



Agenda  
Village of Glen Ellyn  
Police Pension Board Meeting  
Wednesday, October 25, 2023  
4:30 PM  
Glen Ellyn Civic Center, Room 306

*Visitors are most welcome to attend all meetings of the Police Pension Board and can find copies of the Agenda at the meeting or online at [www.glenellyn.org](http://www.glenellyn.org) prior to the meeting. Any individual with a disability requiring reasonable accommodation in order to participate in a meeting should contact The Village of Glen Ellyn ADA Coordinator, 630-469-5000, at least five (5) business days in advance of the next scheduled meeting. All matters on the Agenda may be discussed, amended, and acted upon.*

- A. Call to Order**
- B. Roll Call**
- C. Public Comment**
- D. Approval of Minutes**
  - 1) July 19, 2023 Regular Meeting
- E. Accountant's Report**
  - 1) Lauterbach and Amen will present the monthly financial report
  - 2) Presentation and approval of bills as listed in the monthly financial report
  - 3) Additional Bills
  - 4) Cash Management Policy
- F. Investment Report**
  - 1) IPOPIF - Versus Advisory Inc.
- G. Communication and Reports**
  - 1) Affidavits of Continued Eligibility
- H. Trustee Training Updates**
  - 1) Approval of Trustee Training Registration Fees & Reimbursable Expenses
- I. Approval of Membership/Withdrawals from Fund**
  - 1) Applications for Membership – Robert Gibson & Wilber Mojarro Martinez
  - 2) Separation of Service – Ryan Rader
- J. Applications for Retirement/Disability Benefits**
  - 1) Approve Non-Duty Disability Benefits - Thomas Hartzell
- K. Old Business**
  - 1) Portability Updates - Kevin Lombard & Caitlin Tabor
  - 2) Benefit Discrepancy - Thomas Roman
- L. New Business**
  - 1) Municipal Compliance Report
  - 2) Establish 2024 Board Meeting Dates

- 3) Engagement Letter - Lauterbach & Amen, LLP

**M. Attorney Report**

- 1) Legal Updates

**N. Adjourn to Exec Session, if needed**

**O. Adjourn**



Minutes  
 Village of Glen Ellyn  
 Police Pension Board Meeting  
 Regular Meeting  
 July 19, 2023  
 4:30 PM  
 Civic Center Room 306

**Board or Commission:** Police Pension  
**Meeting:** Regular  
**Quorum:** No

**Date:** July 19, 2023  
**Called to Order:** 4:30 p.m.  
**Adjourned:** 5:06 p.m.

**MEMBER ATTENDANCE:**

John Adduci	President	Present
William Housey Jr.	Trustee	Present
James King	Trustee	Present
Jim Monson	Trustee	Present
Anthony Terranova	Trustee	Present

**Also Present:**

Larry Noller	Finance Director
Patrick Brankin	Assistant Finance Director
Elisa Pollina	Recording Secretary
Richard Lamb	Lauterbach & Amen

**Public:**


**A. CALL TO ORDER**

The July 19, 2023 meeting of the Police Pension Board was called to order by President Adduci at 4:30 pm at the Glen Ellyn Civic Center, Room 306.

**B. PUBLIC COMMENT** – None

- C. APPROVAL OF MINUTES FROM APRIL 19, 2023 MEETING** – Trustee Monson requests an amendment to the minutes on page 4 in order to rectify the spelling of Nicolas Srejma.

MOTION TO APPROVE MINUTES FROM APRIL 19, 2023 POLICE PENSION BOARD MEETING AS AMMENDED

MOTION BY: Anthony Terranova, Trustee

SECONDED BY: James King, Trustee

RESULT: UNANIMOUS APPROVAL

**D. Accountant’s Report**

1. Lauterbach and Amen present the monthly financial report: Richard Lamb from Lauterbach and Amen reviews the financial report month ending May 31, 2023 with the Police Pension Board.

Statement of Net Position as of May 31, 2023 – Total Assets - \$35,109,797.16, Total Contributions - \$1,037,576.36, Total Additions - \$2,293,871.96, Pension Benefits - \$1,132,197.48; Change Position- \$1,120,131,12.

Revenue Report as of May 31, 2023 – Total Contributions – \$207,771.95; IPOPIF Consolidated Pool – Unrealized – (\$496,583.51); Total Revenue (\$261.987.34).

Expense Report as of May 31, 2023 – Total Expenses - \$235,167.51

Lamb reviews the Contribution Report, Payroll Report and Check Report with the Police Pension Board. After reviewing the contribution report, Trustee Terranova requests that Lauterbach reviews the spelling of Janet Terranova and Carrie Casino Nemchock. It appears that their married and maiden names might have been mistakenly switched. Richard Lamb states the contribution team will look into those names and will make the necessary corrections.

Trustee Housing motions to accept the financial report as presented; Trustee Monson seconds the motion.

APPROVAL [UNANIMOUS]

MOVER: William Housey, Trustee

SECONDER: James Monson, Trustee

AYES: Adduci, Terranova, Monson, Housey, King

**E. Investment Report**

1. IPOPIF Versus Advisory Inc. – The Police Pension received and reviewed the performance of the IPOPIF report.

**F. Communication and Reports**

1. Active Member File Maintenance – Richard Lamb announces that by the end of

August, early September, letters will be sent to active members, requesting any missing information needed to complete their files.

**G. Trustee Training Updates**

1. Trustee Training Registration Fees and Reimbursable Expenses – Trustee Monson provides positive feedback on the training, expressing that it was highly beneficial.

Trustee Housey makes a motion to approve reimbursement expenses for the following trustees:

Trustee Monson - Reimbursement from May 24, 2023, in the amount of \$565.96.

Trustee Terranova - Reimbursement from May 25, 2023, in the amount of \$555.49.

Trustee King - Reimbursement from June 9, 2023, in the amount of \$554.18.

The motion is seconded by Trustee Terranova.

APPROVAL [UNANIMOUS]  MOVER: William Housey, Trustee  SECONDER: Anthony Terranova, Trustee  AYES: Adduci, Terranova, Monson, Housey, King
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**H. Approval of Membership / Withdrawals from Fund**

1. Applications for Membership – Alexandra Bacza, Alexander Gutter, Robert Sanchez. Trustee Terranova motions to accept officers Alexandra Bacza, Alexander Gutter and Robert Sanchez into the Police Pension effective on July 14, 2023. Trustee King seconds the motion.

2. Separation of Service – Tyler Schaefer – No action needed by the Police Pension. This is informational only.

**I. APPLICATIONS FOR RETIREMENT / DISABILITY BENEFITS**

1. Motion to approve retirement pension for Norman Webber in the monthly amount of \$9,181.90 effective May 6, 2023.

Trustee Monson motions to approve retirement pension for Norman Webber in the monthly amount of \$9,181.90 effective May 6, 2023. Trustee King seconds the motion.

**J. OLD BUSINESS - None**

**K. NEW BUSINESS**

1. *Motion to accept the Department of Insurance Report for the fiscal year ended December 31, 2022.*

Trustee Monson motions to accept the Department of Insurance Report for the fiscal year ended December 31, 2022. Trustee King seconds the motion.

2. *Motion to approve a Resolution Appointing Authorizing Agents* – Finance Director Noller informs the Police Pension that he will be departing from his current position at the Village of Glen Ellyn to pursue a new opportunity in another village. The Police Pension will need to appoint a new authorizing agent to take over his responsibilities. Noller suggests appointing Assistant Finance Director Brankin as his replacement.

Trustee Terranova motions to approve a Resolution Appointing Patrick Brankin and James Monson as authorized agents; Trustee Housey seconds the motion.

3. *Portability Update* – Kevin Lombard and Caitlyn Tabor – This will be added to next month's agenda.

4. *Board of Officer Elections* – President, Vice President, Secretary and Assistant – Trustee Terranova expresses gratitude to President Adduci for his exceptional service as President of the Police Pension Board. Additionally, Trustee Terranova nominates Trustee James Monson to assume the role of President for the next term. Trustee Monson accepts the nomination. Subsequently, Trustee Monson nominates Trustee Terranova for the position of Secretary, and Trustee Terranova accepts the nomination.

President Adduci motions to appoint the following officers for the next term of the Police Pension Board:

Trustee Monson as President  
Trustee Terranova as Secretary  
Trustee Housey as Vice President  
President Adduci as Assistant Secretary

Trustee King seconds the motion.

5. *FOIA Officer and OMA Designee* – Finance Director Noller discusses the necessity for the Police Pension to appoint a FOIA Officer and an OMA Designee. Having designated individual(s) will ensure that there is a point of contact readily available to address any questions or concerns that may arise. Trustee Monson volunteers to take on this responsibility.

Trustee Housey motions to appoint President Monson as the FOIA Officer and OMA Designee; Trustee Terranova seconds the motion.

