

## MINUTES

The Oklahoma Firefighters Pension and Retirement Board met April 20, 2012 in the Lincoln Plaza Office Building at 4545 N. Lincoln Blvd., Oklahoma City, OK. Written notice was sent to Board members and interested parties, posted 24 hours before the meeting and filed with the Secretary of State in compliance with the Open Meeting Laws.

Chairman David Thompson called the meeting to order.

Members Present: David Thompson, Gerald Garrett, Scott Vanhorn, Dana Cramer, Jim Long, Casey Morrison, Paul Gallahar, Janet Kohls, Anita Breen, Bert Norton arriving at 8:40 A.M., Frank Stone arriving at 8:45 A.M. and Brandy Manek arriving at 9:00 A.M.

Others: Robert Jones, Executive Director; James Reynolds, Assistant Director; Duane Michael, Assistant Director; Terri Williams, Executive Secretary; Marc Edwards, General Counsel

Visitors: Jason Pulos, Asset Consulting Group; Craig Truitt & Tod Childress, Private Advisors; Warren DeKinder and Danny Meidan, INTECH

Absent: Doug Jacobson

### **APPROVAL/MINUTES DATED MARCH 16, 2012:**

Motion was made by Ms. Kohls and seconded by Mr. Gallahar to approve the minutes dated March 16, 2012. Ayes: Messrs. Thompson, Cramer, VanHorn, Long, Morrison, Kohls, Breen, Garrett, Gallahar, and Norton. Nays: None. Motion carried.

### **PRIVATE ADVISORS/CRAIG TRUITT & TOD CHILDRESS:**

Mr. Truitt and Mr. Childress gave a presentation for Earnest Partners.

	3Months Ending <u>03/31/2012</u>	1 Year Ending <u>03/31/2012</u>	3 Years Ending <u>03/31/2012</u>
Private Advisors	2.76%	0.42%	8.07%
HFRI FOF Conservative	2.35%	(2.35)%	4.14%

**INTECH/WARREN DEKINDER & DANNY MEIDAN:**

Mr. DeKinder & Mr. Meidan gave a presentation for Attalus Capital.

	3 Months Ending <u>03/31/2012</u>	1 Year Ending <u>03/31/2012</u>	3 Years Ending <u>03/31/2012</u>
Intech	10.97%	8.26%	23.58%
Wilshire 5000	12.59%	8.54%	23.42%

**ASSET CONSULTING GROUP/JASON PULOS:**

**1. Presenting Manager Review.**

Mr. Pulos reviewed the presenting managers to the Board.

**2. Review Investment performance.**

Mr. Pulos reviewed the monthly investment performance.

	3 Months Ending <u>03/31/2012</u>	1 Year Ending <u>03/31/2012</u>	3 Years Ending <u>03/31/2012</u>
Total Fund	8.66%	4.03%	14.51%
Policy Benchmark	8.25%	6.55%	17.19%

**INVESTMENT COMMITTEE/FRANK STONE – CHAIRMAN:**

**1. Review results of April 4, 2012 finalists presentation for the emerging market manager search, and make further recommendations.**

**2. Review evaluation of International Investment Management search and select finalists. Discuss due diligence needs.**

Motion was made by Mr. Stone and seconded by Mr. Cramer to interview Chautauqua, Harding Loevner, Turner, WCM and WHV on May 2, 2012 at the Pension offices. Ayes: Thomson, Garrett, Vanhorn, Breen, Stone, Cramer, Norton, Long, Morrison, Manek, Gallahar and Kohls. Nays: None. Motion carried.

**3. Evaluate and take action regarding Attalus Capital Investment Management.**

Motion was made by Mr. Stone and seconded by Mr. Cramer to give notice of redemption to Attalus Capital Management at the soonest date. Ayes: Thomson, Garrett, Vanhorn, Breen, Stone, Cramer, Norton, Long, Morrison, Manek, Gallahar and Kohls. Nays: None. Motion carried.

