GERS BOT's Monthly Meeting

GERS Retirement System (Board of Trustees)

recording published October 29, 2021 · 3.0 hours · gov

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0:00:00 I ask for I want to call, please. Trustee Caldwell? Present. Trustee Dorsey? Present. Trustee Liger? Absent. Trustee McDonnell? Absent. Ex-official member, Sydney Richardson. Present.

0:00:39 Trustee Russell. Present. Trustee Smith. Present. Chairman Bowery. Present. next president which includes the equity if your member and two absent so we have a quorum at five trustees okay thank you very much so let's let's jump right into it the next item on the agenda is for comments and suggestions from attorneys and active members do we have any okay hearing none somebody was trying to say something i don't know oh okay is somebody trying to say something it seemed like it was very blurred you know it stopped okay so let's let's let's go to the next item on the agenda which is um secretary's minutes the point of information chair the under new business you have um

0:02:26 haven site mall budget and the approval of the general budget for the system itself um i would like to just replace those uh next to each other so before we consider consideration of the policy of the procurement policy um the approval of the two budgets to be together to be discussed okay um so we want to um adjust the agenda adjust the agenda to what we have consideration of the procurement policy to put the approval of the general budget for the system itself the 20 2022 budget along with the approval of the haven site budget to be discussed at the same time okay i think actually i like the suggestion um um and i i really think that unfinished business should be to be taken care of before the new business so so um so the request is to move move on the regular session to move the approval of the 2022 budget as a first item and the approval of the and the approval of the 2022 heavyside mall budget as a second item is that that's that's good that'll be good okay um And no objection to that, we'll consider the agenda re-ordered accordingly. The other item I'd like to add, if it's possible today, we discussed it in the policy meeting.

0:04:25 The policy chair may want to weigh in on it, but basically it was related to the article that was in the paper in reference to the decade long double dipping in the GRS costing millions to the system. I wanted to discuss that in the general portion of the agenda today. If it can be added on as well, you can put it on the new business or you can just put it on the regular section of it. What is it you want to discuss about it?

0:05:00 In the policy meeting, we were informed that the document wasn't correct. The information wasn't correct in this document. said it again we were informed in the policy committee meeting that the information in this document that was done by the inspector general during his audit was not correct the information was not correct so in our policy meeting we said well let's just discuss it in the general meeting so i would like to put it on the agenda for discussion it was also requested it was also the policy thing comes up it was also requested that they hold on hold a second hold a second hold a second it was also requested that the um inspector general or someone from his office uh be part of the conversation if that can happen as well that that's that's not gonna happen in a general meeting uh you had you had something you're gonna send uh county williams yes come on sorry to interrupt mr like a call to say he's trying to get into the meeting but the horse hasn't been hasn't let him in he's been waiting for a while i don't know whether he's having technical challenges but if um i guess uh mr moses or whoever is listening see what you could do to assess mr liger please thanks attorney williams could you tell him that he probably need to um upload his uh zoom because i had i i just had to open up my zoom again i don't go back in and register again for zoom that's why i couldn't get it myself so i think you need to go back in and um download zoom if you can't get in all right

0:06:58 okay so i was saying uh chair um we may not be able to get the inspector general today but we can add it to the agenda for discussion okay i'm not sure uh okay mr mr uh chairman yes may i you know i've been um involved with ig audits not only in the Virgin Islands but mistakes before the IG came to us this is the first time we dealt with the IG on this matter we've been doing for the last four or five years on the same issue we had an exit entrance conference he did his report he gave us a draft we put we commented on it he had an exit conference I don't see what the IG coming back to talk to us about he's going to say the same thing that is a report it's up to us make any changes in internal control or whatever i mean that's how i have experienced it over my career i've never seen a ig come back to talk about anything his report is final he gave us his report we commended on it he included our um um in his report i'm trying i'm trying to understand myself what what is it we're gonna be talking about um i i think um i think we should defer this for another meeting um we're gonna do a special meeting um um mr chair but i think we need to proceed with the um the agenda yeah i mean we have a long agenda as it is and we we develop you know track record of

0:08:46 not completing our agendas i think i think we have like five five minutes sets of minutes to approve today so um let's let's move on please so chair i will just say this last part i hear everybody's comments but um this happened under um mr nib's watch so i understand he's taking the position he's taking the only thing i was saying is that prior to me coming on the board prior to you coming on the board there's nine unfunded liabilities that affected this plan today now we have this report hold on let me make my point let me just make my point let me just make my point please please let me make my point and please don't rush me i'm just making a point this document talks about 47 people it's down to 37 now it's down to 22 and of those 22 people they all based on this report ten thousand dollars or more what is your point of view to the system so i would say that this this should this should this should be discussed and for those who say that it should be in a different type of setting all that sounds good but the reality is this problem has not been dealt with because this was just done recently so this just happened just before i came on the board so i guess this happened probably at the beginning of your watch the end of the report so we still have these individuals that owe the money what is your point mr mr mr I was saying that we should have had a discussion on this item because it's costing the plan money. You're saying that we shouldn't have a discussion on it. You're saying the agenda is too long, but those agenda items don't affect the plan like this particular document does. Mr. Darcy, you're out of order at this point. You asked for a point of information. You haven't indicated what information you're asking about, so let's continue the agenda. mr chairman since my name was mentioned no i just want to say i don't have any problem discussing the issue but i don't have a problem bringing the ig back we need to discuss internally what the problems are mr names um i think i've already ruled on that um let's let's move on to the item agenda please which is the secretary's minutes mr chair i would like to make a motion um to accept the secretary minutes for uh 9 23 21 you want you want to do them separately

0:11:42 um yes let's let's let's do them separately okay so i would like to make a motion to accept the secretary's uh minutes for september 23rd 2021 second moved on second then yes i see dorsey not voting trustee liger yeah i was present when you was calling the rule i just couldn't you use my my my um okay yeah okay so let me let the record show that um trustee like a person can't continue to work on one minute please Trustee McDonnell absent? Trustee Russell?

0:12:42 Yeah. Trustee Smith? Yes. Chairman Bari? Yes. Five yes, one not voting, one absent. Go ahead, Ms. Smith, the next one. Okay, I would like to make a motion to approve the Secretary's Secretary's minutes for August 26, 2021. Second. Move on second, then. We'll call.

0:13:16 Find the information, Chair, on those minutes. We'll call. Trustee Caldwell? Yes. Trustee Dorsey? I'm not voting. trustee liger yeah trustee mcdonnell absent trustee russell yeah trustee smith yes chairman barry yes five yes one not voting one absent point of information chair on the august 26 meetings just for clarification so many can let me know from a legal standpoint we did not have a meeting on that day we did not have a quorum what are we voting on um Let's vote call on a special meeting 9-29-21, 7-29-21.

0:14:35 So moved. Second. I had a point of information, Chair. Mr. Chair. You just voted on something I don't know what you voted on. I need clarification. Mr. Chair, if I may. I think the minutes simply reflect that there was no meeting because of a lack of a quorum. That's basically all the 826 minutes reflect.

0:15:06 Yes. Yes. Okay. So special minutes for the meeting 7, 29, 21, please. There was a Ms. Smith and Calwood second. Trustee Calwood? Yes. trustee dorsey not voting trustee liger yeah trustee mcdonnell absent trustee russell yes trustee smith yes chairman barry yes five yes one not voting one absent is that it uh mr chair there's one for 6 17 21. okay i would like to make a motion to accept the secretary's minutes for june 7th 20 21. second one let's go yes not voting trustee liger yeah trustee mcdonald absent trustee russell yes trustee smith yes chairman barry yes five yes one not voting Okay. Could we have those other attendees mute their phone or have the host mute the phone? Are you hearing disturbance?

0:17:02 Yeah, every now and then we're hearing some background conversation. Okay. Okay, so next item is communications and correspondences. Do you have any Mr. Nips? Yes, sir. uh i just wanted to um just brief the board on what um funding was um approved in the budgets in act number 84 73 bill number 34 0106 in the general fund budget there was uh 10 million dollars that um was approved and also if you go to page eight which i submitted um there was about 24 745 700 and um i mean 24 745 992 and they changed it to 24 942 992 which is a difference of 197 000 this is the amounts that were um approved by the third circuit code you said 20 you said 24 000 and 24 million 24 million i'm sorry 24 745 992 to insert 24 million 942 992 a difference of 997 this is in regards to the third circuit ruling of the amount that owed to us of which we received five million dollars before

0:18:49 also an act number 48489 bill number 34-0124 creation from the internal revenue matching fund receive 10 million dollars employer contributions well the past 10 million dollars i'm not sure received it as yet don't think so I was invited to comment on bill number 0108. This bill was sponsored by Senator Alma Francis. What she wanted to do was change the retirement date for the legislators from 50 to 60 years of age.

0:19:38 there were some changes that had to be made and we recommended that she make the changes because the tier two members were already at 65 years of age we did make our recommendation a copy was sent to the board of what was discussed our responses to the questions that were being and this bill failed to pass in the committee on government operations and consumer protection.

0:20:20 Also, I was invited to comment on bill number 340099, which was proposed by Senator Degraf, and this had to do with increasing the age of retirement of police officers firefighters and correction officers mandatory age from 55 to 63. we commented on this uh we didn't have any um opposition to it um we did have the the actuary look at it and he feels that um possessing uh very de minimis impact to the to the uh to the um and john funded liability the aid equity projected contributions and projected insolvency so um this bill was moved in the committee of finance through the rules committee that's all i have mr chair okay um thank you very much next chair person's report i have just one thing to report is that um i was approached by a member of the governor's financial team um engaging some discussions about approaches to helping to address the the grs unfunded liability um there's nothing very specific most of it was still in not yet for public consumption um but it is clear it's clear it clearly indicates that there's some serious efforts afoot at that level um to to try to address the the unfunded liability um specifically the the advisor requested

0:22:36 that we we allow the our actuaries to run some some numbers for them based on some different scenarios about impact scenarios which um which which has been ongoing so that's the good news is that it's still apparently apparently clearly on the front burner in terms of um the government addressing that affects an issue that that's all i have to report information chair yes um i had a question for mr nibs in reference to his uh section on the communication and correspondence go ahead mr nibs what is the status on the payment the back payments from the water and power authority from our last meeting since we know there's been a change uh from the delegates office to relieve them of some 35 40 million dollars i don't think anything came in we are still in the process of coming up with a payment plan to him mr jerry meyer did you receive any payments from whopper yes we did so currently they owe like two million around two million it says some payment they come in you'll have to work with them on the balance to come up with a payment plan sir okay so do you have a timetable on the balance you just said we have to work with them i was asking mr naves a question our chair i understand but i admit it to you that we're going to be working with them currently oh like two million around two million