**L. ATTORNEY'S REPORT** – The Police Pension Board reviews the Legal and Legislative Update.

**M. CLOSED SESSION, IF NEEDED** – Closed session is not needed.

**N. ADJOURNMENT** – Trustee Monson moves and Trustee Terranova seconds to adjourn the meeting. The meeting was adjourned at 5:06 p.m.

**Submitted by Elisa Pollina, Recording Secretary**

**Reviewed by Assistant Finance Director Brankin**



**Market Value Summary:**

	Current Period	Year to Date
Beginning Balance	\$36,312,415.88	\$33,923,872.56
Contributions	\$0.00	\$86,963.38
Withdrawals	(\$60,000.00)	(\$322,775.85)
Transfers In/Out	\$0.00	\$0.00
Income	\$19,109.96	\$179,604.35
Administrative Expense	(\$640.35)	(\$5,761.49)
Investment Expense	(\$699.96)	(\$10,600.54)
Investment Manager Fees	(\$38.80)	(\$3,339.76)
IFA Loan Repayment	\$0.00	(\$26,731.74)
Adjustment	\$0.00	\$4,154.93
Realized Gain/Loss	\$5,299.24	\$28,900.05
Unrealized Gain/Loss	(\$1,082,979.74)	\$1,338,180.34
Ending Balance	\$35,192,466.23	\$35,192,466.23

**Performance Summary:**

	MTD	QTD	YTD	One Year	Three Years	Five Years	Ten Years	Inception to Date	Participant Inception Date
Net of Fees:	(2.92%)	(2.44%)	4.53%	11.59%	N/A	N/A	N/A	(3.09%)	04/01/2022

**Contact Information: Illinois Police Officers' Pension Investment Fund, 456 Fulton Street, Suite 402 Peoria, Illinois 61602 Phone: (309) 280-6464 Email: Info@ipopif.org**

GLEN ELLYN POLICE PENSION FUND

Fund Name: IPOPIF Pool

Month Ended: September 30, 2023



**Market Value Summary:**

	Current Period	Year to Date
Beginning Balance	\$36,312,415.88	\$33,923,872.52
Contributions	\$0.00	\$97,792.64
Withdrawals	(\$60,000.00)	(\$322,775.85)
Transfers In/Out	\$0.00	(\$10,829.21)
Income	\$19,109.96	\$179,604.34
Administrative Expense	(\$640.35)	(\$5,761.49)
Investment Expense	(\$699.96)	(\$10,600.54)
Investment Manager Fees	(\$38.80)	(\$3,339.76)
IFA Loan Repayment	\$0.00	(\$26,731.74)
Adjustment	\$0.00	\$4,154.93
Realized Gain/Loss	\$5,299.24	\$28,900.05
Unrealized Gain/Loss	(\$1,082,979.74)	\$1,338,180.34
Ending Balance	\$35,192,466.23	\$35,192,466.23

**Unit Value Summary:**

	Current Period	Year to Date
Beginning Units	3,559,835.460	3,577,008.318
Unit Purchases from Additions	0.000	10,047.336
Unit Sales from Withdrawals	(5,912.324)	(33,132.517)
Ending Units	3,553,923.136	3,553,923.136
Period Beginning Net Asset Value per Unit	\$10.200588	\$9.483855
Period Ending Net Asset Value per Unit	\$9.902428	\$9.902428

**Performance Summary:**

GLEN ELLYN POLICE PENSION FUND

	MTD	QTD	YTD	One Year	Three Years	Five Years	Ten Years	Inception to Date	Participant Inception Date
Net of Fees:	(2.92%)	(2.44%)	4.52%	11.58%	N/A	N/A	N/A	(2.71%)	04/06/2022

**Contact Information: Illinois Police Officers' Pension Investment Fund, 456 Fulton Street, Suite 402 Peoria, Illinois 61602 Phone: (309) 280-6464 Email: Info@ipopif.org**

**Statement of Transaction Detail for the Month Ending 09/30/2023**

**GLEN ELLYN POLICE PENSION FUND**

<b>Trade Date</b>	<b>Settle Date</b>	<b>Description</b>	<b>Amount</b>	<b>Unit Value</b>	<b>Units</b>
<b>IPOPIF Pool</b>					
09/15/2023	09/18/2023	Redemptions	(60,000.00)	10.148294	(5,912.3238)

## September 2023 Statement Notes

## Monthly Asset Flows

New Asset Transfers	Cash Contributions	Cash Withdrawals
Zero	\$59.5 million	\$36.5 million

## Expenses Paid

Administrative Expenses	Investment Expenses	Investment Manager Fees
\$166,634.99	\$182,149.75	\$10,097.25

- Expenses are paid from the IPOPIF Pool and allocated proportionately by member value.
- Investment expenses exclude investment manager fees.

## IPOPIF Investment Pool Details

Date	Units	Value	Unit Price
08/31/23	926,363,910.0401	9,449,456,844.61	10.200588
09/30/23	928,684,585.1817	9,196,231,782.40	9.902428

A spreadsheet with complete unit and expense detail history is linked on the [Article 3 Fund Reports page](#) as [-IPOPIF Trust Fund Unit Details-](#)

## NAV and Receivable Calculations Under Development

The IPOPIF [Valuation and Cost Rule](#), AR-2022-01, stipulates that the Net Asset Value (NAV) for each Participating Police Pension Fund will include receivables representing proportionate amounts due from late-transferring pension funds for all Costs, IFA Loan Repayments, and interest. These calculations are under development.

## Resources

- Monthly statement overview: <https://www.ipopif.org/reports/article-3-reports/>
- Monthly financial reports: <https://www.ipopif.org/reports/monthly-financial-reports/>
- Monthly and quarterly investment reports: <https://www.ipopif.org/reports/investment-reports/>
- Board Meeting Calendar: <https://www.ipopif.org/meetings/calendar/>
- Daily value and transaction information for Participating Police Pension Funds is now available to account representatives via the NRS reporting portal.

Total Fund  
Asset Allocation & Performance (Net of Fees) - Preliminary

Illinois Police Officers' Pension Investment Fund  
Period Ending: September 30, 2023

	Market Value	% of Portfolio	Target (%)	1 Mo	Fiscal YTD	YTD	1 Yr	Inception	Inception Date
<b>Total Fund with Member and Transition Accounts</b>	<b>9,196,231,760</b>	<b>100.0</b>	<b>100.0</b>	<b>-2.9</b>	<b>-2.4</b>	<b>4.5</b>	<b>11.6</b>	<b>-2.7</b>	<b>03/01/22</b>
<i>Policy Index</i>				-3.0	-2.4	4.9	11.8	-2.8	
<i>Policy Index- Broad Based</i>				-3.8	-3.4	5.9	14.8	-4.4	
<b>IPOPIF Investment Portfolio</b>	<b>9,196,231,760</b>	<b>100.0</b>	<b>100.0</b>	<b>-2.9</b>	<b>-2.4</b>	<b>4.5</b>	<b>11.6</b>	<b>-3.3</b>	<b>04/01/22</b>
<i>Policy Index</i>				-3.0	-2.4	4.9	11.8	-3.2	
<i>Policy Index- Broad Based</i>				-3.8	-3.4	5.9	14.8	-5.0	
<b>Growth</b>	<b>4,923,964,636</b>	<b>53.5</b>	<b>58.0</b>	<b>-4.1</b>	<b>-3.6</b>	<b>7.5</b>	<b>19.4</b>	<b>-4.2</b>	<b>04/01/22</b>
<i>Growth Benchmark</i>				-4.1	-3.6	7.6	18.8	-4.5	
RhumbLine Russell 1000 Index	1,884,842,515	20.5	23.0	-4.7	-3.1	13.0	21.2	3.0	03/15/22
<i>Russell 1000 Index</i>				-4.7	-3.1	13.0	21.2	3.1	
RhumbLine Russell 2000 Index	427,987,216	4.7	5.0	-5.9	-5.1	2.5	8.9	-4.2	03/15/22
<i>Russell 2000 Index</i>				-5.9	-5.1	2.5	8.9	-3.8	
SSgA Non-US Developed Index	1,555,687,019	16.9	18.0	-3.3	-4.1	7.1	24.4	1.8	03/10/22
<i>MSCI World ex U.S. (Net)</i>				-3.4	-4.1	6.7	24.0	1.4	
SSgA Non-US Developed SC Index	434,758,925	4.7	5.0	-4.3	-3.3	2.0	17.4	-4.8	03/10/22
<i>MSCI World ex U.S. Small Cap Index (Net)</i>				-4.5	-3.5	1.8	17.3	-5.0	
SSgA Emerging Markets Equity Index	620,688,961	6.7	7.0	-2.7	-3.2	1.7	12.2	-6.4	03/10/22
<i>MSCI Emerging Markets (Net)</i>				-2.6	-2.9	1.8	11.7	-5.4	
<b>Income</b>	<b>1,464,544,480</b>	<b>15.9</b>	<b>16.0</b>	<b>-1.7</b>	<b>-0.5</b>	<b>4.5</b>	<b>10.6</b>	<b>-3.4</b>	<b>04/01/22</b>
<i>Income Benchmark</i>				-1.7	-0.6	4.3	10.3	-1.8	
SSgA High Yield Corporate Credit	923,848,187	10.0	10.0	-1.3	0.5	6.1	10.8	-0.9	03/18/22
<i>Bloomberg U.S. High Yield Very Liquid Ind</i>				-1.3	0.3	5.8	10.4	-1.1	
SSgA EMD Hard Index Fund	540,696,293	5.9	6.0	-2.5	-2.2	1.8	10.1	-4.1	03/14/22
<i>JPM EMBI Global Diversified Index</i>				-2.6	-2.2	1.8	10.0	-3.9	
<b>Inflation Protection</b>	<b>790,024,261</b>	<b>8.6</b>	<b>9.0</b>	<b>-3.8</b>	<b>-4.0</b>	<b>-2.3</b>	<b>-1.6</b>	<b>-7.6</b>	<b>04/01/22</b>
<i>Inflation Protection Benchmark</i>				-3.0	-2.7	-0.6	0.9	-8.2	
SSgA US TIPS Index	272,872,066	3.0	3.0	-0.1	0.5	2.0	3.3	-1.4	03/17/22
<i>Blmbg. U.S. TIPS 0-5 Year</i>				-0.2	0.4	1.9	3.2	-1.2	
SSgA REITs Index	350,899,762	3.8	4.0	-7.0	-7.4	-2.1	2.6	-14.1	03/16/22
<i>Dow Jones U.S. Select REIT</i>				-7.0	-7.4	-2.1	2.6	-14.0	
Principal USPA	166,252,433	1.8	2.0	-2.6	-3.9	-8.7	-14.3	-7.8	04/06/22

