GERS BOT Monthly Meeting

GERS Retirement System (Board of Trustees)

November 22, 2021 · 3.0 hours · gov

Source recording	https://youtu.be/pGed9qww8Yk
Status	This is NOT the official transcript. 3 V.I.C. § 884 requires the agency itself to make a verbatim record of its proceedings and reduce it to a transcript within sixty days. This is a working transcript produced by machine from a recording of the proceeding, offered as a finding aid.
Transcribed by	VI Update, using OpenAI Whisper large-v3-turbo, run locally. Not reviewed by a person.
Reliability	Automatic transcription, UNVERIFIED. Verify every quotation against the recording before relying on it. Speech recognition splits spoken digits and wraps figures mid-number, so a dollar amount, a vote count or a bill number can be wrong in a way that reads as correct. Speakers are not identified: automatic speaker labelling was measured unusable and removed.
Public record	The underlying proceeding is a public record, and this body is NAMED as a governmental agency in 1 V.I.C. § 253(b), so its meetings are open to the public under § 254. 3 V.I.C. § 884 requires it to make a verbatim record of each proceeding and reduce it to a transcript within sixty days, and § 884(b) makes that transcript open to examination under § 881, which also gives every citizen the right to copy it and the news media the right to publish it. The source recording is not ours, is not hosted here, and remains with its publisher at the link above.
Rights	

0:00:00 Trustee Calwood? Present. Trustee Dorsey? Trustee Dorsey? Present. Trustee Liger? Here. Trustee McDonnell? Absent. Ex-official member Richardson? Absent. Trustee Russell? here present trustee smith present chairman barring present six present two absent which included the ex-official member okay so um so we'll move along with the agenda uh the next item is comments and suggestions from retirees do we do we have any okay hearing none um comments and suggestions from active members okay hearing none and move to the um secretary's minutes please point information chair yeah do we have do we have any uh retirees or actives on the line this morning i i don't know i'm asking the system to let me know okay um is that mr moses who would that information mr nips who's online i wouldn't know you could be sure there are no um uh retirees

0:02:00 online right there's no retirees or actives on the line no one on the line that we can identify it as a retiree or an active person looking at the screen okay okay so um second first minute say i move to uh accept the secretary minister uh for october 28 2020. second um move then second then yes trusty dorsey hello trusty lyder yes trusty mcdonald absent trusty russell i have already am so i'm not voting trustee smith yes chairman barry yes four yes two no one absent okay um so let me well hold on mr i'm not sure it's two no i i believe um trustee Russell is a not voting as opposed to a no yeah oh yes one no one not voting one absent okay so um go ahead then I wanted to add to the agenda um and i'm sure anybody in the community has made be has been made aware of um that skating report awapa and and i h k t consulting group

0:04:21 we voted on our energy package for that it group and i want to add to the agenda a discussion about that wapa report and how it might affect us move it forward with this group so i want to add that to the agenda to have a discussion with all of board members so that we could hear how we should proceed whether we should proceed whether it might affect it so i'd like to add that to agenda discussion about hkt consulting group i move i move that um amendment to the agenda please back in okay um sorry it's moving a second then regular session or executive session no um that's a good question uh i didn't i didn't think it needs to be the executive session only because the audit is public but if you want to amend it to put it in executive session that's fine with me okay i don't think the audit called any names my recollection exactly yeah i don't think it mentioned any names i don't know if it should discuss that if you wanted i suspect that should be an executive session at a minimum yeah let's let's amend it and put um that discussion in executive session please

0:06:12 somebody has an open mic okay so did you have a vote on that to amend the agenda second no you need to have a vote on it okay so i've been moving a second then um Yes. Trustee Dorsey. Yes. Trustee Liger. Yes. Trustee McDonnell absent. Trustee Russell. Yes. Trustee Smith. That morning. chairman yes yes five yes one not voting one okay so we'll we'll we'll take it up in executive session thank you The legal opinion that we're discussing, is that on the new business or unfinished business in the executive session?

0:07:47 the legal opinion with sam h paul jr chairman yes it is under new business executive session okay all right is that is that the item entitled have a site more legal yes okay okay so next item on the agenda is um communications communications and correspondences there are none sir no no communication expert okay next item is chair person's report i do not have a substantive report for this meeting so we move on to the admission as you go on october 29th i met with the developer and engineers in regards to haven 5 future infrastructure development number 2nd i met with hkt wapa in regards to the energy project at havenside mall on the 5th of november i attended the grs investment committee meeting On the 8th of November, I attended a meeting with JLL in regards to planning and infrastructure development at Haven Site Mall. On the 15th of November, I met specific staff in regards to V2 challenges and recommendations and solutions. Also, on the 15th, there was an on-island meeting with JLL consultants in regards to

0:09:37 site visit at Haven Site Mall. 16th i had a general staff meeting and on the 18th i attended havenside mall oversight committee management meeting in regards to applications as you can see we have 160 applications still outstanding uh for fy 2022 uh we have received six thus far since october 2022 october 1. as you can see the majority of the uh outstanding applications are in 2021 uh 141 out of the 160. as far as non-duty and duty disability life distributions we have received all about three of the um and those benefits are still suspended until we receive some type of indication that that person is still alive in regards to refunds uh beginning october we have uh 731 935 and three cents of that amount 675 834 are for those that are not vested 6 on the payroll uh number of retirees as of the november 15 payroll 8 676 uh retirees we for total amount between october 1 2021 and november 15 payout 32 000 32 million i'm sorry 453 661.92 cents we've added to the payroll from october 1 through 15th of november 38 members retirees and we deleted 42. note that the gross retiree payroll for the for the uh

0:12:11 the november 15 20 21 payroll was 10.8 million dollars actually 10 million eight hundred and twenty eight thousand twenty six dollars and ninety five cents i want to report that um for the annual bonus to the retirees uh as you know we receive funds from the lottery every year and uh this year for fy 2021 we received one million three hundred and sixteen thousand three 309.82 cents. There was 7,575 retirees that received that bonus.

0:12:57 The payment date was November 22nd, 2021. And for net of month, each of $135.77. The gross payout was $173.77. less taxes of 30 dollars for net amount payout to each of the retirees that are eligible 135.77 to be eligible you must be 60 years of age by july 15th year and on the payroll for at least one year okay also i want to um revealed that in accordance with Title 3, Chapter 27, Section 730, that's the call-off for the automatic call-off for the disability retirement. Folks, this year we paid out about 225 disability retirees. And that amount was a very small amount because you're paying out only 1% or 1.5% increase. So that amount was $2,059.31, was paid out to 225 of those disability retirees, is considered an incremental automatic incremental each year in regards to personal loans we have um as of october 31 we have 2055 units left in the portfolio for a total amount of 22,540,416.45 we refunded in october 16 units were refunded 25 817.91

0:15:08 uh no major issues with um our um office complex um we do have some roof replacement work in st thomas that began on november 15th um we did do a major to me to us the security date at seconds gate we now have our um where we have our i would call it a digital i guess where you don't have to use a card anymore you would just you have a tag on your left side of your vehicle as you enter the gate will open automatically for you when it reads that card so that's something that is i think we need to mention on that one we're still working on the fences i know today that um this week the individuals are working in the air condition um for the building i think the second floor is what is being done at this time as far as the haven side mall warehouse definition selection was made of the contractor and that person was notified as far as warehouse j final plans and submission of permits will commence the week of november 22nd did an rfp will be posted the second week of the setup rental and collections in october we collected 11 554.77 cents of that amount rental was 8 406.88 total year to date same amount because it's the same one month But a rare age is $150,504.01.

0:17:00 As you can see, rental and electric are just about the same amount. This is the first month of the fiscal year, a new fiscal year. So I suspect that's one of the reasons why we may be behind on that. They may have not gotten the appropriations on time. That's my observation. However, we do send letters to them indicating that there are various needs to be paid and they need to come up to date. The Division of Personnel Lease, I did sign that lease after this report was done, was signed. Department of Justice, the final leave to DOJ on November 3rd.

0:17:39 We're still waiting for a reply from Department of Justice. Mr. Chairman, that ends my report. are there any questions you got in that report yes i have a question yes and i also have questions also mr nips mr nips you said you signed the uh the contract for the division of personnel But you're still waiting on the contract for the Department of Justice, and if you break that down, I guess the rental arrears and the electrical arrears. So you're adding those two numbers together for the Department of Justice and the Department of Personnel, Mr. Nibbs, and you're saying that's for the first month of what's owed?

0:18:45 said sir that one of the reasons i assume is that they did not receive the you know there's allotment or the the on time or they are they're still behind or they from last year trying to catch up now like i said we sent out letters to them all the time some of us send out notice to quit to them and they they're coming with the funds so i mean you know this is something that is a recurring um like i said we did sign the lease for personnel it was executed on both sides and um just for justice it i think there was some issues and we sent it back to for uh division of property becoming department of property i don't understand what what your question is i'll tell you what my question is i'm just wondering why you're signing a lease in there so far in the rear that's that's who i've been asking since i've been on the board and between you and miss gums you guys keep saying that you're caught up but clearly you're behind and you're and you're looking to sign a next lease for the department of justice and they probably owe a little over twice the amount of money uh that division of personnel own so i was just trying to understand the logic of why you'd be signing a contract with an entity or entities that are behind and uh payment i mean in the rent in the rent and in the electrical and of course you guys didn't take my suggestion on modifying the document so that monies could be drawn down not we paying for monies paying out monies we don't really have the payout to keep their lights on what's your question that's my question why did you sign the lease

0:20:36 and you know they're in arrears so i'm asking mr nibs mr bory i know but that's okay um so mr news the uh the 150 000 um how final is that represented miss uh miss clinton and gums would have to respond i you know because she would have no closer to that i am good morning trustees the good morning amount that good morning the amount that you see in your report is about cut in half so we did receive uh payments since this report the division of personnel and the department of justice they still owe for um october and november both electrical and we signed leases because the property and procurement department has held a position that they don't want to pay for rentals with expired leases so we're working on their leases they have been very good in not having huge arrears for the grs but they wanted to have a brand new lease representing this fiscal year which as mr nibs indicated we signed yesterday so as soon as those leases are processed that it is not a money issue that they will um process those two uh rarages for the beginning of the fiscal year october and november um that's my report all other tenants have been current but the numbers we see there on the report has been cut in half

0:22:24 that's been cut in half the the remainder represents department of justice and personnel and they're just waiting on the this final lease to be signed so that they can process the payments on a new lease and not an expense monies the monies that are old are based on the old lease right that is the movies that are old the monies that are owed are based on the old lease right if they're based on the old lease then that should have been paid that should have been paid if it's based on the old lease up to that point should have been paid so that has nothing to do with procurement saying that they're not going to pay because they don't have an executed lease today is december 1st 2021 the lease we have in place for division of personnel and the department of justice expired maybe 15 years ago we're doing month to month so this lease we're signing now is effective october 1 2021 when the october 1 2021 lease is signed we will get the monies for october and november and december in the current lease mounted they have a they have an item that you can put in leases and i guess kathy uh attorney smith could speak about it but they have an item when you're rolling over leases where you have deposit monies in there that you can draw down front for for whatever reason um the leases that we have are

0:24:24 not set up that way here or the haven site i noticed but um because you're not able to draw down for nothing so you always end up uh trying to play catch up so i was just trying to understand the logic but it seems to me that we need to get an agency that can handle the collections of rent for the system experts in the area okay our chair okay my take on that is that you're probably paying out more for collection than what the rent is look you know this is a government agency they're right here with us we know how to go to OMB and set aside monies together we are working on that you know so you know every meeting it comes up but it's just that we're working with OMB omb has some funding to set aside for the for the government so that we can get our monies and we've been getting our funds you see i know i know for a fact that government agencies can pay for a year encumbrances the current year Yeah.

