

**MINUTES OF THE REGULAR MEETING OF THE  
OKLAHOMA POLICE PENSION AND RETIREMENT BOARD**

**Board Room  
1001 N.W. 63<sup>rd</sup> Street, Suite 305  
Oklahoma City, Oklahoma 73116**

**December 15, 2010**

The regular meeting of the Oklahoma Police Pension and Retirement Board was called to order by Chairman W. B. Smith at approximately 9:00 a.m. on Wednesday, December 15, 2010, in the Board Room of the Oklahoma Police Pension and Retirement System.

MEMBERS PRESENT: Craig Akard, Jeff Cealka, Tom Custer, Tony Davenport, Jim Keesee, Charles Kerr, Jim McGoodwin, Randy Scott, Rick Smith, W. B. Smith, and Frank Stone.

OTHERS: Steven K. Snyder, Executive Director; Marla Hensley, Administrative Officer; Darcie Gordon, Administrative Assistant; Dusty Brassfield, Pension Administration Officer; Judy Cong, Comptroller; Nan J. Patton, Legal Advisor.

MEMBERS ABSENT: Susan Knight and Andy McPherson.

\* \* \* \* \*

**APPROVAL OF MINUTES OF BOARD MEETING HELD NOVEMBER 23, 2010.**

Motion by Craig Akard and second by Tony Davenport to approve the Minutes of the Regular Board Meeting held November 23, 2010. Ayes: Craig Akard, Jeff Cealka, Tom Custer, Tony Davenport, Jim Keesee, Charles Kerr, Jim McGoodwin, Randy Scott, Rick Smith, W.B. Smith, and Frank Stone. Absent: Susan Knight and Andy McPherson. Motion Carried.

\* \* \* \* \*

**CONSIDERATION AND VOTE, SUBJECT TO BOARD'S EXCEPTION, ON THE FOLLOWING APPLICATIONS:**

a. Application for Participation:

<u>Name</u>	<u>City</u>
Patrick J. McMichael, Jr.	Enid
Randall K. Bean	Eufaula
Charles A. Bryan	Granite
David D. Dry, Jr.	Haskell
Joey D. Perkins	Madill
Bryce L. Shelton	Ponca City
Austin M. Bizzell	Shawnee
Michael A. Myers	Shawnee
Gregory W. VanBrunt	Shawnee

b. Application for Refund of Contributions:

<u>Name</u>	<u>City</u>
Douglas C. Goodner	Collinsville
Janett Reyna	Newkirk
Brandon Keene	Norman
Robert K. Winrow	Shawnee
Gary J. Koenig	Tulsa
Jason E. Barrett	The Village

c. Application for Monies Due the Estate from the System

<u>Name</u>	<u>City</u>
Linda M. Collins, Personal Rep/ Surviving Heir of James H. Thomas	Oklahoma City
Connie Pameticky, Personal Rep/ Surviving Heir of Everett E. Cox	Ponca City

d. Death Benefit:

<u>Name</u>	<u>City</u>
Katrina J. Gramling, widow of Larry D. Gramling	Oklahoma City
Linda M. Collins, Personal Rep/ Surviving Heir of James H. Thomas	Oklahoma City
Connie Pameticky, Personal Rep/ Surviving Heir of Everett E. Cox	Ponca City
Diane K. Terry, widow of Bill J. Terry, Jr.	Ponca City

e. Termination of Benefit:

<u>Name</u>	<u>City</u>
Larry D. Gramling	Oklahoma City
James H. Thomas	Oklahoma City
Everett E. Cox	Ponca City
Bill J. Terry, Jr.	Ponca City

f. Continuation of Benefit:

<u>Name</u>	<u>City</u>
Katrina J. Gramling, widow of Larry D. Gramling	Oklahoma City
Diane K. Terry, widow of Bill J. Terry, Jr.	Ponca City

g. Application for Participation in the Oklahoma Police Deferred Option Plan Under the Back Drop Provision:

<u>Name</u>	<u>City</u>	<u>DOP Eff. Date</u>	<u>Service Pension Eff. Date</u>
Angela L. Chiarappa	Lawton	01/01/2008	01/01/2011
Scott A. Stookey	Stillwater	10/01/2009	01/01/2011
Ron Bartmier	Tulsa	01/01/2006	01/01/2011
Roma Friedl	Tulsa	05/01/2006	12/01/2010

Motion by Charles Kerr and second by Tom Custer for approval of applications for Police Deferred Option Plan, Participation, Service Pension, Refunds and Benefits. Ayes: Craig Akard, Jeff Cealka, Tom Custer, Tony Davenport, Jim Keese, Charles Kerr, Jim McGoodwin, Randy Smith, Rick Smith, W. B. Smith, and Frank Stone. Absent: Susan Knight and Andy McPherson. Motion Carried.

