

VERMONT STATE EMPLOYEES' RETIREMENT SYSTEM
Conference Call Meeting of the Board of Trustees
December 10, 2009

VSERS Members present:

Kevin Gaffney, Vice-Chairperson, VSEA Representative (term expiring September 1, 2011)
Robert Hooper, VSEA Representative (term expiring September 1, 2010) – via telephone
Paul White, Jr., VSEA Alternate (term expiring September 1, 2011) – via telephone
Roger Dumas, VRSEA Representative (term expiring September 1, 2010) – via telephone
James Reardon, Commissioner of Finance & Management (ex-officio)
Caroline Earle, Commissioner of Human Resources (ex-officio)
Jeb Spaulding, Vice-Chairperson, VT State Treasurer
Richard Johannesen, Governor's Delegate (ex-officio) – via telephone

Members absent:

Warren Whitney, Chairperson VSEA Representative (term expiring September 1, 2010)

Also attending:

Cynthia Webster, Director of Retirement Policy and Outreach & Secretary to the Board
Stephen Wisloski, Director of Investment & Debt Management
Mark Schroeter
Michael Clasen, Director of Retirement Operations
Monica Chiren, Assistant to Cynthia Webster

The Vice-Chairperson, Kevin Gaffney, called the Thursday, December 10, 2009, conference call meeting to order at 9:05 a.m., which was held in the Treasurer's Conference Room, Fourth Floor, 109 State Street, Montpelier, VT.

ITEM 1: **Approve the Minutes of: November 12, 2009**

On motion by Mr. Johannesen, seconded by Mr. Spaulding, the Board voted to approve the minutes of November 12, 2009 as amended. Mr. Reardon abstained from the vote. The motion passed.

Ms. Webster provided the Board with an update on the Polly Perrotta emergency withdrawal request from the November 12th meeting indicating no further information has been obtained.

ITEM 2: **Discuss/Act on disability retirement recommendations for:**

Ann Beaulieu	New
Christie Bowen	New
James Healy	New
Cynthia Huntsman	New
Christopher Power	New

On motion by Mr. Hooper, seconded by Mr. Johannesen, the Board voted unanimously to accept the recommendation of the MRB to allow the disability retirement for Ann Beaulieu with no review.

On motion by Mr. Hooper, seconded by Mr. Johannesen, the Board voted unanimously to accept the recommendation of the MRB to allow the disability retirement for Christie Bowen with no review.

On motion by Mr. Hooper, seconded by Mr. Dumas, the Board voted to accept the recommendation of the MRB to allow the disability retirement for James Healy with a one-year review. Mr. Johannesen abstained from the vote. The motion passed.

Ms. Webster advised the Board if the MRB feels they need more information, they will request it before they make a decision.

On motion by Mr. Hooper, seconded by Mr. Dumas, the Board voted unanimously to accept the recommendation of the MRB to allow the disability retirement for Cynthia Huntsman with a one-year review.

There was a discussion about permanent disabilities. Ms. Earle explained the reasonable accommodation process offered by the State of Vermont.

On motion by Mr. Hooper, seconded by Mr. White, the Board voted unanimously to accept the recommendation of the MRB to allow the disability retirement for Christopher Power with a one-year review.

The Board discussed the payment of medical evaluation tests that are requested by the MRB. There was a discussion of denial of disability retirement appeals. Ms. Webster stated if a disability retirement is denied by the MRB the Board members do not even see that application.

ITEM 3: Deferred Compensation Plan items:

- a. Discuss/Act on emergency withdrawal request for Margaret Reith**
- b. Follow-up on emergency withdrawal procedures**

On motion by Mr. Hooper, seconded by Mr. Dumas the Board voted unanimously to enter Executive Session at 9:50 a.m. pursuant to Title 1, § 313 for the purpose of discussing the emergency withdrawal request for Margaret Reith.

(Mr. Schroeter left the meeting at this time.)

The Board exited Executive Session at 10:00 a.m.

(Mr. Schroeter returned to the meeting at this time.)

On motion by Mr. Dumas, seconded by Mr. Johannesen, the Board voted unanimously to approve the emergency withdrawal request for Margaret Reith as recommended by Great West.