0:25:39 Chair to Mr. Nibs, that's not a true statement that if you get someone to collect your money, Mr. Nibs, that you'll be paying more than what you're collecting. I'm not sure where that's coming from. We have realtors that do that. We have, hold on, Mr. Nibs. We have realtors that do that here as a living, but I wasn't referring to the private sector. I will go back to Inspector Van Beaver House report and his report indicated that when you're doing these things, you need to get those individuals involved that have the expertise. It's obvious that you don't have it on your staff, but we have an agency in government called property procurement that handles property and procurement of leases and collections. And they're not gonna charge the GRS for that. just a matter of sitting down and having a communication and that's all i was saying i'm not looking to spend the system money because we don't have the money to spend the money is to pay the annuities every 15 days i keep saying that okay let's yeah i think i think you made your point uh i i have some questions i need some clarity um mr nims go ahead regarding and yeah regarding what you said in your report um the annuities and i think it was um not not the regular annuities but um an additional uh contribution to retirees based on um the law that uh gives them some type of increase and i'm not sure i understood what you were saying title three up to 27 section 730 gives an automatic increase in service

0:27:33 for disability retirement annuity those for the the individuals that are disabled each year they can get from one percent to one point five percent um increase it's automatic it's like a cola okay yeah i i was thinking so but how is that handled now how are we handling that though well i don't know the mechanics but i mean it's it's done every year automatically every year our payroll remember services and our payroll notice have to be done so they do it and it was paid out just recently but it's a very small amount uh the population this year was 225 and the payout was um okay you know about uh two thousand fifty nine dollars and 31 cents so it's a very small amount i i'm glad you clarified no but yeah i'm glad you clarified it And then the second question, you were mentioning the mall and you gave an update. You didn't mention the mall? I mentioned that the warehouse demolition. I mentioned that we were getting permits for the demolition of the mall. I mentioned that also uh in repairs of the warehouse ga um we have planned to um final plans and summation of commits will commence next week that's your guess for dp and r and the rft will be posted

0:29:20 the second week of december okay okay i i may have stepped okay thank you very much thank you mr So point information chair to Mr. Nibs on the warehouse cost to remove it. What was the cost for, to remove that again? Ms. Clendenin, could you respond? I know that was about five or six contractors. We whittled it down. What is the final amount and who was the contractor successful contractor in that warehouse project?

0:29:58 The successful contractor was DCM Corporation, and the contract amount was approximately $470,000. Okay, so I asked you, Mr. Nibs, attorney Smith, if we couldn't do an offset, and I'm not going to call the company's name, but that company in question does that kind of work they owe us close to three million dollars we could have done an offset for them to remove that for us as an offset up to now i don't understand why we still didn't do that can anybody answer that yeah i can answer it there was a another contractor that bid it which was far more more than this contractor that won the bid. That person was in there as a subcontractor that you're talking about. Okay. I don't know if that answers your question, but we did. What is the difference in far more numbers? Like 50% more. Some of them were high. Way way high okay yeah that's that's on what that's on what answers the question mr i was just curious why we didn't consider it okay committee reports are there any committee reports uh i i just want to make a comment i i don't have a committee reporter we didn't meet but i wanted to make a comment because uh i want consensus from the board and i

0:31:51 i hope some retirees are patched in uh i i have found out that um the legislature is considering a sixth constitutional convention I'm going to hold a committee meeting, I'm sorry, next week, when everybody could meet, and we want to discuss the Constitutional Convention and whether the GRS should be involved in the inception of drafting and putting, I think, constitutional protections for the system. And I'm going to have a meeting to deal with that and some other issues.

0:32:38 And the other issue that I intend to bring up in the committee meeting is the executive order that I would like GRS to consider as a policy going forward to get funding to deal with WAPA, healthcare, and the GRS. And I wanted as many retirees that might be in line to participate in this policy meeting that we're holding next week. I don't have the date yet, but I want to invite members because we have a lot of very experienced, well-versed and expert members. and we want them to participate to give us input and how to proceed so Mr Chair thank you I'm going to schedule a meeting and member retirees you're invited to participate thank you very much clarification to Trustee Russell on the constitutional um participation are we are we going to put it in as a motion um i think we're going to discuss it first in the policy committee to um determine the best approach right now i may have an approach that i am thinking about but i'd like to hear from especially uh board members that are committee members and also hear from the membership to represent because uh that uh constitution is a fundamental document that

0:34:27 all virgin islanders should participate in and as the board of trustees for the grs system we need to have some input into how a constitutional uh a constitutional constitution would be written in the context of what's happening currently with the grs so it's okay okay okay okay okay thank you mr nibs what's your position on that request mr nibs mr nibs you're muted mr i'm saying anything that is is positive for the grs or would um assist the grs in receiving funds so having visibility i have no problem with it so that means you support it mr nibs yes sir okay well mr uh trustee russell i guess i'll have to point more of my uh pointed positions to you because i think that's all i've been doing since i've been on the board so that's the first time i heard him say he supported your position on the constitution and anything that helps the system but i thought that's what i've been doing since i've been here my proposals have been to support the system thank you my only concern is what is the objective i mean what are we trying to achieve well i could give you i could give you one objective mr nibs um one objective is that we don't allow the senate or govern or the government in general to raise the plan that's why we have these unfunded liabilities so that would be one objective right off the top well we know we we're not supposed to be discussing this i i i don't want to preempt the meeting but i just wanted to make a comment as the policy chair so i'm not i don't really want um for us to discuss it

0:36:40 in this forum um members okay okay cool mr bory i'm finished okay um treasurer's report okay i will try to share my screen good morning trustees good morning morning i hope you're seeing the screen with the schedule of receipts that's what you're seeing yes yes okay point of information miss jeremiah before you start um i could be wrong with last month again couldn't find my document when you did this sheet this one along with the uh similar sheet for the haven site you showed the year to date under the synopsis of how much was drawn down to the bottom for the year is that what the 15 million represents this time for the fiscal year yes okay just just i try to understand it thanks again and i didn't see any on the second one okay okay thank you for some reason i can't get my camera on so i'm sorry schedule of receipts and disbursements for the month ending um october 31st 2021

0:38:35 we have receipts from collections loan repayments 973 606 dollars so the year to date would be the same thing because this is october rent from tenants slash utilities 45 470 employer retirement contributions $7,849,546, employee retirement contributions $3,993,466, Hacking facility, $120,000, miscellaneous, $499,463, total collections, $13,361,671, disbursements, and unity payments 21 million nine hundred and thirty eight thousand one hundred and twenty one administrative expenses 873 077 personal loans personal loans seven million nine hundred and seventy nine mortgage loans 28 263 retiree loans one thousand five hundred and forty nine refund of contributions seven hundred and eleven thousand five hundred and seventy five for total disbursements of twenty three thousand five hundred and sixty thousand i'm sorry twenty three million five hundred and sixty thousand 564 for a net cash deficit of 10 million 198 892. so thus far for the fiscal year we had to draw down 15 million to help with our obligations haven site mall we collected in the month of october 190 722 and we had a total disbursement of 174 335

0:41:05 And so we have a net cash surplus of $16,387. And Havenside expenses were approximately 5% of the budget. And collection was 84% more than it was in the previous year. Was 87,305 more than it was in the previous year. um for the month of october havenside collected nine percent more than what they did they needed for their expenses thus the surplus of sixteen thousand that's the end of the general's report that's the first time we've been in a positive for a while right yes okay so i have a question chair um miss jeremiah so this 15 million that you draw down uh from the investment portfolio to meet the obligations of the agency where exactly did the 15 million go did it just go to pay the annuities uh for um the first this this period or did it go to someplace else was it spread out it just went

0:42:55 to pay the annuity it went into that account for the retiree payroll okay so what i'm asking that's total 15 million because the payout was 10 million so 10 million went in and five million within or was it split how was it done when we draw down the 15 million the entire 50 million because we don't want to do piecemeal jaw down we draw down 50 million we do down 15 million it went into the retiree account so the balance will remain for the other payroll or the next month the difference okay so the difference so the difference of the 15 may that went into the account basically there's enough data cover the next pay period is that is that how that works yes it will be enough when we do collections that 5 million will make up okay so of the drawdown of the 15 million 10 million basically made the last payment that covered the payment all right okay um okay and so for haven site now um um so we have a a plus 16 000 right at haven site so so we're moving on a more positive direction at haven site so at this point uh we wouldn't recommend the uh the abatements that we were discussing in the oversight committee at this point because we're making money again in the uh uh mr i don't think i don't think we should discuss that here is that an executive session

0:44:45 it is an executive session well i was only referring to the abatement not the uh individual names of the organizations because if we're making money then we're making money well we try to show you a way it's a reason why we we're going to come with that it's not just we just i mean who likes abatements however there has to be a reason why and i think that we should discuss this in depth in executive session okay well i think it's a public facility as a public everything but if you want to do an executive session and that's what it is okay we can bring it out after we we approve it but i think needs to be discussed and the reasons why you say we can bring on after we approve it mr nibs wow we can report it out okay regular session then i didn't know it was approved but okay you know i mean there's a there's another virus coming along here you know we got to be very careful which can affect the haven site mall all of this i want to put on the record in executive session for the reasons why we may be asking for additional relief Well, I would only say, Mr. Niv, I don't think that's really the issue of the virus as to why we're in this situation, but I mean, if that's what you want to use today, that's fine. If the ship stops coming.