Effective 5/1/2023: Policy Index constituents include 1% 90 day T-bill, 13% Bloomberg 1-3 Year Gov/Credit Index, 3% Bloomberg U.S. Aggregate Index, 3% Bloomberg U.S. TIPS 0-5 Year, 10% Bloomberg U.S. Corporate High Yield Index, 6% JPM EMBI Global Diversified, 23% Russell 1000, 5% Russell 2000, 18% MSCI World Ex US (Net), 5% MSCI World Ex US Small Cap (Net), 7% MSCI Emerging Markets (Net), 4% Wilshire U.S. REIT Index and 2% NFI-ODCE Equal Weight. Broad Based Policy Index constituents: 70% MSCI ACWI IMI (Net), 30% Bloomberg Global Multiverse. Prior to July 2022, SSgA EMD Hard Index Fund was iShares JPM EMD Index ETF and benchmark returns reflect JPM EMBI Global Core Index. The Principal USPA Real Estate Fund is benchmarked against the NCREIF ODCE index on a quarterly basis and against itself for the purpose of monthly flash reports due to quarterly index data availability. NFI-ODCE Equal Weighted Index return not available at time of production.



Total Fund  
Asset Allocation & Performance (Net of Fees) - Preliminary

Illinois Police Officers' Pension Investment Fund  
Period Ending: September 30, 2023

	Market Value	% of Portfolio	Target (%)	1 Mo	Fiscal YTD	YTD	1 Yr	Inception	Inception Date
<b>Risk Mitigation</b>	<b>2,017,600,856</b>	<b>21.9</b>	<b>17.0</b>	<b>-0.5</b>	<b>-0.1</b>	<b>1.6</b>	<b>2.7</b>	<b>-0.8</b>	<b>04/01/22</b>
<i>Risk Mitigation Benchmark</i>				-0.5	0.1	1.6	2.8	-0.8	
SSgA Core Fixed Income Index	399,348,805	4.3	3.0	-2.5	-3.2	-1.0	0.7	-6.0	03/17/22
<i>Blmbg. U.S. Aggregate Index</i>				-2.5	-3.2	-1.2	0.6	-6.0	
SSgA Short-Term Gov't/Credit Index	1,336,350,068	14.5	13.0	-0.1	0.7	1.9	2.8	0.1	03/17/22
<i>Blmbg. 1-3 Year Gov/Credit index</i>				0.0	0.7	1.9	2.8	0.1	
Cash	281,901,983	3.1	1.0	0.4	1.3	3.6	4.2	2.9	03/22/22
<i>90 Day U.S. Treasury Bill</i>				0.5	1.3	3.6	4.5	3.3	
<b>IPOPIF Pool Fixed Income Transition</b>	<b>97,527</b>	<b>0.0</b>	<b>-</b>						
<b>Transition Accounts</b>	<b>-</b>	<b>0.0</b>	<b>-</b>						
<b>Member Funds</b>	<b>-</b>	<b>0.0</b>	<b>-</b>						

Effective 5/1/2023: Policy Index constituents include 1% 90 day T-bill, 13% Bloomberg 1-3 Year Gov/Credit Index, 3% Bloomberg U.S. Aggregate Index, 3% Bloomberg U.S. TIPS 0-5 Year, 10% Bloomberg U.S. Corporate High Yield Index, 6% JPM EMBI Global Diversified, 23% Russell 1000, 5% Russell 2000, 18% MSCI World Ex US (Net), 5% MSCI World Ex US Small Cap (Net), 7% MSCI Emerging Markets (Net), 4% Wilshire U.S. REIT Index and 2% NFI-ODCE Equal Weight. Broad Based Policy Index constituents: 70% MSCI ACWI IMI (Net), 30% Bloomberg Global Multiverse. Prior to July 2022, SSgA EMD Hard Index Fund was iShares JPM EMD Index ETF and benchmark returns reflect JPM EMBI Global Core Index. The Principal USPA Real Estate Fund is benchmarked against the NCREIF ODCE index on a quarterly basis and against itself for the purpose of monthly flash reports due to quarterly index data availability. NFI-ODCE Equal Weighted Index return not available at time of production.

# Certified Trustee Training

Organization: **Glen Ellyn Police Pension Fund**

Year: **2023**

## James Monson

	Hours Required	Type of Training	Hours Completed	Date Completed	Cert on File
1	8	IPPFA	8	5/23/2023	Yes
2					
3					
4					
5					
6					

J

## James King

	Hours Required	Type of Training	Hours Completed	Date Completed	Cert on File
1	8	IPPFA	8	5/23/2023	Yes
2					
3					
4					
5					
6					

## Larry Noller

	Hours Required	Type of Training	Hours Completed	Date Completed	Cert on File
1	8				
2					
3					
4					
5					
6					

## Anthony Terranova

	Hours Required	Type of Training	Hours Completed	Date Completed	Cert on File
1	8	IPPFA	8	5/23/2023	Yes
2					
3					
4					
5					
6					

## John Adducci

	Hours Required	Type of Training	Hours Completed	Date Completed	Cert on File
1	8				
2					
3					
4					
5					
6					

## William Housey

	Hours Required	Type of Training	Hours Completed	Date Completed	Cert on File
1					
2					
3					
4					
5					
6					

## 2023 IPPFA Trustee Training Opportunities

### IPPFA ONLINE SEMINAR COURSE

- WHEN:** Ongoing
- Online 8 hr. seminar (Recorded from the 2021 MidAmerican Pension Conference)
- WHERE:** IPPFA Website:  
[www.ippfa.org/education/online-classes/](http://www.ippfa.org/education/online-classes/)
- COST:** IPPFA MEMBER: \$275.00/seminar  
IPPFA NON-MEMBER: \$525.00/seminar

This online seminar agenda includes:

- Pension Obligation Bond Panel
- Consolidation Update Panel
- Mock Disability Trial
- Keynote Speaker Admiral Foggo
- Ask an Attorney and Legal Updates
- Covid-19 Vaccinations and Workplace Rules
- Ask an Administrator
- Re-Entry into Active Service and How it has Evolved Over Time

*-this online seminar satisfies 8 hours of the required continuing pension trustee training*

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### IPPFA IN PERSON SEMINAR COURSE

- WHEN:** November 14, 2023
- WHERE:** John A. Logan College  
700 Logan College Road, F104  
Carterville, IL 62918
- TIME:** 8:00 a.m. – 4:30 p.m.
- COST:** IPPFA MEMBER: \$225.00  
IPPFA NON-MEMBER: \$450.00

## 16-hour Certified Trustee Programs\* offered through IPPFA

### IPPFA **ONLINE** Certified Trustee Program

**COST:** IPPFA MEMBER: \$ 550.00  
IPPFA NON-MEMBER: \$1,100.00

Registration is online at the IPPFA website [www.ippfa.org/education/trustee-program/](http://www.ippfa.org/education/trustee-program/)

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### IPPFA **IN PERSON** Certified Trustee Program

**WHEN:** December 5-6, 2023

**TIME:** 7:30 a.m. – 5:00 p.m.

**WHERE:** NIU Outreach Campus  
1120 E. Diehl Road, Room 266  
Naperville, IL 60563

**COST:** IPPFA MEMBER: \$500.00  
IPPFA NON-MEMBER: \$1,000.00  
\*Walk-ins will be charged an additional \$25

Registration is online at the IPPFA website [www.ippfa.org/education/trustee-program/](http://www.ippfa.org/education/trustee-program/)

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\*On December 18, 2019, Governor J.B. Pritzker signed SB 1300, making it Public Act 101-0610. This act will consolidate all Article 3 and 4 pension fund's investment assets. Under Public Act 101-0610, **training requirements have now been reduced from 32-hours to 16-hours of new trustee training**, however all pension trustees will still need 4-hours of mandatory consolidation transition training.

