

**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**

April 4, 2024 - 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: Patrick McFadden, President; Diahann Goode, Vice President; Hal Dardick, Secretary; Lakeisha Marvel, Kevin Ochalla, Jerry Pray, Tracy Reed, Samuel Richardson, Jr.,

Staff Present: Brent Lewandowski, Executive Director; Saron Tegegne, Deputy Executive Director; Margaret Fahrenbach, Legal Advisor; Gary LeDonne, Director, Benefits Administration; Francis Gonzalez-Crussi, Senior IT Manager

Others Present: Sarah Boeckman, Burke Burns & Pinelli, Ltd

President McFadden stated that there was a quorum of the Board present at the meeting and that certain trustees had asked to participate remotely. It was moved by Trustee Reed and seconded by Trustee Richardson, pursuant to Section 7(a) of the Open Meetings Act, that the Board allow trustees who are not able to be physically present at the meeting to participate remotely.

Vote Result: MOTION ADOPTED BY VOICE VOTE

President McFadden asked if anyone present wanted to address the Board, but no one requested to do so.

1. Review and Consideration of March 7, 2024, Board Meeting Minutes

It was moved by Trustee Dardick and seconded by Trustee Richardson that the presented minutes of the open session of the Board meeting on February 1, 2024, be adopted.

Vote Result: MOTION ADOPTED BY VOICE VOTE

2. Review and Approval of:

a. Bills, Payroll Records

The trustees discussed the presented information about the current spending in certain budget categories in comparison to the administrative budget. Fund staff stated that they would prepare information that would address the trustees' questions for the next Board meeting.

It was moved by Trustee Reed and seconded by Trustee Richardson, having received confirmation from Fund staff that the indicated payments were consistent with the 2023 and 2024 administrative budgets, that the Board ratify the action taken by Fund staff in February, 2024, in paying the presented bills for expenses incurred in 2023 and 2024 and that the Board approve the recommendations from Fund staff to remit payments for the presented bills for expenses incurred in 2024.

Roll Call Vote:

AYES: Dardick, Goode, Marvel, Ochalla, Pray, Reed, Richardson,
McFadden

NAYS: None

Vote Result: MOTION ADOPTED

b. Annuities, Spouse and Child Annuities and Refunds

It was moved by Trustee Richardson and seconded by Trustee Dardick, 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: Dardick, Goode, Marvel, Ochalla, Pray, Reed, Richardson,
McFadden

NAYS: None

Vote Result: MOTION ADOPTED

c. Ordinary and Duty Disabilities

It was moved by Trustee Reed and seconded by Trustee Richardson, 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: Dardick, Goode, Marvel, Ochalla, Pray, Reed, Richardson,
McFadden

NAYS: None

Vote Result: MOTION ADOPTED

3. Benefit Matters

- a. Review and Consideration of Approval of Disability Benefits for Office #185193
- b. Review and Consideration of Approval of Disability Benefits for Office #183036

Brent Lewandowski, Executive Director, stated that in 2009 the Illinois Pension Code was amended so that a member had to file a duty disability application while the member was still disabled unless the Board determined that there was a reasonable cause for the delayed filing. At the Board meeting on February 3, 2010, the trustees adopted a policy that if a member filed a disability application within six months after the disability ended, the Board would presume that there was a reasonable cause for delay and that the application could be accepted as timely filed. The Executive Director stated that the applications for the members identified by Office Number 185193 and 183036 were filed more than six months after each of the members returned to work. He asked the trustees to consider whether there was a reasonable cause for delay in their respective filings.

The trustees discussed that the applications filed by all the members must be treated consistently. In addition, any consideration of whether there was a reasonable cause for delay must be based upon an adequate record that could be developed if a member requested an administrative hearing. The Board clarified that when an application for disability benefits is filed more than six months after the disability ended, the application should be denied. The member could request an administrative hearing where the reasons for the delay could be considered by a hearing officer.

It was moved by Trustee Richardson and seconded by Trustee Reed that the Board deny the presented duty disability applications filed by the members identified by Office Numbers 185193 and 183036 because they were not filed within the required time period.

