

**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**

**August 4, 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, Joseph Nevius, James O'Rourke, Tracy Reed

**Staff Present:** Regina Tuczak, Executive Director; Margaret Fahrenbach, Legal Advisor; Michael Maratea, Director, Finance and Administration; Brent Lewandowski, Director, Member Services

**Others Present:** Mary Pat Burns, Burke Burns & Pinelli, Ltd.; Colin Kruse; Cook County Board of Commissioners; Craig Goesel, Alliant Insurance Services, Inc.; Bruno Amici, Alliant Insurance Services, Inc.

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 July 7, 2022, Board Meeting Minutes

It was moved by Trustee McFadden and seconded by Trustee O'Rourke that the Board adopt the presented minutes from the Board meeting on July 7, 2022.

Vote Result: MOTION ADOPTED BY VOICE VOTE

2. Review and Consideration of:
  - a. Bills, Payroll Records

After receiving confirmation from Fund staff that the presented payments were consistent with the administrative budgets approved for 2022, it was moved by Trustee Reed and seconded by Trustee McFadden that the action taken by Fund staff in remitting the indicated payments for the presented bills and payroll records in July, 2022, be ratified and that the Board approve the recommendations from Fund staff to remit payments for the expenses incurred in July, 2022.

Roll Call Vote:

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

NAYS: None

Vote Result: MOTION ADOPTED

b. Annuities, Spouse and Child Annuities, and Refunds

The Fund staff presented their recommendations to the Board regarding the applications for employee annuities, spouse and child annuities, and refunds and confirmed that they followed the Fund's procedures in reviewing and processing the applications in making their recommendations. The Executive Director stated that there was a recommendation to deny the applications for three child annuities related to the Member identified by Office Number 174356. She reported that the Member had separated from service and returned shortly before his death. It was determined that he was not 'in-service' at the time of his death and that the children were not eligible for annuity benefits. The trustees discussed the Member's service history and the applicable provisions of the Illinois Pension Code.

With the exception of the child annuity applications presented for the Member identified by Office Number 174356, it was moved by Trustee McFadden and seconded by Trustee Nevius, after due consideration of the applications presented to the Board and having received confirmation from Fund staff that they followed the Fund's procedures in reviewing and processing the applications, that the recommendations for the presented annuities and refunds be approved.

Roll Call Vote:

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

NAYS: None

Vote Result: MOTION ADOPTED

It was moved by Trustee Blair and seconded by Trustee Reed, after due consideration of the child annuity applications presented in regard to the Member identified by Office Number 174356, that the Board determine that the Member was not in-service at the time of his death and that the surviving children were not eligible to receive child annuity benefits.

Roll Call Vote:

AYES: Blair, Hughes, Nevius, O'Rourke, Reed, Wilson

NAYS: McFadden

Vote Result: MOTION ADOPTED

c. Ordinary and Duty Disabilities

The Fund staff presented their recommendations to the Board regarding the applications for ordinary and duty disability benefits and confirmed that they followed the Fund's procedures in reviewing and processing the applications in making their recommendations.

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

Roll Call Vote:

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

NAYS: None

Vote Result: MOTION ADOPTED

3. Trustee Matters

a. Review and Consideration of Fiduciary Liability Insurance Renewal

Regina Tuczak, Executive Director, stated that the Fund's fiduciary liability insurance coverage was to expire on September 30, 2022. The Fund had participated in a coalition with other local funds to obtain proposals for the renewal of the policy through Alliant Insurance Services, Inc ("AIS"). She stated that AIS had made requests to various carriers to present proposals for the Fund's fiduciary liability coverage. Craig Goesel, of AIS, reported that it had approached 10 carriers for proposals for the Fund's fiduciary insurance. AIS only received responses from the two carriers who provide coverage under the Fund's expiring policies. Markel American Insurance Co. (ULLICO) proposed to provide a primary policy with limits of \$10M and Hudson Insurance proposed to provide an excess policy with limits of \$5M. The proposal included an additional \$1M in coverage for employment practices. The total premium for the two policies was \$132,822. He also stated that the proposals were acceptable for the Fund. The trustees asked questions about the employment practices coverage. They also asked about how the retention/deduction of \$10,000 per claim would be applied.

It was moved by Trustee McFadden and seconded by Trustee Hughes that the Board approve the proposal from by Alliant Insurance Services, Inc. for a fiduciary liability insurance policy for a term from September 30, 2022, to September 30, 2023, as presented, at a premium not to exceed the total amount of \$132,822 for both the \$10M primary policy offered by Markel/ ULLICO and the \$5M excess policy offered by

Hudson/Euclid. It was further moved that Fund staff should take all action reasonably necessary to effectuate the foregoing including the execution and delivery of any related written agreement on behalf of the Fund by the Executive Director

Roll Call Vote:

AYES: Blair, Hughes, Nevius, O'Rourke, Reed, Wilson  
NAYS: None  
PASS: McFadden

Vote Result: MOTION ADOPTED

b. Review and Consideration of Contract with Retained Attorney

The Executive Director stated that the Letter of Agreement (“Letter”) with the Retained Attorney had been revised as requested by the Board at the meeting on July 7, 2022. The Retained Attorney had agreed to the revisions, but had not yet signed the Letter. A trustee stated that it was expected that a signed Letter of Agreement would be presented for approval to the Board.