All Article 3 & 4 Pension Trustees elected or appointed are required to complete the 16-hour trustee certification course within 18 months of election or appointment to the board.

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**2023 IPFA FALL PENSION SEMINAR**  
**Friday November 3, 2023 Red Shift**  
 Empress Banquets 200 East Lake Street Addison, IL 60101 630-279-5900



**IN-PERSON SEMINAR REGISTRATION FORM**

Municipality, District, or Firm: \_\_\_\_\_ Address: \_\_\_\_\_  
 City: \_\_\_\_\_, IL Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

*(please print or type)*

**SEMINAR FEES: IPFA Members: \$ 200.00 Non - Members: \$ 250.00 Walk-In Registration: \$ 270.00**

*Avoid the walk-in surcharge – register on or before Monday, October 30, 2023*

First Name:	Last Name:	e-mail Address:	Member	Non-Member
_____	_____	_____	\$ _____.	\$ _____.
_____	_____	_____	\$ _____.	\$ _____.
_____	_____	_____	\$ _____.	\$ _____.
_____	_____	_____	\$ _____.	\$ _____.
_____	_____	_____	\$ _____.	\$ _____.

**TOTAL CHECK ENCLOSED \$ \_\_\_\_\_.**

Payment must accompany this Registration Form and be received in our office **on or before** Monday, October 30, 2023 to qualify for lower rates. Reservations received after the above date will be charged walk-in registration fee. Requests for refunds also must be received on or before Monday, October 30 for full fee credit. **No credits** of seminar fees after this date. Please mail the completed form to IPFA, 188 Industrial Drive, Suite 134, Elmhurst, IL 60126-1608, fax it to 630-833-2412, or scan & e-mail to [ipfa@aol.com](mailto:ipfa@aol.com). Any questions, call 630-833-2405. For Tax Reporting Purposes our Federal I.D. Number is: 36-2650496.

***The Illinois Pension Statute requires continuing education for all pension board members. This seminar provides up to 8 hours of credits.***

For IPFA Office Use: Date: \_\_\_\_\_ Check #: \_\_\_\_\_ Amount: \_\_\_\_\_ Payer: \_\_\_\_\_

# ARTICLE 3 AND ARTICLE 4 PENSION TRUSTEE CERTIFICATION

All elected and appointed Article 3 (police) and Article 4 (firefighters) local pension board trustees are required to participate in state-mandated trustee certification training.

## WHAT IS THE FIRST YEAR CERTIFICATION REQUIREMENT?

The trustee certification training requirement for a first year trustee is at least 16 hours.

## WHAT IS THE ANNUAL CERTIFICATION REQUIREMENT?

Annually, all trustees must complete a minimum of eight hours of continuing trustee education.

## WHERE CAN TRUSTEES RECEIVE THEIR TRAINING?

The Illinois Municipal League provides this certification training at no charge to all trustees.

More information is available at [iml.org/pensiontrustees](http://iml.org/pensiontrustees).

Trustee certification training is provided online and in accordance with all statutory requirements. If you have questions regarding pension trustee certification, please contact us by email at [pensiontrustees@iml.org](mailto:pensiontrustees@iml.org).

## HOW MUCH DOES THE TRAINING COST?

\$0. The Illinois Municipal League provides this certification training at no charge. Really — it's free = no charge.

## WHAT ARE SOME TRUSTEE EDUCATION TOPICS?

- Articles 3 and 4 Pension Disability Pension Overview
- Duties and Ethical Obligations of a Pension Fund Fiduciary
- Board Oversight of Cyber Risk: Before a Breach
- Illinois Public Employee Disability Act and Public Safety Employee Benefits Act
- Developments and Potential Changes in Federal and Illinois Labor and Employment Laws
- Qualified Domestic Relations Order
- Pension Plan Funding 101
- Pension Plan Assumptions 101
- Freedom of Information Act and Open Meetings Act
- Cyber Security Best Practices
- Managing Generational Differences and Unconscious Bias in the Workplace
- How to Identify, Address and Prevent Sexual Harassment and Discrimination
- Let Me Ask You a Question
- Public Pension Fund Accounting Principles



EASTERN ILLINOIS UNIVERSITY in partnership with



# ARTICLE 3 AND ARTICLE 4

## Pension Trustee Certification

All elected and appointed Article 3 (Police) and Article 4 (Firefighters) local pension board trustees are required to participate in state-mandated trustee certification training that consists of at least 16 hours in their first year as a trustee. In addition, trustees must complete a minimum of eight hours of continuing trustee education annually thereafter.

**The Illinois Municipal League provides  
this certification training at **no charge** to all trustees.**

**[Click here to begin your pension trustee training.](#)**

This training is provided online and in accordance with statutory requirements.

### **[Pension Trustee Certification Fact Sheet](#)**



in  
partnership  
with



If you have questions regarding Article 3 or Article 4 pension trustee certification, please contact us by email at [pensiontrustees@iml.org](mailto:pensiontrustees@iml.org).



**Glen Ellyn Police Pension  
Board**  
535 Duane Street  
Glen Ellyn, IL 60137

Meeting 10/25/2023 4:30 PM  
Department: Finance  
Department Head: Patrick Brankin  
Category: Personnel  
Prepared By: Patrick Brankin

**AGENDA ITEM (ID  
# 2023-1044)**

**DOC ID: 2023-1044**

## **Approve Non-Duty Disability Benefits - Thomas Hartzell**

**Statement of the Issue:**

**Analysis:**

**Budget Impact:**

**Contribution to Strategic Plan**

**Action Requested:**

**Attachments:**

THE VILLAGE OF GLEN ELLYN, ILLINOIS  
POLICE PENSION FUND  

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PUBLIC ACT 95-0950  
MUNICIPAL COMPLIANCE REPORT  
  
FOR THE FISCAL YEAR ENDED  
DECEMBER 31, 2022



October 5, 2023

Members of the Pension Board of Trustees  
Glen Ellyn Police Pension Fund  
Glen Ellyn, Illinois

Enclosed please find a copy of your Municipal Compliance Report for the Glen Ellyn Police Pension Fund for the fiscal year ended December 31, 2022. We have prepared the report with the most recent information available at our office. Should you have more current information, or notice any inaccuracies, we are prepared to make any necessary revisions and return them to you.

The President and Secretary of the Pension Fund are required to sign the report on page 3. If not already included with the enclosed report, please also include a copy of the Pension Fund's most recent investment policy.

The signed Public Act 95-0950 - Municipal Compliance Report must be provided to the Municipality before the tax levy is filed on the last Tuesday in December. We are sending the report via email to promote an environmentally-friendly work atmosphere.

If you have any questions regarding this report, please contact your Client Manager or PSA.

Respectfully submitted,

*Lauterbach & Amen, LLP*

LAUTERBACH & AMEN, LLP

**THE VILLAGE OF GLEN ELLYN, ILLINOIS  
POLICE PENSION FUND**

**Public Act 95-950 - Municipal Compliance Report  
For the Fiscal Year Ending December 31, 2022**

The Pension Board certifies to the Board of Trustees of the Village of Glen Ellyn, Illinois on the condition of the Pension Fund at the end of its most recently completed fiscal year the following information:

- 1) The total cash and investments, including accrued interest, of the fund at market value and the total net position of the Pension Fund:

	<u>Current Fiscal Year</u>	<u>Preceding Fiscal Year</u>
Total Cash and Investments (including accrued interest)	<u>\$33,989,666</u>	<u>\$38,947,824</u>
Total Net Position	<u>\$33,989,666</u>	<u>\$38,947,824</u>

- 2) The estimated receipts during the next succeeding fiscal year from deductions from the salaries of police officers and from other sources:

Estimated Receipts - Employee Contributions	<u>\$439,300</u>
Estimated Receipts - All Other Sources	
Investment Earnings	<u>\$2,209,300</u>
Municipal Contribution	<u>\$2,152,136</u>

- 3) The estimated amount required during the next succeeding fiscal year to (a) pay all pensions and other obligations provided in Article 3 of the Illinois Pension Code, and (b) to meet the annual requirements of the fund as provided in Sections 3-125 and 3-127:

(a) Pay all Pensions and Other Obligations	<u>\$3,340,200</u>
(b) Annual Requirement of the Fund as Determined by:	
Illinois Police Officers' Pension Investment Fund	<u>\$1,712,697</u>
Private Actuary - Foster & Foster	
Recommended Municipal Contribution	<u>\$2,152,136</u>
Statutory Municipal Contribution	<u>N/A</u>

**THE VILLAGE OF GLEN ELLYN, ILLINOIS  
POLICE PENSION FUND**

**Public Act 95-950 - Municipal Compliance Report  
For the Fiscal Year Ending December 31, 2022**

- 4) The total net income received from investment of assets along with the assumed investment return and actual investment return received by the fund during its most recently completed fiscal year compared to the total net income, assumed investment return, and actual investment return received during the preceding fiscal year:

	<u>Current Fiscal Year</u>	<u>Preceding Fiscal Year</u>
Net Income Received from Investment of Assets	<u>(\$4,760,732)</u>	<u>\$3,890,170</u>
Assumed Investment Return		
Illinois Police Officers' Pension Investment Fund	<u>6.800%</u>	<u>6.500%</u>
Private Actuary - Foster & Foster	<u>6.500%</u>	<u>6.500%</u>
Actual Investment Return	<u>(13.054)%</u>	<u>10.427%</u>

- 5) The total number of active employees who are financially contributing to the fund:

Number of Active Members	<u>41</u>
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- 6) The total amount that was disbursed in benefits during the fiscal year, including the number of and total amount disbursed to (i) annuitants in receipt of a regular retirement pension, (ii) recipients being paid a disability pension, and (iii) survivors and children in receipt of benefits:

	<u>Number of</u>	<u>Total Amount Disbursed</u>
(i) Regular Retirement Pension	<u>30</u>	<u>\$2,249,857</u>
(ii) Disability Pension	<u>2</u>	<u>\$88,086</u>
(iii) Survivors and Child Benefits	<u>5</u>	<u>\$299,106</u>
Totals	<u>37</u>	<u>\$2,637,048</u>

**THE VILLAGE OF GLEN ELLYN, ILLINOIS  
POLICE PENSION FUND**

**Public Act 95-950 - Municipal Compliance Report  
For the Fiscal Year Ending December 31, 2022**

7) The funded ratio of the fund:

	<u>Current Fiscal Year</u>	<u>Preceding Fiscal Year</u>
Illinois Police Officers' Pension Investment Fund	<u>68.83%</u>	<u>67.83%</u>
Private Actuary - Foster & Foster	<u>67.35%</u>	<u>67.48%</u>

8) The unfunded liability carried by the fund, along with an actuarial explanation of the unfunded liability:  
Unfunded Liability:

Illinois Police Officers' Pension Investment Fund	<u>\$17,197,437</u>
Private Actuary - Foster & Foster	<u>\$19,304,194</u>

The accrued liability is the actuarial present value of the portion of the projected benefits that has been accrued as of the valuation date based upon the actuarial valuation method and the actuarial assumptions employed in the valuation. The unfunded accrued liability is the excess of the accrued liability over the actuarial value of assets.

9) Please see attached Investment/Cash Management policy if applicable

Please see Notes Page attached.

CERTIFICATION OF MUNICIPAL POLICE  
PENSION FUND COMPLIANCE REPORT

The Board of Trustees of the Pension Fund, based upon information and belief, and to the best of our knowledge, hereby certify pursuant to §3-143 of the Illinois Pension Code 40 ILCS 5/3-143, that the preceding report is true and accurate.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023

President \_\_\_\_\_ Date \_\_\_\_\_

Secretary \_\_\_\_\_ Date \_\_\_\_\_

**THE VILLAGE OF GLEN ELLYN, ILLINOIS  
POLICE PENSION FUND**

**Public Act 95-950 - Municipal Compliance Report  
For the Fiscal Year Ending December 31, 2022**

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INDEX OF ASSUMPTIONS

- 1) Total Cash and Investments - as Reported at Market Value in the Audited Financial Statements for the Years Ended December 31, 2022 and 2021.

Total Net Position - as Reported in the Audited Financial Statements for the Years Ended December 31, 2022 and 2021.

- 2) Estimated Receipts - Employee Contributions as Reported in the Audited Financial Statements for the Year Ended December 31, 2022 plus 5.66% Increase (Actuarial Salary Increase Assumption) Rounded to the Nearest \$100.

Estimated Receipts - All Other Sources:

Investment Earnings - Cash and Investments as Reported in the Audited Financial Statements for the Year Ended December 31, 2022, times 6.5% (Actuarial Investment Return Assumption) Rounded to the Nearest \$100.

Municipal Contributions - Recommended Tax Levy Requirement as Reported by Foster & Foster, Actuarial Valuation for the Year Ended December 31, 2022.

- 3) (a) Pay all Pensions and Other Obligations - Total Non-Investment Deductions as Reported in the Audited Financial Statements for the Year Ended December 31, 2022, plus a 25% Increase, Rounded to the Nearest \$100.

(b) Annual Requirement of the Fund as Determined by:

Illinois Police Officers' Pension Investment Fund - Suggested Amount of Tax Levy as Reported in the December 31, 2022 Actuarial Valuation.

Private Actuary - Foster & Foster:

Recommended Amount of Tax Levy as Reported by Foster & Foster in the December 31, 2022 Actuarial Valuation.

Statutorily Required Amount of Tax Levy - No statutorily required amount has been provided in a December 31, 2022 Private Actuarial Valuation, at the time of this report.

**THE VILLAGE OF GLEN ELLYN, ILLINOIS  
POLICE PENSION FUND**

**Public Act 95-950 - Municipal Compliance Report  
For the Fiscal Year Ending December 31, 2022**

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INDEX OF ASSUMPTIONS

- 4) Net Income Received from Investment of Assets - Investment Income (Loss) net of Investment Expense, as Reported in the Audited Financial Statements for the Years Ended December 31, 2022 and 2021.

Assumed Investment Return:

Illinois Police Officers' Pension Investment Fund - Current and Preceding Fiscal Year Interest Rate Assumption as Reported in the Years Ended December 31, 2022 and 2021 Actuarial Valuations.

Private Actuary - Current and Preceding Fiscal Year Interest Rate Assumption as Reported in the Years Ended December 31, 2022 and 2021 Actuarial Valuations.

Actual Investment Return -Net Income Received from Investments as Reported Above as a Percentage of the Average of the Beginning and Ending Balances of the Fiscal Year Cash Investments, Excluding Net Investment Income, Gains, and Losses for the Fiscal Year Return Being calculated, as Reported in

- 5) Number of Active Members - Illinois Department of Insurance Annual Statement for December 31, 2022 - Schedule P.
- 6) (i) Regular Retirement Pension - Illinois Department of Insurance Annual Statement for December 31, 2022 - Schedule P for Number of Participants and Expense page 1 for Total Amount Disbursed.
- (ii) Disability Pension - Same as above.
- (iii) Survivors and Child Benefits - Same as above.

**THE VILLAGE OF GLEN ELLYN, ILLINOIS  
POLICE PENSION FUND**

**Public Act 95-950 - Municipal Compliance Report  
For the Fiscal Year Ending December 31, 2022**

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INDEX OF ASSUMPTIONS

7) The funded ratio of the fund:

Illinois Police Officers' Pension Investment Fund - Current and Preceding Fiscal Year Net Present Assets as a percentage of Total Assets as Reported in the December 31, 2022 and 2021 Actuarial Valuations.

Private Actuary - Current and Preceding Fiscal Year Net Present Assets as a percentage of Total Assets as Reported in the December 31, 2022 and 2021 Actuarial Valuations.

8) Unfunded Liability:

Illinois Police Officers' Pension Investment Fund - Deferred Asset (Unfunded Accrued Liability) as Reported in the December 31, 2022 Actuarial Valuation.

Private Actuary - Deferred Asset (Unfunded Accrued Liability) as Reported by Foster & Foster in the December 31, 2022 Actuarial Valuation.



September 28, 2023

Members of the Pension Board of Trustees  
Glen Ellyn Police Pension Fund  
535 Duane Street  
Glen Ellyn, Illinois 60137

We are pleased to confirm our acceptance and understanding of the following services we are to provide for the Glen Ellyn Police Pension Fund for the years ended December 31, 2024, 2025, and 2026.

We will compile from information you provide, monthly Treasurer's reports including annual and interim statements of net position - modified cash basis, statements of changes in net position - modified cash basis, and other supplementary information for the years ended December 31, 2024, 2025, and 2026 and perform a compilation engagement with respect to those financial statements. These financial statements will not include related notes to the financial statements as required for the financial statements prepared in accordance with the modified cash basis of accounting. In addition, the supplementary information accompanying the compiled financial statements will be prepared and presented with the financial statements. Such supplementary information is the responsibility of management and will be subject to our compilation engagement. We will not audit or review the supplementary information. We will not express an opinion, a conclusion or provide any assurance on such supplementary information.