\* \* \* \* \*

**REVIEW OF BOARD REPORTS**

The Account #6000, Fund 20000 (operating expenses), report is attached as Exhibit "A"; the Account #8557A, Fund Expenditures (receipts and disbursements), report for November 2010 is attached as Exhibit "B"; the Broker Commission Report is attached as Exhibit "C"; and the report for the Statement of Total Fund is attached as Exhibit "D."

\* \* \* \* \*

**ASSET CONSULTING GROUP – FINANCIAL CONSULTANT REPORT FOR MONTH ENDED NOVEMBER 30, 2010; AND DISCUSSION ON REBALANCING PORTFOLIO ASSETS AMONG VARIOUS ASSET STRATEGIES AND MANAGERS. BOARD TO TAKE APPROPRIATE ACTION AS DEEMED NECESSARY.**

Via telephone, Mr. Pulos reviewed the ASAP report for the month ended November 30, 2010, a copy of which is attached as Exhibit "E." As of November 30, 2010, the total Fund was approximately \$1,684,705,000.00. The one-year return net of fees for the total Fund is 9.31%.

\* \* \* \* \*

**REVIEW AND DISCUSS DRAFT OF PROPOSED AMENDMENTS TO THE SYSTEM'S ADMINISTRATIVE RULES. BOARD TO TAKE APPROPRIATE ACTION AS DEEMED NECESSARY.**

Motion by Craig Akard and second by Tom Custer for approval of administrative rules changes dealing with clarification of new city membership and common law marriage as it relates to beneficiary rights. Ayes: Craig Akard, Jeff Cealka, Tom Custer, Tony Davenport, Jim Keesee, Charles Kerr, Jim McGoodwin, Randy Smith, Rick Smith, W. B. Smith and Frank Stone. Absent: Susan Knight and Andy McPherson. Motion Carried.

\* \* \* \* \*

**LITIGATION REPORT – PROPOSED EXECUTIVE SESSION, IF DEEMED NECESSARY BY LEGAL COUNSEL TO DISCUSS CASE NO. 07-MD-1898 (TCP) IN RE AMERICAN HOME MORTGAGE SECURITIES LITIGATION (UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF NEW YORK); CASE NO. 08-CV-22572-COOKE-BANDSTRA, IN RE BANKUNITED FINANCIAL CORPORATION (UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF FLORIDA); CASE NO. 2:10-CV-02013 OPPRS ET AL VS. BP, PLC (UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF LOUISIANA); CASE NO. 2:10-CV-01061-NBF-RCM, IN RE EDUCATION MANAGEMENT CORPORATION (UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF PENNSYLVANIA) AND TO DISCUSS OTHER POTENTIAL LITIGATION WITH LEGAL COUNSEL PURSUANT TO 25 O.S. § 307(B)(4) IN THAT DISCLOSURE WILL SERIOUSLY IMPAIR THE ABILITY OF THE BODY TO CONDUCT A PENDING PROCEEDING IN THE PUBLIC INTEREST.**

Judge Patton recommended that the Board go into Executive Session pursuant to 25 O.S. § 307(B)(4).

Motion by Jim Keesee and second by Tony Davenport that the Board go into Executive Session to discuss litigation matters as recommended by Judge Patton (at approximately 9:35 a.m.). Ayes: Craig Akard, Jeff Cealka, Tom Custer, Tony Davenport, Jim Keesee, Charles Kerr, Jim McGoodwin, Randy Scott, Rick Smith, W. B. Smith

and Frank Stone. Absent: Susan Knight and Andy McPherson.  
Motion Carried.

Motion by Tony Davenport and second by Jeff Cealka that the Board go back into Open Session (at approximately 9:40 a.m.). Ayes: Craig Akard, Jeff Cealka, Tom Custer, Tony Davenport, Jim Keesee, Charles Kerr, Jim McGoodwin, Randy Scott, Rick Smith, W. B. Smith and Frank Stone. Absent: Susan Knight and Andy McPherson.  
Motion Carried.

