



**Milwaukee County Employees' Retirement System (ERS)
September 15, 2020 Appeals and Rules Committee Meeting
MINUTES**

Call to Order

Pension Board Secretary Erika Bronikowski called the Appeals and Rules Committee meeting to order at 9:35 a.m. on Tuesday, September 15, 2020. The meeting was held virtually due to Milwaukee County's and the City of Milwaukee's Stay Safe MKE initiative limiting gatherings in light of the COVID-19 pandemic.

Committee Members Present:

Jeff Gollner
LaValle Morgan
Ron Nelson
David Robles

Others Present:

Erika Bronikowski
Jessica Culotti
Anne Kearney
Judd Taback

1. Topic: Election of Appeals and Rules Committee Chairperson

Per the MCERS Appeals and Rules Committee Charter, Ms. Culotti asked for nominations for Chairperson of the Appeals and Rules Committee. Trustee Morgan nominated Trustee Robles, seconded by Trustee Gollner. By a vote of four to zero, Trustee Robles is elected as the Chairperson.

2. Topic: Committee Structure Overview

Ms. Bronikowski explained that the Appeals and Rules Committee includes Trustees Robles, Morgan, Gollner, Nelson, and one vacancy. These terms are for two years so new Committee assignments will be made in early 2022. The Committee Chair will be elected annually, at the first Committee meeting each year and the Committee will meet at least five times per year. Per the Committee Charter, the Appeals and Rules Committee will assist the Board in overseeing the review of appeals as well as the adoption and amendment of Pension Board rules. Historically, appeals were heard by the Pension Board. Under this committee structure, the Appeals Committee will hear member appeals and will make a recommendation to the Pension Board. The Appeals and Rules Committee Liaison is the RPS Member Engagement Project Manager, Turkessa McCoy

Trustee Robles emphasized that the Appeals and Rules Committee would be responsible for providing due process to the individuals and cases presented to the Committee.

3. Topic: Chairperson's Report

Trustee Robles explained that the Appeals and Rules Committee's responsibility is to provide guidance in reviewing individual appeals and providing due process to appellants. He added that the Trustees have fiduciary responsibilities including being loyal to the pension fund and to the members themselves, and it is important for Committee members to keep these responsibilities in mind when performing their duties on the Committee.

4. Topic: Review Virtual Appeals Process

Ms. Bronikowski explained that a guide for virtual appeals had been circulated previously after the Board and its Committees converted to virtual meetings in light of the COVID-19 Pandemic. The guide has been updated to incorporate the Appeals and Rules Committee's role in the appeals process. The document further was updated to reflect that the Appeals and Rules Committee is the body that hears appeals and ultimately provides recommendations to the Pension Board regarding the appeals.

Trustee Robles pointed out that some appellants may prefer to submit their appeal documents as hard copy documents instead of electronic copies and the document could be updated to reflect that. Attorney Culotti explained that the Board generally provides appellants two weeks to submit additional appeal documents after

their appeal has been scheduled. She added that the process could be updated to allow for hard copy submission of appeal documents.

Trustee Robles requested an editable version of the document to review so the Committee members may provide feedback in advance of the September Board meeting.

5. Topic: Litigation Report

The Committee voted unanimously to enter into closed session to discuss Agenda item 5, Litigation Report. Returning to open session after discussion, the Committee took the following action. A motion by Trustee Gollner, seconded by Trustee Morgan, was made to recommend to the Pension Board that the Pension Board engage Reinhart Boerner Van Deuren for the purposes of providing the Pension Board with independent legal advice as to the merits of the lawsuit in Milwaukee County Case No. 2020CV004646. The motion passed unanimously.

6. Topic: Contribution Refunds Update and Review of Resolution

The Committee voted unanimously to enter into closed session to discuss Agenda item 6. Contribution Refunds Update and Review of Resolution. Returning to open session after discussion, the Committee took the following action. A motion by Trustee Morgan, seconded by Trustee Gollner, was made to recommend to the Pension Board the adoption of the proposed resolution in principal with respect to the issues involving the return of Milwaukee County employee contributions for employees have separated from county service. The motion passed unanimously.

7. Topic: Adjournment

The meeting adjourned at 10:45 a.m.