0:24:38 okay um how much came in mr how much came in let me get the exact amount give me a few and i will come back with the amount thank you okay thank you so chair we can move on miss jeremiah can bring um probably present that in her treasurer's report yeah yes go ahead okay administrator's report on page three my meeting presentation and occurrences and sember september 27th through the 30th i attended a sea trade global conference in miami florida attended the grs haven site management we met with carnival cruise line executive while we were in the the C-Trade Global Conference. On October 5th, I met with Senator Carrion in a discussion of ideas concerning GRS's insolvency situation and possible solutions. October 8th, I attended the Havenside Mall oversight committee and the Havenside Management meeting to discuss issues surrounding the taxi concession at the Havenside Mall. October 11th, I was invited and appeared on the former Senator Donnestog radio program on WSTA. on october 13 i attended the budget committee meeting gave inside mall fy 2022 budget also at that time met with attorneys regarding easement issues at havenside mall that same day october 14 met with their accountant auditor regarding wico's claim of intercompany payables going back to 2011 2012. i was invited and gave testimony to committee on finance bill number regarding wikens claim of intercompany payables going back to 2011 2012 on the 19th of october

0:26:45 i invited was invited and gave testimony to the committee on finance regards to bill number zero zero nine nine increasing the age of police officers firefighters and correction officers from 55 to 63 years of age for retirement on the 20th i was invited and gave testimony and to the committee on government operations and consumer protection regarding bill number three thirty four zero one oh eight that's was uh in regards to increasing the age of legislators from 60 to 65 years of retirement on the 21st i attended a meeting with dp and r ccm in regards of white havenside mall demolition of warehouses and future developments on castles attendees was the havenside mall oversight committee havenside mall management dpr dpnr and ccm professionals same date i attended entrance conference with hkt we were supposed to we did uh I did attend an entrance conference with AHKT Energy Group.

0:27:54 Attendees were AHKT team, Havenside Mall Oversight Committee members, and Havenside Mall Management, and the director of the VI Energy Office. On the 22nd, I attended policy, GRS Policy Committee meeting. At same date, I attended the Havenside Mall Demolition Contractor Selection meeting. On yesterday, the 26th, we were to meet with HKT Energy Whopper and the energy director and strategic issues and regarding micro gift plans. That meeting has been rescheduled for tomorrow.

0:28:31 Also on that same evening, I was invited on a pair on WST radio program issues and ideas and issues. As far as member service retirement applications, We have 166 applications that are remaining. Of the 166, 152 is for FY 2021. In regards to life's certificates, these are for duty and non-duty disability retirees.

0:29:07 As of this round, for this annual review, we have only three that have not been reported as yet. that all are reported except three. Four, there were 200 validated, three were suspended because we have not received, payments were suspended because we have not received a response, three were deceased, and we did have life certificates that were received, 25 and were restored, the annuities were restored. In regards to the other type of life certificates, as you know, we also sent out life certificates, this is not in your handout, but we also sent out life certificates for those retirees who live in or reside in internationally or in Eastern Caribbean or possibly receiving paper checks.

0:30:05 Certificate was sent out in September 20th, 2021. The certificates were sent to 84 members and they were sent out to the eastern caribbean canada puerto rico and the virgin islands we have received 21 of the 84 life certificates that were sent out they were returned so usually this is done twice per year to determine if the members who are living internationally or receiving paper checks are still alive and that's the way that we um one of the ways that we determine that uh that um they are alive or they have been they deceased uh we do have a slow turnaround because of the nailing issue there's a 30-day turnaround um suppose the data that we send the certificate out is supposed to respond within 30 days have been a slow down because of covid so we have extended that period to another 30 days for response. Slow down is because in the mail system, it was a COVID and there's a routing of mail to the Virgin Islands to different areas in the states that slows the mail down.

0:31:26 That's been our experience. As far as refunds, um 5.7 million dollars of refunds that number is wrong the bottom line is that is wrong i just second look at it it should be more than that so i'll have to come back with a figure on the total refunds because the regular amount is 5.9 so the bottom line can be 5.7 so i need to take a look look at that, that's an oversight. As far as debt benefits, we between October last year and September this year, we have worked on $2.6 million of debt benefits, active members 1.4, retirees 1.2.

0:32:19 uh 1.2 as far as the payroll of retirees as of the september 30 2021 payroll date we had 8680 retirees uh the end of the year fiscal year um during that period from october last year to september 30th we added to the payroll 310 retirees and during that same period we deleted from the payroll because of debts to 329 and as of september 30 2021 the gross payroll was 10.8 million dollars but the last payroll which was the first payroll of the fiscal year October 15th, we had 8,675 retirees. Our payroll was $10.8 million. We added for that 15 day period, eight retirees. And for that same period from October 1, 2021 through 15, we deleted 13 members from the rolls.

0:33:32 As far as of our loan program, the total amount still outstanding, $23.6 million. We are looking at 2,146 units of which St. Thomas St. John District, 1,176 of the 2,146 units. St. Croix, as far as the total amount, there's 13.9 million in St. Thomas A district and 9.7 million in the St. Croix district. We refunded for overpayments as of September 30th, accounting for 42 units, $44,000. Overpayments mean that member paid, didn't stop the loan at a certain period of time, they overpaid maybe a few payments before, and we have to refund from them those monies.

0:34:46 St. Croix complex, no major issues to report at this time, as far as the St. Thomas complex, as you know, we have ongoing construction and infrastructure, the roof replacement, you have an air conditioner project, which is ongoing. hopefully we would um complete that sometime in november or december the next at the anticipation completing date of that air conditioning project is now december 2021 instead of november other ongoing capital projects transformer replacement i know that we did select a contractor so it should be that should start very shortly and also we we selected a contractor for the fencing repair and construction of grs that's to enclose the equipment that is on the ground even site mall demolition interviews took place on friday october 8th and the committee met on the 22nd to discuss the selection and a selection was made for warehouse year which is the only warehouse that will remain a contract was executed and work is on its way as far as electrical collection exhibit a also a correction is need is needed there um as far as the arranges are concerned instead of 49 154 22 should be 19 274 and 12 dollars correction from 49 154.22 it should be 19 274.12 in september we collected in rentals 162 768 dollars and 54 cents electrical reimbursement we collected $97,044.63 for total collections of $259,813.17. Total year to date, we have collected in rentals $953,291.70. In electrical, we have been reimbursed $602,039.83 for a total of 1,555,331,053 cents. Leases, the only pending leases we have right now is the Division of Personnel. We are awaiting the approval from the prompt and procurement legal team. Also Department of Justice,

0:37:34 we have sent them to PMP legal team for review prior to signatures. As far as FEMA insurance, we have resumed by weekly meetings with FEMA for the Havenside Mall warehouse project. The chairman, this ends my report. Okay. I got a couple of questions regarding the report. Brian.

0:38:02 Okay. Good morning, Mr. Nibbs, and good morning to everybody online. mr nibs when you met with senator curry young are there any particular initiatives or types of proposals that you are able to submit to him regarding the solvency of grs uh i know katie smith um attorney smith also met with me when i met with him we talked about the entire gamut what we had done you know before and um what possibilities i know one thing he was looking at is probably and i hope i'm not saying anything wasn't something to be kept we have discussed it before he was looking at probably raising the cap from 65 000 um that was um one of the stickling points um i think kathy you can chime in i think we did have maybe the actuary looked at that we looked at that many years before of raising the cap and we never did come to a meeting of the mines uh couldn't get no type of a buy-in from the legislature at the time so that was one of the main things that he discussed good morning everyone this is kathy they wanted um he did i'm sorry go ahead i was gonna say senator carrion did discuss with me raising the cap it brings in about seven million dollars but the issue we had was that he wants to raise the cap without providing any additional benefits and i told him he's going to have legal issues with that because basically he's changing the terms and conditions of the contract by making people pay double what they're paying now without giving any additional benefit and if you look at case law case law says that if you're going to change the contract you have to provide something of equal value or more and they're not doing that and i you know that's where we stood let's not get ahead of that i mean the other the other thing we need to consider

0:40:18 i think is that when you raise the cap to 65 000 it increases the the benefit i mean the contribution but it also increases the liability back end no they were not increasing though they were not going to increase they were only raising the cap for contributions but not for benefits and that was one of the issues because you're changing the contract you're making someone now pay double in contributions but you're not giving them any additional benefit okay okay okay um did they discuss a pension obligation ban in any kind of way instead of a special purpose vehicle to get money did they discuss that um mr nibs and attorney okay no they did not okay okay and and you mentioned c-trade and i wanted to get into that because i wanted you explain to me how we benefit from that trip because i well i report this i report this for coming to the board how we benefit is because of havenside mall okay um i i that's the first time i went with uh to see trade in my 14 years here and i wish that gone before okay they told us a lot of things that we could be doing which would never discuss with us with our agent okay discuss how we could market the mall and how we could improve right that plus what you know service are done by um the passengers and they know exactly what the passengers are looking for and exactly we need to change the way we do business there okay okay good good and my last question about your report i i don't think the loan the loan outstanding um and i need to understand do we have any collection with delinquent loans proceeding how how are we proceeding with this

0:42:26 loan thing to get some money and and hold people accountable who make a loan explain that to me please well any employee loan is backed by the collateral except the retirees um i don't think we have that many defaults on loans uh okay if you if you re if you resign uh from the grs automatically if you have a loan it will be taken out of your contributions i see you yeah so i know that there were some mortgages that we had some issues of maybe one but other than that we usually can't lose on a loan okay and i wanted uh so a loan is a secured investment you're saying basically yes okay okay thank you um thank you mr chair for indulging i had a few questions for uh mr nibs report um mr nibs on september 23rd i made a motion related to the electrical uh backlog monies all the system from the division of personnel and the uh department of justice and at that time i had made the motion that we put together in the current lease mendeley's to put in a prepaid payment plan i didn't get a second at that time but i'm asking you guys although the board didn't see fit to give me the second did you guys figured out that would be a cheaper way to go then uh separating the meters because it's like a half a million dollars i think you had suggested some time back to separate separate out the meters uh for those individuals um agencies but that would be a way

0:44:27 that we wouldn't have to be paying as a system putting out that close to 80 000 a month in cost or so to pay for their electrical did you guys add that into the contract mr nibs i'll address it mr dorsey we had already negotiated the contract we were just waiting for signatures so we're going to take that into consideration when the leases expire in a year and then we'll look at that but we had already come to an agreement on it so we couldn't go back on our agreement okay thank you also attorney smith the point you just referenced to trustee russell as related to the benefit portion of the suggestion of doubling the payments to the system without giving a benefit. You were quoting some part of the system rules or you were quoting some part of the local law or a law? No, I was just quoting case law about when you make a change to a contract for a benefit. I was just quoting case law.

0:45:33 So have we had a case that came up where you had you got the code from that you had to actually use that, or was it used against us as. That was not used against us that was just general law in particular in research that i've done in the past on other issues when we were discussing these very same things years ago. Okay, would you still have a copy of that available. That I don't believe I do it was it was many, many years ago with the task force. and i don't think i downloaded anything at that time i i will look but i don't believe i do okay and uh mr niggs i just sorry somebody was speaking yeah i say those are general principles i should be able to find some case law if you need it today well when you get a chance you could just leave a copy yeah you could just leave a copy let me know and i can pick it up I'd like to review that Mr. Nibs, um, the, the section under, uh, refunds, Mr. Nibs and your report, um, who are we referring to when we talk about refunds, which segment of the population are we talking about regular refunds, 342 cases, So who are we referring to?

0:47:01 We're referring to all members. So those are active members? Yes, most likely, most of the majority would be active. No, what I'm asking, I guess, is are these the members who haven't made the 10? When we say regular, those are members that have not been vested. They have not been vested? Yes. Okay. So, Mr. Nibs, have you guys done any review of those particular group of employees? For example, these actually employees can make this a career. They could work nine years and some months, leave the system, stay out a few months and come back and start all over again. nothing they would never they would never be vested but we would continue to pay out these large sums over time no they can opt to leave their contributions if they don't ask for refund we don't just refund them you know they have to request it and write it i understand that part but my point is the money that you have on here and it's not the correct number but if i look back over the last couple of or several months then the numbers are always seems to be in the millions um is that something that that looks like something we we need to look at like right away in terms of change in that and just make it i don't i'm sorry this is attorney smith mr dorsey if somebody leaves the system they have a right to get their money back if they requested and i don't think you can stop them from taking their money out there's really nothing we can can do with that oh no no that's not what i was saying attorney smith that's not what i was saying

0:48:46 okay i was gonna say we do get to keep the employer's share so in the long run we benefit because we don't pay out a benefit to that individual but we've kept the employer share of the contributions yeah but we kept them we did stop them before katie remember we used to give it out whether they're vested or not and we change the legislation right right okay so we keep the employer's share okay but we're still we're still coming out a lot i was just saying that um and i made this recommendation i believe in the policy committee um that this should just be based on once you go through your probationary period you decide if you're with us or you're not with us at the end of your probationary period that's all i would say about that um okay um that was it for me thank you for that section i just hold on chair i had one other question it's it's not in the report um the the vite is it i think it's the vitex software you use in the uh loan section is that the correct name an integrated software between benefits and loans yes okay so yeah okay so when is that system going to be up to date it's been down a long time what do you mean down i don't understand what you it's not able to do the proper calculations mr mids who said so your section in there your your your person in charge of that section are they can you call them in today to this meeting what is section what are you talking about sir the section for your personal loans mortgage loans

0:50:41 the computer software section is not working correctly okay mr um do you have a quick answer to that because we have to move on mr chairman we know that there's some issues um sometimes there's some things that have to be uh what we would call do a fix or something like that and we worked on those individually and then we go they have to go back and um and and do you know a permanent uh change to the software so we that's an ongoing issue and any system you can always have bugs in it until you smooth it out don't we have don't we have an item in the budget top ready system yes we do i mean we want right now we're behind in the versions that we should be using we're the only one probably on with vitex using a version eight we should be up to 10. that's the answer i mean i have the i.t personal line i mean you know now the the system part of the budget submission is i mean the biggest part of your budget was for the i.t upgrade the capital right so i guess we could discuss that when we get to the budget the only the only point i was making share to mr nibs is that you have a problem but you know mr nibs when you when you chuckle about a response to my statement then it appears that you know maybe it's something i'm not clear on or i'm saying something wrong but i'm telling you mr nibs you have you have a problem and you had that problem for a while i said to you if you want to speak to the person i said in the section you can bring them on now we can have that discussion or as the chair said we can have it when we get to that section of the

0:52:36 budget but it's a serious issue that needs to be resolved it's not as simple as you it's not as simple as you're making it to be we never have that discussion now um you could discuss it when we get to the budget and we talk about the upgrade that's fine chair that's fine okay okay go ahead mr names i'm finished i think it's the treasurer's report okay shows us report or committee reports committee reports okay i'm sorry you have any any committee reporting yes i'm sorry yes mr chair okay uh Good morning again to everyone. We had a policy committee meeting and it was robust but most importantly we forwarded the procurement policy for consideration in this meeting. We forwarded the medical review disability policy for discussion and we had uh a sort of consensus that we should discuss at this meeting the um forgiveness of the debt that the delegate um Stacey Plaskett reported on and whether some of that should be dedicated in whatever way to the grs we also discussed

0:54:26 the wapa issue which was typhoid earlier and we also thought it was important to bring up you know some some of the issues that was discussed by members particularly member dorsey in the policy committee which should be discussed he discussed them some of them already but um the only one i think left is um the forgiveness of the gvi debt uh which stacy plastic reported so i would uh i would ask that we were where we consider unfinished business that we place that on the agenda for unfinished business uh stacy plaskett and the um the retirement not retirement i'm sorry the forgiveness of the gvi debt um the issue of the audit came up and it was discussed in a meeting and it was again rehashed here um that could be brought up in unfinished business also because mr nibs add clarity to the audit report and i think that what member dorsey was alluded to is that the added report mentioned some deficiencies that we should attempt to correct and attempt to address in a board meeting simply to make us more efficient and more responsive to the members but i i know the added report and i know how that works and if it's the pleasure of the board members to just review and we have some things in the added report we'd like it done in our business business so that's all we put we had a robust meeting uh two policies are before the board and we intend to continue working to improve the services that we provide to our members by adapting policies that would be fair consistent and in line with the laws of the virgin islands

0:56:47 thank you very much okay thank you very much um trustee russell uh trustee uh chair to trustee russell um are you left out the part with the um review of the administrator and that part of the process you left that out which we discussed yeah um i think we should do that executive session so that's why i left it out because anything like that has to be dealt with in executive session okay well i just wanted you to mention what we discussed i mean we can discuss it in the executive session but i think the process the process itself should have been discussed in regular session the individuals being considered should be discussed in executive session and there's a difference in the two now the what happened is we have to merge the two because you can't discuss one without the other in this situation i'm not trying to be politically correct i'm just being real and that uh one doesn't have nothing to do the other i'm a trustee and i was left out of the first part of this process that needs to be discussed in regular session executive session um that that issue would have clearly an executive session discussion

0:58:35 okay if that's what you guys want to do that's fine but you know i obviously don't have the votes to put that any place i think it should be a regular session issue because it affected me as a trustee to this board that has nothing to do with the candidates let it go we discussed it in executive session let it go i'm already referring to the process chair the process to do an executive session discuss an executive session the process of the going to discuss an executive session making a motion chair i'd like to make a motion object I'd like to make a motion.

0:59:33 Hello? Hello? Yeah, I'm here. Yeah, I'd like to make a motion. What is your motion? My motion is that we discuss and we place on the agenda in regular session, the process of how we review, to decide on who would be the next administrator for the system as it relates to trustees in this process because i was clearly left out okay your motion dies for lack of a section second i'm not surprised chair neither am i you shouldn't be either i'm not surprised you um i'm not trying to be politically correct i'm trying to get back can we get back to the agenda continue mr names um any more committee reports no there were no there were no other committee reports the treasuries report good morning trusty and other trustees good morning i will um answer the question on whopper whopper paid up to their pay period ended 612 and they paid 1 million nine thousand six hundred and forty dollars so they paid up to pay date 624.

1:01:13 okay okay very good and and so and your efforts to collect the balance is ongoing yes we speak to wabba weekly you know we discuss with whopper so they call us as well so it's ongoing thank you you're welcome so miss jeremiah do you see collecting the balance within the next 30 days i am not sure i will reach out to whopper when the board meeting is finished and get an update okay you can pass it on submit if you could pass it on to the chair that would be helpful to get to us okay i will thank you okay this is the schedule of receipts and disbursements for the month ending september 30th 2021 collections loan repayment 952 716 year to date 14 149 504 rents from tenants 195 734 year to date one million four hundred and twenty eight thousand one hundred and forty four is there a way that you could put that up on the screen so that we could see it if i'm given the permission to share i can try and share yeah because i'd like to see those numbers because i don't write that fast um are you seeing my screen now okay good yeah yes yes and point information chair members who um might want to see these numbers because we have members and as i understand it we have some members we got 36 people and participants so some have to be members so

1:03:30 we need to share the information thank you point information chair Part of information, Mr. Dawson. Are these documents that we're going over during these meetings, are they available for the members to review prior to the meeting? Except for those in executive session, of course. You mean in time with the board members? No, the members of the system, the active and retirees, do they have access to receive these documents prior to? Mr. Chairman. well we started with the uh electronic means at the board meetings they were distributed they were you know on a table anyone has um coming to the board meetings would um would have access to them or the the media so i i can't see giving it to them before we present it they can have access to it you know if we put it on the website and i'll be sharing it right now on screen yeah yeah i i think sharing on and screen is a good idea because if we're discussing something in a general meeting we could share with the members what we're discussing uh mr chairman yeah yeah that's fine no what i was asking i was asking chair if this these items that are in the general portion of the meeting now that we have it um accessible through um the email system if it can be uh sent out um to the membership mr chair mr nips may i go ahead yeah board documents are available on our website there's

1:05:26 a tab that says board documents so before the end of today this would be posted um the same day of the board meetings we tried to post it because this file is very large this time um it's just spinning but it would be posted before the end of day but if you go online to our website you'll see all the board documents for every meeting we've been having electronically is posted okay good i'm not sure if you want to release that information before the board sees it that's what i'm saying so um i mean you could do it concurrently i guess if but i think i think i don't think any reports are not necessarily final and formal until the boards until the board season okay well if that's what it is that's what it is um my recommendation is we can share it we don't have any problem sharing on the screen the board is saying it simultaneously we did that you know um you know in person meetings but i wouldn't recommend sharing it before the board i've seen it yeah okay thank you continue mr jeremiah um employee retirement contributions yeah six million nine hundred and 49 766 year to date 98 million 88 707 employee retirement contributions three million six hundred and ten thousand six hundred and fifteen year to date fifty million two hundred and forty three

