

CITY OF PONTIAC VEBA TRUST

BOARD OF TRUSTEES MEETING

May 13, 2021

A meeting of the Board of Trustees was held on Thursday, May 13, 2021 via Conference Call in accordance with Michigan’s Executive Orders issued restricting in-person gatherings due to COVID-19, and Michigan’s Open Meetings Act, as amended.

Trustees Present

Claudia Filler, Chairperson – Auburn Hills, MI
Walter Moore – Lantana, TX
Linda D. Watson – Pontiac, MI
Darin Carrington – Pontiac, MI
Lon Britton – Sebastian, FL
NZ Bryant, - Bingham Farms, MI
Deirdre Waterman, Mayor - Pontiac, MI

Others Present

Matt Henzi, AsherKelly
Duane Menter, BeneSys, Inc.
Violet Gjorgjevski, BeneSys, Inc.
Jennifer Crosby, BeneSys, Inc.
Samantha Kopacz, Miller Canfield
Steven Roth, Dahab
David Lee, Dahab

Chairman Filler declared that a quorum was present and called the meeting to order at 9:01 a.m.

AGENDA CHANGES – None

PUBLIC COMMENT – None

CONSENT AGENDA

Minutes of Regular Meeting – March 19, 2021

Minutes of Regular Meeting – April 7, 2021

Minutes of Regular Meeting – April 16, 2021

RESOLUTION by Mr. Bryant; seconded by Mr. Moore

Further Resolved, to accept the Meeting Minutes presented for March 19, 2021, April 7, 2021 and April 16, 2021.

Roll Call Vote:	Claudia Filler	Yea
	Walter Moore	Yea
	Linda Watson	Yea
	Lon Britton	Abstain

ATTORNEY REPORT

Comerica Custodial Account Agreement

Attorney Henzi addressed this matter for the Board in the Attorney Report. He informed the Board that this matter is complete.

May 7, 2021 Request for Eligible Member Data regarding Insurance Agent Procurement of Benefits

Attorney Henzi addressed this matter for the Board in the Attorney Report. He presented to the Board the letter he sent via email to Darin Carrington requesting the eligible member data be provided to the Board prior to the meeting on May 13, 2021. The information has not been provided at this time.

Request for Benefits at a Glance Information from Insurance Agent Procurement of Benefits

Attorney Henzi addressed this matter for the Board in the Attorney Report. He presented the emailed requests sent to the four finalist Benefit Consultant Firms requesting that they provide a benefit at a glance summary for Simply Blue 500 and the Medicare Advantage Plan. In addition, he presented the letter that was emailed to Steven Smith at Meadowbrook asking if there was any portion of the proposal they submitted to the Board (e.g., benefit at a glance, etc.) that they would permit the VEBA to distribute to retirees. He updated the board that only Amwins responded to the request and Meadowbrook stated that there were 2 documents regarding benefits that could be distributed to retirees as long as Meadowbrook was not listed as the source.

Correspondence regarding Opt-Out Deadline

Attorney Henzi addressed this matter for the Board in the Attorney Report. He presented an email communication to Samantha Kopacz regarding the Boards stand on the Opt-Out Deadline. That the VEBA Trustees seek to reach a middle ground with flexibility to the deadline. Although it is understood why a deadline was put in place but with so many retirees still undecided and requesting more information it seems flexibility is appropriate. In addition, there were questions raised as to whether the May 7, 2021 Special Meeting Notice and Agenda were posted in accordance with the OMA, they were.

Correspondence for Fiduciary Liability Insurance – Huttenlocher

Attorney Henzi addressed this matter for the Board in the Attorney Report. He informed the Board that Fiduciary Liability Insurance is being shopped.

PF VEBA/VEBA Merger Agreement

Attorney Henzi addressed this matter for the Board in the Attorney Report. He informed the Board that there are some timing issues for P&F. He provided the Merger Agreement that is being reviewed and edited.

Opinion regarding Whether and Individual Who Elects to Opt-Out from VEBA Benefits May Vote In Retiree Trustee Elections or Service as a Trustee

Attorney Henzi addressed this matter for the Board in the Attorney Report. His conclusion is as follows: The identified and current Retiree Trustees shall serve their initial terms, whether they opt-out or not. When the PFRS membership conducts an election for VEBA Retiree Trustee in 2022, candidates for VEBA Retiree from that group must be members of the PFRS. Eligible candidates to serve include those who opted out of the VEBA, so long as they remain a member of the PFRS. When the GERS membership conducts an election for VEBA Retiree Trustee in 2023 candidates for the VEBA Retiree Trustee from that group must be members of the GERS. Eligible candidates to serve include those who opted out of the VEBA, so long as they remain a member of the GERS. When the VEBA Plan membership conducts an election in 2024 for its VEBA Retiree Trustee, only individuals who are receiving VEBA benefits or deferred vested members eligible to receive VEBA benefits upon retirement are eligible to serve.