0:46:04 Mr. Niv, you say you're going to discuss it in the executive session, right? So let's discuss all this again. Thank you, Mr. Chair. um i have a question for the report go ahead could you could you go back to the first page that you uh that you gave us okay you want me to share it again yeah the first page I have to tell you about okay good yeah okay so is the trend I'm looking at the total contributions and the total disbossment and so the current trend has us having to make up 50 million each month is that is that something that has happened throughout the year based on your experience it's not necessarily each month maybe every other month depending on what we collected okay okay so that if we wanted to um to have the senate appropriate something to to correct our annual deficit for this year uh what what would you say would be a ballpark figure

0:48:06 at least 150 million okay okay good and last um because i'm looking at those numbers there um i i noted i was go to the next page next page i'm sorry this page or haven yes yeah this one this one okay um the personal services and fringe benefits give me just a little summary of that i'm not too sure i looked at it and i was wondering what what we yeah go ahead the personal services is the wages the fringe includes the contribution insurance of so that that's that's for the whole sequence in thomas personal services yes that's for that that's that's for the month of october yeah yeah for the month i i got you i got you excluding haven side okay okay good okay okay i i okay good thank you very much i'm glad i got the explanation okay thank you miss jeremiah um the total uh drawdown from the investments for the year is what 115 million at this point here today last year it was probably 115 million 115 or 150

0:50:09 last year it was about 115 million i'll have to go back and check i think uh for fiscal year 2021 it was 109 million oh 109 okay 109 right 109 okay and that same screen you have up the reimbursement for the electricity uh which location is that again i did not hear your last question um the screen you have up the reimbursement on the electricity um the 30 000 who who's what reimbursement who is that it would be personnel and justice okay and that's for the first month right okay that's what we collected in october it was previous month but that's the collection because remember this is cash basis so so what is the what is so miss jeremiah what is the the cash position now Like, what is our position? I think it was, I guess it was the October is about 309 million. So what is the cash position overall of that number? When you say cash position, what are you talking about?

0:51:38 The entire system. I guess that's going to be in. um that will be in uh mr henderson's report okay henderson's report because i don't have that number okay okay thank you i would like to make a motion to accept the treasurer's report well i had one more point uh miss jeremiah and i asked this last month the uh the v3 or the v tech is that been fixed for the for the long program i can't answer that um trusty dorsey okay can listen is answer it or mr comments let's go ahead and accept the trip the report and then if you could go ahead and so we have a motion uh i second the motion who was there who who who moved it trustee smith i i made a motion mr libs uh to approve the treacherous report okay thank you trustee carlwood yes trustee dorsey yes trustee liger yeah trustee mcdonald absent trustee russell yeah trustee smith yes chairman barry yes six yes one absent okay so go ahead and answer answer the question mr dorsey has

0:53:25 i think from what i understood he asked him about uh if the v3 been fixed for the loan this is something that is ongoing i would i would invite trustee dorsey to come and stick with miss griot myself and maybe the loans people and we were mr thomas and we'll sit down and go through exactly what issues are to sit here and do it it can take three hours because you have different mixes you have variables so i mean that's what i would my recommendation would be make an appointment with us come and sit and we'll show you exactly what issues are mr mr nibs i was just asking if the system was fixed or not fixed i asked it to be fixed overnight so it's an ongoing process i asked this question last month mr nibs the reason why i asked because i myself as a a member or trying to get my information from the same system and i am just december 1st will make four months mr nibs right so i'm not just saying it because i'd like to say it as a trustee even as a member mr nibs i haven't been able to get my own information so i'm asking you and mrs jeremiah if it's fixed and you basically say so you're saying so when you tell me no mr you're telling the entire system no so then that goes back to this report that was just read and i asked you guys last month if the re if the system's not correct how can the report be correct that's all i was asking it depends on what you're talking about i know you're very specific i was very specific mr nibs i talked about the mortgage the personal and the loan program i was very pacific from last month to this month you may have a specific issue that i really don't mr nibs i don't have any issues you know well i don't know when i say when i say i don't have any issues mr nibs i'm asking a general question that a constituent would come in and ask for in the system it's a basic question about the loan for personal loan and mortgage loan right it's a basic simple question that's all you're asking me now to make an appointment to come in but what that would be that would be i'm not asking just like that mr nims i'm saying if you're going to give a report and it's tied to that same system that's not working properly that you can't get answers as a regular employee of the system a member of the system now right you cannot i cannot i'm going on month number four so i'm speaking about me now so how can the report be correct so don't take it personal i'm just looking at it the facts i called inquired i asked you from last month the same as griot bring her to the meeting let her speak to the body let her speak is her section she does this day to day i don't want to put no pressure on her i don't want her to be relieved of her duties but i'm just saying i've spoken to this lady i have not got my answer because the system is not

0:56:48 working so while i asked if it's working if it's not it's not so that means the report can't be correct i cannot make a blanket statement that the system is not working sir the system is working there's some issues that we are dealing with some are software issues some are issues external to us got things coming into us that are not correct it creates a problem in the system i think you know you heard the auditor when he gave his presentation that we have to do certain things manually that's not our preference we want it to be done inside of the system so there's a lot of different things that needs to be done so if you accent me that if the system has been fixed since the last meeting no okay well you answered mr nips that's all it was thank you okay um so investment officer's report Good morning, Mr. Chairman. Just one minute while I share my screen.

0:58:10 Okay. Good morning, Mr. Chairman, other trustees and attendants. This is an update of the investment portfolio performance for the month ending October 31st, 2021. uh so we began the fiscal year uh with flat returns at 0.0 it was actually 0.02 but um because of we use um that's one decimal point for reporting purposes so the fiscal year began we saw flat return for the month total fixed income was also flat i think it was 0.03 um return which was in line with its benchmark our total alternative portfolio was up 0.2 percent but it underperformance benchmark by 710 basis points um our pure capital um active bond manager returned negative 0.1 percent and slightly slightly under performance benchmark by seven basis points our blackrock us debt index fund returned was flat as well um and our measure of funds returned negative 0.6 for the month ending october 31st 2021 uh what did that um align to in dollars uh one second so we ended the month at approximately 421.5 million uh this excludes the member loans program and the St. Thomas and St. Croix complex assets. We did raise $25 million in the month of October, $25 million in cash to replenish our cash reserves. Those reserves now to answer Mr. Dorsey's question from previous discussion is around $70 million.

0:59:58 dollars so we we we rebalanced we rebalanced the the allocation of cash back to that 15 16 threshold that we um that we have us for the dynamic asset allocation so if you look at the activity for the month we began at um we began at a market value of about 446.6 million we had a net cash flow of 15 million 43 000 that 15 million that was discussed earlier as well went to pay benefits and expenses we had income of 403 173 we had our unrealized loss in value of 395 577 which brought us to the ending market value of 421 million 541 619 As it pertains to fees paid for the month, we paid $44,000 a month to date in investment management fees. That was for Pew Capital. Year to date, we've paid out $582,000 calendar year to date.

1:01:13 And that consists of $443,000 in investment management fees, $94,000 in investment consulting fees, and $45,000 in custodian bank fees. And of course, our fiscal year to date, we've paid that the fiscal year and the month to date will be synonymous since the fiscal year has just begun. As it pertains to securities lending, we earn $800 for the month. Year to date, calendar year to date, we've earned $10,000.

1:01:46 And as we continue, if you look at the bar chart in the middle, like I always like to point to, as we continue to, we continue to see the assets decline pretty much steadily. Mr. Chairman, that completes my report for the month. I'll be happy to entertain any questions. I have a question, Chair. Go ahead.

1:02:13 I was just referring to the net cash flow. That was the first month. That was the $15,043,926? That is correct. So the $15 million we drew down for benefits and for benefit payments, that $43 million was actually the fees for the investment management. $43,000.

1:02:40 Right, for $3,926. that was for the one month that is correct 2 000 for the one month no that was for the quarter for the payment fees yeah that would be for the quarter ending um july 1st to september 31st i mean 30th i'm sorry okay where does it say that on here uh it wouldn't i i mean just for purpose of this meeting i tried to keep the information a little concise but if you want i could send you an actual spreadsheet that shows the quarterly you know the quarterly amounts that we pay out to the managers if you feel like trusty dorsey well i think it should just be part of the whole process because it's an expense and we just need to see how it's broken out because that just kind of sticks out um so what is the difference in that year to date number of the a is that 94 million that 94 million the second number year to date what's the difference in that number and the number that um last year is that there's a difference in the two because you're saying year to date so it's the calendar year date number so yeah today this year to date number would be um correct calendar year to date calendar year okay so the number that ms jeremiah gave me was a fiscal year fiscal year well you can see that's very confusing um not necessarily for me but um okay and the i think i think on the first sheet if you go back to the first sheet

1:04:42 and then you talk about the total plan performance i'm not sure but i think where you have certain terminology you know it's industry related um and we're showing us this is general session information for our members who may not be in touch with the language of the industry i could suggest that if you say benchmark uh basis points that maybe you put brackets around that and give a more layman's term for people to kind of follow i think that would help just a recommendation in the future okay you were saying because of the type of software we show flat for the month that's well it's not well not particularly the software again because the nature of this report that i report monthly i try to keep the information as it's a lot of information to fit on on the page so i try to keep it as concise as possible so in terms of the decimal point um depiction i keep it to just one decimal point i got you okay um you answered my question so um so that goes so that goes back to the entire year going back to the next page sorry go back to the next thing that goes back to that same line but we draw down the 15 million so when we go for the one year so for the one year we had 124 million that we drew down correct from our investment part correct and that would include um and bear in mind this is right correct correct okay so so we need to be clear we need like 130 million dollars to kind of break even on the drawdowns if we're going to continue the pace we're at um so that's what we need to look for from the center

1:06:49 To meet our monthly obligations, drawdowns. That's a question you're asking me, Mr. Dorsey? I'm sorry? Yeah. I think based on what Ms. Jeremiah stated earlier, I think she said $150 million would probably be the better number. Okay. So we need a cushion. I see. All right. So, okay. Thank you. You're welcome. um i have a couple questions short off the ruffle yeah okay um in look at the same site investment management custodian and consulting fees okay so when we draw down 50 million how is that achieved with this type of um management custodian and consulting fees how what's the dynamic of drawing down 15 million travel accounts tell me that who what kind of work they're doing for us tell me that okay so to understand the dynamics we'll have to go back primarily to the dynamic asset allocation that the board um adapted back in 2015 which because of the projected lifespan of the fund it was determined that you know we need to keep an x and x amount of cash on hand to cover what would be what to cover our annual expenses as it pertains to the benefits and expense payments because i mean if yes given that we were the risk in the portfolio

1:08:40 And given any jolt in the market, it could have adversely affected our cash flow situation if, in fact, that the government were not able to pay off contributions on a timely basis. Okay. I'm with you so far. You're with me so far. Okay. So based on the plan, we are with you. We, we technically, we, we, we always have a certain percentage of cash on hand, which I think right now is 15% of cash on hand to cover any, to cover the benefit expenses as needed. so chart files chart files exactly so yeah i would do i would do so we have we actually have a dedicated account a cash account that have that i rebalance or that we rebalance periodically as flows are taken out because i i don't know because um if nobody else contributed are you doing it i It's a team effort. So we rebalance back to that threshold any time that cash balance falls below that target.