Ms. Earle requested that the second page of the *Authorization for Release of Information Form* be amended in the bottom two paragraphs to have a period after "be retired" and not a question mark.

The Board discussed amending the Plan Document to mirror the IRS rules and regulations. It was decided to have Great West provide the changes from the last few years and then review the Plan Document. It was decided to discuss this item further.

Ms. Webster discussed the procedure for Great West reviewing emergency withdrawal requests and how Mr. Sanville indicated he could conduct the final review of the emergency withdrawal requests if the Board so desired. It was the consensus of the Board to request Mr. Sanville to conduct the final reviews of the emergency withdrawals for Board review.

ITEM 4: Discuss/Act on disability waiver request for John Massey

Ms. Webster provided the Board members the background for Mr. Massey's request for a disability waiver request. Ms. Webster stated what procedures the Retirement Specialists follow in order to make certain members understand the procedures. Ms. Webster stated members are not even required to attend a one-on-one meeting with a Retirement Specialist. The Board discussed procedures to follow in order to not have this situation occur again.

On motion by Mr. Reardon, seconded by Ms. Earle, the Board voted unanimously to approve the disability waiver request for John Massey.

ITEM 5: Discuss/Act on Mark Schroeter appeal

(Mr. Clasen entered the meeting for this item.)

Ms. Webster provided the Board members the background for Mr. Schroeter's request. Ms. Webster stated the AG's Office indicated the Board did not have the authority to waive the date. Ms. Webster stated the materials provided indicated it was clear retirement could not be before September 1, 2009 for the Retirement Incentive Program. Mr. Schroeter provided his understanding of the materials he received and indicated that once he received the notice he was not eligible it was too late for him to remedy the situation. Mr. Clasen provided the time-line for when the particular documents were mailed out and when it was discovered Mr. Schroeter would not be entitled to the Retirement Incentive Program since he was already retired, and when that information was relayed to Mr. Schroeter.

On motion by Ms. Earle, seconded and after a friendly amendment by Mr. Spaulding, the Board voted unanimously to enter Executive Session at 10:55 a.m. pursuant to Title 1, § 313 for the purpose of discussing personnel matters concerning the appeal of Mark Schroeter.

(Mr. Schroeter left the meeting at this time.)

The Board exited Executive Session at 11:05 a.m.

On motion by Ms. Earle, seconded by Mr. Spaulding, the Board voted to deny Mr. Schroeter's appeal on two grounds. First, the Board does not have the statutory authority to grant the requested relief to Mr. Schroeter. Second, even if the Board did possess the requisite statutory authority, Mr. Schroeter has failed to present sufficient facts to support his request to be included in the Retirement Incentive Program. Mr. Hooper abstained from the vote. The motion passed.

ITEM 6: Review/Discuss Medical Review Board payment spreadsheet

Ms. Webster reviewed the *Medical Review Board Payments from July 1, 2001 to November 17, 2009* document. The Board reviewed the reason for having this discussion and what might be an appropriate figure to increase the fee by. The Board requested Ms. Webster obtain information what comparable states are paying to their Medical Review Board members. The Board also requested a yearly break-down for the payments. The Board also discussed being consistent with the Medical Review Board fees with the Teacher and Municipal Boards.

ITEM 7: Any other business to be brought before the Board

Ms. Webster advised the Board that Mr. Whitney was not present because he has separated from State service and he did not feel he should serve on the Board. The Board requested that his resignation be received in writing. Mr. White and Mr. Hooper indicated what procedure the VSEA would follow in order to fill the vacant spot and the alternate position. Mr. Spaulding indicated he believed Mr. Whitney would serve on the VPIC Board until a replacement was found.

ITEM 8: Adjournment

On motion by Ms. Earle, seconded by Mr. Reardon the Board unanimously voted to adjourn at 11:25 a.m.

Next Meeting Date:

The next scheduled VSERS meeting is a conference call meeting on January 14, 2010 at 9:00 a.m.

Respectfully submitted,

Cynthia L. Webster
Secretary to the Board