

**JOHNSBURG POLICE PENSION FUND  
QUARTERLY BOARD MEETING VIA ZOOM  
January 21, 2022**

*Due to the Coronavirus outbreak and pursuant to Governor Pritzker's ongoing disaster proclamation, the Pension Board President determined that an in-person meeting is not practical or prudent because of the disaster and in conjunction with Governor Pritzker's most recently issued disaster declaration. One pension board trustee will be physically present at the Board's regular meeting location due to the ongoing COVID pandemic and the most recent disaster declaration issuance. Members of the public will be permitted to attend this meeting in-person at the meeting's regular location.*

*At the beginning of the meeting all members will verify they can communicate with one another. All votes during this meeting will be made by roll call. A verbatim recording of this meeting will also be taken.*

*The Board will ensure members of the public body are provided adequate notice of this meeting. All members of the public will have the opportunity to attend this meeting remotely and submit written public comment prior to the meeting.*

**1. MEETING CALLED TO ORDER**

President Mike Majercik called the meeting to order at 10:39 a.m.

**2. ROLL CALL**

Roll Call: Mike Majercik, Kevin DelRe, Daniel Harvey and Annie Mulvaney. Trustee Todd Colander joined the meeting at 10:49 a.m. Also present: Attorney Laura Goodloe, Derek Flessner and Richard Lamb of Lauterbach & Amen, Mark Wolter of Beacon Wealth Advisors, Village Accountant Beckey Kijak, and Administrative Secretary Carol McMullen.

**3. PUBLIC COMMENT – None.**

**4. READING & APPROVAL OF MINUTES OF LAST MEETING**

A motion was made by Kevin DelRe to approve the minutes of the regular meeting of 10-15-2021 as presented; second by Annie Mulvaney. Roll call vote taken: Mike Majercik – Aye. Kevin DelRe – Aye. Daniel Harvey – Aye. Annie Mulvaney – Aye. Todd Colander – Absent. Motion carried.

**5. INVESTMENT PRESENTATION PROPOSALS**

Mark Wolter of Beacon Wealth Advisors reviewed the 12-31-2021 investment portfolio. The ending market value was \$4,556,940.69. There is \$606,734.65 in the Venerable Annuity. There was an 11.45% return on investments since inception.

A motion was made by Daniel Harvey to accept the 12-31-2021 Investment Report as presented; second by Mike Majercik. Roll call vote taken: Mike Majercik – Aye. Kevin DelRe – Aye. Daniel Harvey – Aye. Annie Mulvaney – Aye. Todd Colander – Absent. Motion carried.

**6. TREASURER/ACCOUNTING REPORT**

Derek Flessner reviewed the Monthly Financial Report as prepared by Lauterbach & Amen through November 30, 2021. Net position held in trust for pension benefits was at \$5,106,346.44. Bills from 09-01-2021 through 11-30-2021 total \$12,382.89.

Todd Colander joined the meeting at 10:49 a.m.

A motion was made by Annie Mulvaney to approve the 11-30-2021 Financial Report as presented; second by Todd Colander. Roll call vote taken: Mike Majercik - Aye. Kevin DelRe - Aye. Daniel Harvey - Aye. Annie Mulvaney - Aye. Todd Colander - Aye. Motion carried.

A motion was made by Daniel Harvey to accept and pay the bills as presented on the Financial Report and to pay the bills as they become due; second by Todd Colander. Roll call vote taken: Mike Majercik - Aye. Kevin DelRe - Aye. Daniel Harvey - Aye. Annie Mulvaney - Aye. Todd Colander - Aye. Motion carried.

2022 Cost of Living Increases - A motion was made by Mike Majercik to approve the 2022 Cost of Living Increases as calculated by Lauterbach & Amen; second by Todd Colander. Roll call vote taken: Mike Majercik - Aye. Kevin DelRe - Aye. Daniel Harvey - Aye. Annie Mulvaney - Aye. Todd Colander - Aye. Motion carried.

Cash flow needs will be discussed later in the meeting.

Ratification/approval of Annual Audit Report - The audit is still in process on the municipality side - the approval of the FY2021 audit is tabled.

Derek Flessner stated that he will no longer be the L&A representative for Johnsbury Police Pension Fund and introduced Richard Lamb who will continue as L&A representative.

## 7. ATTORNEY REPORT

With respect to the status of the consolidation litigation, Attorney Goodloe advised the circuit court has not ruled yet on the merits of the consolidation litigation and whether downstate pension consolidation is or is not constitutional. Oral arguments were received in early November 2021. Goodloe noted one of the named plaintiffs recently filed a renewed motion for a Temporary Restraining Order. The judge took it under advisement and indicated he would like there to be a new hearing next week. Next Tuesday there will be a hearing on the motion for a TRO. Attorney Goodloe spoke about appellate process concerning this litigation and what time-line, or lack thereof, the process would move under. Attorney Goodloe then discussed the potential ramifications of moving forward with consolidation when the constitutionality of the legislation has not yet been ruled upon or reached finality.

Attorney Goodloe reminded the Board that the pension fund was assigned an April 1, 2022 tranche date. Attorney Goodloe expressed concern with respect to moving forward with that asset transfer date. She discussed some outstanding key actions and events that need to occur in order to ensure a smooth and successful transfer. She provided an update as to the current status of the IPOPIF auditor retention process, the drafting and dissemination of letters of direction, and a lack of guidance as to how future cash management needs will be met. She also discussed the impact consolidating on April 1, 2022 will have on the Fund's FYE reporting requirements.