1:09:57 So the fees that you see on the side, well, the activity, it's never known as to when accounting would need that draw. But like I said, to have it on hand when needed and as part of our de-risking mechanism, we have that cash on hand to be able to pay benefits whenever the need comes up. Okay, I see. I see there seems to have a bit of interest in delving deeper into this particular report, right? and suggest it might be a good topic for an investment committee meeting yes i think uh yeah i i think why we do that yeah all members of the border all members of the board and on the investment committee as well yeah uh because you talking about a policy that was instituted in 2015 and we know in 2021 and we might have to adjust that you know i don't know yet but i don't know we might have to adjust that okay and i i'm not going to get into it now because i i with you all the way but i i i support our investment committee meeting okay thank you mr chairman uh chair just a quick point um are you recommending that before um mr mr henderson brings his uh his document uh put it for the monthly meeting it will now come through the investment committee where we can vent it no that's not what i'm recommending um recommend recommend and recommend an investment committee to answer the kinds of questions uh

1:11:58 mr trustee was asking us he asked me process type questions and explanations of of of the floor funds and why we flow them that way yes so that that understanding will be better able even better able to understand the monthly report okay so i mean i hear you i hear you a lot and clear chair um mr hendrickson um just a last question would those fees go away if we had that money uh allotted through the finance committee for the system for the same purpose would would those fees go away because that's like the one category attached to the 15 million that's about 600 000 in fees a year if you round it off but there's additional fees in the later category of your slide would those fees go away uh no not necessarily remember we we don't manage funds in house so we hire managers to manage the funds and of course those managers managing the funds for payment so the only fee that would go away would be the drawdown fee if we're not drawing down anymore exactly exactly okay exactly i would say though uh for the trustees that our fees have come down um dramatically dramatically over a million dollars over a million dollars as mr nibs have stated our fees have come down dramatically okay okay thank you you're welcome mr chair i have a question

1:13:48 Clement, could you explain why your report is saying that we drew down 25 million, but in the treasurer's report, it's reflected 15 million as a drawdown for the month of October? Sure, counsel. So the 25 million you've seen on the report was not actually a draw. It was a raising of of funds of cash from one of our managers to replenish the cash account so the cash actually did not leave the investment fund it just was reallocated from we sold shares from our black rack us debt fund and placed the cash into our cash account for the funds that they actually we haven't drawn those funds down to pay and then the 15 million would then be drawn from that cash account correct okay i see correct uh thanks you're welcome okay so do i hear motion to accept that report i moved that we accept the report Second. Yes.

1:15:03 Trustee Dorsey. Yes. Trustee Liger. Yes. Trustee McDonnell. Absent. Trustee Russell. Yes. Trustee Smith. Yes. Chairman Bari. Yes. Six. Yes. One absent. Trustee Russell. Yes. Trustee Smith. Yes. Chairman Bari. Yes. Six. Yes. One absent. I make a comment. I look forward to that investment committee meeting and we should open it to members so that they could understand the dynamics of how and the details we managing investments as a board. and since it's their money they need to know so i i encourage uh members some of them online i noticed that now to participate in some of these meetings thank you very much that's trustee uh russell i think you have to make that a motion i i don't see it happening any other way we barely have anybody showing up well you know um we need to encourage our members to participate and um we can't force them but we could i think we could reach out in meetings like these and spread the word because um we have some very well educated well boss retirees in the system and they could add and contribute in ways that we don't see them contributing now because you know the meetings

1:17:03 i see 22 people participants here and you know mr nips you said it over 8 500 retirees you know what i mean uh and if we're going to advocate for the system we need numbers we need numbers to go to the senate we need numbers to start or promote a system that will be viable so i i won't make a motion now mr dorsey because it has to be voluntary and people have to have the interest themselves so i i'll leave it there thank you very much thank you very much mr cheering okay um all right so so to move on to the next item on the agenda approval of the jones land feasibility results mr mr nibs you want to introduce that topic yeah um the document was circulated um as you know the board had uh requested that um you're authorized the the administrator to um um sign a contract with jll to in first initially do a feasibility analysis to determine if the planned project at the haven side mall was a viable project on october 24th november 24th of December 2021, they responded to us. It's a lengthy report. However, it seems to be favorable and the project would be viable and they would like to move forward with the other steps

1:19:10 to the other part of the project. So unless someone else has questions, I mean, it's a very lengthy report. yeah i have a question mr nibs well before before the question um i just need to get clarification so so this is a report to indicate to the board whether the proposal is viable that as a prerequisite to determine whether you want to um engage in the in the okay okay so from as you understand it um given that the the report is indicating that it it apparently is a viable undertaking what is the next step for the next steps what they would have to do is they will obtain um cash flow information um um from the um the developer I'm not being I'm not talking about what they will have to I'm trying to understand so well they would have to negotiate a ground lease and come back to us with their recommendation they're gonna assist us in negotiating the boundaries correct they'll make a recommendations and then we would um us and they would um determine if we accept those terms obviously a lot of terms are going to be a back and forth i don't think it's going to be something that can be done overnight it's going to probably be out maybe 60 days 90 days out um hopefully less than that but um that's the next steps

1:21:02 okay so are you so you're going to need approval for that or the fact that we have a positive report logically extend to that step well it's just that we have a positive report and um i really don't need approval of it this was really for discussion and just to an indication if the board have any questions or concerns or if there's none then we would go forward then you actually authorizing me to go forward and say hey go ahead with the next steps i don't think we need a vote on that you already you're ready you're ready the board already approved the contract what what do you what do you need a board vote on today as far as this project is concerned I need a board vote on number two which is to amend this existing contract okay with respect to this I don't need a vote on this sir I just wanted to get clarification of all right so this is this information report yes and with what the conclusion is the I don't think anyone I haven't heard any exact objections um we haven't been standing in this class yet so but i'm just okay all right and any questions cool but message i have a question hello hello hello hello yeah mr darcy go ahead yeah um

1:23:05 hold a second mr darcy um attorney williams go ahead yeah listen you refer to um uh november 24 2021 report from jll memorandum i'm sorry it's a memorandum right is that what you're referring to as the lens report or is there diff another report no that's what i am that's what i'm referring to attorney williams on a lengthy memorandum i see okay i'm sorry about that all right i just wanted to clarify because i i don't know if there was something else no all right thanks well that was my first comment i didn't get a copy of that report i only got the memorandum so i was asking that first and then the second thing mr nibs um at what point uh would this group come and speak to the trustees that was part of what we agreed to early on that we would have a communication as to um what we were looking for as a board as well at what point will that happen can happen now if the trustees want that well it can't happen today it can't happen today or whatever it can happen what i mean we said we said it was going to happen it's not that if we want it to happen we agreed that we were going to do that it was part of the process if you go back and look at the original documents that was one of the steps the only question i was asking at what point are we going to have that opportunity to sit down with these uh individuals to have that communication i guess over the zoom well somebody has to give me an indication that they would like to meet next week for the week after next and we will make the appointment like maybe you know for

1:25:03 that to happen is this going to be a committee meeting um investment well it already came out of the investment committee so i don't know i mean all the board members are part of the investment committee so i would you know to make things easier would just be a maybe a special meeting maybe make it a special meeting Why do you want a special group, why wouldn't there any time you have more than four members meeting, you have to have, you have to advise the public.

1:25:56 So if more than four members are going to be meeting with this group, then we have to advertise it. so so how does that change if it's an investment committee meeting well you really should technically all of the board members are committee members of the investment committee so you're saying board council can correct me but but anytime you have four or more members, board meeting members, you have to advertise it.