1:07:15 thousand eight hundred and forty packing facility four hundred and ninety year to date eight thousand nine hundred and seventy one miscellaneous one hundred and fifty three thousand seven hundred and twenty year to date six million eight hundred and four two hundred and eight hundred and four 225 for total collection of 11,863,040 year to date 170,723,392 total disbursements we have annuity payments 22 million ninety eight thousand five hundred and ninety five year to date two hundred and sixty four million one hundred and fourteen thousand one hundred and fifty three administrative expenses nine hundred and eighty six thousand three hundred and twelve year to date 16,162,056. Personal loans 23,950, year to date 219,059. Mortgage loans 9,510, year to date 177,559. Retiree loans 16,631, year to date 27,723. Land loans 1,725, year-to-date $2,760, refund of contributions $662,502, year-to-date $8,779,395, for total disbursement of 23,799,225, year-to-date 289,482,706, for a net cash deficit of 11,936,185,

1:09:30 year-to-date cash deficit 118 million seven hundred and fifty nine thousand three hundred and fourteen all right mr the the year today is through september 30th through september 30th okay so that's if that's that's the fiscal year now correct okay okay and because of that we have withdrawn 109 million from our investment portfolio okay a question miss jeremiah yes trustee dorsey um the numbers in this section for the mortgage and the personal loans um is that is that done manually since the software is not up to date since you're on i guess the eight version versus the 10 version is are those numbers done manually for you at this point to verify no those are actual numbers these are the refunds overpayment okay if you go to the other you see these are refunds so these are over payments that were made and the system handles this the v3 system handles this okay but it's the same v3 or the same i guess v3 v tech loan system that has the the hiccups right now that's in based on what mr niv said a minute ago you're not on a proper version you're asking for i guess uh an investment to to upgrade to the proper version but i was just trying to figure out how you really verify the numbers knowing that you do have a problem in that section it's not all the section that has problem trusty dorsey okay so it's just the loan section for the mortgage and the personal loan

1:11:31 at this point the v3 system you know you're putting out things out there and you got to be very careful the v3 piece stem is working in my opinion at least 90 to 95 percent we have some problems yes with software we have to make changes in software and that's stems from the beginning of time when it started and we use usually that happens when you have to like maybe retire a member that maybe have a loan there's some problems there so you can't just make a blanket statement and said that the v3 is not working we're retiring people we are doing all everything else we you know but there's always going to be some problems until we get those change and maybe we need to upgrade and do it do it over but don't just say a blanket statement that a v3 isn't working well you know mrs um jeremiah this indicator is not the whole system mr nibs which you didn't say before as well but i was very specific before when i said to you there's a problem with the mortgage and loan section right and i said it's the v text it's the v3 but it's a problem with the software of verifying the numbers so all i was asking would we're receiving a report today and i was asking miss jeremiah as relates to the mortgage and the loan to be very specific land um sorry personal loan and mortgage loans if this if these numbers are manually done or not since the software is behind so i don't have to be careful on what i say mr naves i'm very pointed because i have my facts i'm asking again if the numbers are the numbers that's basically it i wouldn't bring it up if it wasn't an issue we are confident that the numbers that are given are

1:13:25 correct okay even though the software is not working properly in the uh mortgage section and the personal loan section mr nibs we are confident that the numbers are correct okay you didn't ask you didn't answer the question mr nibs yes mr meyer said it's not the whole system it is a section of it and i ask you as very pointed from my understanding mr nips where i sit the mortgage portion and the personal loan section as relates to the software has an issue trustee dorsey i'm confident with the numbers that are being presented can't move on miss okay um the haven site mall and schedule of receipts and disbursement for the month ending september 30th 2021 we have total collections of 141 1985 year to date two million three hundred and ninety three thousand twenty five we have total disbursements of five hundred and twenty nine thousand one hundred and fifty four year to date three million nine hundred and eighty two thousand nine hundred and nine we have a net cash deficit of three hundred and eighty seven thousand one hundred and sixty nine year to date net cash deficit one million five hundred and eighty nine thousand eight hundred and eighty four um the year to date um havenside expenditure was approximately 76 percent of budget that ends the report um the church report um board chair i have a question for miss jeremiah for the haven site budget um so under the synopsis the haven site schedule receipts disbursements the month ending september 30th 2021 under synopsis just trying to get clarification is that it's um year to date, and I guess this will go to September, so we are in the hole on that budget, $387,169? No, that's the month for the cash we collected in that month. We collected $141,000, but we expended $529,000.

1:16:21 Okay. okay so the two the 2.3 million what is that again the 2.3 million is the total collections okay for the year for the fiscal year okay so so we're behind and for fiscal year 2021 up to this point 1.5 correct okay and that's for haven site that's for haven site wall okay and for the system itself we've drawn down 109 million right correct okay in that 109 is through september 30th okay okay thank you you're welcome investment next report uh i missed the chair i would oh sorry if i think we'd have to um right right yeah um that's what i was going to make a motion to adapt the treasurer's report i so move second call car trusty carlward yes trusty dorsey uh no no okay no i'm not great i'm not adopting a report as i said voting then you're not voting or you what what you won't know no ego vote no i know trustee liger yes trustee mcdonnell absent trustee russell yes trustee smith yes

1:18:30 Yes. Chairman Bari? Yes. Mr. Chair, five yes, one no, one absent. Okay. Good morning, Mr. Chair. Give me a minute. Let me put this report up on the screen for everyone. okay good morning mr chair other trustees present this is the update of the investment fund for the month ending september 3rd 2021 so for the month ended september 3rd the plan returned negative 0.1 percent uh total fixed income returned negative 0.7 percent but i'd slightly play the output of performance benchmark by 20 basis points hold on why didn't you start from page one of the report i'm sorry uh i it the report was usually i start with the board report which would be the performance which feeds into the nav report i think it was it was in the in the package it was layout incorrectly okay go ahead okay so i'm sorry i'm sorry i should have i should have um i should have let you guys know before so i'm looking at the monthly performance update report all right okay so total alternative was up 2.9 for the month and all performance benchmark by 730 basic points so for the month as i said we were down slightly negative 0.1 percent year to date as of the end of september 30th the plan was up 1.3 percent and the one-year number so one year ended september 30th 2021 the plan was up 3.8 percent

1:20:32 and we of course we still since exemption the planet has performed well up 8.6 percent on annualized basis. Notable fund performances are one active fixed income manager through capital. They returned negative 0.8 percent but outperformed their benchmark which is a Bloomberg US Act by five basis points. And our measure of private equity funds combined returns 16.6 percent for the month as we received about a million dollars back in realized gains from that investment for the month. How does that translate to dollars for the plan of September 30th, 2021? We ended the month slightly down compared to the beginning of the month, so we ended the month at $446.6 million uh please note that this amount excludes the member loans program the st thomas and st croix office complexes as well so uh we raised no funds in the month of september so if we look at the record of fruits of the month started out at about 447 million dollars We had a net cash flow of negative of $30,000, which was for custodian bank fees.

1:22:05 We had income of negative $43,349, which was impacted primarily by the expenses, Mr. Amai we're just speaking about, as it relates to Havenside Mall. We had unrealized loss of 373,000, which brought us to that ending market value of 446 million, 446.6 million. And just to sum up the activity, I guess for investment and custodian fees for the month, month to date of course paid 30,000 for custodian fees. Year to date, we've paid 430,000 out of the fund. And fiscal year to date, we've paid $535,000 in investment management, consultant and custodian fees.

1:23:02 As it relates to securities lending, month to date we've collected $1,200. Year to date, we've seen all things of $9,200. fiscal year to date we've seen earnings of uh ten thousand three hundred dollars as it relates to securities lending um and mr chair that that completes my investment report for the month of september 30th 2021 i'll be happy to answer any questions any questions uh mr chair i have one um mr henderson um as of today's date how many um active managers do we have now so total manager rasta at this point we have three managers so we have one active fixed income manager which is q capital we have one passive fixed income manager which is blackrock and we have our um private equity manager which is our measure financial yeah and are you uh are you presently um in contact with um the folks at blackrock yes that's right yes i am as a matter of fact um we are i just had a conversation with them this month in regards to some activities that we were doing um within the fixed income fund so thank you trustee dorsey hi mr dorsey yes good morning sir uh question um when you were saying that the numbers didn't reflect the loan program is that correct that's correct and it didn't it didn't um include the the two office complexes that's correct is that also include the other physical assets every all other assets are rolled up into that that pending market value except for those three components um the three components is just the

1:25:10 they have the member loans program and the two office complexes on st thomas and st and st croix respectively okay and the vacant land as well the vehicle land is also in within that ending market value okay okay thank you you're welcome where is the um where's the mall where is the mall the mall is also rolled up into that ending market value as well mr chairman I want to get an understanding. The deficit that was told with the treasurer's report, How do you figure that into your portfolio, if you do? OK, so Mr. Remeyer mentioned that year to date, as of September 30th, we've withdrawn $109 million to cover the shortfall for benefit payments.

1:26:30 Yes. Correct? So if you look at the one-year tab, under the record of asset growth. Yeah. You see that 109 million? Yeah. Right. So that would tie back to, primarily tie back to Mr. Amaya's chart file number on how treasurer support. Okay, very good. So that if the legislature correct the chart file, how would it affect our investment portfolio?

1:27:05 Tremendously. We wouldn't be seeing this kind of number here you want for the one year you know we wouldn't have to be trying we wouldn't have to be trying on our assets to this soon or hopefully at all right so that if the legislature and the government is this plans funder plans sponsor don't you think they should be treating us like a debt like a bond and so on satisfied so that we can invest properly that would be a wise thing to do okay i i i just wanted to understand this in real dollars and how it is affecting our investment and it's directly affecting it that's what you're saying correct i mean if you look at the net asset value bar bar chart just below i mean you can see from september of 2012 you could see the steps not coming down down where we are right now so i i don't think you could get any more graphic than that that's right and i think we need to present that to the legislature and the governor okay thank you very much for your report you're welcome okay that completes i believe we should adapt it because then we could present it outside as this is our report and why we need our money so i move to adopt the investment officer's report second moved and seconded

1:29:00 yes trusty dorsey yes trusty liger yeah trusty mcdonald absent trusty russell yes jossie smith yes chairman bowery yes yes one absent a corollary to that mr chairman before we move on these reports are significant because once we adapt them as a board they're the position of the grs and our investment position is clearly explained in that graphic and our treasury report too and we need to let the world and especially the government know where we are thank you very much thank you uh trustee washer um so we now move into regular session I think we had did we agree to move um the unfinished business ahead of the new business so the next item the agenda then would be the approval of the FY22 budget and after that the approval of the Haven site mall FY22 budget as well Chair, point information on those two budgets. At this time, we're going to just hear the presentation and then have discussion?