**ADHOC PENSION OFFICE LOCATION COMMITTEE/GERALD GARRETT – CHAIRMAN:**

**1. Discussion, consideration of and possible vote, and other necessary action to implement discussion, consideration of and possible vote, on real estate opportunities presented by Board real estate consultant Price Edwards and by Oil Capital Commercial Real Estate Services.**

**a. Executive Session if deemed necessary by legal counsel pursuant to 25 O.S. Section (B) (3).**

**b. Vote to enter into Executive Session.**

Motion was made by Mr. Morrison and seconded by Mr. Norton to enter into Executive Session. Ayes: Thomson, Garrett, Vanhorn, Breen, Stone, Cramer, Norton, Long, Morrison, Manek, Gallahar and Kohls. Nays: None. Motion carried.

**c. Discussion and consideration of real estate opportunities.**

**d. Vote to enter into Open Session.**

Motion was made by Mr. Long and seconded by Mr. Stone to enter into Open Session. . Ayes: Thomson, Garrett, Vanhorn, Breen, Stone, Cramer, Norton, Long, Morrison, Manek, Gallahar and Kohls. Nays: None. Motion carried.

Motion was made by Mr. Garrett and seconded by Mr. Long to let the contract expire with Price Edwards. Ayes: Thomson, Garrett, Vanhorn, Breen, Stone, Cramer, Norton, Long, Morrison, Manek, Gallahar and Kohls. Nays: None. Motion carried.

**FRANK STONE LEFT THE MEETING AT 10:30 A.M.**

**REQUEST APPROVAL/CONSENT AGENDA, A COPY IS ATTACHED:**

Motion was made by Mr. Cramer and seconded by Mr. Long to approve the Consent Agenda dated April 20, 2012. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Cramer, Norton, Gallahar, Breen, Manek and Kohls. Nays: None. Motion carried.

**MARC EDWARDS/LEGAL COUNSEL REPORT. DISCUSSION, VOTE, AND ANY OTHER NECESSARY ACTION TO IMPLEMENT DISCUSSION AND VOTE:**

1. Hwang vs. Smith & Wesson Holding Corp., et. al, USDC of Massachusetts, Case No. 07-CV-30238.
2. Minneapolis Firefighters Relief Association v. Medtronic, Inc. et el, USDC, Minnesota, Case No. 0:08-CV-06324
3. Strayer Education.
4. Capella Education. (AFT) (Waddell)
5. Finisar Case. (AFT) (Waddell)
6. Miller Energy Resources (Grant & Eisenhoffer representatives)
7. Greg Young vs. Pacific Biosciences of CA, Inc., et al.

Mr. Edwards reported that this case had been remanded back to the State Court and the Pension System was being considered for lead plaintiff.

8. Oklahoma Firefighters Pension & Retirement System v. Kevin R. Brine, et al and Delphi Financial Group, Inc., et al
9. Discussion of potential federal securities claims that me be asserted against the Student Loan Corporation and authorization to take appropriate action.
10. Hoppaugh v. K12, Inc., 12-cv-00103 CMH/IDD (E.D. Va Jan 30, 2012)

Mr. Edwards reported said the Pension System would not be considered for lead plaintiff on this case.

11. In re Lehman Brothers Equity/Debt Securities Litigation, 08-cv-5523-LAK – Case No. 09-MD-2017 (LAK)
12. City of Henryetta v. Oklahoma Firefighters Pension and Retirement System and Raymond Eldridge, Oklahoma County District Court, Case No. CV-2012-772.

Mr. Edwards reported that the City of Henryetta had filed a lawsuit against the Pension System. Mr. Edwards said he would be filing an answer next week.

13. Report on the current status of all other litigation involving the Pension System.

Mr. Edwards reported that a lawsuit had been filed against the Pension System and the deceased firefighter's ex-wife regarding his designation of his benefit after his death. In this regard he reported that the plaintiffs were requesting an administrative hearing before the Board in order to pursue their administrative remedies.