### **Our Responsibilities**

1. We will provide you with the following bookkeeping services: post the cash receipt and cash disbursement journals; reconcile all bank accounts; account for all investment transactions; post the general ledger; issue vendor, contribution refund, and pension benefit payments; maintain vendor and benefit payment history; maintain records of contributions paid by members.
2. We will prepare financial statements in accordance with the modified cash basis of accounting based on information provided by you.
3. We will apply accounting and financial reporting expertise to assist you in the presentation of financial statements without undertaking to obtain or provide assurance that there are no material modifications that should be made to the financial statements in order for them to be in accordance with the modified cash basis of accounting.
4. We will prepare and file the annual tax forms 1099-R, 945, 1099-MISC and 1099-NEC and 1096 for the years ended December 31, 2024, 2025, and 2026.
5. We will perform pension benefit calculations and process benefit and vendor disbursements upon written authorization of management. A list of the scheduled pension benefit increases for each calendar year will be provided to the Pension Board for approval. All benefits are calculated in accordance with State Statutes and are based upon the pension benefit calculation schedules prepared for each beneficiary and approved by the Pension Board. We will disburse to the pensioners the gross pension benefit amounts indicated on the list provided for the applicable twelve-month benefit period. Any other amendments or changes to the gross benefits will require written authorization from the Pension Board. We will also perform requested non-actuarial calculations for all creditable service transfers and purchases allowable per State Statutes.

6. We will provide Professional Services Administration (PSA), which includes board meeting agenda preparation, scheduled board meeting attendance and preparation of minutes, maintenance of active member files, administration of annual elections, and preparation of annual affidavits to pensioners.
7. We will provide electronic data management by utilizing online portals. The portal will allow online access to an archive of current and historic Glen Ellyn Police Pension Fund financial documents and active member files. The documentation will be uploaded into the portal, filed appropriately and maintained by Lauterbach & Amen. It is the understanding of the parties that the portal is a supplement to, and not a replacement for, the Pension Board's responsibility to maintain original paper and/or electronic public records of the Pension Fund. The Pension Fund may terminate the portal services with written notice to Lauterbach & Amen. Lauterbach & Amen agrees to maintain the Pension Board's access for a maximum of 30 days after written notice is received, for the Pension Board to make sufficient electronic copies.
8. Lauterbach & Amen will maintain cyber and professional liability insurance and provide documentation of such coverage upon request.

We will conduct our compilation engagement in accordance with Statements on Standards for Accounting and Review Services (SSARS) promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants (AICPA) and comply with applicable professional standards, including the AICPA's Code of Professional Conduct and its ethical principles of integrity, objectivity, professional competence, and due care, when performing the bookkeeping services, preparing the financial statements, and performing the compilation engagement.

We are not required to, and will not, verify the accuracy or completeness of the information you will provide to us for the engagement or otherwise gather evidence for the purpose of expressing an opinion or a conclusion. Accordingly, we will not express an opinion or a conclusion nor provide any assurance on the financial statements.

Our engagement cannot be relied upon to identify or disclose any financial statement misstatements, including those caused by fraud or error, or to identify or disclose any wrongdoing within the entity or noncompliance with laws and regulations. However, we will inform the Pension Board of any material errors, and of any evidence or information that comes to our attention during the performance of our compilation procedures with respect to possible instances of fraud or misstatements unless they are clearly inconsequential.

We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities since performing those procedures or taking such action would impair our independence.

### **Your Responsibilities**

The engagement to be performed is conducted on the basis that you acknowledge and understand that our role is to prepare financial statements in accordance with the modified cash basis of accounting and assist you in the presentation of the financial statements in accordance with the modified cash basis of accounting. You have the following overall responsibilities that are fundamental to our undertaking the engagement in accordance with SSARS:

1. The selection of the modified cash basis of accounting as the financial reporting framework to be applied in the preparation of the financial statements.

2. The preparation and fair presentation of financial statements in accordance with the modified cash basis of accounting and the inclusion of a description of the modified cash basis of accounting.
3. The design, implementation, and maintenance of internal controls relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.
4. The prevention and detection of fraud.
5. To ensure that the Glen Ellyn Police Pension Fund complies with the laws and regulations applicable to its activities.
6. The accuracy and completeness of the records, documents, explanations, and other information, including significant judgments, you provide to us for the engagement.
7. To provide us with -
  - a. access to all information of which you are aware is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters,
  - b. additional information that we may request from you for the purpose of the compilation engagement,
  - c. unrestricted access to persons within the entity of whom we determine it necessary to make inquiries.

You are also responsible for all management decisions and responsibilities and for designating an individual, with suitable skills, knowledge, and experience to oversee our bookkeeping services and the preparation of your financial statements. You are responsible for evaluating the adequacy and results of the services performed and accepting responsibility for such services.

Lauterbach & Amen, LLP does not assume any management responsibilities for the Pension Fund. We are not engaged to, and will not, perform an audit, the objective of which would be the expression of an opinion on the specified elements, accounts, or items. These services cannot be relied upon to detect errors, irregularities, or illegal acts that may exist. However, we will inform you of any such matters that may come to our attention.

It is the understanding of the parties that the portals provided to or held by Lauterbach & Amen, LLP, is a supplement to, and not a replacement for, the original paper and electronic public records of the Pension Fund.

## **Our Report**

As part of our engagement, we will issue a report that will state that we did not audit or review the financial statements and that, accordingly, we do not express an opinion, a conclusion, nor provide any assurance on them. There may be circumstances in which the report differs from the expected form and content. Our report will disclose that the Pension Fund management has elected to omit substantially all the disclosures ordinarily included in financial statements prepared in accordance with the modified cash basis of accounting. If the omitted disclosures were to be included in the financial statements, they might influence the user's conclusions about the Pension Fund's assets, liabilities, net position, additions and deductions. Accordingly, the financial statements will not be designed for those who are not informed about such matters. If for any reason, we are unable to complete the compilation of your financial statements, we will not issue a report on such statements as a result of this engagement.

Our report will disclose that the financial statements are prepared in accordance with the modified cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America.

You agree to include our accountant's compilation report in any document containing financial statements that indicates that we have performed a compilation engagement on such financial statements and, prior to inclusion of the report, to ask our permission to do so. The supplementary information accompanying the financial statements will be presented for purposes of additional analysis. Our report will not express an opinion, a conclusion, nor provide any assurance on such information.

**Other Relevant Information**

Costs for our services are as follows:

<b>Services Provided</b>	<b>Calendar Year Ended 12/31/2024</b>	<b>Calendar Year Ended 12/31/2025</b>	<b>Calendar Year Ended 12/31/2026</b>
• Monthly Accounting	\$775 Monthly	\$800 Monthly	\$825 Monthly
• Benefits Administration	\$620 Monthly	\$640 Monthly	\$660 Monthly
• Professional Service Administration	\$815 Monthly	\$855 Monthly	\$900 Monthly
• Municipal Compliance Report	\$515 Annual	\$530 Annual	\$545 Annual
• Year End Auditor's Workpapers	\$1,135 Annual	\$1,170 Annual	\$1,205 Annual
• Payroll & Vendor Tax Forms	\$655 Annual	\$675 Annual	\$695 Annual
<b>Annual Total Costs of Services</b>	<b>\$28,825</b>	<b>\$29,915</b>	<b>\$31,065</b>

Monthly services will be billed on a monthly basis and annual services will be billed as completed.

In connection with this agreement, the Glen Ellyn Police Pension Fund authorizes Lauterbach & Amen, LLP to automatically debit the Pension Fund’s disbursement account at BMO Bank N.A. upon completion of any past, present, or future services for the cost agreed upon in the respective engagement letter. Either the Pension Fund or Lauterbach & Amen, LLP may terminate this auto debit arrangement at any time by providing prior written notice to the other.

Either party may terminate all or a portion of the services contemplated by this engagement at any time for any reason upon 30 days written notice to the other. Subcontracting is prohibited without the express written approval of the Pension Fund’s Board of Trustees. This agreement shall be governed by and construed in accordance with the laws of the State of Illinois.

We appreciate the opportunity to be of service to the Glen Ellyn Police Pension Fund and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you acknowledge and agree with the terms of our engagement as described in this letter, please indicate your acceptance of the above understanding by signing below and returning a signed copy to us. If the Pension Fund's needs change during the year, the nature of our services can be adjusted accordingly. Likewise, if you have special projects with which we can assist, please let us know.