RESOLUTION by Mayor Waterman; seconded by Mr. Moore

Further Resolved, to extend the terms of office for Claudia Filler – Chairperson, Mayor Waterman – Vice Chairperson and Lon Britton - Secretary another term which will end May 2022.

Roll Call Vote:	Claudia Filler	Yea
	Walter Moore	Yea
	Linda Watson	Yea
	Lon Britton	Yea
	Darin Carrington	Yea
	Mayor Waterman	Yea

Proposed Timeline for PF VEBA/VEBA Merger and Transition Issues

Attorney Henzi addressed this matter for the Board in the Attorney Report. The VEBA held a Special Meeting on March 19, 2021, with members of the GERS, GERS Plan Professionals, and the PF VEBA Chair for the purpose of discussing transition issues. Legal counsel has updated the proposed timeline with input from Plan Professionals.

Proposed Revisions to Rules and Regulations

Attorney Henzi addressed this matter for the Board in the Attorney Report. He stated that there were no issues with the Rules and Regulations just revisions to Eligibility to Serve and Eligibility to Vote.

UNFINISHED BUSINESS

A. VEBA Opt-Out Deadline

Discussion took place regarding the VEBA Opt-Out Deadline. The Trustees feel that the Retirees need more time to decide if they would like to Opt-Out because some of them didn't receive the information at all, only received a portion of it, feel that they do not have enough information to decide. Trustee Carrington stated that requests for extra time will be taken on a case-by-case basis at this time. According to Samantha Kopacz, extension of time is being reviewed by the City of Pontiac but there has been no resolution.

B. Insurance Detail

Chairman Filler stated that Meadowbrook gave permission to utilize their Benefits at a Glance documents, can this information be shared with Retirees. If the additional information is provided can Retirees choose to rescind their opt-out. Per Mr. Carrington that would be up to the City Attorney. Per the Mayor this information was already supplied in the original opt-out paperwork. Additional information isn't warranted.

RESOLUTION by Mr. Moore; seconded by Mayor Waterman

Further Resolved, to pend over this item to the next Board Meeting to allow the Insurance Committee to review and report back to the Board.

Roll Call Vote:	Claudia Filler	Yea
	Walter Moore	Yea
	Linda Watson	Yea
	Lon Britton	Yea
	Darin Carrington	Yea
	Mayor Waterman	Yea

C. AsherKelly Invoices

Outstanding Invoices from AsherKelly were presented to the Board for approval to pay.

RESOLUTION by Ms. Watson; seconded Mr. Britton

Further Resolved, to pay the outstanding AsherKelly invoices presented.

Roll Call Vote:	Claudia Filler	Yea
	Walter Moore	Yea
	Linda Watson	Yea
	Lon Britton	Yea
	Darin Carrington	Yea
	Mayor Waterman	Yea

D. BeneSys Invoice – April 2021

RESOLUTION by Ms. Watson; seconded Mr. Moore

Further Resolved, to pend the BeneSys Invoice for April 2021 so that it can be fully reviewed.

Roll Call Vote:	Claudia Filler	Yea
	Walter Moore	Yea
	Linda Watson	Yea
	Lon Britton	Yea
	Darin Carrington	Yea
	Mayor Waterman	Yea

NEW BUSINESS

A. VEBA Minutes Posted to the City of Pontiac Website

Chairman Filler asked the Mayor if the VEBA Meeting Minutes could be posted to the City of Pontiac Website and she said that they can be. Ms. Crosby to submit them for posting.

CORRESPONDENCE

NEXT MEETING DATE: August 12, 2021 at 9:00 a.m.

ADJOURNMENT

RESOLUTION by Ms. Moore; seconded Mr. Britton

Further Resolved, that the meeting be adjourned at 10:42 a.m.

Roll Call Vote:	Claudia Filler	Yea
	Walter Moore	Yea
	Linda Watson	Yea
	Lon Britton	Yea
	Darin Carrington	Yea
	Mayor Waterman	Yea
	NZ Bryant	Yea

I certify that the foregoing are the true minutes of the City of Pontiac VEBA Trust on May 13, 2021.

As recorded by BeneSys