IPOPIF promulgated a rule for pension funds to keep no less than three months of assets on hand during the transition. We do not have any guidance as to how long we will have to cease all investment activity and be in the "dark" without the capability of requesting money for payment of benefits, once the assets transfer. We would be liable if we were unable to pay our benefits. From a cash management standpoint it is advisable to keep no less than 6 or 7 months of cash on hand.

Attorney Goodloe reviewed the IPOPIF documents that were received in December requesting the Board adopt Exhibit A, a Resolution to appoint authorized agents. This is different from the Resolution to appoint authorized representatives which was previously sent out. She discussed the logistics of Exhibit B as well, which is a letter that the Board was to send to Mark Wolter, who remains a fiduciary to the Pension Fund and not IPOPIF.

Attorney Goodloe then provided the Board with options concerning its April 1, 2022 tranche. One option would be to move forward with the transfer as planned. An alternative option would be to respectfully request a different tranche date. If the Board proceeded with the second option, she would prepare a letter delineating the Board's concerns as fiduciaries and requesting a new date no sooner than June 1, 2022.

Upon further discussion and consideration a motion was made by Mike Majercik to adopt IPOPIF Exhibit A as amended pursuant to Board discussion during its meeting concerning a reallocation of its tranche date; second by Todd Colander. Roll call vote taken: Mike Majercik - Aye. Kevin DelRe - No. Daniel Harvey - No. Annie Mulvaney - Aye. Todd Colander - No. Motion failed.

A motion was made by Kevin DelRe to adopt IPOPIF Exhibit A & B; second by Daniel Harvey. Roll call vote taken: Mike Majercik - Aye. Kevin DelRe - Aye. Daniel Harvey - Aye. Annie Mulvaney - No. Todd Colander - Aye. Motion carried.

The two authorized agents will be Mike Majercik and Kevin DelRe.

After reviewing a cash analysis projection prepared by Lauterbach & Amen, a motion was made by Todd Colander to withhold \$288,000 in cash prior to the freeze and transition; second by Daniel Harvey. Roll call vote taken: Mike Majercik - Aye. Kevin DelRe - Aye. Daniel Harvey - Aye. Annie Mulvaney - Aye. Todd Colander - Aye. Motion carried.

A motion was made by Todd Colander to transfer the \$288,000 into the BMO Harris Account; second by Daniel Harvey. Roll call vote taken: Mike Majercik - Aye. Kevin DelRe - Aye. Daniel Harvey - Aye. Annie Mulvaney - Aye. Todd Colander - Aye. Motion carried.

A motion was made by Mike Majercik to direct Beckey Kijak to update employee contribution deposits and county tax money deposits; second by Annie Mulvaney. Roll call vote taken: Mike Majercik - Aye. Kevin DelRe - Aye. Daniel Harvey - Aye. Annie Mulvaney - Aye. Todd Colander - Aye. Motion carried.

A motion was made by Annie Mulvaney to approve the Collateralization Agreement; second by Todd Colander. Roll call vote taken: Mike Majercik - Aye. Kevin DelRe - Aye. Daniel Harvey - Aye. Annie Mulvaney - Aye. Todd Colander - Aye. Motion carried.

Mark Wolter will attend the next meeting to ensure that we tie up any loose ends subsequent to the transition process.

## 8. OLD BUSINESS

2021 Affidavits of Eligibility Update - A second notice was sent to Todd Colander via e-mail on 01-18-2022. He stated he returned it via FedEx.

2021 Trustee Training - Everyone has completed their 2021 training requirements.

## 9. APPLICATION FOR MEMBERSHIP - None at this time.

## 10. NEW BUSINESS

Board Elections - Todd Colander's term expires April 2022. We will have an election for this position; nominations will be in March, the election will be in April.

Mayor Appointments - Annie Mulvaney's term expires April 2022. She will need to be reappointed.

Secretarial Services Contract - A motion was made by Mike Majercik to approve the Contract for secretarial services from Carol McMullen; second by Kevin DelRe. Roll call vote taken: Mike Majercik - Aye. Kevin DelRe - Aye. Daniel Harvey - Aye. Annie Mulvaney - Aye. Todd Colander - Aye. Motion carried.

Annual Review of Administrative Rules & Regulations - No changes are necessary at this time.

Semi-annual review of closed session meeting minutes - A motion was made by Mike Majercik to release all closed session meeting minutes pertaining to the Todd Colander hearing; second by Annie Mulvaney. Roll call vote taken: Mike Majercik - Aye. Kevin DelRe - Aye. Daniel Harvey - Aye. Annie Mulvaney - Aye. Todd Colander - Abstain. Motion carried.

11. MEMBERSHIP BENEFITS - None at this time.

12. CLOSED SESSION - None at this time.

13. ADJOURNMENT

The next meeting is scheduled for April 15, 2022.

With no further business a motion was made to adjourn by Mike Majercik at 11:40 a.m.; second by Todd Colander. Roll call vote taken: Mike Majercik - Aye. Kevin DelRe - Aye. Daniel Harvey - Aye. Annie Mulvaney - Aye. Todd Colander - Aye. Motion carried.

Respectfully submitted,

Daniel Harvey  
Secretary

BY: Carol McMullen  
Recording Secretary