1:26:36 Yeah, any meeting of four or more trustees constitute a meeting of the board and you have to comply with the provisions of the Sunshine Act as well as the advertising requirements of our bylaws. So an investment committee meeting that in which all board members, say all board members sure that's technically a board meeting that's correct sir okay is there is there a problem trying to figure out what we're doing here no well i i try to add something here because some of these meetings in the morning conflict severely with my court appearances because every court meet in the morning whether there's a criminal calendar or civil is there an abortion to having meetings in the afternoon or evening when we have something particular to consider i'm just trying it out because uh i still have active practice yeah in the past i must say in the past we used to have all these meetings usually in the evenings maybe beginning at four o'clock or something like that or five o'clock we used to have the meeting yeah i i could agree on that because you know um these these morning meetings uh i had a conflict this morning i couldn't i got out of it but it's it's part of what uh prevents me from actively participating in all these meetings but every meeting got to be morning and it don't work for me well you know some of these meetings will be in the afternoon

1:28:30 the regular board meetings historically has been in the mornings but i'm talking like special meetings or uh committee meetings we usually have those you know later on in the day but a regular board meeting is always 9 9 30 unless something yeah no no i i don't mind that but i am suggesting uh to the children the members that when i i want to meet with this cookbook i want to meet with it but um i don't want you know if i have to choose between you know my profession you know you know the choice i have to make so afternoon meeting or evening meeting is it's fine with me with some of these meetings i just want to throw that out to other the board of trustees and some of the members that listen okay yes sir well trustee trustee dorsey would work with you uh trustee russell if you have situations we all have situations so it's a give and take so i don't have an issue with it i can only speak for myself mr chairman my recommendation for meeting with jll would be it to be held as a special meeting and it'd be held um probably in the afternoon or the the early evening for a couple maybe an hour and a half or you know something like yeah yeah yeah okay well i mean if if yes if all if all board members if if if if according to council any meeting with four with the four members president past use a call i guess that

1:30:21 it's it's kind of a mood point to what they call it a special meeting or committee meeting not sure i'm not sure i understand that but um well there's a may i um yes the issue here is if i if i call a committee meeting and i got three committee members and then other members decide to show up is it converted to a board meeting or is it simply a committee meeting where other members show up who don't vote but just want to participate maybe legal council need to clear the clarify that even so i mean coming to me they usually have four as a minimum and that constitutes a core so in that respect any any committee meeting constitutes a core will be considered uh could be considered a meeting almost all of the budget the budget committee meets we have four people meeting um every committee has at least four so no we need clarification i would just share i was just asking what is the issue um right now i'm trying to get clarification on what is the issue is the issue that uh more people or you weren't aware of it it's in the bylaws i'm asking a legal question and i need the attorneys to respond to me please if you don't mind you're asking a legal question of the bylaws okay um so so you're saying according to you um mr attorney williams any committee meeting we have

1:32:30 in which four at least four people show up that that's constituted as constitute a board meeting that is correct because that is a majority of the members of the board and therefore you can have a board me it constitutes a board meeting because you have a majority of the members of the board which constitutes a quorum for purposes of a board meeting now if if you have a committee meeting um and there are three members of the committee and other individuals show up the fact that they are not voting members that would not constitute a meeting of the board because they can't vote but in in the case let's say of the investment committee where all members have the right to for because they are members of the committee and you have four members that will constitute a board meeting but there's a distinction if you're talking about a committee meeting where there's less than three members if you have committees comprised of four members or more then yeah those are generally i mean the board meetings are you have the same number of persons who would cast it to the quorum for purposes of the board and since all of those individuals can vote you have to comply with the notice requirement i guess it's not just notice requirement it is notice plus um recording plus minutes plus it's not it's not just a notice requirement right that's correct so then um mr chair we gotta look at making these committees three members and then blowing forward so that we could get the business of the membership done because if we got to do that for

1:34:32 every meeting that's not only costly but it takes time and they don't allow us to do a meeting in two or three days if we need to do it a committee meeting because i am going to set up a committee meeting for the policy next week but i am not going to be able to comply with the notice and all of that because i don't know how my schedule will work next week and i have to have uh you know flexibility so we gotta look at that mr cheer because uh that kind of provision although it really solves the membership in some way it is is a deterrent to having uh you know committee meetings uh regularly with you know the provisions that the council just expressed so i i i don't i'm going to bring it up when we discuss in the executive session we we have to bring that up thank you mr chief okay all right so um going back to you you you the last time mr nibs um so the the the the consensus position at this point is that we would we we move to the next phase we invite them in which case we invite them in is that yes we invite them into a meeting and i guess you will give them your position or i guess what you would like to see happening i know in the investment committee meeting initially we have discussed some issues as to what we would want to put on the table those should come up

1:36:29 you know let them know that and then they would go back and do their due diligence and come back to us to determine if those are viable options let's do this let's let's try to set up an investment committee meeting um my only problem with investment versus special so is that an investment committee meeting any decision you made you got to report it out to a board meeting so i was saying do a special meeting instead any decision you make an investment committee meeting at the subsequent board meeting after that you have to report it out and get approval of the full board yeah yeah but isn't that isn't that different from a full length discussion i mean you want to be able to to have a good a good length of discussion with these folks you can have it on a special meeting that'll be the only discord topic on the on the uh special meeting agenda okay mr chair uh mr nips is correct i mean you could have as much discussion in a meeting as you want to have in order to address the issue and and the other advantage of a special meeting is that there's a less um number of days notice requirement than for regular board meeting i think you only have to give like one day's notice as opposed to three days notice okay all right so okay so we'll try to find a date for a special meeting yeah um attorney smith assist me with that please with the contacts yes i will um after the meeting we can get together to discuss potential dates that i can give to them you can see it before maybe next week or the week after before christmas that's for sure okay we can discuss it after this meeting and get to them okay we still have a

1:38:34 December regular December meeting just uh yeah it's supposed to be um on the 16th 16th so we have a special meeting one week and uh you know Chair, I'm not available on the 16th or the 8th of December, whatever you're going to do. I'm not available. Okay. Okay.

1:39:17 Also, since the same document talked about the tax incentives that they would be looking for um can we also invite that organization to the meeting a representative so that maybe we can collaborate with this from a government standpoint to get the best deal since we're going to be looking to give out tax incentives which organization you're speaking to the edc program tax incentives it's in the same document on the last page i i won't i won't i won't do that my personal view was for us not to do that but i meant with the consultant not with the company it's a government agency we're supposed to be on the same team i my personal view is i wouldn't well legal counsel is there a legal reason why we shouldn't do it um good morning mr dorsey this entity the consultant would not be involved with the eda or anything to do with it it would have to involve the individual who's seeking the benefits so i don't think they would oh no no no that's not what that's not what i'm saying attorney smith you're coming from a totally different direction i'm not understanding your question right my question is this is another government agency looking to give benefits to the organization the consultant that we're going to meet with who's doing the due diligence he represents our interests our interest is one interest the interest of the government of virgin islands in this case the retirement system we happen to have a sister agency that gives incentives for developments to come into the community and all i was saying there's a way that we can combine our efforts to get the most bang for our buck i was asking attorney williams is there a legal reason why we wouldn't invite this organization as i said this is this entity is contracted with

1:41:23 the grs not with the individual who's seeking the benefits you're still missing my point attorney smith okay then i'll let attorney williams answer if he understands what you're asking because i don't the question is is there a legal reason um not to invite um the edc to to the meeting there isn't a legal reason not to invite them or legal reason to invite them it's up to the board as to whether or not they want to invite them and then that's up to them as to whether or not they want to accept the invitation um you know they they may take the position that attorney smith is taking that we really don't have any jurisdiction or any role to play in whether or not they give edc benefit to abc company and i think that would likely be their position so they'll probably say well why are we meeting with the grs i may be wrong but on the other hand they may see it as an opportunity but to answer your direct question there isn't a legal reason to do it or not to do there's none that says you have to do it or prohibit you from doing it i think it's really up to whether or not the majority of this board wants to invite them or and secondly whether or not they want to accept the invitation if the decision of this board is to invite them i i hear you too uh attorney williams you got it halfway right uh i would just say this uh i guess this board has never did the type of collaboration with other agencies and i will just go back to the inspector general's report since we're talking about these type of benefits the report talks about

1:43:19 bringing in the expertise in this case we are lucky to have again a sister organization in the government of the virgin islands that could assist us in moving forward again if we did it as a collaboration and you have to look at it from the mindset that is one government at the end of the day and we're trying to save this system and by coming with a united front for once because it sounds like it's never been done before. I think it's a win-win. Maybe I'm presenting it the wrong way. Maybe trustee Russell could present it in a different way. I don't know.

1:43:57 Mr. Chairman, can I add something? Hold a second. So it's clear in my mind. So we're asking, we're talking about invited the EDA to participate in a meeting between GRS and its consultant about what? I mean, are we going to be advocating for the tax incentives? No, we're not asking them to give them any tax incentives per se.

1:44:40 The developer in the initial meeting indicated on his first project, he had gotten, listen to what I'm saying. You want me to answer, I'm going to answer. The developer said in the first meeting that he received EDC benefits. And he said for this project, if it goes through, he'll be looking for EDC benefits again under a different corporate structure. The only thing I was saying is to our advantage as a government, which we don't do a lot of, which is called collaborating, that we can come as a team to the consultant. It's just a conversation. Like the council Williams just said, they may say no. Then again, they may say yes, and what took you so long?

1:45:26 But we don't know unless we ask the question. So we're not losing anything by bringing them in, unless I'm just stepping on some people's toes, I don't know. But to me, it seems to be straightforward. To me, I agree with Dorsey. If we get more players at the table, we could get a better understanding of how the dynamic of the relationships might work to our benefit. and uh if they don't if they don't accept that's fine but if they accept it just gives us more information to represent our members so i i agree mr chairman yes yes i think we need to understand what the objective of this of what we're trying to do our objective is to to negotiate a ground. The issue of negotiation of EDC benefits is between EDA and the developer.

1:46:32 That's where I was coming from, my question. Thank you. I'm not sure. I mean, if it's the board decision, I guess we could have a vote on it. i don't understand i i would i would not vote in favor of that just let me speak uh chair i would just say this i would not support it either chair i would just say this um we all sat here and some of you trustees been here longer than me a simple thing a simple thing chair is just to collect the rent we just can't get that right at the main at the main building chair or at the haven site and we still want to do other things all i was trying to say let's come with a conversation if you want to make a motion make a motion and we'll move on okay my motion is that we invite the eda uh incentive program representatives to attend the meeting that is going to be a special meeting uh set up for the uh consultant that's doing the due diligence for the proposed hotel development on the dock okay you have a motion i i i second it i object i will yes we go to the vote is that that's the first yeah let me hear the objection we've got discussion about the objection

1:48:27 i i i don't see the um the objective it's not clear and i don't the the eda granting um benefits of the whole separate process that has nothing to do with the brownies i think it's two separate animals so that's my objection okay let me state why i support it it may be separate issues but we should be looking out to get the best interest of whatever lease and if we could help to convince EDA to give benefits to an entity that we are dealing with so that we could increase whatever might happen with eda benefits that could help us we should find out about it we should be involved in bringing these entities together so that we could everybody could benefit not just the eda benefit or the lease for the contract or the consultants but it gives us the kind of information that we have been lacking uh regarding moving forward a lot of these decisions we make so i support it i'd like to hear if they don't come they don't come thank you can we have a roll down and i also have something to say i still have something to say discussion here we have a motion second then