1:30:48 Yes, yeah, that's what we're going to do. Because I want to make a point based on Ms. Jeremiah's two reports on the main system money. we had a budget i mean i forget to ask questions get a presentation no what i was asking chair um can we have the two reports because i want to make a reference to what miss jeremiah just presented to us of the two budgets on the administrative side and the level of losses that we're experiencing as a system overall because these budgets are asking these two budgets are asking for us to put out money so there's some portions of it i would like to present um with these two reports from this jeremiah i'm not sure i'm not understanding what's supposed to be saying he has she has one report chair on the system itself it's drawn down 109 million dollars us that's the one that's the system overall and then the haven site itself is also losing 1.5 million as of september 30th so i'm saying as relates to these two budgets they're directly impacted by what would what was just discussed by miss jeremiah and agreed to by the board yeah so i'm just saying i want to make my point before you decide to vote these two budgets up or down based on these monies that we're picking on the budget is the chair um is in a shortfall the pension um is the pension payments and not the administrative budget well i mean the the the

1:32:37 budget is going to be going to be presented both budgets um mr next is going to give an overview and update and we've all seen the numbers i hope we've discussed them they were discussed in the in the budget committee meeting and at that meeting we had we had pretty much agreed to um to forward it onto the full board so we let mr nips do his presentation and you get your chance to actually ask you ask the question and get them answered So, Mr. Neves?

1:33:32 Good morning. As the chairman said, this was presented before the budget committee. and last month obviously we didn't put it we ran over and we didn't wasn't able to present or got an approval of the budget. I submitted highlights of this budget instead of going through the entire documents large document with attachments those were submitted to the board prior to the September meeting. also they were resubmitted um to the board members so i submitted a highlight of the um the budget um was updated as of yes up to yesterday and we submitted it up to uh tuesday and we submitted it in because we got more actual you know updated actuals so you see the dates and the dates was september 8th yeah something like that i can't remember but we submitted to the board for the well it could have been closer to the september 23rd meeting maybe the 21st or the 20th miss coolly should have submitted it and um i submitted highlights because i updated the actuals here to date on tuesday and i submitted that so what i'll do is just go through the highlights i highlight and um then we can start asking questions if we need to get into the the document per se go to the highlights and then start with discussing the um um the overall budget but my line item as we go around okay this budget fy 2022 budget

1:35:40 incorporates the implementation of the strategic plans five focus areas of focus organizational development stakeholder engagement technological and infrastructure advancement financial and fiscal sustainability and growth and operational efficiency and excellence as far as revenues collections in fy 2022 and you can check that on exhibit ba of the original document which budget you're taking first i'm taking the administration's budget unfinished business right that's what you said yeah okay so you started by saying moving your projections well i in the highlight i'm just going based on what was submitted in the highlights Mr. Chair it might it might be helpful to put it on the screen so that folks could follow because I'm not sure I know where Mr. Nebs is uh Ms. Treliningams you received that yesterday could you I'm not positioned right now I just have a hard copy could you put it up on the screen please when you're talking about the administration budget what do you mean by revenues revenues the collections rental oh okay go ahead is clinton and gums i'm pulling it up mr nips okay thank you

1:37:50 no no that's uh that's haven site mall that's haven site mall the document just the document just submitted fyi 2020 to budget yeah according to this it was delivered there's there's no there's no revenues on that thing guys are medley right yeah at 11 or 8. mr barry i it was in the actual highlights here it is again i submitted on tuesday we sent it to you after we discussed there it is on screen Can't hear you, sir.

1:39:12 I cannot hear you, Mr. Bari. So in the presentation of budget that that just written uh okay go ahead I mean I'm not sure i understand how that's going to reflect anybody go ahead i don't these are the highlights that were um submitted i go updated after we had a discussion on tuesday mr um like i said the fy 2022 budget incorporates the implementation of strategic plan five areas of focus organizational development stakeholders engagement technological and infrastructure advancement fiscal and financial sustainability and growth operational efficiency and excellence as far as revenues which is part of the budget which was submitted in the initial document um uh we do try to estimate the collections as far as rental for fy 2021 we had proposed 964 503 we collected as of 930 967 30 dollars we ex estimate that we would collect rentals approximately nine hundred sixty four thousand two hundred and twelve dollars that can

1:41:04 be found in exhibit ba of the original document parking proposed in fy 2021 12 731 and actuals through eight nine thirty eight thousand nine seventy one we project that we will collect at least 9720 in fy 2022 interest on loan interest and loans 2021 we had proposed 2 331 873 this is a year to date actual estimate estimate An estimate from Mrs. Jared, the CFO, we have about 1 million, 800,000.

1:42:04 Mr. Laiga, Mr. Laiga, Mr. Laiga, Mr. Laiga, Mr. Laiga, Mr. Laiga, Mr. Laiga. the reconciliation for actuals of interest the loans and interest is still ongoing so we estimate would be about one million eight hundred and eighty nine thousand six hundred seventy four we propose interest being received in 2022 of one million six thirty three six sixty nine as far as expenditures um we submitted if you see a column on the bottom column four we submitted 15 million nine hundred and forty seven thousand seven hundred and thirteen dollars that's an exhibit b of the original budget document actually to date as of 9 30 2021 we expended $15,841,918.

1:43:15 We looked at FY 2021, we had proposed $16,595,388 and we expended $15,841,908. So we can say we did not expend $753,470. 70 dollars but as you can see from if you go back to 2020 the budget is being reduced in fiscal year 2020 the budget was 19.4 million dollars in f proposed in fy 2021 16.6 million dollars and being proposed in fy 2022 15.9 million dollars As far as personnel is concerned, we project in FY 2022 that our workforce will be 75, which is the current number of employees in force right now.

1:44:25 We have no vacancies. As you can see in FY 2021, there were 83 workforce numbers, employees and six vacancies. So the number of employees were reduced to 75 and we have no vacancies. Now there was a savings in the budget for FY 2022 due to many things. We had a reduction in force of four persons. Politions were deleted for persons, and then we deleted four positions. So we had a savings of $805,034. Then in FY 2021, personalists, we showed a count of 83 headcount, including free vacancies and negotiated bonuses in FY 2021 budget shown as a long sum 216. So we had a bonus savings of 213 and savings reducing over time, 13. So the total savings is 1 million 34. However, there was an increase in personnel costs because of negotiated salaries, as you can see.

1:45:49 the bottom personal listing shows 75 headcounts and no vacancies we negotiate salary increases for the usw um also for exempt uh employees and also for the uu usw and what's the other one miss clandinen right SIU which are which are the supervisors so total additions of four hundred and seventeen thousand two hundred and twenty one twenty four dollars so there was a redealer reduction in in personnel and fringe benefits for FY 2022 of six hundred and seventeen thousand six hundred and thirty dollars now if you go to your original document this is the budget document that was submitted to you you would see that savings in the um of 617 630 okay you would have to have your original document in front of you which is a very voluminous document now in other services and charges uh there's an increase in other services and charges for fy 2022 and that's exhibit b6 in the original document of one thousand one million one hundred and twenty six thousand two hundred and thirty eight and professional services do mainly have an increase in the servicing and upgrades to our our network and mr thomas is on hand to um since we're discussing v3 and what needs to be upgraded you know that that that software and equipment and also darklink the accounting software he would be able to to give you an insight as to why we it was there was such

1:47:50 a significant increase in the professional services in that area in capital outplay are you going you want to discuss that now or no when i'm thinking of later when i'm finished okay thank you yeah in capital exhibit b there's an amount of one million five hundred sixty two thousand five hundred dollars was budgeted to complete the repairs and renovation to agent building infrastructure mainly the st thomas building and we have the projects that must be completed um for the discussions and that we can itemize exactly what the amounts are and what the projects are and there was also a amount of 60 dollars that was requested by the by the Retiree Group Gruff to assist in promoting various funding initiative. This amount has to be approved by the board and was not included in the budget. Just wanted to mention that.

1:48:57 Well, that completes my highlights. So ready for discussion. Any questions? i i have a couple okay go ahead um in in in your budget has the reduction of personnel affected the services that we could provide you had to reduce people but has it affected services to the members i'll talk yeah and i'll let miss clendon and she's in the personal area and the hr area but to me based on the reports that i'm seeing and we're continuing to operate at a level um that we are accustomed to i don't see any increase i mean a decrease in productivity um so i'll leave it there i have not seen it based on the reports that i'm getting i'm seeing you know on discussions with the senior management i have not seen any decrease really in productivity due to the reduction in force miss clinton good morning i agree i think our staff is doing a yeoman's job with the resources they have working through the pandemic working remotely and in the office they are doing a phenomenal job doing what they do with what they have so i've not seen any reduce in productivity okay um in the are we discussing the two budgets together I'm not sure. No. No, okay. Okay. In this budget that you presented, I am interested in the internet service and the kind of, you know, how we interact digitally with the members. So I wanted to discuss that portion that, you know, when you, we will move on from your report and then discuss that separately. Is that how we do it? We can discuss it now.

1:51:37 Discuss it now. okay i need i need to know a time frame that the system is going to be updated how long is going to take and we approved the money already so i want to know how long it's going to take mr thomas i'm trying to see oh good afternoon sorry good morning um mr chair and trustees and others in attendance our trustee russell can i ask for some clarification regarding your question when you say how long okay i i could clarify it it's ha it's been alluded to that we need to upgrade the um the system to a more modern from eight to ten was what i heard and and so i want to know how long it would take to upgrade the system from the current which is not the most dated version of the system to the new version. Okay, we are just for informational purposes.

1:52:58 We are using Vitec V3 version 8. The most current release they have is something called Vitec Vitilosity version 10. So we are two versions behind. In terms of a timeframe for upgrading, I would say at least 24 to 36 months out based on the volume of information and the significant changes in the platform that we're using version 8 compared to version 10. It's a major change in how the systems are designed. I'd add this as well. Anytime you invest in a software environment and you don't try to keep current with the software releases, you run the risk of your software vendor sending you a notice is telling you that as of a certain specific time and date, they are no longer going to support that platform. That's just the way the software development lifecycle works. Okay, do you, okay, would additional personnel or however you could get it done speed up that process i i find a year to 18 months a little unacceptable i i need i need us to have by going into 2022 we need to be up to date yeah um to answer your question additional personnel is not the only solution showing more people that doing an upgrade doesn't mean you're going to have a successful upgrade um part of the process involves all of the stakeholders sitting around a table

1:55:04 first and foremost to determine what the objectives of an upgrade are okay um the grs system because of the laws and other regulations concerning how grs function is a very very sophisticated uh environment all of that has to be moved over to whatever new software at least you're going to be using it um having said that in terms of a time frame i gave 24 to 36 months because it's a lot of heavy lifting involved you know um moving a data verification of the data moves so on and so forth we took the first step on January 18th of this year by moving our in-house system to the Vita Cloud. That was a major step so it has put us on a path to making the motor version 10. What's involved in moving version 10 that's for an in-house team of stakeholders to sit down and plan that out so I can't sit here and tell you we could do it in 12 months that would be be derelict on my part okay just just know that i believe we need to be up to date and if if a meeting has to happen i think we'll have it because um we in a tech technology age we can't be behind and so okay so i i okay if that's the answer we will explore it as members i'm sure and with the administration uh mr nips when that meeting could happen and how it might affect the system uh being upgraded much much sooner that's my comment a comment uh chair Between Mr. Nives and Mr. Thomas, I thought when we talked about the software upgrade

1:57:15 from before that you guys already had a meeting with stakeholders and I mean, it was almost like you were just so happy that you had this upgrade that was bringing us a little closer to where we needed to be. I mean, a lot closer, but it sounds like two to three years, that's a long time. I agree with Trustee Russell, that's a very long time. And especially looking at the different reports that some are saying are correct or not correct. The internal reports as well as the outside reports from the Inspector General.

