

**MINUTES OF THE
WV CONSOLIDATED PUBLIC RETIREMENT BOARD
BOARD OF TRUSTEES MEETING
MEETING OF DECEMBER 11, 2024**

A meeting of the West Virginia Consolidated Public Retirement Board (“CPRB”), Board of Trustees, was held on Wednesday, December 11, 2024, at 601 57th Street SE, Charleston, West Virginia, 25302. Due notice had been posted.

Call to Order

The meeting was called to order at 10:02 a.m. by Joseph Bunn, Chairman.

Roll Call:

Trustees participating:

Joseph G. Bunn, Chairman
Mike McKown, Vice Chairman
Garner Marks, *representing Governor James C. Justice, II*
Lindsay Marchio, Deputy Counsel, *representing State Treasurer Riley Moore*
Sarah Long, *CFO, Department of Administration*
Bill Barker
Woodrow Brogan
Michael Corsaro
D. Todd Murray
Brad Mankins
Beth Morgan
Dominique Ranieri
Jeff Vallet

Trustees absent:

Rhonda Bolyard
Daniel Cart
Larry Cole
Jeffrey Waybright, *representing State Auditor John B. McCuskey*

A quorum was present.

Others present:

Jeffrey E. Fleck, CPRB Executive Director
Kimberly Pauley, CPRB Executive Assistant
Terasa Miller, CPRB Deputy Director

Jeaneen Legato, Esquire, CPRB General Counsel
Alysia Miller, CPRB Paralegal
Patricia Bowgren, CPRB IT Staff
Christine Fernandes, CPRB CIO
Tina Baker, CPRB Internal Auditor
Ken Woodson Jr., CPRB Board Actuary
David Arreaga, Actuarial Analyst Trainee
Gabriele Wohl, Bowles Rice
Craig Slaughter, WVIMB
Don Jurgens, Empower
Chris Meadows, Empower
Elizabeth Cooper, CPRB Chief Financial Officer
Cindy Adkins, CPRB HR Manager
Sharon Whittaker, CPRB Deaths & Refunds Manager
Shawn Cunningham, CPRB Refunds

TAB 1
APPROVAL OF OCTOBER 9, 2024 MINUTES

Chairman Bunn stated that he would entertain a motion to approve the minutes of the October 9, 2024, meeting of the CPRB Board of Trustees.

Mr. McKown made a motion that the Board approve the minutes of the October 9, 2024 meeting minutes. Mr. Vallet seconded the motion. The motion was adopted.

The minutes were located behind Tab #1 of the Board materials.

TAB 2
REPORT OF THE EXECUTIVE DIRECTOR

Chairman Bunn recognized Jeffrey Fleck, Executive Director, to give his report to the Board which included the following information:

1. ***New Employee-*** Director Fleck welcomed Shawn Cunningham to CPRB refunds section.
2. ***Board Recognition-*** Director Fleck took a moment to recognize and congratulate Board member Dominique Ranieri. She is featured in the magazine West Virginia Executives.
3. ***Quotes Notes & Anecdotes*** – Director Fleck informed the Board that CPRB has two employees nominated for employee of the year and recognized Tracy Batman and Lindsey Atkins for earning the nomination and wished them both good luck at the ceremony later today to announce the winner.
4. ***CPRB Operational Metrics*** – Director Fleck reviewed the metric charts for October 2024 and 2023. He announced that since last year, there has been improvement in the average processing time of retirements. He stated that the average number of days to first check has been reduced from 34 days to 30 days in PERS and in TRS it was cut from 45 days to 37 days. Director Fleck thanked the CPRB staff for their efforts in getting these retirements processed so efficiently.

