

# ST. CHARLES POLICE PENSION FUND

1515 West Main Street  
St. Charles, Illinois 60174

## MEETING MINUTES Wednesday, February 2, 2022 11:00 a.m. – St. Charles Police Department

NOTE: These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. They are intended to make an official record of the actions taken by the Board and to include some descriptions of discussion points as understood by the minute-taker. They may not reference some of the individual attendee's comments, nor the complete comments if referenced. In accordance with Governor Pritzker's applicable Executive Order related to COVID-19, this meeting was held via teleconference and ZOOM.

### MEETING CALLED TO ORDER

President Boyce called to order the Special Meeting of the St. Charles Police Pension Board at 11:03 a.m.

### ROLL CALL

Members Present: Brooks Boyce, President (via Zoom); Steve Heike, Secretary (in person); Tim Beam, Trustee (via Zoom); James Keegan, Trustee (via Zoom); and Dave Jannusch, Trustee (via Zoom)

Members Absent: None

Others Present: Brian LaBardi, Reimer Dobrovolsky & LaBardi PC; John Falduto, Sawyer Falduto (via Zoom); Ed Lavin, Sawyer Falduto (via Zoom); Bill Hannah, Finance Director (via Zoom); and Cheryl Shimp, Recording Secretary (via Zoom)

Boyce reported that the purpose of the special meeting is to discuss personnel and consolidation issues.

### NEW BUSINESS

Membership (Carrigan) – The St. Charles Police Department recently hired two (2) new officers effective 12/06/2021. Ryan M. Carrigan is a lateral transfer from Evanston appointed on 12/06/2021. Officer Carrigan comes to St. Charles with 10+ years of service in Evanston and in a Tier 2 employee.

**Motion:** To approve the membership of Ryan Carrigan into the St. Charles Police Pension Fund effective 12/06/2021 as a Tier 2 employee.

**Maker:** Keegan

**Second:** Heike

**Roll Call:** Jannusch – Aye, Heike – Aye, Keegan – Aye, Beam – Aye, Boyce – Aye. 5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

Membership (Witt) – Officer Karl Witt was hired by the St. Charles Police Department on 12/06/2021. Officer Witt is a lateral transfer from Evanston with 4 years of service. Witt is a Tier 2 employee.

**Motion:** To approve the membership of Karl Witt into the St. Charles Police Pension Fund effective 12/06/2021 as a Tier 2 employee.

**Maker:** Jannusch

**Second:** Heike

**Roll Call:** Jannusch – Aye, Heike – Aye, Keegan – Aye, Beam – Aye, Boyce – Aye. 5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

Transfer of Service (Wold) – Officer Noelle Wold has submitted for the transfer of service from IMRF. IMRF has transferred \$60,308.64 to the Fund and Wold has made up the true cost difference of \$29,187.03, which equates to 5 years 5 months of service. The transfer of funds from Wold, however, resulted in a surplus of \$643.09; as more monies were transferred than needed.

**Motion:** To accept the transfer of service time for Officer Wold for 5 years 5 months.

**Maker:** Heike

**Second:** Jannusch

**Roll Call:** Jannusch – Aye, Heike – Aye, Keegan – Aye, Beam – Aye, Boyce – Aye. 5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

**Motion:** To authorize a refund to Noelle Wold in the amount of \$643.09.

**Maker:** Heike

**Second:** Jannusch

**Roll Call:** Jannusch – Aye, Heike – Aye, Keegan – Aye, Beam – Aye, Boyce – Aye. 5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

Annual Examination (Kern) – Boyce reported that documents received from the IME indicates that Scott Kern is still disabled and unable to perform the full duties of a police officer. Discussion was held on what doctors the Board has the authority to send a beneficiary to, alternate doctors every 5 years, etc.

**Motion:** To accept the report of the IME and continue the non-duty disability status for Scott Kern for another year subject to annual examinations.

**Maker:** Heike

**Second:** Jannusch

**Roll Call:** Jannusch – Aye, Heike – Aye, Keegan – Aye, Beam – Aye, Boyce – Aye. 5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

Consolidation – LaBardi reported that the St. Charles Police Pension Fund has been notified to begin the transfer of their funds commencing on March 1, 2022. There is still a lawsuit pending in Kane County that is asking to have the consolidated bill thrown out as unconstitutional. It has been awaiting a ruling for approximately 2 months. As such, there is no ruling on the merits on whether it is constitutional, unconstitutional, some combination of the two, etc. In the meantime, the parties to this lawsuit have entered an agreed order stating while the lawsuit continues to be pending, no

departments will be reported to the DOI for non-compliance with any of the deadlines coming from the consolidation board. The order does not state that transfers will cease, don't move forward with anything, just that the police pension funds will not be reported to the DOI. There are also 2 bills that have been proposed, one in the House and one in Senate, that would extend the deadline for compliance to June 2023. A Senate committee hearing was held on Wednesday; however, no floor vote was held. Several funds have sent emails to IPOPIF requesting extensions to a later transfer date. These requests have been met with agreement and fund transfers extended to June 2022. There is a lot of uncertainty on how everything will proceed regarding the lawsuits. Falduto stated that the proposed bills to push the compliance date to June 2023, was voted on and approved by the IPOPIF board and their lobbyist is assisting with this bill. This vote was 5-4 to pursue this legislation. Will continue to monitor the situation. Discussion continued the June date, optional dates beyond June, statute requires a June 2022 date, operational issues with managing monies, benefit payments, etc.

LaBardi noted that although the consolidation board has requested a certified asset list as well as resolution for appointing members for the transfer of monies by 02/28/2022, if the extension is authorized, the 02/28/2022 may no longer be an issue.

**Motion:** To authorize the Fund President to send an email to IPOPIF requesting an extension of the June 2022 transfer date.  
**Maker:** Beam  
**Second:** Heike  
**Roll Call:** Jannusch – Aye, Heike – Aye, Keegan – Aye, Beam – Aye, Boyce – Aye. 5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

Falduto reported that responses from IPOPIF for these extension requests, have been almost immediate.

LaBardi stated that if the request for the extension was denied, which doesn't appear to be the case, the Board would have to meet the February deadlines and a special meeting would need to be held. No action on adopting a resolution appointing members to IPOPIF. Table remaining items associated with consolidation until a response is received from IPOPIF.

After a brief discussion, the exhibits for the Churney hearing will be forwarded to all members via thumb drives.

### **PUBLIC COMMENTS**

None.

**ADJOURNMENT**

There being no further business to discuss, motion to adjourn by Beam. Seconded by Keegan.

**Motion:** To adjourn the meeting at 11:31 p.m.  
**Maker:** Beam  
**Second:** Keegan  
**Roll Call:** Jannusch – Aye, Heike – Aye, Keegan – Aye, Beam – Aye, Boyce – Aye. 5 Ayes,  
0 Nays, 0 Absent. All in favor. Motion carried.

The meeting was adjourned at 11:31 p.m. The next regular meeting is scheduled for March 2, 2022; at 11:30 a.m.

Respectfully submitted,

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary