all action necessary to file a copy of the Oath of Office with the Cook County Clerk as required by Section 9-186 of the Illinois Pension Code.

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke,
Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

c. Forest Preserve Annuitant Member by Acclamation

It was moved by Trustee McFadden and seconded by Trustee Hughes that the Final Report of the Retained Attorney, Montana & Welch, LLC, as submitted by Matthew M. Welch, dated November 2, 2022, which concerned the Sole Candidacy for the Forest Preserve District Employee Annuitant Trustee Position be accepted as a true and accurate report and, consistent therewith, that Mr. Samuel Richardson, Jr., was elected as the Forest Preserve District Annuitant Member. It was further moved that the Proclamation of Election and Declaration of the Winner of the Forest Preserve District Annuitant Member held on October 26, 2022, be accepted and that, consistent therewith, that Mr. Samuel Richardson, Jr., be declared the winner of that election and that he be administered and execute the Oath of Office. It was further moved that the Fund staff take all action necessary to file a copy of the Oath of Office with the Cook County Clerk as required by Section 9-186 of the Illinois Pension Code

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke,
Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

4. Benefits Matters – Approval of Referral of Matters Pursuant to 40 ILCS 5/1-135

The Interim Executive Director stated that the Fund had received direct deposit authorizations instructing that payments be made into accounts for persons who were not annuitants or members of the Fund. While the Fund did not act on these requests, it appeared that some unknown person or persons attempted to cause the Fund to misdirect its assets.

It was moved by Trustee McFadden and seconded by Trustee Blair that the Board find that there were reasonable suspicions that the identified direct deposit authorizations appeared to constitute false statements or falsified records within the meaning of Section 1-135 of the Illinois Pension Code, 40 ILCS 5/1-135, and in accordance with 40 ILCS 5/1-135, that the Fund be authorized to report the incidents on behalf of the Board to the Cook County State's Attorney.

Vote Result: MOTION ADOPTED BY VOICE VOTE

5. Administrative Matters

The Interim Executive Director stated that the Fund had now implemented Microsoft 365 and that its email functions had been migrated to the cloud. The devices that the trustees use for email services need to be upgraded. The Fund's IT manager will be able to assist the trustees in providing the necessary upgrades on their personal devices.

It was reported that the Fund's Tier 1 and Tier 2 annuity handbooks, which had been revised to reflect the current eligibility requirements for health benefits, were posted on the website. The members will be notified in the next newsletter that the handbooks could be found on the website.

The trustees were reminded that they needed to complete the eight hours of training required by the Illinois Pension Code by December 31, 2022. Their certifications regarding sexual harassment and cyber insurance training should be returned to the Fund by that date. The trustees had been notified of the educational training that they received in 2022.

The Fund welcomed Mr. Gregory Hybbeneth as a benefits counselor effective October 24, 2022.

There would be a meeting of the Investment Committee on November 22, 2022, at 9:30 am.

6. Legal Matters

- a. Consideration and Possible Felony Forfeiture Pursuant to Section 9-235 of the Illinois Pension Code, 40 ILCS 5/9-235 – Office Number 170434

Mary Pat Burns, Fiduciary Counsel, stated that at the meeting on October 6, 2022, following due notice to the Member identified by Office Number 170434, the Board had conducted a hearing to determine whether the Member was eligible for annuity benefits due to his felony conviction pursuant to Section 9-235 of the Illinois Pension Code, 40 ILCS 5/9-235. At the hearing, the Board accepted exhibits from the Member and the Fund. The Member also gave a statement to the Board and the matter was taken under advisement. The exhibits and a transcript from the proceedings on October 6, 2022, had been provided to the trustees. The trustees needed to determine if there was a legal nexus between the facts underlying the felony conviction and the Member's service as a County employee. The trustees discussed whether the Member's two periods of service could be bifurcated from one another. Fiduciary counsel stated that under the law, no such bifurcation could be made.

It was moved by Trustee McFadden and seconded by Trustee Kouruklis, after due consideration of the facts presented and pursuant to Section 9-235 of the Illinois Pension Code that the Board find there was a legal nexus between the facts and the Member's services as an employee of Cook County and that the Member was not eligible for annuity benefits from the Fund. It was further moved that the Board's action was a final agency decision pursuant to Section 9-236 of the Illinois Pension Code, 40 ILSC 5/9-236.