\* \* \* \* \*

**DISCUSSION OF PROPOSED LEGISLATION BY THE OKLAHOMA POLICE PENSION AND RETIREMENT SYSTEM. BOARD TO TAKE APPROPRIATE ACTION AS DEEMED NECESSARY.**

Mr. Snyder stated that Senator Brown will be sponsoring the bill for the Oklahoma Police Pension and Retirement System containing the IRS tax changes deemed necessary from our tax counsel, Davis Graham and Stubbs.

Motion by W. B. Smith and second by Charles Kerr to approve the proposed legislation. Ayes: Craig Akard, Jeff Cealka, Tom Custer, Tony Davenport, Jim Keesee, Charles Kerr, Jim McGoodwin, Randy Scott, Rick Smith, W. B. Smith and Frank Stone. Absent: Susan Knight and Andy McPherson. Motion Carried.

\* \* \* \* \*

**DISCUSSION OF AUDITOR'S RECOMMENDATION THAT THE SYSTEM EMPLOY A CHIEF FINANCIAL OFFICER.**

Mr. Snyder stated that the System received a letter from Mr. Nate Atchison with Finley & Cook (System's auditor) recommending that the System fill the vacant Chief Financial Officer position. Filling of the position was approved by the Board at the September 2010 Board Meeting.

\* \* \* \* \*

**DISCUSSION OF APPEAL IN CASE NO. CJ-2010-1454, JEFFREY TAYLOR VS. OPPRS.**

Judge Patton recommended that the Board go into Executive Session pursuant to 25 O.S. § 307(B)(4).

Motion by Charles Kerr and second by Frank Stone that the Board go into Executive Session to discuss Appeal in Case No. CJ-2010-1454, Jeffrey Taylor vs. OPPRS as recommended by Judge Patton (at approximately 9:50 a.m.). Ayes: Craig Akard, Jeff Cealka, Tom Custer, Tony Davenport, Jim Keesee, Charles Kerr, Jim McGoodwin, Randy Scott, Rick Smith, W. B. Smith and Frank Stone. Absent: Susan Knight and Andy McPherson. Motion Carried.

Motion by Tony Davenport and second by Jeff Cealka that the Board go back into Open Session (at approximately 10:05 a.m.). Ayes: Craig Akard, Jeff Cealka, Tom Custer, Tony Davenport, Jim Keesee, Charles Kerr, Jim McGoodwin, Randy Scott, Rick Smith, W. B. Smith and Frank Stone. Absent: Susan Knight and Andy McPherson.  
Motion Carried.

\* \* \* \* \*

**NEW BUSINESS**

No new business was discussed.

\* \* \* \* \*

**BOARD MEMBERS' REPORTS**

No discussion.

\* \* \* \* \*

**DISCUSSION OF SEMINARS/CONFERENCES. BOARD TO TAKE APPROPRIATE ACTION AS DEEMED NECESSARY.**

NCPERS Conference will be held in Miami, FL May 22-26, 2011. CAPPP Part II training will be in San Antonio, TX March 5-6, 2011.

\* \* \* \* \*

**DIRECTOR'S REPORT**

Mr. Snyder stated that the next issue of the newsletter will be mailed out later this week.

Photos of the current Board Members will be taken, placed on our website and posted in the Oklahoma Police Pension and Retirement System office.

The governor's inauguration will be held Monday, January 10, 2011.

Mr. Snyder reiterated that the NCPERS Conference will be held May 22-26, 2011.

Mr. Snyder spoke briefly about the meeting that took place December 2, 2011 with Oklahoma's public pension system directors and several legislators regarding the current status of the pension systems and possible solutions to the funding shortage.

Several Board members stated that they have had members who have had trouble logging into the new Web Member Services on the OPPRS website. Those problems are being addressed. The program seems to be working well and the members are very pleased with it.

\* \* \* \* \*

At approximately 11:40 am, Chairman Smith adjourned the meeting.

\* \* \* \* \*

Notice of this meeting was filed with the Secretary of State and the agenda for the meeting was posted in compliance with the Open Meeting Act.

RESPECTFULLY SUBMITTED BY MARLA HENSLEY, ADMINISTRATIVE OFFICER.