

These minutes were approved at the July 9, 2013 Committee meeting.

**NHRS Board of Trustees' Benefits Committee**

**May 10, 2013 Public Minutes**

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

*Committee Members:* George Walker, *Presiding*; David McCrillis and Jack Wozmak, telephonically. Don Roy, *absent*.

*Trustee:* John Beardmore.

*Staff:* George Lagos, *Executive Director*; Tim Crutchfield, *Chief Legal Counsel*; Denise Call, *Director of Employer Services*; Carolyn Johnson, *Hearings Examiner*; Mark Cavanaugh, *Regulatory Compliance Officer/ Staff Attorney*; Kathy DeNutte, *Employer Services Team Lead*; Chris Stoddard, *Retiree Services Team Lead*; Shannan Hudgins, *Administrative Coordinator*.

Trustee Walker called the Committee meeting to order at 11:04 a.m. and requested a motion to approve the public and non-public minutes of the March 28, 2013, meeting. Moved by Trustee Wozmak, and seconded by Trustee McCrillis, the minutes were approved unanimously.

On a motion by Trustee Wozmak, seconded by Trustee McCrillis, the Committee unanimously voted to enter into non-public session under RSA 91-A:3, II(c) to discuss a matter, which if discussed in public, could adversely affect the reputation of someone other than a member of the public body, on a roll call vote, as follows:

*Ayes:* Trustees McCrillis, Wozmak, and Walker.

*Nays:* None.

Staff members Kathy DeNutte and Chris Stoddard left the meeting.

On a motion by Trustee McCrillis, seconded by Trustee Wozmak, the Committee unanimously voted to conclude the non-public session. Ms. DeNutte and Ms. Stoddard returned to the meeting.

On a motion by Trustee Wozmak, seconded by Trustee McCrillis, the Committee unanimously voted to recommend to the full Board that it uphold the Hearings Examiner's Recommendation in the matter of H. Colter.

Next, the Committee discussed Staff's request to delay the option factors implementation from July 1<sup>st</sup> to August 1<sup>st</sup>, taking into consideration the financial impact on members and staff work load in processing the large number of teacher retirements for the July payroll. On a motion by Trustee McCrillis, seconded by Trustee Wozmak, the Committee voted unanimously to recommend to the full Board that it authorize staff to implement the actuarial option factors effective August 1, 2013.

In addressing the Call Firefighter benefit, Mr. Lagos discussed staff's research in reviewing the controlling statute (RSA 100-A:19), determining current and past enrollment figures, and identifying the two current benefit recipients and the amounts paid to them, including the cost-of-living adjustments that have been paid. Following an in-depth discussion, on a motion by Trustee McCrillis, seconded by Trustee Wozmak, the Committee unanimously voted to recommend to the full Board that it approve staff recommendations regarding the administration of RSA 100-A:19.

On a motion by Trustee Wozmak, seconded by Trustee McCrillis, the Committee unanimously voted to enter into non-public session under RSA 91-A:3, II(e) to discuss the current Gagnon and Belknap county legal actions on a roll call vote, as follows:

*Ayes:* Trustees McCrillis, Wozmak, and Walker.

*Nays:* None.

Staff members Carolyn Johnson, Kathy DeNutte and Chris Stoddard left the meeting.

On a motion by Trustee McCrillis, seconded by Trustee Wozmak, the Committee unanimously voted to conclude the non-public session. Atty. Johnson, Ms. DeNutte and Ms. Stoddard returned to the meeting.

On a motion by Trustee Wozmak, seconded by Trustee McCrillis, the Committee unanimously voted to recommend that the full Board pursue full recoupment in the Gagnon matter.

Atty. Crutchfield provided an update on the administrative process review which had been reviewed internally as well as by two external attorneys experienced in administrative law. A general discussion of ordinary disability, Social Security disability and Medicare eligibility, and accidental disability followed. In conclusion, Atty. Crutchfield noted that the pending court

May 10, 2013 NHRS Board of Trustees, Benefits Committee

decision in the Welch matter might be heard by the NH Supreme Court in June, with a decision rendered approximately three months following oral argument and that counsel was comfortable maintaining the current process until that decision is issued.

On a motion by Trustee Wozmak, seconded by Trustee McCrillis, the Committee meeting was adjourned at approximately 12:08 p.m.

*Respectfully submitted,  
Shannan Hudgins*