Roll Call Vote:

AYES: Dardick, Goode, Marvel, Ochalla, Pray, Reed, Richardson,
McFadden

NAYS: None

Vote Result: MOTION ADOPTED

4. Administrative Matters

- a. Review and Consideration of Approval of Data Request

The Executive Director stated that the Fund had received a request from the County's CFO for data that would enable the County to evaluate the impact of salary increases on

the County's pension obligations. The CFO asked that the Fund's actuary provide the data to the County's vendor, GovInvest, which would then prepare the pension analysis the County requested. The Board was provided with the request for information and data prepared by GovInvest. The Fund's actuary confirmed that, with the Board's prior approval, the data could be provided.

The trustees discussed that the Fund's data should be provided by its actuary to the County's CFO and not directly to the vendor. There should be a confidentiality agreement between the County and the Fund to protect the data. The CFO should have a similar confidentiality agreement with GovInvest to protect the Fund's data. The County should be liable for any actuarial fees and costs incurred for this transaction.

It was moved by Trustee Marvel and seconded by Trustee Dardick, that the Board authorize the transfer of the requested data by the Fund's actuary to the CFO pursuant to a confidentiality agreement to be approved by fiduciary counsel and that any actuarial fees and costs related to the transaction be paid by the County. It was moved that the Executive Director be authorized, subject to review by fiduciary counsel, to execute and deliver any related documents, including but not limited to a confidentiality agreement, on behalf of the Fund to effectuate the foregoing.

Roll Call Vote:

AYES: Dardick, Goode, Marvel, Ochalla, Pray, Reed, Richardson,
McFadden

NAYS: None

Vote Result: MOTION ADOPTED

b. Executive Director Report

The Executive Director reported that the trustees must file their Statements of Economic Interests (SEI) with the Cook County Clerk before May 1, 2024. SEIs filed May 1st or later may be subject to a late penalty. If there are any questions, the trustees should contact him.

In regard to the annuity benefits paid on April 1, 2024, 52 payments were held because the members had not completed and returned the required Benefit Eligibility Forms (BEF) to the Fund. Of the payments held, 28 were from the Board meeting in July 2023, and the rest were from the CY 2022 BEF project.

Fund employees were scheduled to attend the Callan Conference on April 8-10, 2024, and the Public Retirement Information Systems Management Conference (PRISM) on April 21-24, 2024.

5. Legal Matters

a. Referral to Administrative Hearing Officer

- i. Office #145425
- ii. Office #170702

The Executive Director stated that the Fund had identified two members (Office #145425 and Office #170702) who requested administrative hearings. The applications were denied because they had not been filed in a timely manner and, in one instance, the member failed to submit all the required documentation. The Fund staff determined that the bases for the denials were fact sensitive.

It was moved by Trustee Marvel and seconded by Trustee Reed that the administrative hearings requested by the indicated members be referred to the approved hearing officer for reviews to be conducted pursuant to the Fund's Procedural Rules Governing Administrative Hearings and with the 2024 Administrative Budget.

Vote Result: MOTION ADOPTED BY VOICE VOTE

b. Review and Consideration of Approval of Tier Status

The Executive Director stated that the Fund had received a letter from an attorney requesting a hearing about an employee's Tier status. The employee had been first employed in 2009 as a part-time employee and did not make contributions to the Fund. The employee separated from service in 2010. The employee was rehired on a full-time basis in 2014 and has made contributions to the Fund as a Tier 2 member. Through counsel, the member asserted that the employee should be considered a Tier 1 participant.

The trustees discussed the employment status of the member and how to best proceed in making a determination about the correct Tier status for the employee. It was moved by Trustee Richardson and seconded by Trustee Marvel that that matter be referred to a hearing officer for a recommended opinion to be considered by the Board.

AYES: Dardick, Marvel, Pray, Reed, Richardson, McFadden

NAYS: Goode, Ochalla, Reed

Vote Result: MOTION ADOPTED

6. Old Business/New Business

There was no old business or new business discussed.

7. Adjournment

It was moved by Trustee Richardson and seconded by Trustee Reed that the meeting be

adjourned.

Vote Result: MOTION ADOPTED BY VOICE VOTE

The next Board meeting was scheduled for May 2, 2024, at 9:30 am.