5. **TDC Statistics** – Director Fleck stated that the TDC Plan, which has been closed to new enrollees since 2005 and has 3,459 participants and the total plan assets were \$743,034,956 as of October 31, 2024.
6. **Delinquent Employers** – Director Fleck reported that Green Acres Regional Center has paid off their balance. He mentioned that the Barbour County Health Department is the only agency on the list this month and they are one month behind due to financial difficulties in remittance of the employer portion of the contributions.
7. **Monthly Financials** – Director Fleck stated that financial reports for the months of October and November are in his report. He reported that the period ending November 30, 2024 shows that the agency is operating at 83.5% of the budget.
8. **Outreach update**- Director Fleck informed the Board that Lindsey Atkins, CPRB Outreach Officer will have several sessions scheduled for the beginning of the new year. He noted that a copy of all seminar dates is always posted on the CPRB Website. Director Fleck thanked Ms. Atkins for her efforts.
9. **Award**- Director Fleck was proud to announce that for the fourth year in a row the CPRB has won the Public Pension Standard Award.
10. **Senate Bill 439**- Director Fleck reviewed all provisions in Senate Bill 439 that the West Virginia Legislature passed on March 9, 2024. He reviewed the 911 PERS to EMSRS transfer information. Director Fleck announced that the bill did pass, and the transfer will take place in January 2025.
11. **Internal Privacy & Fraud Committee**- Director Fleck informed the Board that CPRB has created a committee to review and share ideas to keep members safe from fraud and identity theft activity. He mentioned they have met several times and plan to have monthly meetings to stay on top of all potential issues that could arise.
12. **2024 CPRB Accomplishments**-Director Fleck started by saying that CPRB continues to adapt to an ever-changing environment to meet our customers’ needs. He reviewed all the accomplishments and thanked the CPRB staff for their efforts.
13. **Signage Update**- Director Fleck reported that the new administration will let him know when the sign will be installed.
14. **Proposed 2025 Board meeting dates**- He reviewed the dates, and a copy of the new proposed dates are on the CPRB website and emailed to all Board members.

Director Fleck offered to answer questions from the Board. There were none.

The Executive Directors report is located behind tab #2 of the Board materials.

TAB 3 PLANS INVESTMENT DATA

WVIMB Report—Craig Slaughter

Chairman Bunn recognized Craig Slaughter, of the WV Investment Management Board, to give an update on the Plans Investment Data.

Mr. Slaughter started by reviewing the returns as of October 31, 2024 saying that October was a bad month number wise, but November has shaped up to be very good. Mr. Slaughter stated that with the last quarter of the fiscal year being up across the board. Mr. Slaughter explained that

the economy slowed but did not go into a recession. He informed the Board that the markets were up with the US equity markets up 6.6 percent and international markets were down 1%. He added bonds were up 1%.and informed the Board that markets appeared to be optimistic. Mr. Slaughter reviewed the investment data and the performance report for the board.

Mr. Slaughter asked if there were any questions from the Board. There was a brief discussion among the Board members.

Empower Report—Chris Meadows, Empower Retirement

Chairman Bunn recognized Chris Meadows of Empower Retirement who gave an update on the TDC Plan. Mr. Meadows recognized Mr. Jurgens and offered him a chance to address the Board.

Mr. Meadows updated the Board on the TDC outreach sessions. He reported that he had conducted 994 educational counseling sessions and 408 distribution counseling sessions since the beginning of the year for a total of 1,402 sessions year to date.

Mr. Meadows reviewed all mailers that went out to the plan participants including the National Retirement Survey mailer and he reviewed the slides for the Board members.

Mr. Meadows updated the Board on the TDC investment performance. He began by saying that the third quarter proved to be successful with every major category showing positive gains.

He informed the Board that positive economic data set the stage for a robust equity market over the last three months. Mr. Meadows reviewed the economic overview as of October 31, 2024. He mentioned that mid cap and small cap stocks both look good.

Mr. Meadows stated that foreign stocks came in with a gain of 7%. Mr. Meadows informed the Board that the funds in the lineup continue to perform well and stated that the committee voted to replace the Western asset core plus bond and this fund is set to be replaced in 2025 and he explained that Empower has given options to the Committee.

Mr. Meadows then asked if there were any questions. There was a brief discussion.

The Plans Investment Data, TDC Educational Meeting reports, TDC Outreach materials and the TDC Investment Report were located behind Tab #3 of the Board materials.

