

NOTE: These minutes from the May 8, 2017 Benefits Committee meeting were approved at the July 5, 2017 Committee meeting.

**Benefits Committee
Board of Trustees
May 8, 2017**

Public Minutes

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

Committee Members: George Walker, *Chair*, John Beardmore, Germano Martins, David McCrillis, and Don Roy.

Staff: George Lagos, *Executive Director*; Tim Crutchfield, Esq., *Chief Legal Counsel*; Mark Cavanaugh, Esq., *Associate Counsel and Compliance Officer*; Nancy Miller, *Director of Member Services*; and Heather Fritzky, *Controller*.

Committee Chair Walker called the Benefits Committee meeting to order at 1:03 p.m. On a motion by Trustee Beardmore, seconded by Trustee Martins, the minutes from the April 3, 2017, Benefits Committee meeting were unanimously approved.

Staff informed the Committee that it was reviewing two additional physicians to conduct physical independent medical exams. Staff also indicated it will be drafting a revision to clarify a GO rule as a result of an internal audit.

The Committee then discussed the Bulkley recommendation with Atty. Michael Delaney of the McLane law firm. At approximately 1:15 p.m., on a motion by Trustee Martins, seconded by Trustee Roy, the Committee voted unanimously to temporarily adjourn to consult with legal counsel under RSA 91-A:2, I(b).

At approximately 2:00 p.m., on a motion by Trustee McCrillis, seconded by Trustee Beardmore, the Committee unanimously voted to reconvene the public session and took an immediate recess until 3:00 p.m. Trustee McCrillis excused himself from the meeting upon the recess.

Following the recess, on a motion by Trustee Beardmore, seconded by Trustee Martins, the Committee unanimously voted to recommend to the full Board that it deny the Hearing Examiner's recommendation and remove the matter from the jurisdiction of the Hearings Examiner and schedule a hearing before

an alternative Hearings Examiner. In conducting the hearing, the alternative Hearings Examiner is requested to address in his or her factual and legal analysis the following issues:

- (1) whether, under New Hampshire law and any applicable administrative rules of the Board of Education, a school district is authorized to contract with a private entity to exercise or assume responsibility for a superintendent's supervisory duties over a school principal, or over a person performing the functions of a school principal;
- (2) whether, under New Hampshire law and any applicable rules of the Board of Education, a superintendent may relinquish control over the performance of a school principal, or over a person performing the functions of a school principal;
- (3) whether, under New Hampshire law and any applicable administrative rules of the Board of Education, a private entity may control the details of work of a school principal, or control the details of work of a person performing the functions of a school principal; and
- (4) whether the contract between the Allenstown School District and Granite State Transitional Principals is an *ultra vires* contract?

On a motion by Trustee Beardmore, seconded by Trustee Martins, the meeting was adjourned at approximately 3:20 p.m.

Respectfully submitted,
Timothy Crutchfield