

NOTE: These minutes of the December 7, 2012 Benefits Committee meeting were approved at the January 25, 2013 Committee meeting.

**Benefits Committee
Board of Trustees
December 7, 2012**

Public Minutes

**New Hampshire Retirement System
54 Regional Drive
Concord, NH 03301**

Committee Members: Kate McGovern, Ph.D., *Chair*; David McCrillis, Jack Wozmak, *via telephone*. Don Roy and George Walker, *absent*.

Trustee: Guy Scaife

Staff: George Lagos, *Executive Director*; Tim Crutchfield, Esq., *Chief Legal Counsel*; Denise Call, *Director of Employer Services*; Carolyn Johnson, *Hearings Examiner*; Chris Stoddard, *Retiree Services Team Lead*; Shannan Hudgins, *Administrative Coordinator*.

Chair McGovern called the Committee meeting to order at 1:00 p.m. and requested a motion to approve the public minutes dated October 29, 2012. Moved by Trustee Wozmak, and seconded by Chair McGovern, the motion was approved with Trustee McCrillis' affirmative vote. The Chair requested the record reflect Trustee McCrillis was not in attendance at the October meeting.

Chair McGovern stated she would entertain a motion to temporarily adjourn the meeting to consult with legal counsel under RSA 91-A:2, I(b). Moved by Trustee McCrillis and seconded by Trustee Wozmak, the motion passed unanimously.

On a motion by Trustee Wozmak, seconded by Trustee McCrillis, the Committee unanimously voted to reconvene the Committee meeting. At that time, Trustee Wozmak made a motion, seconded by Trustee McCrillis, to seek recoupment in three pending matters. The motion was approved unanimously.

Chair McGovern next opened the discussion of Reconsideration of the Matter of Leon Forcier, a matter that the Board of Trustees had referred to the Committee for further review at its November 13, 2012 meeting.

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Chair McGovern had requested Trustee Scaife attend the Committee meeting and discuss his views of the case.

Trustee Wozmak stated that his interpretation of the applicable statute and staff's application of it in this case were clear and straightforward. Trustee Scaife stated that in the strictest interpretation of the case, Mr. Forcier was not eligible for the additional month's retirement benefit, but that he believed the case required a discretionary allowance by the Board. Trustee Scaife stated he believed there might be a legitimate way to allow Mr. Forcier to pay back his retirement contributions for the eight hours he worked in the month of August, thereby allowing his retirement date to be August 1, 2012.

A lengthy discussion ensued between Trustees and Staff that included controlling statutes and NHRS rules regarding retirement application deadlines, creditable service hours, IRC requirements of termination and the equitable discretion of the Board.

On a motion by Trustee Wozmak, seconded by Trustee McCrillis, the Committee unanimously voted to uphold the conclusion of the Hearings Examiner that Mr. Forcier's statutory retirement date was September 1, 2012.

On a motion by Trustee Wozmak, seconded by Trustee McCrillis, the Committee unanimously voted to adjourn the meeting at approximately 2:30 p.m.

Respectfully submitted,
Shannan Hudgins