TAB 4 LEGAL COUNSEL REPORTS

Report of In-House Legal Counsel – Jeaneen Legato

Chairman Bunn recognized Jeaneen Legato, In-house Legal Counsel, to give her report to the Board.

Ms. Legato updated the Board on the appeal of James Hendricks case that is a TRS Military service credit appeal. Mr. Hendricks is represented by Kimberly Dotson, The masters Law Firm. Ms. Legato stated that on November 12, 2024, the court entered a scheduling order which requires the administrative record to be filed by December 2, 2024, and the petitioners brief to be filed by January 9, 2025.

Ms. Legato also updated the Board on the Dondi Stemple case and informed the Board that the Intermediate Court has issued an Opinion vacating and remanding this case back to the Retirement Board for further proceedings to determine whether an “error “occurred pursuant to the error correction statute. Ms. Legato informed Chairman Bunn that she would like to discuss pending litigation and go into an executive session.

Executive Session

Chairman Bunn stated that there was a legal matter that needed to be discussed in executive session, and he would entertain a motion to go into executive session, as allowed by WV Code §6-9A-4.

Bill Barker made a motion to go into executive session to discuss legal matters. Brad Mankins seconded the motion. The motion was adopted.

The Board went into executive session at 11:36 a.m.

Chairman Bunn reconvened the public session of the December 11, 2024 meeting of the Board of Trustees from executive session at 11:56 a.m.

Chairman Bunn announced the Board was in Executive Session to discuss legal matters as allowed by West Virginia Code §6-9A-4 and that no decisions were made during the Executive Session.

Ms. Legato then offered to answer questions. There were none.

Report from Outside Legal Counsel -Gabriele Wohl -Bowles Rice

Chairman Bunn recognized Gabriele Wohl, Outside Legal Counsel, to give her report to the Board.

Ms. Wohl reported on the ongoing longstanding litigation matters with pending case *Clark/Division of Natural Resources (DNR)*. Ms. Wohl stated that Judge Bailey entered a Certified Order on March 21, 2024 staying this matter until the certified questions have been decided by the Supreme Court of Appeals and a decision is certified back to Circuit Court. The certified question is fully briefed as of August 6, 2024 and we are awaiting a decision.

Ms. Wohl informed the Board that there is one administrative appeal pending. She stated that CPRB advised Hearing Officer Anne Charnock that Chet Burgess had requested an administrative hearing and provided her with a copy of his administrative file. The hearing took place on August 6, 2024, and Hearing Officer Charnock found in favor of CPRB. Burgess appealed this decision to the Intermediate Court of Appeals, and the Intermediate Court of appeals has entered a scheduling order, with all briefing to be completed by February 25, 2025.

Ms. Wohl informed the Board that she has been meeting with Director Fleck and Deputy Director Miller to review proposed legislation and to put together a legislative agenda for the upcoming 2025 legislative session.

Ms. Wohl then offered to answer questions. There were none.

The reports of the In-House and Outside Legal Counsel were located behind Tab #5 of the Board materials.

**TAB 5
COMMITTEE REPORTS**

Disability Review Committee – Todd Murray

Chairman Bunn recognized Mr. Murray to give the report of the Disability Review Committee. Mr. Murray reported that the Committee had met on Tuesday, October 9, 2024. and made the following recommendations to the Board for their approval:

System	Approved Total Non-Duty	Denied Total Non-Duty	Approved Total Duty	Denied Total Duty	Total
PERS	12	3	1	1	17
TDC	2	0	0	0	2
TRS	7	1	0	0	8
EMSRS	0	0	0	1	1
TOTALS	21	4	1	2	28

Chairman Bunn stated that he would entertain a motion to accept the recommendation of the Disability Review Committee.

Mr. Corsaro made a motion that the Board accept and approve the Disability Review Committee’s recommendation concerning the disability retirement applications. The motion was seconded by Mr. Barker. The motion was adopted.