Motion was made by Ms. Kohls and seconded by Mr. Cramer to appoint a hearing examiner for purposes of taking evidence and issuing a proposed order for Board approval regarding the matter affecting the benefit of Robert Colbert. Ayes: Thompson, Garrett, Vanhorn, Breen, Cramer, Norton, Long, Morrison, Manek, Gallahar and Kohls. Nays: None. Motion carried.

**ROBERT ATTEBURY/CLAREMORE – APPLICATION FOR “DISABILITY IN THE LINE OF DUTY” PENSION, EFFECTIVE APRIL 9, 2012:**

Motion was made by Mr. Garrett and seconded by Mr. Morrison to approve the Application for “Disability in the Line of Duty”, effective April 9, 2012. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Kohls, Cramer, Norton, Manek, Breen and Gallahar. Nays: None. Motion carried.

**GLENN A. CONGER/CLAREMORE - APPLICATION FOR “DISABILITY IN THE LINE OF DUTY” PENSION, EFFECTIVE MARCH 19, 2012:**

Motion was made by Mr. Morrison and seconded by Mr. Long to approve the Application for “Disability in the Line of Duty”, effective March 19, 2012. Ayes: Messrs. Thompson, Garrett, Long, Morrison, Vanhorn, Kohls, Manek, Cramer, Norton, Breen, and Gallahar. Nays: None. Motion carried.

**MARK HELM/NORMAN – APPLICATION FOR “DISABILITY IN THE LINE OF DUTY” PENSION, EFFECTIVE APRIL 24, 2008:**

Motion was made by Mr. Cramer and seconded by Mr. Norton to approve the Application for “Disability in the Line of Duty”, effective April 24, 2008. Ayes: Messrs. Thompson, Garrett, Long, Morrison, Kohls, Cramer, Vanhorn, Manek, Norton, Breen, and Gallahar. Nays: None. Motion carried.

**LUTHER F. WILSON JR. /NORMAN – APPLICATION FOR “DISABILITY IN THE LINE OF DUTY” PENSION, EFFECTIVE MARCH 1, 2012:**

Motion was made by Mr. Garrett and seconded by Mr. Long to approve the Application for “Disability in the Line of Duty”, effective April 1, 2012. Ayes: Messrs. Thompson, Garrett, Long, Vanhorn, Morrison, Kohls, Cramer, Norton, Manek, Breen and Gallahar. Nays: None. Motion carried.

**PATRICK G. HOPKINS/OKLAHOMA CITY – APPLICATION FOR  
“DISABILITY IN THE LINE OF DUTY” PENSION, EFFECTIVE APRIL 1, 2012:**

Motion was made by Mr. Cramer and seconded by Mr. Norton to modify the Application for “Disability in the Line of Duty” to “Service”, effective April 1, 2012. Ayes: Messrs. Thompson, Garrett, Long, Morrison, Kohls, Cramer, Vanhorn, Norton, Manek, Breen and Gallahar. Nays: None. Motion carried.

**TRAVIS H. WHITE/SHAWNEE - APPLICATION FOR “DISABILITY IN THE  
LINE OF DUTY, EFFECTIVE APRIL 1, 2012:**

Motion was made by Mr. Long and seconded by Mr. Norton to modify the Application for “Disability in the Line of Duty” to “Service” effective April 1, 2012. Messrs. Thompson, Garrett, Long, Vanhorn, Morrison, Manek, Cramer, Norton, Gallahar, Breen, and Kohls. Nays: None. Motion carried.

**CHARLES L. JACKSON/SW LINCOLN COUNTY – APPLICATION FOR  
“DISABILITY IN THE LINE OF DUTY, EFFECTIVE FEBRUARY 22, 2012:**

Motion was made by Mr. Garrett and seconded by Mr. Long to approve the Application for “Disability in the Line of Duty”, effective February 22, 2012. Ayes: Messrs. Thompson, Garrett, Long, Morrison, Manek, Cramer, Vanhorn, Norton, Gallahar, Breen, and Kohls. Nays: None. Motion carried.