Cordially,

*Lauterbach & Amen, LLP*

Lauterbach & Amen, LLP

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**RESPONSE:**

This letter correctly sets forth the understanding of the Glen Ellyn Police Pension Fund:

Accepted by: \_\_\_\_\_

Title: \_\_\_\_\_

*A Public Safety Law Firm*

**RDL**

REIMER DOBROVOLNY & LABARDI PC

*Volume 24, Issue 4, October 2023*

## **Legal and Legislative Update**

### **Line of Duty Denied for Lack of Causation**

*Cox v. Bd. of Trustees of Kankakee Police Pension Fund*, 2023 IL App (3d) 220213-U

The appellate court affirmed the Pension Board’s decision, which found that while Officer Cox was disabled, he had not proven his disability was causally connected to an act of duty. In its decision, the appellate court focused on the facts and findings which supported the Board’s decision to deny a line-of-duty pension.

At the hearing, Officer Cox testified and his medical records were admitted, along with three IME reports, several Functional Capacity Assessments (“FCAs”), and employment records which include a letter from his supervisor.

Officer Cox, whose testimony was found to be confusing and conflicting by the Pension Board, claimed that he had been injured while restraining a combative civilian in an emergency room at a local hospital. Notwithstanding his claim he was injured and experienced immediate pain to his shoulder, he (1) did not seek immediate treatment at the same hospital, (2) made no mention of the injury in a detailed “Field Report” he wrote about

### **In This Issue...**

- 1 Line of Duty Denied for Lack of Causation**
- 2 Duty Disabled Firefighter Denied PSEBA Benefits**
- 3 Bad Advice is Not Reasonable Cause for Failing to File Timely Application**
- 4 QILDRO Complications Lead to Lawsuit**
- 5 Attorney General Opines on Restrictions for Public Comment**
- 6 Suggested Agenda Items for January Meeting**
- 7 RDL News**

the incident, (3) only filed the required “Employee Injury Report and Supervisor’s Initial Investigation Report” over 5 months after the incident, and (4) first sought treatment for his shoulder only after he had been seen and treated for an off-duty knee injury.

Officer Cox also testified that while he did not fill out the necessary paperwork at the time of the injury in October of 2017, he did report the injury to his superior. The officer's superior unequivocally denied Officer Cox had reported his injury at the time. Specifically, his superior indicated not only did he have no recollection of the conversation, but he "made it a practice to generate an injury report regardless of whether the Officer wished to have the injury checked at that time or not." Both the Pension Board and the Appellate Court placed significant weight on this statement, as well as the absence of any corroborating record of an injury report filed at the time of the alleged injury.

Finally, the Appellate Court also addressed both the IME and the FCA opinions. First, the Appellate Court reviewed the FCA opinions generated through the concurrent worker's compensation claim. The Court noted that an initial FCA opinion stated that without corroboration, such as statements from other officers or reports from the incident, the doctor would be unable to tie the claimed injury to the claimed act of duty and instead would consider the disability a result of degenerative change. This same doctor later changed his opinion on causation without any explanation, which both the Pension Board and the Appellate court found problematic.

The Appellate Court also agreed with the Pension Board's analysis of the IME reports. While the IMEs asserted that the medical records were consistent with the history provided by Officer Cox and that the on-duty incident served as the cause of the officer's injury to his shoulder, the Pension Board gave less weight to these opinions because they relied on Officer Cox's self-serving history. ❖

## **Duty Disabled Firefighter Denied PSEBA Benefits**

*Thomsen v. Village of Bolingbrook, et al.*, 2023 IL App (3d) 220365

Plaintiff, a firefighter, was awarded a line-of-duty disability pension under Article 4 of the Pension Code for a lower back injury. Plaintiff sought to receive health insurance benefits from the Village of Bolingbrook (Village) pursuant to the Public Safety Employee Benefits Act (PSEBA). Plaintiff's application was denied, so he appealed that decision to the Circuit Court. However, the Circuit Court rejected Plaintiff's claim and entered judgment in favor of the Village.

On appeal, the Appellate Court initially noted the existing Illinois Supreme Court precedent holding that a "catastrophic injury" under PSEBA is "synonymous with an injury resulting in a line-of-duty disability under section 4-110 of the [Pension] Code." (*Krohe v. City of Bloomington*, 204 Ill. 2d 392 (2003)). In this case, Plaintiff alleged he slipped and fell on ice when stepping out of an ambulance on an emergency call and twisted his back. Then, while attempting to start a chainsaw back at the fire station, he noticed increasing pain in his lower back and elbow. Plaintiff argued his conduct was in response to what was reasonably believed to be an emergency.

At the adjudication hearing, Plaintiff testified he was dispatched to a motor vehicle accident with injuries. Upon his arrival, Plaintiff's battalion chief, the Illinois State Police, and the Romeoville Fire Department were already at the scene. Plaintiff pulled his ambulance behind the vehicle involved in the accident to block traffic and secure the scene. Upon exiting the ambulance, he slipped on ice and felt a sharp pain in his back. After taking a couple of deep breaths, Plaintiff proceeded to perform his duties at the scene.

Upon his return to the station, Plaintiff did not report the injury. Plaintiff and his partner were then assigned to check the chainsaws operability, during which he repeatedly pulled the chainsaw he was

checking. It failed to start. After a couple more attempts, and right before the final pull which started the chainsaw, the chainsaw kicked back and Plaintiff felt a burning in his left elbow. Plaintiff was next asked to assist in checking the heavy extrication tools in the back of the fire engine. When he reached over the back of the engine, his back locked up on him. Plaintiff continued to check the tools. Later that afternoon, he reported his injury to his supervising lieutenant.

Before the end of his shift, Plaintiff completed a National Fire Incident Reporting System Report (NFIRS Report), regarding the dispatch to the motor vehicle accident in which he noted “NO INJURIES. POLICE MATTER ONLY.” Also, the “FIREHOUSE LOG” for Plaintiff’s shift included a note from the lieutenant that Plaintiff advised he had back pain and did not request any medical attention. Further, an incident report titled “Illinois Form 45: Employer’s First Report of Injury,” completed by the deputy chief stated the accident occurred when “Repeatedly attempting to pull start a chain saw from Engine” and the employee was harmed by the “Pulling motion of start chain.” Lastly, the “Supervisor’s Investigation Report,” completed by the battalion chief, stated that starting the chainsaw and moving hydraulic tools was the source of Plaintiff’s complaint.

At the adjudication hearing, Plaintiff testified the slip on the ice was not included in the reports but insisted he reported the slip to his battalion chief and the injury was further aggravated throughout the day, but the battalion chief told him he “should stick with the chain saw.” Plaintiff’s medical records, which he signed, also contained the following description of the problem as “While at work, I was doing weekly tool check and I repeatedly tried to start a chainsaw when I felt lower back pain shortly after.” The hearing officer denied Plaintiff’s claim, finding he did not prove by a preponderance of the evidence that his injuries occurred during the emergency call for the motor vehicle accident; rather, the evidence established the injuries resulted from the chainsaw and tool checks performed after the emergency call.

The Appellate Court applied the manifest-weight-of-the-evidence standard of review when determining whether Plaintiff’s injury resulted from his response to an emergency. In this regard, the pension board’s finding that plaintiff was injured from slipping on the ice while responding to an emergency call did not prevent the Village from contesting whether he suffered an injury while responding to an emergency under the doctrine of collateral estoppel. According to the Appellate Court, the issue decided by the pension board, *e.g.* whether plaintiff was injured in the performance of an act of duty, is not the same issue to be decided for PSEBA benefits, *e.g.* whether the injury occurred as a result of plaintiff’s response to what is reasonably believed to be an emergency.

Accordingly, the hearing officer properly considered whether there was a causal connection between plaintiff’s injury and the work-related incidents. In this regard, the Appellate Court found the evidence of record supported the hearing officer’s determination that Plaintiff’s injury was the result of pull-starting the chainsaws and checking the tools, and not the result of slipping on the ice while exiting the ambulance at the motor vehicle accident. “[A]pplying the manifest weight of the evidence standard of review, we cannot say it was unreasonable for the hearing officer to conclude that plaintiff failed to establish that his injury occurred as a result of slipping on the ice.”

The decision denying Plaintiff PSEBA benefits was affirmed. ❖

### **Bad Advice is not Reasonable Cause for Failing to File Timely Application**

*Hannigan v. Retirement Board of County Employees’ and Officers’ Annuity and Benefit Fund of Cook County*, 2023 IL App (1<sup>st</sup>) 220790-U

Plaintiff was employed as a foreman in Cook County’s facilities management department. He sustained a work-related injury in May of 2010, resulting in a 16-month period of disability leave.

During his period of disability leave, Plaintiff did not file a disability application based on the advice of his supervisors that he should wait until his retirement to apply. Plaintiff received worker's compensation benefits for his injury.

