

**MINUTES OF MEETING  
BOARD OF TRUSTEES COUNTY EMPLOYEES RETIREMENT SYSTEM  
SPECIAL CALLED MEETING SEPTEMBER 1, 2021 AT 10:00 A.M.  
VIA LIVE VIDEO TELECONFERENCE DUE TO SB 150,  
SIGNED INTO LAW BY THE GOVERNOR ON MARCH 30, 2020,  
AND EXECUTIVE ORDER 2020-215 DECLARING A STATE OF EMERGENCY  
EFFECTIVE MARCH 6, 2020 DUE TO COVID-19**

At the meeting of the County Employees Retirement System Board of Trustees held on September 1, 2021 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 member present was Ed Owens.

Ms. Pendergrass called the meeting to order and read the Special Called Meeting COVID-19 statement due to SB 150.

Ms. Sherry Rankin took Roll Call. No public comment was submitted.

Ms. Pendergrass introduced agenda item *Closed Session – Litigation*. Dr. Milkman made a motion and Mr. Powell seconded to go into closed session. The motion passed unanimously.

Ms. Pendergrass read the following 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 closed session to consider litigation, pursuant to KRS 61.810(1)(c), because of the necessity of protection the confidentiality of the Systems' litigation strategy and preserving any available attorney-client privilege.

There being no action taken regarding the discussion in the closed session, Mr. Powell made a motion and Mr. Foster seconded to file a response to the pending litigation of 21-CI-00617. The motion passed unanimously.

Mr. Foster made a motion and Dr. Hackbart seconded 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 September 1, 2021 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 September 1, 2021 were approved on September 15, 2021.

  
Chair of the Board of Trustees

I have reviewed the Minutes of the September 1, 2021 Board of Trustees Meeting for content, form, and legality.

  
Executive Director  
Office of Legal Services