1:57:56 I mean, those reports do talk about us, our systems being connected to the different agencies the government as well as the central government itself um so i'm finding this like a lot to take on so you're basically saying you guys have not sat down um which brings some something more valid to the inspector general's report as it talks about that software connection it talks about that in the latest report so i'm i'm a little taken back like uh trustee russell as well so i agree with trustee russell maybe if there's a way um that we can look at this from a different angle but three years is a long time for what we have to deal with and the system as is going right now it's almost like if the system has a three-year life and this is going to take three years i mean what are we really saying so i mean that's just my input i i don't know if mr thomas or mr nibs can shed some more light on that but three years is a long time if i may true board chair uh barry please go ahead okay let me just bring some clarifications to trustee dorsey when we spoke about our grades at i think was the last board retreat we were speaking about moving our in-house platform from running on servers within the GRS main office to the cloud. And one of the major reasons for that was to set the stage for us to be ready to upgrade to the next release of v3, which would be version 10. Just for historical purposes, GRS implemented v3r in 2012. they were using equipment the system was using equipment purchase in 2011-2012 to run the v3 environment in the nine years since implementing that system all that equipment has become

2:00:09 obsolete and in a number of cases failed we have been replacing failed equipment since i came here in 2016 on a regular basis so that was one of the driving forces moving the system to the cloud number two the in-house system was using outdated software platforms that were no longer supported for example i think near the end of 2018 vitex sent mr nibs communication stating that there are certain aspects of the system they could no longer support simply because of the software versions that were being used that was also one of the reasons we moved to the cloud by us being in the cloud which we did on january of 18th of this year it puts us in a position to move to the latest release of the software moving to the latest release of the software because we are two versions behind means that there's going to have to be a lot of heavy lifting with data conversion so on and so forth more system upgrades the heaviest part of the lift is the movement of data from one version to the next because new features are added so on and so forth and a lot of things in the new release that the whole release does not support so all of that has to be worked out okay let me let me let me let me say here um i can that kind of detail we're talking about i i think we'll have to resolve a committee meeting we're going to spend some time on it because i know we went we went through that when we were in the budget committee meeting when we're discussing that line item in the budget um so um i'd like to you know

2:02:04 So to contain this discussion at this point, we will agree to discuss it in one committee meeting that we could make some more into it because we're going to have to move on to the rest of the agenda. um yeah just another question um i don't know if it's this part of the meeting but in terms of just the the coverage of meetings is there any way that these meetings could be viewed over the senate or government channel or the public station is that a possibility without incurring a costs i have no idea i'm asking someone in the administrative staff well there you can view it on our website sir plus we can do with this i mean what do you mean view it after record it and view it at a later date no live i'm not sure whether you could have company you could have um you know problems with um other is the senate use of the governor's use of the channel we'll have to check and see if they can you know carve out every other every thursday of the month every four thursday of the month for us but it's available on our website yeah but i'm saying i'm only saying i'm a senator because i think trustee russell says only had like 36 participants we have 16 000 people we only have 36 participants so i'm just wondering even if the software sometime getting there is an issue so we can have another outlet uh trusty dorsey grs streams every board meeting to its youtube channel and it's also available through the grs website youtube is the world's most ubiquitous platform for viewing almost anything under the sun um the 36 participants that you're seeing are those who choose to log into the actual zoom meeting which uh is made available through the press release um what we

2:04:33 have found is folks view the board meeting after the board meeting has taken place by going to our youtube channel and playing the meeting back i don't see how we could increase viewership other than to let the public know we have a board meeting coming up okay let me wait here let me way in and that um while while i understand that the youtube channel is available one i would say in support of member dorsey's uh suggestion is we need local retirees who might be living and synchronous in thomas and sin john who might more use the government's channel to view and get information if we could get access to retirees to that channel i think we should explore it because we need more people being active giving the input and giving suggestions and participating in in these meetings okay so i i endorse that and i'm hopeful that uh mr nibs and mr dennan you could explore some other avenue of giving local resident access okay thank you thank you okay all right mr names continue i'm complete unless someone wants to delve into the infrastructure capital outlay

2:06:23 these are projects that are ongoing and this is in fy 22 is about 1.6 million dollars proposed we want to stress that next year in fy 2023 those projects or that amount of money would decrease significantly or disappear so because these projects should be completed before uh september 30 2022. most of those big for at least the big ones are they funded the fund the source of funding is is what The funding is our money. You have project, lottery, atrium, restroom, renovations. Obviously, the restrooms, this building is an age building and things need to be updated to ADA requirements.

2:07:23 That's about $1.1 million. The transformer replacement, which we just we just let a contract for. That's $135,000. The fence wall around the chillers, since the air conditioning is now, you know, and we need to protect our chillers from anyone intruding and damaging the equipment or getting into the equipment. So we have to put a fence in around there. That contract was just let. That's $85,000. We surfaced in the parking lot. the parking lot has potholes and all of that stuff in the parking lot it'd have to be restriped that's about 125 000 security access gate we need to update the gates and that's about 15 000 and the balanced capital projects around the main building like refurbishing the pump room scraping and replaced and repainting balconies and they also restriping the parking lot, that's about $102,500. So that's the composition of the $1.6 million. The majority of that amount is $1.1 million, which has to do with improving to meet the standards of ADA compliance with bathrooms and then lobby and all of that stuff okay could i make a motion to approve their fy 2022 haven site mall budget as presented as presented correct not the haven site mall i mean i'm sorry the um 2022 budget administration

2:09:11 yeah second i'd say i had another point of clarification for mr on the capital project there's a motion on the floor we'll move in second then um you have a discussion on the motion item you want to talk yeah i was discussing i was discussing the capital projects that mr nibs just mentioned um i had requested before if in fact to mr nibs if we couldn't ask for an allotment from the senate okay for these for these monies for these capital projects and at that time i was told by mr nibs he didn't think that was a practical move that's not part of the budget the capital projects is not part of the budget there's a motion on the floor on the floor has been seconded trustee carwood yes trustee dorsey uh no trustee liger yes trustee mcdonald absent trustee russell yeah trustee smith yes chairman barry yes the chair five yes one no one absent okay The next item is the AVEN site budget.

2:10:43 Yeah, that's me. Could you put that up the highlights for me, Ms. Point of information, Chair. What's your point of information? When I asked for the budgets to be rearranged from the beginning of the meeting, I also said to you I wanted to address the Haven site and the central administrative budget as related to the report that was done by Ms. Jeremiah before you voted on it, but you didn't give me that opportunity. me that opportunity okay so is that is that is that the format you're going to use today i'm not going to get the opportunity until after you vote on both of them yeah i understand have you you you think the discussion was that we'll discuss the two budgets one after the other right but not that you were going to vote on the budget because you just voted on the budget and my my comments to the board was i wanted to discuss miss jeremiah's reports for the haven site budget and the administrative budget and i wanted to talk about 109 million as related to the administrative budget and i wanted to talk about the 1.5 million as released to the haven site budget before you vote on it i asked you that you said you were going to discuss the two budgets

2:12:30 so i wanted to do that to make my point i mean you could still vote on the budget but i wanted to make my point but you've gone ahead so actually let me discuss the heavens side budget so you're not you're not allowing me to have my presentation at this time no okay um go ahead mr there's the heaven side budget okay good morning again uh we met in the committee on uh november 13th for the haven side body budget tenants were trustee liger carwood um russell and chairman barry this budget was approved in the committee on that date all four present approved it and there was someone was absent was miss smith was absent uh we follow the same strategic plan focus as we we did in the administration budget organizational development strategic stakeholder engagement technical and infrastructure advancement financial and fiscal sustainability and growth operational efficiency and excellence this is the objective of strategic plan for the system and it incorporates haven site

2:14:16 revenues i did an update based on the amounts that were presented in the october 13th meeting through september instead of through august so rents collected from october 1 2020 to september 30 2021 rents was one bill one million nine hundred fifty four thousand four hundred and twenty eight dollars that's at the haven side more we we are projecting collections for fy 2022 on rents approximately nine point three point nine million dollars which is about 60 percent of receipts under normal operations if there was not a pandemic rents projected to receive in pandemic environment we did an analysis last year and we did the worst case best case scenario that was presented in our budget that's the extensive budget for havenside more uh worst case base case and best case and as you can see um our collections are more than what was uh projected as far as worst case best case and base case worst case was 1.6 base case was a 1.6 the same and we collected 1.9 those two million dollars in rents rents abated for the period october 1 2020 through september 30 2021 nine hundred and eight thousand six eighty three right now

2:16:08 okay rents deferred from period october 1 through september 30 2021 3.4 million dollars rents pass due as of september 30 2021 8.1 million dollars the rents pass due less the referrals as of september 30 3.9 million dollars total cash on hand as of september 30 2021 9.3 million dollars 9 343 434 dollars of which approximately 4 million or 4.1 million dollars is insurance money what was that what was that number cash on hand of september 30 2021 this um is clandoning could you move up the slide is 9 343 434 and based on what was reported in the meeting the last meeting approximately um two million himself two million seven hundred sixteen thousand one sixty five is um insurance monies operational is about six million six hundred twenty seven thousand two hundred and thirty one okay highlights on expenditures one question before you go that your um 3.99 or 3.4 million estimate for 2022 does that does that assume any comments on on um on the the deferred amount or are they what do you call them the late payment amount

2:18:23 no okay yeah um i i along the line i'm sorry to interrupt but mr nibs before let me finish let me finish um trusty yeah um i don't want to train it on okay so you have so that's 3.9 million dollars or roughly 4 million you have budgeted now that that's just 2022 collections yes we feel that the ships are coming back and um yeah i understand the part yes so so but there is an expectation that we would collect some of that deferred amount right well yes and no yes um and we're going to be very aggressive in doing that we we sent up 10 letters to to the um tenants you know weekly and try to meet with Yes, that's you're correct.