**ROGER N. LLOYD/TULSA – APPLICATION FOR “DISABILITY IN THE LINE  
OF DUTY”, EFFECTIVE APRIL1, 2012:**

Motion was made by Mr. Norton and seconded by Mr. Garrett to modify the Application for “Disability in the Line of Duty” to “Service”, effective April 1, 2012. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Manek, Cramer, Norton, Gallahar, Breen, and Kohls. Nays: None. Motion carried.

**DAVID R. OLLINGHOUSE/TULSA – APPLICATION FOR “DISABILITY IN  
THE LINE OF DUTY”, EFFECTIVE APRIL 1, 2012:**

Motion was made by Mr. Long and seconded by Mr. Gallahar to approve the Application for “Disability in the Line of Duty”, effective April 1, 2012. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Manek, Cramer, Norton, Gallahar, Breen, and Kohls. Nays: None. Motion carried.

**JAMES M. WATSON/TULSA – APPLICATION FOR “DISABILITY IN THE LINE OF DUTY”, EFFECTIVE APRIL 1, 2012:**

Motion was made by Mr. Long and seconded by Mr. Long and seconded by Mr. Gallahar to approve the “Application for “Disability in the Line of Duty, effective April 1, 2012: Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Manek, Cramer, Norton, Gallahar, Breen, and Kohls. Naves: None. Motion carried.

**RICHARD G. OWENS/RATLIFF CITY – APPLICATION FOR “DISABILITY NOT IN THE LINE OF DUTY”, EFFECTIVE DECEMBER 17, 2011:**

Motion was made by Mr. Norton and seconded by Mr. Gallahar to approve the Application for “Disability Not in the Lime of Duty, effective December 17, 2011. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Manek, Cramer, Norton, Gallahar, Breen, and Kohls. Naves: None. Motion carried.

**CRAIG L. HINTON/COWETA – REQUEST TO CHANGE PENSION FROM “SERVICE” TO “DISABILITY IN THE LINE OF DUTY”:**

Motion was made by Mr. Vanhorn and seconded by Mr. Norton to approve Mr. Hinton’s request to change his pension from “Service” to “Disability in the Line of Duty” based on the medical information submitted. Ayes: Messrs. Thompson, Vanhorn, Long, Morrison, Manek, Cramer, Norton, Gallahar, Breen, and Kohls. Naves: Garrett. Motion carried

**ADAM SMITH/EDMOND – REQUEST TO CHANGE PENSION FROM “SERVICE” TO “DISABILITY IN THE LINE OF DUTY”:**

Motion was made by Mr. Cramer and seconded by Mr. Long to enter into Executive Session. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Manek, Cramer, Norton, Gallahar, Breen, and Kohls. Naves: None. Motion carried.

Motion was made by Mr. Garret and seconded by Ms. Breen to enter into Open Session. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Manek, Cramer, Norton, Gallahar, Breen, and Kohls. Naves: None. Motion carried.

Motion was made by Mr. Garrett and seconded by Mr. Vanhorn to refer Mr. Smith to Dr. Ardis for further evaluation. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Manek, Cramer, Norton, Gallahar, Breen, and Kohls. Naves: None. Motion carried.

**DON THERKELSON/MIDWEST CITY – REQUEST TO CHANGE PENSION FROM “SERVICE” TO “DISABILITY IN THE LINE OF DUTY”**

Motion was made by Mr. Garrett and seconded by Mr. Morrison to approve Mr. Therkelson’s request to change his pension from “Service” to “Disability in the Line of Duty” based on the medical information submitted. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Manek, Cramer, Norton, Gallahar, Breen, and Kohls. Nays: None. Motion carried.