1:50:16 we have a discussion as to why uh trustee carwood eject trustee carwood made his position trustee russell made his position and i would just add in the same consultant document the last piece it refers to the incentive programs that would be provided on the whole town developed under the hotel development act the the same report talks about it i'm not sure if you had a chance to read it but it's right there and it talks about the fact that these organization is looking for as trustee russell just indicated the edc uh benefits the consultant is saying that it allows us the potential to receive more money on our ground lease so it's actually contrary to what trustee call would just say okay what's the call would no trustee dorsey yes trustee liger trustee liger absent trustee mcdonnell absent trustee russell yes trustee smith no chairman barry no two yes three no two absent so emotional things all right next item on the agenda

1:52:01 okay what we're trying to do here now with the second issue as you remember there was an investment committee meeting on november 5th 2021 and in that meeting a presentation was made by um port of sale the managing agent and after that presentation the motion was made by russell trustee russell and seconded by firstie dorsey to authorize the administrator to engage jones lang lasalle to conduct due diligence of the port of sale proposal regards to entering into a new ground lease uh purchase of lease sold by grs the motion passed five years and two absent um so i went out and i um had discussions met a meeting with um jones lang lasalle and i asked them to submit a proposal to us and that is uh in an email from jonathan walk on november 15th uh it's part of your package this proposed scope of work for that project is there and also a proposed fixed fee of 15 000 for the proposed due diligence tasks one two and three so what i'm seeking here is to amend the original contract with um jones lang lasalle to include this proposed new scope of work scope of work for the um port of sale uh proposal and increase the the uh value of the contract from 90 000 to 105 000 which included 15 000 fee for the photo sale portion if i may add mr chair i say mr what you what we need to do what you're looking for is for the

1:54:02 board to adopt the investment committee's recommendation to authorize the administrator to engage jll etc etc and then to amend the existing contract um pursuant to the november 15 2021 proposal at a rate of fifteen thousand dollars okay council you're correct because it was an investment committee meeting so you're correct mr nims i just have to make a correction i've spoken with jll the contract cannot be amended because it is a different entity so it has to be a new contract. I thought I had sent you an email to that effect. It's a different division. Yeah, it's a different division, so they're going to have different players, different contacts, so they wanted us to do a separate contract. Okay, well that makes it easier. So we're just approving the investment committee's recommendation and authorizing the administrator to enter into a contract with jll um for cost not to exceed fifteen thousand dollars to do the scope of work contained in the november 15 2021 proposal okay i mean all right so that's the process we need to follow so instead of instead of amending well it's uh we have to uh approve the investment company instead of amending the contract you're asking for authorization to enter into a new country yes for fifteen thousand dollars that's what the the you know board of board council recommends because jll has indicated that since it's a different division and different players they would rather have a separate contract this is what attorney smith just indicated okay so board members and and just just to to be clear this additional work is to address the for the sale proposal

1:56:37 as opposed to the the the hotel piece which we were to discuss earlier the grandly space yes okay all right so you need a motion yes we need a motion yeah i i'm going to refer to the i mean i move that we approve the recommendation given by uh council williams regarding this uh uh the investment committee meeting proposal um okay trustee also may i suggest that i what i should probably do just read the motion and then you adopt that and you move because i don't think yeah that's better yeah all right the motion would be to approve the investment committee recommendation to authorize the administrator to enter into a contract with Jones, LaSalle, whatever the name is, JLL for the scope of work contained in JLL's November 15, 2021 proposal on the port of sale proposal at a cost not to exceed $15,000.

1:58:01 And to make a new contract, right? right to enter into a contract that's what it says okay so attorney russell you were so moved and then i so moved and second okay so he's moving a second then walk on trusty carlwood yes trusty dorsey yes trusty liger trustee laiga yes yes yes trustee mcdonald absent trustee russell yes trustee smith yes chairman barry yes six yes one absent okay next is authorized authorized to authorize administrator to issue an rfp for annual audit of of the system beginning in the fiscal year 2021 or 2022 2021 2021 okay so the fiscal year that's just finished that's correct okay and and explain what you explained to me that there's a requirement of the code um well there's a handout um that uh that's a letter that i wrote to trustee barry's dated november 10 2021 um two pages in in i the code states that section three vic not section i'm

2:00:05 sorry title 3 vic section 517 chapter 27 517 10 the board shall annually retain a nationally recognized certified public accountant with experience in pension and trust accounting to audit the financial statements of the system the term for the board may contract to employ a certified public accountant may not exceed five years nor made a board contract the same person or entity for more than two consecutive five-year terms this is what is required in the code and the current um auditor brad smith and company has been on board for in excess of the two terms for five or 10 years. So, I'm asking to issue an RFP for five-year term, beginning with audit year September, ending September 30, 2021. Not to include the one that was hired for 10 years, right?

2:01:20 excuse me not to include it says it specifically says you cannot not a board contract the same person so right so so that okay now there's pros and cons i mean you know in the the pcov which is created by congress there was a mandatory um rotation after aig and enron um occurred and they have relaxed it somewhat other than for sec registered brokers and dealers that they they recommend for those individuals mandatory rotation of the leads and by maximum of five years and the audit partners for seven years on engagement now the ai cpa uh which all cpas that are practicing have to be a member of does not agree with the monetary rotation and i i listed um about uh five bullets the reasons why they don't um agree with the monetary rotation i know that i had asked uh i think there's some of this came up and i think in the board retreat some question was asked and i had requested bert smith to give me some do some give me some information and he did and it shows that majority of the large firms usually don't um they're serving there for 16 17 19 years however this brief the the vi code specifically states that may not exceed five years you know the board contract the same person for more than two consecutive five-year terms so if we are considering this our policy uh we're following the the code then we would have to adhere to the code i just want to mention too that we the cfo and myself we don't have any um issues with the auditor

2:03:38 obviously they've been here quite a while um however i i must report to the board base on what the policy is which is the we have to follow the full direction but we should well it's not a matter of whether we should there's the question is we must i mean the board is bound by what is stated in the virgin islands code and notwithstanding all the other organizations that may have take a contrary position the board is bound by statute and by its oath in terms of the trustees to follow the virgin islands law okay so to me that simplifies the decision immensely i mean it's almost it's almost like a non-decision decision you have to make so so i'll entertain a motion to authorize the um the executive director to an administrator to issue an rfp for the annual audit of the system bringing in fy 2021 i i'm ending that i'm ending that to comply with the code and not to it to consider the form that did it in the last 10 years so i meant it to say comply with the code thank you second the motion i'm not sure that amendment would be necessary attorney i mean trustee russell um because of course you got to comply with the court and technically even if burr smith were to submit a response to rfp the owner should be in the system not to

2:05:36 consider them because they would not qualify because of the provision of the statute i mean it doesn't hurt if you want to put it in there but it's really superfluous or it's unnecessary my motion stays as i stated i second the amendment second the amendment who second the initial i did you said the amendment no i second both of them okay trustee carlwood okay so so hold on so the vote is on the amendment correct no no you haven't hold on you haven't okay that's why we need to be clear you're having a vote now and whether to approve the amendment not the motion as amended just the amendment itself and if that is approved then you'll have a vote on the motion as amended i am okay joe there was never any motion to amend in no second yes there was kathy miss smith made a motion hold on hold on made a motion mr smith made a motion it was seconded by mr dorsey then attorney russell moved to amend to amend that motion and that amendment was also seconded by mr dorsey okay so now you have to vote on the amendment made by mr russell

2:07:27 well called so this is the amendment right yes and and the amendment is to add the other words in compliance with the statute that's it that's that's what the amendment will comply with the vi statute and that the existing contractor may not apply okay trusty carlwood no trusty dorsey yes trusty liger yeah trusty mcdonnell absent trusty russell yes trusty smith no chairman barry yes two no one absent i i think it was superfluous but all right yeah okay so you got your you got your matching orders rfp i guess no no we have to we don't have to vote motion as amended yes i'm sorry i'm sorry yeah so no you know vote on the motion as amended we'll call and who's who's the uh okay Mayor Mrakas- We're not leave us.

2:09:23 Mayor Mrakas- I miss miss me has withdrawn a motion, so I would suspect. Mayor Mrakas- Maybe one of the proponents of the amended motion will now want to move whether Mr Russell Mr Dorsey or Mr boy. Mayor Mrakas- To say to authorize the administrator to issue an RFP for annual audit of the system beginning fiscal year 21. um to comply with to the vii statute uh miss smith can't withdraw her motion after we amended the motion she can't withdraw because she lose the amendment no we've got to vote on the motion that was made by her and seconded she can't withdraw we we got to follow the procedure the procedure started with a motion that she made i was second in i motion to amend and then we voted on the amendment now we got to vote on the motion she can't withdraw it now um i i don't have robert's rules of order in front of me my position of my understanding is that the mover of a motion could withdraw it at any time no hold on you may take a different position and that's fine i'm just telling you what my understanding is miss smith has moved to withdraw um her motion it is my position that she can do so um you know you have to take a vote on it so whether or not you want to allow her to do it um but she she can only withdraw her motion if the second is withdrawn her motion needs a second and and a second and the second

2:11:15 up to her motion has not been driving so she can't withdraw i i don't agree that the person who second the motion has to also agree but again in the interest of efficiency wouldn't it be just as easy for you to make the motion for the entire thing and call it a day i don't know but um i'll do it i'll do it because um we want to move forward so i i move that we authorize the administrator to uh issue rfp for an audit in the year 2021 second this this wait wait hold on you want me to state the motion state the motion and uh yeah state it like the motion would be to authorize the administrator to issue an rfp for the annual audit of the system beginning fiscal year 2021 and to comply with the provisions of the vi statute and um the existing auditor birdsmith and company may not apply or respond to this rfp um pedro can you can you i don't understand how you can stop them from replying to it you cannot consider it because they violate the law but i don't think you can stop them from applying or replying to the rfp well i i basically alluded to that all in my position but this is the motion i mean well they said the motion was to comply with the code that's all that's what it was okay fine all we do is we have to add comply with the code so that the public would know that we following the laws of the virgin islands and getting out our rfp we notifying the public this is the code

2:13:25 we have to comply with it people should yeah okay yeah all right so the motion be to authorize the administrator to issue rfp for the annual audit of the system beginning fiscal year 21 and to comply with the virgin islands code exactly that's it very well so mr russell move move that second yeah okay we'll move that second then work on Trustee Calwood. Yes. Trustee Dorsey. Yes. Trustee Liger. Yes. Trustee McDonnell absent. Trustee Russell.

2:14:11 Yes. Trustee Smith. Yes. Chairman Barry. Yes. Six yes, one absent. Okay, now that we've finished, you could check Kravartu Lavada and check what I'm saying about that, about withdrawing a motion and the procedure. Okay? Yeah. Chairman Bowery, could you give me a minute, please? Could you give me a minute? I need to get something.