2:19:24 Oh, OK. Expenditures on page 2. Trustee Wester had a question at the time. Yeah, along the same line, when we did the tour of the Haven Site Mall, we understood the deformants. Are we expecting to collect 100% or are we giving them a discount in the view that when the cruise ships come back, you know, we will return to the regular rent. Good morning, good afternoon.

2:20:06 We are, as a committee, we are. Good morning. Mr. Langer, Mr. Langer, need to mute me. um in the committee we are discussing this the next committee meeting we may come back to the board and inform the board certain things that we will recommend um there um as a matter of fact there are two options that tenants you know like to discuss with us um i have my own take on it because some people just refuse to open their doors. Some felt it would be because of insurance purposes, they can't operate with one person, these two people, and they can't afford the employee wages. And there's so many different, you know, problems that we have. Each tenant have a different issue so we're trying to come to a meeting on the minds where we can just say look this is what we're going to do for the people that are 100 again dependent this is this is what we're going to do for those individuals who are not 100 dependent look at it see how the revenue pictures look how the expenses look for us and then maybe come back to the board with some changes yeah and just consider that some of these businesses receive federal dollars well yes we knew who received and we asked as long as you know yeah we knew and we asked

2:21:56 who um some were turned down and um some received and they had to pay the employees the payroll and all back back employees and all of that stuff so but we know exactly yeah yeah okay thank you that's that's the end of my questions mr uh barry okay for the expenditure picture um in 2022 which is column three on page two we proposed three million three hundred and ninety six thousand sixty seven dollars note that in on column one fy 2022 2021 we had proposed five million two hundred and sixty thousand four hundred sixty three dollars we expended year to date 9 30 20 2021 three million nine hundred and eighty two thousand nine hundred and nine so there's a difference between what was proposed 2021 and what was expended through 9 30 12 months of one million 277 554. so the reduction in in uh the proposals between the proposed amount between fy 2021 and fy 2022 there's a reduction of 1.1 million eight hundred sixty four thousand three hundred and ninety six dollars there's a reason for that and you know if you would like to ask say i can tell you now why because there were um there were monies in there that were um in the budget that were not expended

2:23:46 most others in capital capital yes so you need to separate that out yes yes you know and if you want to you if you want to view it you can go to those exhibits that are on the right side of that increase and decrease color but it's capital projects that we have budgeted for the generator replacement and also for the water main line with whopper so that came up to rough you know came up to a significant amount close to two million pounds so that's the reason for that significant decrease in the budget uh what we did is we said to the to uh mr chair that we will revisit that now the since we have uh we have signed a contract with hkt when time is ready we they will be able to come up with amounts through quotes as to what our needs will be for the energy project and uh so we'll come back to the board and let the board know exactly what the results of that is and since the board has already approved it i mean i don't think it would be any problem in in in accepting what is coming back they already approved approved a limit not to exceed however we could not accrue because we didn't have a contract um but the board had already obviously made a decision this is what your needs are going to be based on our estimates we didn't have a consultant at that time we didn't know which way we were going to go strategically so now now that we have a consultant they'll be able to better give us a better understanding and when we go out for quotes we'll be able to at least three quotes we'll be able to determine what the best amount is if it's over the 1.1 million dollars or whatever amongst that were

2:25:41 proposed and accepted by the board before we will come before the board and and make a plea for um additional expenditures okay uh as far as personnel recently we have 32 budgeted 32 um workforce employees at the havenside mall however there We had 13 vacancies and we can get into, you know, what those positions are. Ms. Clanninen is more in line with that. As you can see in FY 2022, we had 22 individuals on board who are proposed and we didn't have any vacancies because we didn't, at that time it was the pandemic and we didn't want to be hiring during that time, know you know rents were down we were not collecting any rents per se so we know that we can operate with at least 32 persons however 13 of those 32 positions are vacant and as you know the ships are coming back so we're gonna have to start um you know improve in increasing especially in the security area because we're having a lot of security problems over at haven site more a lot of it is spilling over from the streets you know so um not especially at nights so you have to make sure we have the proper adequate security on board um question have you budgeted for that increase in personnel yes sir and and you have identified the areas that would need some type of modification in terms of your personnel but what are those areas besides security uh you need a maintenance

2:27:43 you know um there's a lot of those in the view you know we have i think we have one or two now miss um in the bathroom the custodial we just have one uh but a need for three for property and we're interviewing for like nine additional officers um and a supervisor and one skilled maintenance worker right so what we've been doing is we have been you know augmenting we have been using if needed our maintenance or custodial from the site here and having them assist when needed but we do need a full complement the ships come back you come back at a hundred percent occupancy even even 60 or 70 percent occupancy on those ships you're really going to need custodial people you're going to need more security but it's down from it's down from like 70 70 between 75 and 80 heads count when we were uh aligned with with waiko significant drop and doing the same thing and to me and we are doing it very efficiently however we need some as the ships come back you know we're going to really have to increase the head count over at even side more to up to 32. okay good as long as it's budgeted oh yes sir yes sir thank you um other services and charges professional services the question mr nibs um in reference to the additional vacancies to be filled you said it's budgeted but where's the money coming from in the budget where is it actually coming from coming from uh operations of haven site yeah but what are revenues is covering that what

2:29:30 new revenues is covering that because we're already in the whole 1.5 million well we don't have any whatever the rents plus you must understand we have monies in the bank the thing is to bring be able to get those ships to come back in and when those ships come back in we'll be able to get back to the collection of our rents so you're going to draw down from the cash in the bank to cover these 13 openings is that what you're saying, Mr. Noobs? What do you mean draw down the cash in the bank?

2:30:07 You just said you had cash in the bank. If we have to, we will. We will have to. However, we want to make sure we could probably break even. That's the best thing right now is to break even. We would strive to get as much collections in as possible, make sure that we pressure the tenants to make payment on any past due amounts or you know come up with an installment payment if but you know with interests attached but mr nibs you're budgeting four million dollars right yes well i mean it should you know it should i mean unless something happened so that's that's the answer to the question really yeah okay thank you we would monitor this and we have monthly reports so um we can monitor this every month because monthly reports are done so in other services and charges professional services we propose $370,000 utilities, electric and water, $60,000, and capital outlay of $602,904 of the, that amount, we proposed $500,000 to budget, we proposed $500,000 to repave the asphalt, you know, repave the roads in the Havenside Mall. We have been doing some patchwork because there were heavy potholes in certain areas. So it hasn't been repaved in years. So that has to be done. And we propose out of the $602,000, $500,000 for that.

2:32:07 Mr. Sanivs, the professional or the hotel development consultant, what's the status on that? I'm not sure this was made public, but what's the status on JLL contracts? The contract has been signed with JLL. We just provided to them some financial information that they needed. We plan to have an entrance conference when attorney Smith comes back, hopefully maybe next week or week after next.

2:32:44 They are in conversation with the developer and, you know, getting to know each other and asking questions, they're going to come back to us and ask for more information, they're going to be coming down to do site visits, so that's where we are right now. okay so at what point uh will the trustees get an opportunity to talk to the consultant i thought that was going to happen based on i thought it was a flow chart showing that we would have a discussion with them prior to so they know what our what we're looking for is trustees my recommendation would be at the entrance conference mr nips this is attorney smith I really think we should not have any more discussions in open session on this, you know, I said that, I said that, that, you know, shouldn't be calling names that we call JLL because it's public knowledge that we get a contract. However, I would recommend if that we, the board could be invited to the entrance conference. We can start it that way. I'm not sure exactly what date when we attorney smith comes back i know that they requested certain financial information they may want to you know have a discussion with us on that however i would i don't have any problem inviting the board of the entrance conference okay uh the marketing the marketing and development what is what exactly is that that is after jll has given us you know all their recommendation uh not just for the for the ground least but they they have experience again mr nips

2:34:37 can we stop this conversation yeah but kathy i'm not talking anything specific i i i know but i'm concerned something might be accidentally said so no no no it never be accidentally said from me okay we have we have we have to obviously we went to the sea trade and we saw what other um countries are doing we had discussions with other countries we met with the cruise lines they have told us many they have given us many suggestions so we would need to have some type of uh consulting in that area That is what it's for. To improve them all. Okay, so that's the marketing and development. And the accounting services, the DocLink, what is that?

2:35:36 That's a tie-in with Mr. Thomas, that's the accounting software. I think there's some upgrades that have to be done. And the investigative services is what? That's for the developer. okay okay i'm not sure if i can ask anything else any other questions or could i have a motion to approve what's on it's a change move that we adopt the proposed 2022 even side budget as presented as presented and there's a second second movement second that will call trusty colwood yes trusty dorsey no trusty leiger yeah trusty mcdonald absent trusty russell yes trusty smith yes chairman barry yes five yes one no one absent okay so the medical next item on the agenda is medical review and disability policy this it says it says here discussion is so is this for discussion purpose or or do we have something to everyone to approve uh we met in the policy committee we couldn't come to a consensus so we agreed to uh move it out to the committee just so it would be in a format where the entire board of trustees could weigh in on it so we weren't we didn't have a product that we could come to agree and agree and simply that it was ready to be voted on or adopted okay so i think that's going to call for a longer discussion yeah okay what about the medical review disability policy

2:37:49 is that the same thing oh no no no so i i was speaking a reference to the medical disability policy not a procurement um policy so i mean he did he did say medical review but on the procurement there should be little discussion that was um recommended favorably from the policy committee to the board there are a couple of tweaks that um miss clendenin and i worked on yesterday but nothing controversial so that should be ready for the board's consideration the medical review is a more substantive conversation so what what we have before us um is we're seeking approval of the of the policy that came out of the policy committee for the procurement policy correct all right and there were some um minor corrections right that were supposed to be brought to the full board uh attorney will it yes mr um yes trustee um russell yes so you could explain it now and then we could go to a vote of the you know adapting it i don't think it was significant changes yeah i mean let's say the change i've read i've read the what was um there are a couple of typos and and minor issues that miss clinton and i discussed yesterday and they'll clean those up the one substantive change on the policy will be in section 10 or article 10 that discusses interests of trustees officers employees or former employees and we we agree to the following language.