Plaintiff wanted to receive creditable service for the period of disability leave, so he submitted an application for disability benefits in April of 2016, as his retirement neared, requesting to update his retirement benefit to include the time he was on disability leave. Plaintiff's application for duty disability benefits was denied as untimely. Notably, Plaintiff was awarded additional service time for an injury in 2003 because according to the Board's rules the lack of knowledge of the time limitations for filing an application does constitute reasonable cause for failing to timely file an application.

According to the pension board, the evidence showing Plaintiff's supervisors were not aware that an application for disability benefits must be filed while the disability exists is not sufficient to substantiate a cause for delay under the Pension Code. On administrative review, the Circuit Court affirmed the board's decision.

On appeal, the Appellate Court reviewed the board's decision for clear error. According to Section 9-156 of the Pension Code, "benefits shall not be allowed unless application therefor is made while the disability exists; except that this limitation does not apply if the board finds that there was reasonable cause for delay in filing the application *while the disability existed.*" (Emphasis added.) The Appellate Court found Plaintiff had adequate notice of his obligation to file a disability benefit application during the time of his disability, as the fund sent him the application and instructions in April of 2011, which included the statement, "You must be disabled at the time of application." Similarly, the disability benefits handbook informs applicants they must be disabled at the time of application.

The Appellate Court concluded the pension board did not make a mistake in concluding Plaintiff lacked reasonable cause for delay in filing his

application. It also rejected Plaintiff's argument that his due process rights were denied when the pension board refused to entertain oral testimony or argument prior to making its decision. In this case, Plaintiff submitted a detailed explanation of his reliance on his supervisors' recommendations, which included statements from those supervisors supporting Plaintiff's claim. The Appellate Court found that because the facts were not in dispute, there was no need for an evidentiary hearing since Plaintiff had meaningful opportunity to present his claim. Plaintiff established no prejudice as result of the pension board's deciding the claim based on those undisputed facts.

The decisions of the pension board and the Circuit Court were affirmed. ❖

## **QILDRO Complications Lead to Lawsuit**

*Anderson v. Sullivan, Taylor & Gumina, P.C., 2023 IL App (1st) 221796-U*

A recent legal malpractice case serves as a good reminder of the importance of proper QILDRO processing. Plaintiff in this case was the ex-spouse of a firefighter. Her complaint alleges she entered into a marital settlement agreement (MSA) in partial reliance on her attorney's advice she would be eligible to receive a death benefit upon the death of her firefighter ex-husband. Nearly nine years passed from the date the MSA was entered to the date the parties finally contacted the pension fund to inquire about a QILDRO. Having received this inquiry, the pension fund advised the parties Article 4 of the Pension Code does not contemplate payment of any "death benefit". Only an eligible survivor would receive benefits upon the death of the firefighter. Because the ex-spouse cannot qualify as a "survivor" due to the divorce, the Plaintiff in this case would generally be entitled to nothing. This news prompted the instant lawsuit by the ex-spouse against her attorneys alleging they informed her she would be eligible to receive a death benefit.

One of the complicating factors here was the length of time that passed between the entry of the MSA

and tendering of a draft QILDRO to the pension fund - nearly nine years. As such, this serves as a good reminder of the general guidelines pension boards should keep in mind when processing QILDROs.

A QILDRO is a creature of statute by which retirement pension benefits are divided during a divorce proceeding. While the QILDRO must meet certain requirements to be valid, the pension fund's role is largely limited to review, processing, approval, and implementation of the QILDRO.

The first step in the process is for a QILDRO to be reviewed and approved by counsel for the pension fund. Typically, the QILDRO is then entered in court by the divorcing parties. The pension fund must receive a certified copy of the order along with a \$50 processing fee before it can accept the QILDRO. If the member has service prior to July 1, 1999, a consent to issuance signed by the member is also required.

Usually, the QILDRO awards the "alternate payee" (ex-spouse) a percentage of the pension benefits of the member. In that case, a QILDRO "Calculation Order" must be entered by the Court and served on the Pension Fund in order to make payment to the alternate payee. Of course, no payments are made to the alternate payee until the member begins receiving retirement benefits. As a result, the calculation order is frequently not entered until the member announces his intention to retire.

Pension Funds should be aware of certain deadlines set by statute. For example, within 45 days of receiving a QILDRO, the fund must provide the parties specific information enumerated by the statute needed for the completion of the calculation order. In addition, for a member who is not retired at the time the QILDRO is entered, the Pension Fund must provide updated calculation order information within 45 days of the member's subsequent retirement. Pension Funds should keep this requirement in mind when approving retirement benefits and note whether each retirement has a QILDRO attached to the member. Processing QILDROs is highly technical with many exceptions and fact specific determinations. The above is only meant to serve as a general guide.

Each situation is unique. Should your fund receive a QILDRO or have questions about administration, please do not hesitate to contact your RDL attorney.❖

## **Attorney General Opines on Restrictions for Public Comment**

PAC Opinion 23-013

Public comment is a required part of every public meeting. While it is rare a pension board meeting or hearing sees any public present, a working knowledge of the requirement to allow public comment is useful to ensure compliance with the Open Meetings Act (OMA).

In this matter before the Public Access Counselor (PAC) at the Attorney General's Office, a school board curtailed a member of the public's comment during the public comment portion of the meeting. The citizen made comments on elimination of class sections and then began to address an issue pertaining to the school district's hiring policies. When she began that portion of her comments, the school board president interrupted her advising she would not be allowed to make public comment on "personnel matters". In response to the PAC, the school board president advised the interrupted portion of the citizen's public comments pertained to a pending DCFS investigation.

In addressing the school board's restriction on public comment, the PAC advised generally the Open Meetings Act precludes a public body from imposing restrictions on public comment not set forth in the body's rules and regulations. The PAC also noted that, while the public body may enact rules for public comment under OMA, any restrictions would still be subject to reasonable "time, place, and manner" restrictions that are content neutral under the First Amendment to the United States Constitution.

Having established a public body may impose some restrictions on public comment by rule, the PAC next examined the school board's public comment rules. Recall, the response from the

school board suggested the citizen would not be allowed to comment on “personnel matters” at a public meeting. The manual for public comment published and adopted by the school board contained numerous rules. However, no rule suggesting a limitation on comment for personnel matters was included. The school board did include a verbal admonishment used at the start of its meeting advising public comment on matters concerning personnel or students should be communicated to the board in private. This suggestion was included on an annotated agenda given only to board members and not made available to the public.

Following analysis of the school board’s rules, the PAC concluded it had not adopted any rule limiting public comment on personnel matters. The admonishment read prior to the meeting and included in the annotated board agenda not made available to the public was not part of the published rules. Pursuant to the OMA, any rule on public comment must be “established and recorded” by the public body. Because the policy established and recorded by the school board did not include a limitation on public comment for personal matters, the board improperly limited the citizen’s public comment.

Going further, the PAC suggested, even if the school board had adopted a policy limiting public comment on personnel matters, that rule may fail to pass muster under a First Amendment analysis as content-based restrictions on speech are subject to strict scrutiny.

How does this apply to your pension board meeting? Many of our clients have adopted our RDL form rules and regulations. Included therein is a rule on public comment stating, “Any person shall be permitted to address the Pension Board

during the public comments portion of the meeting, not to exceed three (3) minutes per person.” It is important to keep in mind this rule does not include any limitation on the topic of comment. Based on the PAC opinion above, it may be questionable whether such a rule would survive review. Should you have questions on how to handle public comment at pension board meetings, please reach out to your RDL attorney. ❖

**Suggested Agenda Items for  
January (or 1st Quarter)**

- Approval of annual COLA increases.
- Semi-annual review of closed executive session minutes to determine if needs to remain confidential.
- Determine need for election of beneficiary and active Trustees and/or re-appointment of appointed Trustees – request for re-appointment of appointed Trustees.
- Schedule annual examinations for disabled firefighters/police officers under age 50.
- Annual verifications of eligibility for beneficiaries.
- Review/update contracts with vendors (accountants, actuaries, attorneys, investment managers/advisors or consultants).
- Obtain predatory lending certification forms from Illinois regulated banks.
- Determine status/need for extension of Letter of Credit or alternative collateralization for Pension Fund operating accounts.

## **REIMER DOBROVOLNY & LABARDI PC NEWS**

- October 3, 2023, RDL managing partner Rick Reimer will attend and present at the Metropolitan Alliance of Police training seminar in Bolingbrook.
- October 4-6, 2023, RDL managing partner Rick Reimer will attend and present at the IPPFA MidAmerican Pension Conference in Lincolnshire.
- November 3, 2023, RDL attorneys will attend and present at the IPFA Fall Pension Conference in Addison.
- December 5, 2023, RDL managing partner Rick Reimer will present at the IPPFA certified trustee training in Naperville.

### ***Legal and Legislative Update*** **Volume 24, Issue 4, October 2023**

**This publication constitutes advertising material. Information contained herein should not be considered legal advice.**  
*Legal and Legislative Update* is published periodically. Questions may be directed to:

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