It was moved by Trustee Hughes and seconded by Trustee Blair that the Board authorize the Fund to retain Matthew Welch of Montana & Welch, LLC, (“Retained Attorney”) to provide services regarding the 2022 elections as provided in the proposed Election Rules at an hourly rate of \$210, which compensation shall not exceed \$10,000. It was further moved that the Executive Director be authorized to take all action reasonably necessary to effectuate the foregoing including the execution and delivery of the presented Letter Agreement on behalf of the Fund after it had been signed by the Retained Attorney and approved as to form by fiduciary counsel.

Roll Call Vote:

AYES: Blair, Hughes, Nevius, O'Rourke, Reed, Wilson  
NAYS: None  
PASS: McFadden

Vote Result: MOTION ADOPTED

4. Administrative Matters – Executive Director Report

The Executive Director stated that a meeting of the Investment Committee had been re-scheduled from August 23, 2022, to a proposed date of August 19, 2022. It appeared that August 19 would not be a feasible date for the meeting. She would reach out to the Chair of the Investment Committee to determine another date for the meeting. She also stated that the Health Benefits Committee (“HBC”) meeting scheduled for July 27, 2022, did not convene due to a lack of a quorum. The purpose of the meeting was to set the rates for 2023. After discussion, the trustees proposed that the HBC should meet on August 11, 2022.

The Executive Director provided an update on the use of additional services for locating members who failed to respond to requests from the Fund that they complete and return Benefit Eligibility Forms. She stated that Fund staff had prepared a memorandum for the Board about using: 1) a web based data search platform, such as Lexus/Nexus, to locate new addresses; 2) public services organizations within the County and the City of Chicago and 3) private investigators to locate the members. The trustees discussed the use of these various services, including the liabilities and benefits of each. The President of the Board stated that due to other matters on the agenda, the discussion of this matter would need to be tabled for the present time.

The Executive Director stated that CVS reported that there was a newly established category for pharmaceuticals identified as Vision Enhancement Agents. She said that two drugs are available that fall within this category and more are expected. CMS requires that the Fund provide these products to its Medicare members at the present time. CVS has asked if the Fund will include these products for non-Medicare members. In order to maintain consistency within the Retiree Health Plan, Fund staff intends to include coverage for these drugs for non-Medicare members in 2022. The HBC will consider the utilization of these drugs and whether they should be covered in future years.

In 2018, the Fund had participated in a City of Chicago Agency Coalition to search for a Pharmacy Benefit Manager (“PBM”). CVS was selected as the successful candidate. By participating in the Coalition, the Fund was able to secure more favorable pricing than would have been possible by conducting a search alone. The Fund has been invited to participate in the Coalition search for a PBM to be effective January 1, 2024. It was stated that the Executive Director planned to confirm the Fund’s participation in the search and would contact Segal to inquire about their ability to participate and the associated fees for their services.

The Executive Director reported that, as the trustees had been notified, Commissioner Gainer cancelled the Pension Committee meeting scheduled for July 29, 2022. The meeting was rescheduled to September 21, 2022 at 10:45 am.

The Executive Director updated the Board that it had previously entered Findings of Fact regarding the Member identified by Office #167077 and found that he was not eligible for disability benefits because he did not file his application in a timely manner and had not presented a reasonable cause for the delay. The Circuit Court affirmed the Board’s decision and the Member filed an appeal to the Illinois Appellate Court. Burke Burns & Pinelli represented the Fund in the Circuit Court and will continue their representation for the appeal.

5. Legal Matters

It was moved by Trustee Blair and seconded by Trustee Hughes that the Board convene an Executive Session pursuant to Section 2(c)(1) and 2(c)(11) of the Open Meetings Act to discuss personnel and litigation matters.

Roll Call Vote:

AYES: Blair, Hughes, McFadden, Nevius, O'Rourke, Reed, Wilson  
NAYS: None

Vote Result: MOTION ADOPTED

It was moved by Trustee Blair and seconded by Trustee Hughes that the Board adjourn the Executive Session and return to open session.

Vote Result: MOTION ADOPTED BY VOICE VOTE

After returning to open session, Vice-President McFadden presided over the meeting. The following motions were made:

- a. Consideration and Possible Adoption of Hearing Officer's Recommendation for Office #133530

It was moved by Trustee Hughes and seconded by Trustee Blair that the Board adopt the Hearing Officer's Recommendation regarding the Member identified by Office Number 133530 and that the Board reaffirm its earlier denial of the benefits the Member had requested. It was further moved that the Board's action would be a final agency decision pursuant to Section 9-236 of the Illinois Pension Code.

Roll Call Vote:

AYES: Blair, Hughes, McFadden, Nevius, Reed  
NAYS: None

Vote Result: MOTION ADOPTED

- b. Consideration and Possible Adoption of Hearing Officer's Recommendation for Office #197023

It was moved by Trustee Hughes and seconded by Trustee Blair that the Board adopt the Hearing Officer's Recommendation regarding the Member identified by Office Number 197023 and that the Board reaffirm its earlier denial of the benefits the Member had requested. It was further moved that the Board's action would be a final agency decision pursuant to Section 9-236 of the Illinois Pension Code.

Roll Call Vote:

AYES: Blair, Hughes, McFadden, Nevius, Reed  
NAYS: None

Vote Result: MOTION ADOPTED

- c. Updates

There was no motion made or required to be made following the return to open session regarding Item 5c.

6. Consideration and Possible Action Regarding Personnel Matters

There was no motion made or required to be made following the return to open session regarding Item 6.

7. Old Business/New Business

There was no old business or new business discussed.

8. Adjournment

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

Vote Result: MOTION ADOPTED BY VOICE VOTE

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