2:39:55 We're gonna strike what's there and insert the following. No trustees pursuant to the conflict of interest provisions, section article 11 in the board's governance policy or employee pursuant to the conflict of interest policy section 108 of the employee handbook shall participate in the selection or in the award or administration of a contract if a conflict of interest real or apparent would be involved so that's what article 10 of this procurement policy would provide thank you and uh to the members and the chair we discussed that extensively in the policy committee and we agreed to that language so we ready to move forward depending on the questions that any member might have regarding that so i i have one question in that um mr i guess attorney williams it says conflict will or imagined so is there is there a legal construct that that deals with an imagined excuse me is there is there a legal definition for an imagined um conflict i'm not sure what you mean by an imagined conflict appearance is the word appearance

2:41:47 because of the actual and the apparent appearance it means appearance i mean i'm sorry yes um and for i don't know that there's a legal definition and there probably isn't some court decision but those um both direct and apparent conflicts are discussed in both the article 11 of the board's governance policy and i'm speaking out of term but i imagine it's also addressed in the employee handbook i don't have a specific recollection i didn't look at that but i did look at um the board's governance policy and it is addressed in there i could um add some clarity there uh shaman barry an appearance of conflict is generally the perception of the people on the board or the perception that are solved by whatever agency so in in the judiciary an appearance of conflict is expanded and you know to be a broad definition here um if a board member raises something of an appearance um it would bring into you know play this provision and would have to be ruled on by legal counsel because an appearance is more amorphous in a sense but once you know they smoke they might be fire and that's how it is is is uh interpreted in the legal definition okay okay attorney attorney um sorry trustee russell um

2:43:37 um who should be the one to actually review that conflict because the council for the board reviewing it is almost in conflict if a trustee is raising a question about another trustee it seems to me that that should be an independent council reviewing that not the same council that represents that represents supposedly both trustees i don't see how you get balance out of that okay how how it's balanced is because uh council by the legal profession is sworn of professional responsibility which includes dealing with situations like advising boards members who might have opposing views so initially your council is the one who should issue an appearance of conflict or conflict uh uh memo you only bring in outside people when the council itself have a problem and then you might want to bring in you know if if if if pedro or katie smith there's some appearance a conflict and and you don't want them to rule and they might just recuse themselves they'll recuse themselves and then we might have to bring in somebody else but other than that you have to respect the professional responsibility of a council and the oath that they took in being a lawyer and understanding that oath sorry to interrupt but you have an appointment soon yeah what what i was saying what i was saying uh trustee russell it's a little ticklish because

2:45:33 and i don't want to call names but it's a little ticklish because when you're dealing with the structure that we have how it's structured currently and you raise that question of a conflict and if you're looking to go in a certain direction you put the council of the board in a funny position in a sense because at the end of the day i mean this is the this is the the council's uh position the bread and butter so it's like this to me it should just be outside because it's so close don't don't we have both we know and we have uh uh you know council that represents the board i think we we were protected i think katie smith is in house council and williams is a different role maybe of council maybe you could explain um your role attorney williams as is opposed to um attorney smith the distinction and then he might have you know questions after that but i think that will settle it attorney williams can't hear you sorry i was on mute hi i represent the entire board if there are issues for conflict of interest i will review the facts and the law as i did in the one issue that was brought up recently and issue an opinion clearly every time i give an opinion i always stay the caveat that i only give advice and counsel the board then always have the right to either accept reject or modify any opinion or recommendations that i may give as legal counsel um i don't think i've ever had a situation where i've had a conflict so that i could not give the board proper counsel on any um conflict of interest issues at least that has not raised its head um as yet so so i've not had to address that issue but i'm sure that there are provisions that can address that, either I could recuse myself and as Attorney, I mean, Trustee Dorsey suggested, maybe at that point you may want to bring in

2:48:04 an outside or third person, but we have not had to deal with that issue. Thank you. Okay. Well, I would only say this, Attorney, sorry, Trustee Russell, you made such a compelling position on conflict of interest during the retreat um it actually far exceeds what was just said by uh council williams for the board and that's why i said to myself well it's it's still not adding up because you both made compelling arguments in a sense so it leaves me to say that we need a third party because you are of that same uh oath as our council because that's what you do in your private life so i said to myself well these are two strong positions and we didn't have that tiebreaker is what i'm saying the tiebreaker would not be attorney smith or attorney myers because they're part of the system and the and the positions that they hold it wouldn't be fair to them to put them in that predicament the proper thing would have been which i thought you would have done once you read what you read from council williams was to make the request because you made a definite compelling argument in that meeting that we had that retreat and that was the basis of why i took my position again without calling any names mr dorsey this is attorney smith you can rest assured my duty is to protect the system if there is a member of the board that has a conflict i am going to bring it to the board's attention as well as to the administrator because i am here to protect the system

2:49:56 um okay let's get back to the matter at hand which is a policy so i i will make a motion that before you before your motion uh council i'm sorry trustee russell before your motion um i i needed clarification on the procurement policy how it relates to poll votes it just seems to me if you make a procurement policy you do your rfps you don't get a response and then you come back and you want to do a poll vote because you didn't get your four votes and then you want to come back with a poll vote so it's like what was the sense of even doing the procurement in the first place so it just seems to be something trumps the other which really shouldn't be it shouldn't be that the poll vote would trump the whole policy and we didn't address that in our policy meeting it didn't come up okay so um what we have before us is it's consideration of the procurement policy somebody you're going to make a motion yes well i was asking a question chairman worry to policy chair russell we did not discuss the two in the policy committee meeting they appear to be in conflict we didn't discuss it but that don't present prevent us from adopting a policy and revisiting that issue of a poll vote uh or revisiting that issue of how a poll vote would integrate with the regular meetings and the board meetings but uh as it stands now we just need to move on adapt this policy and revisit that issue at some other time in your policy committee

2:52:08 will you make a motion go ahead and make a motion mr okay um i move that we adopt the uh procurement policy that was voted out of the policy committee with the additions and corrections that attorney williams made today and amending the policy accordingly i so move we adopted second let's move on move on seconded trusty carwood yes yes trusty liger not voting trusty mcdonald accent trusty russell Yes. Trustee Smith.

2:53:10 Yes. Chairman Bari. Yes. Five yes, one not voting, one absent. Okay. So the last one is the medical review on disability policy. yes and let me uh preface the consideration of that meeting and the outcome uh mr chairman because um in in all honesty we couldn't come to a conclusion in the policy committee we did not get gain consensus and some very important issues so we moved it to the full board consideration and if anybody is listening members i mean you know give us your comments because we want to adopt a policy that's fear and you know fear to the system and fear to the the retiree and we couldn't come up to a consensus the discussion centered around disability and the right to due process for an appeal regarding the disability and i think i would ask kathy smith to apprise the members and and the board trustees of the real issue that we face she could do it better i wanted to make a motion mr chair yeah um i actually want to move that we remove this item from the agenda and considerating a special meeting of the board of trustees because it's going to be an in-depth lengthy discussion that's exactly that's exactly what is going to ask

2:55:01 yeah second that yeah okay hallward yes trustee dorsey yes trustee liger yeah trustee mcdonnell absent trustee russell yes trustee smith yes chairman sorry yes six years one absent okay so we've table that issue for another time okay so i mean may i comment um right i i think and that issue um the sooner the the better that we have a special meeting for that but members listening you should participate because this uh directly you know may have an effect on your um involvement with the system so if you're listening when we have that special board meeting hopefully some members could participate and give suggestions thank you uh chair is there any way uh the documents that we currently have can be circulated to the members prior to that special meeting uh by documents you mean like the the the uh gers disability uh annual policy that we're going to have the special meeting on um i'm assuming so we could put it on the website i guess that's fine that's fine all right okay are we going into executive session next a motion to go to executive session well i just had a question uh for you chair prior to the

2:57:09 executive session um this is the minutes of september 23rd i'll just read what was written in the document just for clarification from you uh trustee dorsey made a motion was seconded by trustee russell to have a meeting to include undeveloped properties of the system in an upcoming investment committee agenda committee agenda trustee dorsey and trustee russell remove their motion as chairman borey where con will convene a meeting will convene a meeting in october with the investment committee to discuss the investment opportunities of the systems undeveloped properties chairman borey requested from trustee dorsey to submit the proposal to be discussed in the investment committee is that what you remember uh trustee board i don't i don't recall that okay so that's in the document that was given to us this page 10 september 23rd so what i just trying to do is get some clarification are you asking me to present something or bring investors to this meeting or you were just going to have the meeting we're We're going to have discussion among us.

2:58:32 I'll respond to that later. Let's get, let's finish this agenda. When will it be, Chair? I don't know. This is not an item on the agenda. You've already long passed the board minutes. So we're into executive session now. Need a motion to go into executive session. I move that we are going to executive session. You have to read the reasons why it's on the agenda.

2:59:15 I'm sorry. sorry 23rd and come act like the 28th is this could you see this available um the the reason stated on the agenda i don't have the agenda right before me right now okay to trade secret or financial or commercial information or personal legal matters or matters who premature disclosure will frustrate the implementation of the proposed agency action we we're dealing with personal matters and for all those reasons yeah all of those reasons yeah okay second yes trustee dorsey yes yes trustee liger trustee liger yes thank you trustee mcdonnell absent trustee russell yes trustee smith yes chairman barry yes six years one absent okay so when we go into executive session the people that are on will just be in a waiting room correct? Right, so we'll leave it.

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.

5x **Trustee Ronald Russell**
heard in this transcript as: Russell

4x **Trustee Andre Dorsey**
heard in this transcript as: Dorsey

4x **Trustee Leona E. Smith**
heard in this transcript as: Smith

2x **Senator Dwayne DeGraff**
heard in this transcript as: Degraf

2x **Senator Novelle Francis**
heard in this transcript as: Alma Francis

2x **Senator Samuel Carrion**
heard in this transcript as: Carrion

2x **Trustee Vincent Liger**
heard in this transcript as: Liger

Bills and acts referred to

Matched by number against our own acts corpus. The number is what the recognition heard, so it may be wrong; where it resolved, the title is the one the Legislature gave the act.

Bill 34-0124	Act 8489 · An Act providing an appropriation from the Internal Revenue Matching Fund for the fiscal year October 1, 2021, through September 30, 2022
Bill 34-0099	Act 8517 · November 18, 2021 · An Act amending title 3 Virgin Islands Code, chapter 25, sections 530 (g) and chapter 27, section 705(c), changing the mandatory retirement age of police officers, firefighters, and correction officers from 55 to 65
Act 8489	Act 8489 · An Act providing an appropriation from the Internal Revenue Matching Fund for the fiscal year October 1, 2021, through September 30, 2022
Act 8517	Act 8517 · November 18, 2021 · An Act amending title 3 Virgin Islands Code, chapter 25, sections 530 (g) and chapter 27, section 705(c), changing the mandatory retirement age of police officers, firefighters, and correction officers from 55 to 65

Referred to but not found in our acts corpus: Bill 34-0106