2:14:47 just one minute that's one minute Thank you. Thank you.

2:16:17 okay i'm back okay so okay so the next item on the agenda is for the administrators seeking approval of the proposed return to work legislation um mr nips can you um yeah okay um as you know everyone know our problem with the system is funded and is it your way you have something on the screen yes i did okay yes i'm sure i'm showing you what if this goes through what we would be receiving expected to receive in contradictions um this subject matter in regards to return to work has been banteed around for quite a while and as you know the inspector general data report on um on the re-employment of retired government employees this has been a controversial issue for many years i must say that grs has tried its utmost and its best to curtail this practice and in some instances we have been successful and in some we have not it's not any fault of our own we have done all the administrative things that we have to do we have tried to be

2:18:06 policing they return to work i mean just yesterday i saw someone early in the morning i knew that we're retired and i said well that person is coming from my area where there's a government office what are they doing here so early i didn't check it out yet but i will check it out and i've been successful where individuals have returned to work and we have not been so advised and we have had to report this also the inspector general has given us tips many times and we we have follow up and it's where this person came back to work and you know no contributions were coming out they were still receiving their their annuities the inspector general i think in his findings he realized the problems that we've been having they realized that we have done the best that we could however we need to do some more i don't know what more we can do other than advising the agencies being the police which this is not part of our mandate i don't think we should be going out there trying to figure out who came back to work or not the personnel persons in each agency knows that their laws are there if somebody comes back to work there only certain individuals can come back to work and if they do come back to work that retiree should advise grs personally that they came back to work and the agency to whom they employed should we you know also advise us that they came back to work so we have sat down internally for you know for a couple years we have been looking at at this situation where and

2:19:54 i think i i did speak to the inspector general informally about it uh where maybe we can make double dipping legal there's some there's some legal double dipping going on right now if you want to call it that we return to work without uh giving up the annuity annuities and um also uh on another branch of government obviously okay however what we are showing is that we would we i grs position the administration position the management position is we let any retiree return to work as long as they're coming back to a vacant position that needs to be filled now as you know the governor i think a few months ago went stateside trying to recruit um virgin islanders to come back home to fill vacant position i think 1100 vacant positions were in the budget for 2022. okay um i know that they are funded at least 50 um however they're hiring as we speak trying to to get people to come back to work we also know that the census recent census showed that we had a reduction in in population now i don't know how many individuals young people who are qualified for jobs they went back to the main none or not that could be a problem to this system um in the long run um if you're thinking about you know uh individuals from the version of staying in the words now as i'm trying to continue to work and have succession planning in regards to learning government so our proposal is this that we would allow retirees to return to the work uh retain the annuity however they would pay to the system employee contributions and the employer would pay the employer fair share of contributions and after a period of two to five years whenever they they they're um coming back to work um arrangements are after retiring for the second time there would be no adjustments in their annuity because presently the law states that there should be no recalculation of annuities

2:22:25 once someone has retired okay now this would be a win-win for us we won't have we wouldn't be any it would be a win-win for us number one we'll be collecting our contributions and at the end we would not be increasing any annuities so it's a win-win now if if you increase the annuity at the end because that's an argument of some and i spoke with the the actuary a couple days ago if you increase the annuities at the end and obviously there's a problem there with the with the um with the funds i mean with the system because you're increasing the annuities you know um and if you if you don't include contributions for this, you know, you can't have someone coming back and not contributing to the system. Now, if you contribute to the system and you want to increase the annuity, obviously you have a liability, a liability issue, correct? Because you're adding on accredited service and everything to the end at recalculating their annuity, which you cannot recalculate the annuity correct currently with the um with the present law so this would prohibit or you know every anyone coming in under the radar then you know we will be able to have continuity of government as far as open positions filled um obviously i can't give the senators or the governor or anyone in the central government what they should do as far as selection of the individuals at least these have to be vacant positions the people have to be qualified for the positions if you're going to come back to work however with the understanding that if you do come back to the work you would have to pay into the system your share of contributions

2:24:29 you would have to pay in your share of the government share would have to government the plan sponsor would have to pay their share into the system and at the end of the your term of service when you retire you would have no adjustment to your annuity now looking at the 110 positions that we have we just you know forecasting using the the average salary in the fy 2020 actuarial valuation of 46 769 obviously they're going to be different some are going to be less somebody going to be higher depending on how when you retire some maybe over 65 000 it all depends we don't know you don't have that indication however let's say we use 1100 as an example and using 46 769 as the average the total collections or contributions we would receive in any given year if we use in that scenario the 18 million dollars so it would be a win-win for the grs So we're looking for contributions. Right now these positions are not filled. We're not getting any contributions from the government on these positions. So if they are filled by letting retirees come back to work with the understanding, you keep your annuity. You will continue to receive your annuity. However, if you come back to a position you would have to pay in your share of contributions and the government will pay their share of contributions and at the end of your retirement

2:26:19 second retirement or re-retirement your annuity will not be recalculated you'll you'll receive the same annuity because you're receiving the annuity right now the annuity does not stop but we will not recalculate the annuity i think this is a win-win for the system um you know uh just make it legal then and then anyone can come back to work instead of teachers fire and police if you can't fill vacant positions however with some provisions that your retirement will not be recalculated and you have to pay into the system of which you will not get getting his credit for the contributions you've been doing your return to work. Open for questions. I'd like to. So before we start the question, so this has been, let's say, what are you asking the board to do?

2:27:32 So just like any legislation that the administration and management brings to the board, that you either say well it's something that looks feasible and we would send it on to the legislature. Is this legislation that came from somebody? No, but there's some legislation out there right now that I'm trying to do, I think, about the same thing. the same thing i know that initially some time back we submitted legislation to uh um kathy helped me we submitted legislation in regards to the uh casino commission right to um well we we wanted them not to be able to come back to work we did submit legislation i believe for the um so the current categories who are allowed to return to work to pay to pay contributions but um i spoke with mr nibs about this because i was approached by two different senators i'm not going to call their names about this and this is something that they were considering so i spoke with this the nibs about it saying that if they're going to consider it maybe we should look at it and draft the legislation the way we want it to ensure that it benefits the grs and that's how the discussion started but this is on the table with some of the senators so so just just to be clear did you just kind of introduce legislation no no no what would happen is this sorry getting back to my original question what do you what are you asking the board to do well mr chair what i would do is i would go back to one of the senators who approached me about it

2:29:23 and say this is if you i know you're planning to do this if this is something you're planning to do this would be our recommendation for language but i think what we need to go a step further we're looking for the board support the board agrees that this is something that seems to be viable we have already for those individuals teachers fire police uh they're not paying into the system and we recommend that they pay into the system hold on i got my mind working in a kind of way just give me a minute we're gonna get to the merits of this you haven't gotten to the merits of it yet okay fine i'm just trying to understand so so what would a resolute what would a board uh motion sound i mean to get to first to approve this there's going to be a motion so what would emotion motion that the board accepts the administrator's recommendation that um that they allow retirees to return to work as long as they pay in their contributions to the system um can i can i interrupt yeah yeah it's uh chairman barry i i think i followed your line of question and i think the motion would be um i guess something to the effect that the board that the board would vote to endorse okay uh the proposed legislation i think that's what chairman but we just get not what exactly what the motion from the board would look like if i understand

2:31:17 correctly so the board would just be endorsing um the system taking the position that we are in favor of this proposed legislation okay but and um so it but it would be a legislation that we are offering because this is there's no legislation but such as this on the table by anybody any place right no they're currently working on it i've been in contact with the two sentences they're currently working on it so that's why we would want to give them the language that we would want so we can ensure that they would put forth a bill that benefits us well i mean we can't ensure it because they could change the language but at least we're attempting yeah so i just want to get clear so so just one more try at this let's assume that you get a a six vote six member of trusted vote on this as is right now and what would happen to it you then do what what would happen is those senators that that approached us about it we can give them pass on the legislation to assist them in drafting the legislation so we're submitting this position to a a request from our invitation oh well you know we in all of this we in this together you know i mean i understand that i understand that and i'm not fighting it i'm i'm we're endorsing we're endorsing this this um legislation we have had discussions with them offside before you know they came to us i mean we had you know informal conference over the years and a few of them are considering something like this so if you're with the board backing

2:33:09 something like this and it's going to those individuals they're going to call us to testify anyway you know whether we we we do it or not but since we are going to be part of this and this will be a funding mechanism for us since we have so many vacancies we're not collecting any contributions um i think it's a win for us we only have to testify on this anyway so we have to take a position and i think we need to jump out front and take a position now based on the current the audit of the inspector general okay all right okay i'm here for somebody else and i guess you have a question chair so mr like oh i mean i have a question chair okay i was speaking first you tell me the whole lot you tell me to hold on before even carwood spoke you tell me to hold on again okay go ahead okay so my question to mr nibs and an attorney smith and maybe uh trustee russell can weigh in but shouldn't this have come to the policy committee first so we could have vented in the committee because you left some things out that we already discussed in reference to people coming to work um having an appointment receiving an annuity people on uh a contract uh contractual basis you don't define what that is there's several type of contracts that members are using to come back to double dip into the system legally their third party contracts we've had hearings on one or two of those i think since i've been here so i don't think you have enough in this document number one so i think this is something you should have brought to the the policy committee so we could have had more uh detailed discussion

2:35:12 to bring it to a general meeting i i just don't think it's fair to the process that was the first thing but definitely on the contractual side i think you have to define what that is you know you got third party members who are not going to have to pay based on the language that you have here because you don't define what it is well you see that's that's that's that's exactly what's coming from are we writing are we writing legislation are we suggesting to the legislature a path huh i agree you um um that's precisely your comments that's precisely where i was going with my questioning i mean uh you know uh i mean are we are we drafting legislation now or sending them indicating to them uh a path towards getting over the double dipping points two based on both because normally all senators would ask us to give us give them a draft of anything that they they recommend as legislation they always ask us to give us give them a draft when it pertains to grs but i think that this would curtail the contractual part of it if you know that you're going to not have to give up your pension and you can come back to work and get a salary why would i want to go under contract this would cut it up to be it's up to have to be up to the center to do whatever restrictions they want to restrict we are just as a part to curtailing this problem with a return to work and for a means to grs to receive contributions to the system