**BRANDY MANEK LEFT THE MEETING AT 11:35 A.M.**

**DANIEL THOMPSON/OKLAHOMA CITY – REQUEST TO CHANGE PENSION FROM “SERVICE” TO “DISABILITY IN THE LINE OF DUTY”**

Motion was made by Mr. Garrett and seconded by Mr. Long to approve Mr. Thompson’s request to change his pension from “Service” to “Disability in the Line of Duty” based on the medical information submitted. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Cramer, Norton, Gallahar, Breen, and Kohls. Nays: None. Motion carried.

**BILLY MITCHELL/SHAWNEE – REQUEST TO CHANGE PENSION FROM “SERVICE” TO “DISABILITY IN THE LINE OF DUTY”**

Motion was made by Mr. Garrett and seconded by Mr. Cramer to deny the request to change Mr. Mitchell’s pension from “Service” to “Disability in the Line of Duty”. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Cramer, Norton, Gallahar, Breen, and Kohls. Nays: None. Motion carried.

**KELLY J. FRIEDL/TULSA – REQUEST TO CHANGE PENSION FROM “SERVICE” TO “DISABILITY IN THE LINE OF DUTY”**

Motion was made by Mr. Gallahar and seconded by Mr. Vanhorn to approve Mr. Friedel’s request to change his pension from “Service” to “Disability in the Line of Duty” based on the medical information submitted. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Cramer, Norton, Gallahar, Breen, and Kohls. Nays: None. Motion carried.

**EDDIE W. KEPHART/TULSA - REQUEST TO CHANGE PENSION FROM “SERVICE” TO “DISABILITY IN THE LINE OF DUTY”**

Motion was made by Mr. Cramer and seconded by Mr. Vanhorn to approve Mr. Kephart’s request to change his pension from “Service” to “Disability in the Line of Duty” based on the medical information submitted. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Cramer, Norton, Gallahar, Breen, and Kohls. Nays: None. Motion carried.

**DOUGLAS B. MILLS/TULSA -- REQUEST TO CHANGE PENSION FROM  
“SERVICE” TO “DISABILITY IN THE LINE OF DUTY”**

Motion was made by Mr. Long and seconded by Mr. Morrison to approve Mr. Mills request to change his pension from “Service” to “Disability in the Line of Duty” based on the medical information submitted. Ayes: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Cramer, Norton, Gallahar, Breen, and Kohls. Nays: None. Motion carried.

**RECEIVE & FILE:**

1. Insurance Premium Tax - \$6,372,526.12 March 2012
2. Insurance Premium Tax - \$7,495,414.87 – April 2012
3. The Interpublic Group (Dividend) -\$95.76

Motion was made by Mr. Norton and seconded by Mr. Cramer to approve the above listed receive and file. Ayes: Messrs. Thompson, Garrett, Long, Morrison, Kohls, Vanhorn, Cramer, Norton, and Breen, Gallahar. Nays: None. Motion carried.

**ROBERT JONES/EXECUTIVE DIRECTOR REPORT:**

Mr. Jones said he had nothing to report.

Mr. Michael reported on the City of Spencer regarding payment of contributions.

**DISCUSSION ON TRAVEL REIMBURSED BY THE SYSTEM. BOARD TO  
TAKE APPROPRIATE ACTION.**

Motion was made by Mr. Long and seconded by Ms. Breen to approve travel for Chase Rankin to attend a conference in Michigan and Robert Jones to attend an Attorney Conference in Pennsylvania: Messrs. Thompson, Garrett, Vanhorn, Long, Morrison, Manek, Cramer, Norton, Gallahar, Breen, and Kohls. Nays: None. Motion carried.

**QUESTIONS & COMMENTS FROM BOARD MEMBERS & AUDIENCE:**

**NEW BUSINESS:**

**NEXT MEETING DATE:**

The Oklahoma Firefighters Pension and Retirement Board will meet May 18, 2012 at 8:30 A.M. at the Lincoln Plaza Office Building at 4545 N. Lincoln Blvd., Oklahoma City, OK.

**ADJOURNMENT:**

Mr. Thompson adjourned the Board meeting at 11:46 A.M.

Submitted by Terri L. Williams, Executive Secretary.