Accounting & Audit Committee- Mike McKown

Chairman Bunn recognized Mr. McKown to give the report of the Accounting and Audit Committee. Mr. McKown started by informing the Board that the Committee met on Tuesday December 9, 2024. Mr. McKown informed the Board that three items of

business need Board action. He reviewed the CY 2023 Internal Audit Compliance review for the Board.

Chairman Bunn stated that he would entertain a motion to accept and approve the 2023 Internal Audit Compliance review.

Mr. Vallet made a motion that the Board adopt the CY 2023 Internal Audit Compliance review. Mr. Corsaro seconded the motion. The motion was adopted.

Mr. McKown reviewed the Audit of State Police Cost of Living adjustments (COLA's) and there were no findings. He reported that board action is needed.

Chairman Bunn stated that he would entertain a motion to accept and approve the Internal Audit of the State Police COLA's.

Mr. Barker made a motion that the Board adopt the Internal Audit State Police COLA's. Mr. Vallet seconded the motion. The motion was adopted.

Mr. McKown reviewed the Annual Comprehensive Financial Report and reported that he would like to have full Board approval .

Chairman Bunn stated that he would entertain a motion to accept and approve Annual Comprehensive Financial Report.

Mr. Vallet made a motion that the Board adopt the Annual Comprehensive Financial Report. Mr. Barker seconded the motion. The motion was adopted.

Investment & TDC Committee – Jeff Vallet

Chairman Bunn recognized Mr. Vallet to give the report of the Investment Committee.

Mr. Vallet reported that the Committee met on Tuesday, August 27, 2024. The committee listened to the quarterly updates and presentations. He informed Chairman Bunn that there are three items that need Board approval at this time. Mr. Vallet informed the Board that the Committee decided to replace the Western Asset Core Group fund that was on the watch list. He mentioned that the committee voted to add three additional funds to the portfolio allowing our TDC participants to invest in. He stated that the funds that were added were the Empower Lifetime 2030, 2040, 2050 and funds need Board action.

Chairman Bunn said that he would entertain a motion to approve the Empower Lifetime 2030, 2040, 2050 trusts funds being added in the Investment Committee.

Mr. Vallet made a motion to approve the Empower Lifetime 2030, 2040, and 2050 trusts being added. Mr. Murray seconded the motion. The motion was adopted.

Mr. Vallet explained the second item for Board action is that the Investment Policy Statement had some slight modifications.

Chairman Bunn said that he would entertain a motion to approve the modifications to the Investment Policy Statement made by the Investment Committee.

Mr. Vallet made a motion to approve the modifications to the Investment Policy Statement made by the Investment Committee. Mr. Waybright seconded the motion. The motion was adopted.

Mr. Vallet reviewed the Institutional Separate Platform Funds and informed the Board that the committee voted to stop collecting fees on funds effective January 1, 2025 and needs Board action.

Chairman Bunn said that he would entertain a motion to approve to stop collecting funds on the IS Platform funds effective January 1, 2025.

Mr. Vallet made a motion to approve to approve to stop collecting funds on the IS Platform funds effective January 1, 2025. Mr. Brogan seconded the motion. The motion was adopted.

Mr. Vallet offered to answer questions from the Board and a brief discussion was heard.

**TAB 7
OLD BUSINESS**

Chairman Bunn inquired as to any old business to come before the Board. None was heard.

**TAB 8
NEW BUSINESS**

Chairman Bunn inquired as to any new business to come before the Board. Director Fleck informed the Board that Tim Abraham the Chief Compliance officer resigned, and he thanked Tim for all his efforts and wished him the best. Chairman Bunn thanked every member of the Board for all their time and effort they put into the Board of Trustees. Chairman Bunn and Director Fleck wished everyone a Merry Christmas and a safe and Happy New Year.

ADJOURNMENT

Chairman Bunn stated there being no further business to come before the Board, the meeting was adjourned at 11:59 a.m.



Joe Bunn, Chairman
WV Consolidated Public Retirement Board



Jeffrey E. Fleck, Executive Director
WV Consolidated Public Retirement Board