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke, Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

b. Consideration and Possible Adoption of Proposed Findings of Fact for Office #174303

The Retirement Board referred requests for administrative hearings made by certain members to Mr. William P. Motto that were conducted on October 13, 2022. The Hearing Officer prepared recommendations to the Board in three matters and proposed that the Board's denials of the benefits requested be upheld. The Board, having reviewed the proposed recommendations, made the following motions by Consent Agenda:

It was moved by Trustee McFadden and seconded by Trustee Kouruklis, that the Board adopt the Hearing Officer's Recommendation regarding the Member identified by Office Number 174303 and that the Board reaffirm its earlier denial of the benefits the Member had requested. It was further moved that the Board's action be a final agency decision pursuant to Section 9-236 of the Illinois Pension Code.

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke,
Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

c. Consideration and Possible Adoption of Proposed Findings of Fact for Office
#144387

It was moved by Trustee McFadden and seconded by Trustee Kouruklis that the Board adopt the Hearing Officer's Recommendation regarding the Member identified by Office Number 144387 and that the Board reaffirm its earlier denial of the benefits the Member had requested. It was further moved that the Board's action be a final agency decision pursuant to Section 9-236 of the Illinois Pension Code.

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke,
Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

d. Consideration and Possible Adoption of Proposed Findings of Fact for Office
#136313

It was moved by Trustee McFadden and seconded Trustee Kouruklis that the Board adopt the Hearing Officer's Recommendation regarding the Member identified by Office Number 136313 and that the Board reaffirm its earlier denial of the benefits the Member had requested. It was further moved that the Board's action be a final agency decision pursuant to Section 9-236 of the Illinois Pension Code.

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke,
Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

7. Finance Matters

It was moved by Trustee Hughes and seconded by Trustee Kouruklis, pursuant to Section 2(c)(1) of the Open Meetings Act, 5 ILCS 120/2(c)(1) that the Board convene an Executive Session to discuss personnel matters.

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke,
Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

It was moved by Trustee McFadden and seconded by Trustee Hughes that the Executive Session be adjourned and that the Board return to an open session.

Vote Result: MOTION ADOPTED BY VOICE VOTE

a. 2023 Draft Budget

No motion was made or was required to be made following the return to open session.

b. Consideration and Possible Approval of 2023 Education and Travel Pre-Approval

It was moved by Trustee Reed and seconded by Trustee O'Rourke, consistent with the recommendations of the Fund staff and Fund counsel, that the expenses, including and associated travel expenses, incurred by any Trustee or Fund staff in attending any of the indicated educational conferences be approved provided that reimbursement shall be in and for amounts that are consistent with the Fund's Travel Expense Reimbursement Policy.

Roll Call Vote:

AYES: Blair, Hughes, Kouruklis, McFadden, Nevius, Ochalla, O'Rourke,
Reed, Wilson

NAYS: None

Vote Result: MOTION ADOPTED

8. Consideration and Possible Action Regarding Personnel Matters

No motion was made or was required to be made following the return to open session.

9. Trustee Matters

a. Proposed 2023 Board Meeting Schedule

There was no discussion regarding the proposed schedule for Board meetings in 2023.

b. Review and Consideration of Trustee Resolutions – J. Nevius, J. O’Rourke, J. Blair

The Interim Executive Director stated that proposed resolutions acknowledging the service of Trustees Nevius, O’Rourke and Blair had been prepared for the Board’s consideration. The trustees noted that Trustee Kouruklis had now advised that his service to the Board had also been completed and that the Treasurer would designate Hal Dardick as her representative on the Board.

It was moved by Trustee Hughes and seconded by Trustee McFadden that the service to the Retirement Board performed by Joseph Nevius, James O’Rourke, John Blair and Bill Kouruklis be acknowledged and that the presented Resolutions for such service performed by Joseph Nevius, James O’Rourke and John Blair be adopted.

Vote Result: MOTION ADOPTED BY VOICE VOTE

10. Old Business/New Business

There was no old business or new business discussed.

11. Adjournment

It was moved by Trustee Hughes and seconded by Trustee Blair that the meeting be adjourned.

Vote Result: MOTION ADOPTED BY VOICE VOTE

The next Board meeting was scheduled for December 1, 2022, at 9:30 am.