

February 19, 2021

OPEN SESSION MINUTES: SPECIAL MEETING
THE BOARD OF TRUSTEES OF THE POLICE RETIREMENT SYSTEM OF ST. LOUIS

The special meeting of the Board of Trustees of The Police Retirement System of St. Louis was held on Friday, February 19, 2021 at 3:00 P.M. via electronic formats.

Trustees and staff members were invited to participate either in person or via a Zoom video meeting.

Chairman Leopold called the meeting to order at 3:05 P.M. at which time he took Roll Call and confirmed a quorum with the following Board members in attendance either in-person or electronically via Zoom:

Det. Wallace K. Leopold, Chairman
Sgt. Michael A. Frederick, Retired
Det. Leo G. Rice
Det. Samuel G. Zouglas, Retired
Capt. Michael J. Mueller
Ms. Ann Hunter (via Zoom)
Mr. Richard Kismer (via Zoom)

Trustees Ms. Beverly Fitzsimmons and Sgt. Gary R. Wiegert, Retired were absent.

Others present were:

Mr. Mark Lawson, Executive Director
Ms. Diane Priest-Dailey
Mr. George Weindel (via Zoom)

Chairman Leopold informed the Board that Marquette Associates will be holding the trustee training via Microsoft Teams on Thursday, March 4, 2021 at 2:00 P.M. Trustees that are not able to attend meeting may view the recorded training at a later date. This training will satisfy the annual education requirement.

1. Letter of Engagement – Bruntrager & Billings, P.C. – Legal Committee Chairman Zouglas reported to the Board the letter of engagement was received from Bruntrager and Billings, P.C. to perform the investigation on Trustee Gary Wiegert's conduct and accusations of fraud.

MOTION

Chairman Zouglas moved that the Board accept the letter of engagement letter and hire Bruntrager & Billings, P.C. to perform the investigation on Trustee Gary Wiegert's conduct and accusations of fraud.

Motion was seconded by Trustee Leopold.

Chairman Leopold called for a Roll Call vote; and upon vote, the following was recording:

<u>Yes</u>	<u>No</u>		
Sgt. Frederick	0	Yes – 7	No– 0
Ms. Hunter			
Mr. Kismer			
Chairman Leopold			
Capt. Mueller			
Det. Rice			
Det. Zouglas			

Motion passed 7 to 0.

Chairman Leopold moved to Item 3 at this time.

3. Ann. M. McNail – Legal Committee Chairman Zouglas reported that the Committee recommends hiring outside legal counsel for another opinion on the responsibility of the Board members involvement in investigating disability cases. The Legal Committee interviewed three attorneys and recommends Mr. Stanley Schroeder to obtain a legal opinion on ability and involvement to investigate disability cases.

MOTION

Trustee Zouglas moved that the Board hire Mr. Stanley Schroeder to provide a legal opinion of the Board members ability and involvement to investigate disability cases at \$225.00/hour with an estimate of 8 billable hours or less.

Motion was seconded by Chairman Leopold.

Discussion ensued and before the vote the agreement was forwarded to Trustees Hunter and Kismer that were attending via Zoom to review.

Chairman Leopold passed this item down until agreement is reviewed for vote and moved to Item 2 at this time.

2. Proposed Legislation Affecting The Police Retirement of St. Louis – Co-Chairmen Frederick and Mueller reported HB 1037 filed by Rep. Roden returns the St. Louis Metropolitan Police Department to the Board of Police Commissioners under the State of Missouri. Also included in the Bill would be a change to the membership of the Board of Trustees of the Police Retirement System. It would give the Mayor of the City of St. Louis an extra appointment by eliminating a retiree member of the Board. It would also put the Board of Police Commissioners President as a member of the PRS Board of Trustees. The Legislative Committee discussed this matter and recommends opposing this legislation, because of the changes to the PRS Board membership. However, if the language changing membership of the Board of Trustees was removed from the legislation, the Committee would recommend the Board to support the Bill. The Board

will compose a letter and send to Rep. Roden, all labor groups and the Board's Lobbyist, Mr. John Bardgett, stating the Board of Trustees has no objection to the legislation relative to its proposed changes to governance of the SLMPD, however, by removing a retiree from the Board of Trustees and giving the appointment to the Mayor of the City of St. Louis, the Board would be in opposition of the Bill. The cure would be to remove the Pension System from the legislation.

Discussion ensued.

MOTION

Trustee Frederick moved that the Board of Trustees take a position in opposition to the language of House Bill 1037 of changes to the makeup of the current Pension Board and a letter be composed and sent to Rep. Roden, all labor groups, the Mayor of the City of St. Louis and PRS Board Lobbyist, Mr. John Bardgett, to advise the PRS Board's position.

Motion was seconded by Chairman Leopold; and upon vote, the following was recorded:

Yes - 7

No - 0

Motion passed 7 to 0.

Chairman Leopold moved to Item 4 at this time.

4. Ann M. McNail – Request to postpone March 9, 2021 Special Board Meeting & Resumption Formal Hearing. Disability Committee Chairman Frederick stated until the legal opinion is received by Mr. Stanley Schroeder the Board needs to postpone the Special Board meeting scheduled for March 9, 2021.

MOTION

Trustee Frederick moved that the Board postpone the March 9, 2021 Special Board meeting to resume the Formal Hearing of P.O. Ann M. McNail until the legal decision is rendered as to the investigative abilities of the Board of Trustees.

Motion was seconded by Trustee Zouglas; and upon vote, the following was recorded:

Yes - 7

No - 0

Motion passed 7 to 0.

Chairman Leopold returned to Item 3 at this time.

3. Ann. M. McNail – After the allotment to review the letter of engagement from Mr. Stanley Schroeder. Discussion ensued regarding the prior motion.

Trustee Zouglas withdrew his motion.

Chairman Leopold withdrew his second.

MOTION

Chairman Leopold moved that the Board engage Mr. Stanley Schroeder to prepare a legal opinion concerning the following items:

- 1) The apparent extent of the authority of the Board of Trustees concerning administration, operation and conduct of the System.
- 2) The authority and/or responsibility of the Board of Trustees of this System to conduct investigations that may be required to render decisions on disability benefit claims.
- 3) The preemptive authority of the City Counselor in conducting investigations and presenting disputed cases.

Motion was seconded by Trustee Zougla; and upon vote, the following was recorded:

Yes - 7

No – 0

Motion passed 7 to 0.

MOTION

Chairman Leopold moved that the Board approve a cap of 10 (ten) billable hours at \$225.00/hour.

Motion was seconded by Trustee Zougla; and upon vote, the following was recorded:

Yes - 7

No – 0

Motion passed 7 to 0.

5. Adjournment of Meeting

MOTION

Chairman Leopold moved to adjourn the Meeting.

Motion was seconded by Trustee Rice; and upon vote, the following recorded:

Yes -7

No – 0

Meeting adjourned at 3:33 P.M.

Submitted to the Board of Trustees by Mark Lawson, Executive Director.


Minutes prepared by Kelly Briley and Mark Lawson.

BOARD APPROVED: 07/28/21

ATTEST:



Wallace K. Leopold
Chairman, Board of Trustees



Leo G Rice
Secretary, Board of Trustees