

**MINUTES OF MEETING  
COUNTY EMPLOYEES RETIREMENT SYSTEM  
BOARD OF TRUSTEES SPECIAL CALLED MEETING  
MARCH 31, 2022 AT 2:00 P.M. ET  
VIA LIVE VIDEO TELECONFERENCE**

At the special called meeting of the County Employees Retirement System Board of Trustees held on March 31, 2022 the following members were present: Betty Pendergrass (Chair), Dr. Patricia Carver, George Cheatham, Michael Foster, Dr. Merl Hackbart, Dr. Martin Milkman, William O'Mara, and Jerry Powell. Staff members present was CERS CEO Ed Owens, III, KRS CEO John Chilton, David Eager, Erin Surratt, Michael Board, Steven Herbert, Vicki Hale, Glenna Frasher and Sherry Rankin. Others present included Ben Johnson and Eric Branco with Johnson Bowman and Branco; Benjamin Lewis with Dentons; and Paul Harnice and Christopher Schaefer with Stoll Keenon Ogden.

Ms. Pendergrass called the meeting to order.

Mr. Board read the Legal Opening Statement.

Ms. Rankin took Roll Call. There were submissions of public comment received. Ms. Rankin read the following:

"My name is Catherine New I am a retiree of Jefferson District Court in Jefferson County. I retired in May of 2007, I was hired August of 1978. And as of this date I have not received a pay raise of any kind. It is truly sad we as employees who put all the years of service to the state and do a very important job. Get no respect for our service, in way of any kind of pay raise cost of living or anything. The cost as you all know what it takes just to live, and we are the same. And of course we don't qualify for food stamp, so we are struggling terribly, some have got other jobs, but ones of us who have health issues aren't that lucky to do so, some even have spouses, but I don't I'm single and it is hard trying to figure out is food more important or are my meds. So, I am pleading for you to please consider so kind of a cost of living raise for us retirees. Thank you for listening. Cathy New"

The following public comment was received multiple times, but only read one time:

“CERS hasn’t had an increase since 2012. During times of surplus in the Commonwealth, some attention should be given to the unfunded liability and the folks who have gone a decade without a COLA. There are also potential new revenue streams that always seem to be stuck in the mud that could help. While everyone must do their share and recognize the unfunded liability, a “forever” freeze on COLA is an unfair burden on pensioners, especially with the inflation experienced by everyone. I would expect the Kentucky Public Pension administrators to lobby for increases for the pension members.

Mark Doran, Pension Member (Retired - Louisville Metro Government)

Linda Noe, Retired CERS Member

Edwin Noe, Retired CERS Member”

Ms. Pendergrass indicated that due to this being a special called meeting, these public comments cannot be discussed and asked that they be brought to the April meeting. She introduced agenda item *Closed Session*. Mr. Powell made a motion and was seconded by Dr. Milkman to go into closed session for the purpose of litigation. The motion passed unanimously.

Ms. Pendergrass read the following closed session statement, “A motion having been made in open session to move into a closed session for a specific purpose, and such motion having carried by majority vote in open, public session, the Board shall now enter close session to consider litigation, pursuant to KRS 61.810(1) (c), because of the necessity of protecting the confidentiality of the Systems’ litigation strategy and preserving any available attorney-client privilege”.

Ms. Pendergrass stated that the Board will be taking no action as the result of the closed session discussions and opened the floor for adjournment. Mr. Powell made a motion and seconded by Mr. Foster to adjourn the meeting. The motion passed unanimously.

Copies of all documents presented are incorporated as part of the Minutes of the Board of Trustees held March 31, 2022 except documents provided during a closed session conducted pursuant to the open meetings act and exempt under the open records act.

## CERTIFICATION

I do certify that I was present at this meeting, and I have recorded the above actions of the Trustees on the various items considered by it at this meeting. Further, I certify that all requirements of KRS 61.805-61.850 were met in conjunction with this meeting.

  
Recording Secretary

I, the Chair of the Board of Trustees of the County Employees Retirement System, do certify that the Minutes of Meeting held on March 31, 2022 were approved on April 20, 2022.

  
Chair of the Board of Trustees

I have reviewed the Minutes of the March 31, 2022 Board of Trustees Meeting for content, form, and legality.

  
Executive Director  
Office of Legal Services