2:37:04 this is what we are recommending uh could i weigh in on this please go ahead okay i think it's a good start mr names because it appears to benefit the system but i think we got to discuss it a lot more because there are other options that we should consider and i think that hello yes yeah the other options that we should consider um like for example if we're helping if we're helping the executive branch this is what you're doing we're actually helping the executive branch to allow people to up with it i think we should get more from the executive branch and the legislative branch and i think we should put down a whole some approach which is one if we're going to help you to fill your vacancy positions then put the grs annuity in the budget 130 million to pay so it's budgeted and also consider that um if people are allowed to double dip they might need to pay more into the grs or they might have to forego a portion of their their retirement we got a lot of options that you could put here that we need to discuss i think it's a good beginning but since we're helping the executive branch to fill its vacancies and they're probably having problems we got to be able to demand more from the legislature and the executive branch as we move forward so i i would like to suggest that we immediately uh address that in a in a committee policy committee meeting and um and as a policy we adapt options to the legislature with the various benefits and short files and come with a comprehensive proposal to the legislature

2:39:24 for whatever we might want to have the changes represent i think it's a good start but i i i have some issues with allowing people to double dip without getting something back from the executive and the legislative branch that's my comment can can i comment um okay from a realistic point of view the legislature or the plants transfer for lack of a better thought they are the ones that said the laws and we are in the current situation that we are in because of unfunded liabilities that were enacted by the legislature over the objection of the system so the system if the discussions are being had in a legislative branch to move towards um this idea then it's going to happen and the system is going to be asked to to testify i mean so i i agree with the administrator and the general council for the system that you know you want to try to get ahead and make that so just make some submit some subjects some justed language so that the bill that comes out hopefully is something that favors the system but if this if that's the direction of the legislature want to go they're going to go that way um whether or not grs is in favor or in or um has objection to what they're doing i mean that's that's how that's what causes to be in a position that we know you know so we don't we don't make laws so i mean we i it's not i think it's kind of misleading to say that we help in the executive branch fill vacancies if they wanted to amend the law so that it's more attractive than they could get people into field vacancies that's what they're going to do you know so i agree with getting out in front and putting suggestions so that hopefully what comes out is something that's you know i mean beneficial towards the system that's my two cents

2:41:24 i agree you know with that in our front but we don't use the power we have and they can't do things without support from the voters and we got 8 000 voters behind of us if we use it wisely and they had shown act without taking into consideration that our retirees vote and if we're looking out for them in the system uh we could like any lobbyist lobby and get some of the things we want and we want to put it forth after we flushed out all of the issues and then pull the senators and the executive people to the fire but okay and you see i i don't see us and not having power no i'm not very powerful i'm not i'm not saying that but if they put forward legislation that says a retiree could come back into government when they come back into government grs is going to receive employer contribution an employee contribution just as if they had went out and hired somebody that just graduated from high school last year so grs is getting their money at the end of that pause in re-employment when they you know leave government again their annuity is unchanged so grs receive contributions for the time that they will return back to government and grs gets to keep that contribution because the annuity isn't being increase so if you bring down the legislation what argument grs have you just took away you know leverage for all intents and purposes from grs grs can't have a problem with it they're getting their money and they're getting the money and don't have to

2:43:20 incur any additional liabilities so that's what i'm talking about i mean like it's a good start at the end of the day that's and at the end of the day once you have those provisions in there you eliminate any argument that the system could legitimately have against the proposal that's all yeah i i i said it's a good start it's a good start okay but i don't think it's the only way to go and i don't want to uh i endorse justice as the only way okay that's my view so mr chair um should this have gone up the policy committee should this be discussed there um um prior for submitting any um stop to the legislature uh and then this is a policy issue and then it then it comes back i mean it's not strictly i'm just asking the question i mean i don't know yeah yeah first of all it's not strictly a policy because this is not our policy this is a subject this is a suggestion to the government for their parties so so i mean uh my recommendation would be maybe we need to initially broach it to the subcommittee that which we are part of uh since they are looking to to you know come up with legislation to find revenues and all of that maybe we can bring it up there have them invite them to come and we have a meeting with them okay um i i like the idea i'm i'm not about to that because um if the senators would come and have open discussions with us we have the expertise too um it could be a

2:45:19 a very productive meeting because um at least we would be having input into any change in the legislation or any change in how vacant positions are filled and we should have that and i like this as a first step but it has to expand to some other benefits for the grs and you know i think a discussion regarding that area i think um would benefit everybody okay so the recommendation is that we we we we pause this to the subcommittee and that's another discussion there i think that's a good start we this is what we endorse and um let's see what they have to say I would assume some of the senators that had approached us with this, they're a part of the subcommittee or, you know, they can attend also, but hear them out and then maybe we can start talking about what we expect from them.

2:46:30 Well, Mr. Chair, I'm not sure how, what would you be submitting to the subcommittee? Endorsing the idea about what we just discussed. us but i i didn't finish what would you be submitting to the subcommittee if this body itself hasn't decided in terms of even what the idea is of what direction you're moving because i'm hearing a number of different discussions um some people may want to expand this some people may want to include some other things i mean i think this board whether it's a policy committee the board itself needs to first decide what it is it wants to do and then once it has determined that then it could submit it to the subcommittee or wherever but i think that would be your first step yeah okay i have i have a point chair i have i will go back to the original thoughts we need to put this in the policy committee as council williams just indicated let us add in what we have to do and then we can bring it to any other committee or any other branch of government but we need to come with a position a comprehensive position on this issue we've been talking about it for a while i'm not sure why i'm not sure why the attorney smith and administrative nibs didn't bring it forward to us before coming to the general session um so let's uh legislation let's uh let's let's let's assign it to um which committee is best the best committee is the policy committee

2:48:22 no I'm not necessarily doing that okay this this this is not called policy right anyway so we'll assign it to the policy committee and the idea is that the policy committee is going to come up with a recommendation to put forward as you you're going to then come back for the board for approval to put that forward i mean but talk me through the rest of this process that that is that is correct uh chairman bori that is correct i mean the policy committee the policy committee would vet the bill because okay we like the bill as drafted so we're recommending this to the full board or it could amend the the proposed bill and then send it to the full committee or it could say to the um full board uh we've reviewed this and we don't like this we recommend that the full board not endorse or accept this bill i mean those are basically your three options i suspect it's going to be in the middle where the policy committee may make some amendment changes and then it submits whatever the policy committee approves to the full board for its review and action okay okay so okay so we've been assigned it to the policy committee um and I guess uh Mr. Chess well what is the time frame because it look like this is an urgency um with some of these senators that push in power with the legislation so what what will be

2:50:21 or just stop the meeting we'll have we'll have we'll have a school event to see who's available as soon like next week i guess and then if yeah i think next week if you could get something in time for the for the board meeting that's coming up again to do that yeah and the board meeting at the 16th right okay i think so yeah well let's let's push for that because it appears to be something of urgent need okay so so we'll try to set up a policy committee meeting for next week um um availability sole item on the agenda okay the next item i think was ratification of the poll vote that um that was taken around last week over the last couple of days which authorize the the um we otherwise may as chair to to negotiate and and execute a contract three-month contract extension for mr nibs so So we have a motion to identify that role.

2:52:19 Chair, I have a question in reference to the poll vote. We just, the poll vote you're saying was just to extend the existing contract. Does that contract include whoever we select the new administrator uh receiving some uh training and updates on what's going on um through mr nibs contract or it's just to place him in the position for three more months retain him in a position for three more months i mean if we have somebody on board um um i don't see we need to put it in the contract with mr i didn't hear what you said you i lost you on the side you could repeat it it's just to extend pretty much the existing contract for three more months um um that's basically there's some some obviously some little things that change uh but essentially the same contract um they there's no there's no change in the scope of work and my my take on it if if we if we have a new administrator within the three months time i'm not sure you want to put it in this mr nibs contract that he has to transition over okay so so you answered that but my other question uh chairman i never got the final status on where we were at um with that process of selecting a new administrator okay

2:54:10 but that's what they needed to do the poll vote right now right we have we had a poll vote and you need to ratify but you didn't answer my question um no my question my question was we have a vote for a new administrator i didn't see a final document as to the outcome it was a final document there's no there's no final document so what was the status what was the outcome i didn't get anything we had a board resolution there was a board resolution that the that that we we engaged the services of a search firm just to search for new for replacement c administrator okay okay so all right okay mr chair i would like to make a motion to ratify the poll vote to extend the administrators contract until march 31st 2022.

2:55:22 second okay so the motion i'd like to motion to is that um the the the poll vote was to authorize the the chair to negotiate and and execute a three-month contract extension so that's that's that's what you know that's what the poor vote was on so i think the motion should should be rectifying that okay i'm ready Trustee Caldwell?

2:56:28 Yes. Trustee Dorsey? Trustee Dorsey? Absent. Trustee Liger? Trustee Liger? Absent. Trustee McDonnell? Absent. Trustee Russell? Yes. Trustee Smith? yes chairman barry yes oh yes three absent do you record that as not voting or just absent because dorsey and liger has been on the line so well they could be on the line but it could be out of the room if they're not answering we have to say absent yeah if they're not voting that mr like i said that he had to leave and he just sent her a text he said he had to leave okay so absent you regarding them as absent okay i want to know unless you said not voting okay i understand okay all right that's so the next one is um executive session I would like to make a motion to go into executive session.

2:58:00 This portion of this meeting will be closed to the public for matters pertaining to trade secrets, financial or commercial information, or personal or legal matters for matters whose premature disclosure will frustrate the implementation of the proposed agency action. second moved on second then trustee callwood yes trustee dorsey trustee dorsey absent trustee leiger absent trustee mcdonnell absent trustee russell yes trustee smith yes chairman barry yes four years three absent okay so we'll take a two minute break

People named in this transcript

SUSPECTED, and a finding aid only. Names were matched by machine against the spellings used across all 426 of our transcripts, and the title is the one used in the room. Being named here is NOT evidence that a person attended or spoke · only that the name was said. Speech recognition mishears names, so a spelling may be wrong even where no alternative is offered.

8x **Trustee Andre Dorsey**
heard in this transcript as: Dorsey

8x **Trustee Ronald Russell**
heard in this transcript as: Russell

7x **Trustee Vincent Liger**
heard in this transcript as: Liger

6x **Trustee Leona E. Smith**
heard in this transcript as: Smith