

**MINUTES OF THE
ADMINISTRATIVE BOARD MEETING
January 9, 2014—3:00 p.m.—Utah Retirement Office**

Present: Mr. Ed Alter, Board Member
Mr. Scott Berryessa, Board Member
Ms. Kathy Jones-Price, Board Member
Mr. Bill Wallace, Board Member

Excused: Mr. Richard Ellis, Board President
Ms. Sheri Nelson, Board Vice-President
Mr. John Lunt, Board Member

Staff: Mr. Daniel Andersen, Executive Director
Mr. Steve Baker, Healthcare Services Director
Ms. LuAnn Miskin, Administrative Assistant
Mr. Kim Kellersberger, Finance Director
Mr. Chet Loftis, PEHP Director
Mr. Todd Rupp, Deputy Executive Director
Mr. Joel Sheppard, Marketing Director

Legal Counsel: Mr. David Hansen
Mr. Dee Larsen

Guests:

Call to Order and Approval of Minutes

Ms. Kathy Jones-Price called the meeting to order at 3:05 p.m. and welcomed Board members and staff.

ACTION: Mr. Ed Alter moved, seconded by Mr. Bill Wallace, to approve the minutes of the November 14, 2013, Administrative Board Meeting. The motion passed unanimously.

ACTION: Mr. Bill Wallace moved, seconded by Mr. Ed Alter, to approve the minutes of the November 19, 2013, Audit/Budget Committee Meeting. The motion passed unanimously.

Resolution on Compensation of Part-Time Appointed Board Members

Mr. Dee Larsen reviewed *Resolution 14-01 Eligibility for Retirement – Elected Officials / Part Time Appointed Positions Not Eligible for Service Credit*. This resolution clarifies that per diem for post-retirement, part-time appointed board members will not be considered as compensation.

ACTION: Mr. Scott Berryessa moved, seconded by Mr. Bill Wallace, to approve *Resolution 14-01 Eligibility for Retirement – Elected Officials / Part Time Appointed Positions Not Eligible for Service Credit*. The motion passed unanimously.

Technical Amendment Bill Review

Mr. Dee Larsen reviewed the Technical Amendment Bill. Two changes have been made since the Board Workshop discussion.

- Remove “notarized” requirement for retirement application forms.
- State employee clarification of the definition of “qualifying employee” for purposes of state employees eligible to receive the matching supplemental defined contribution benefit.

Legislative Update

Mr. Dee Larsen gave a brief update on legislative issues, including the following:

- Transparency website
- Post retirement concerns

Impact of Same Sex Ruling

Mr. Dee Larsen reviewed the impact on URS and PEHP in regards to the recent Same Sex Ruling. He read the following statement regarding URS’ and PEHP’s position on the matter: “URS recognized all legal marriages performed in the State of Utah between December 20, 2013, and January 6, 2014 (“marriage window”), in accordance with Judge Shelby’s ruling and prior to the stay issued by the U.S. Supreme Court. If same-sex couples were legally married either in Utah or in another state and enrolled with PEHP or applied to URS for retirement during the marriage window, URS recognized the legal spouse. These dependents will be allowed to remain on the PEHP plan or spouses will be allowed to remain for spousal benefits until further direction is received from the courts. However, the U.S. Supreme Court’s stay leaves in place Utah law prohibiting recognition of same-sex marriage after January 6, 2014. Therefore, no additional same-sex couples will be enrolled by PEHP or added for retirement until further direction from the courts regardless of where or when they were married.”

Mr. Chet Loftis reported that PEHP has seen 30 couples married and enrolled during the “marriage window”. They are eligible for PEHP benefits. The impact on retirement benefits is not immediate. URS currently has one retirement case.

Status of State Employee Dependent Audit

Mr. Chet Loftis gave the Board an update on the status of the PEHP State Employee Dependent Audit. The audit was conducted during December and January by Consova Corp. During the audit state employees were asked to verify their claimed dependents. If there are dependents that should not be covered, they can remove those names without any penalty.

At 3:48 p.m., Mr. Scott Berryessa moved, seconded by Mr. Bill Wallace, to move into Closed Session for the purpose of discussing confidential and fiduciary matters. The motion passed unanimously.

Mr. Bill Wallace moved, seconded by Mr. Scott Berryessa, to move back into open meeting. The motion passed unanimously. The open meeting resumed at 4:20 p.m.

Order for Dismissal 12-33H

ACTION: Mr. Ed Alter moved, seconded by Mr. Bill Wallace, to approve the Order for Dismissal 12-33H as submitted by the Adjudicative Hearing Officer. The motion passed unanimously.

Default Judgment 13-28S

ACTION: Mr. Scott Berryessa moved, seconded by Mr. Bill Wallace, to approve the Default Judgment 13-28S as submitted by the Adjudicative Hearing Officer. The motion passed unanimously.

Order for Dismissal 13-19H

ACTION: Mr. Bill Wallace moved, seconded by Mr. Ed Alter, to approve the Order for Dismissal 13-19H as submitted by the Adjudicative Hearing Officer. The motion passed unanimously.

Findings of Facts, Conclusions of Law and Order 12-38H

ACTION: Mr. Scott Berryessa moved, seconded by Mr. Bill Wallace, to approve the Findings of Facts, Conclusions of Law and Order 12-38H as submitted by the Adjudicative Hearing Officer. The motion passed unanimously.

Order for Dismissal 13-30H

ACTION: Mr. Ed Alter moved, seconded by Mr. Scott Berryessa, to approve the Order for Dismissal 13-30H as submitted by the Adjudicative Hearing Officer. The motion passed unanimously.

Adjournment

Mr. Scott Berryessa moved, seconded by Mr. Ed Alter, to adjourn the meeting. The motion passed unanimously.

The meeting adjourned at 4:24 p.m.

Kathy Jones-Price, Acting President

Daniel D. Andersen, Executive Director