



**Special Called Board Meeting Agenda**  
*Tuesday, February 12, 2019*  
*11:30 a.m.*

- I. Report of Administrative Committee** *(Dr. Lee Childress)*
- II. Regulation 34, Re-employment After Retirement**
- III. Other**
- IV. Adjourn**

---

Board Members: Mr. Kelly Breland, Chair  
Dr. Brian Rutledge, Vice Chair  
Mr. Bill Benson  
Dr. Lee Childress  
Mr. George Dale  
State Treasurer Lynn Fitch  
Ms. Kimberly Hanna  
Mr. Chris Howard  
Dr. Randy McCoy  
Mr. Drew Snyder

## **SPECIAL CALLED BOARD OF TRUSTEES MEETING MINUTES**

### **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

FEBRUARY 12, 2019

PAGE 1

The Board of Trustees of the Public Employees' Retirement System met in a Special Called Meeting, in the Fourth Floor Board Room of the PERS Building, 429 Mississippi Street, Jackson, Mississippi, Tuesday, February 12, 2019, with members present as follows: Board Chair Kelly Breland; Mr. Bill Benson; Dr. Lee Childress, via teleconference; Mr. George Dale; Deputy State Treasurer Jesse Graham, representing State Treasurer Lynn Fitch; Ms. Kimberly Hanna; Dr. Randy McCoy; Dr. Brian Rutledge; and Mr. Drew Snyder, via teleconference. Absent: Mr. Chris Howard.

Staff members present: Ray Higgins, Lorrie Tingle, Davetta Lee, Kenny Grissett, Billy Means, Randy Speights, Mason Frantom, Cindy Ogletree, Amy Marquez, LaCarole Smith, Susan Lyon, Shelley Powers, Mary Margaret Pritchard, Alicia Houston, Pauline Howard, Terri Bennett, Walter Hille, Randy Speights, Billy Means, Casey Lloyd, and Mary Jones. Also attending was Special Assistant Attorney General, Martin Millette.

Guest attendees were: Ray Wright, Joint Committee on Performance Evaluation and Expenditure Review; Kelly Riley, Mississippi Professional Educators; Onetta Whitley, Harold Pizzetta, and Don Kilgore, Attorney General's Office; Phil Burchfield, Mississippi Association of School Superintendents; Joyce Helmick, Mississippi Association of Educators; Nancy Loome, Holly Dean, and Karen Johnson, The Parents Campaign; Gerald Harris, WJTV; Bobby Harrison, Mississippi Today; Courtney Ann Jackson, WLBT/FOX 40; Will Bardwell, Southern Poverty Law Center; Joshua Starr, Deborah Dykes, and Jessica Carter, Ours to Change; Jerry Darnell, DeSoto County Schools; Dr. Terrell Tisdale and Mrs. Martha Tisdale, Retired Education Personnel of Mississippi; Rebekah Staples; Kathy Young Davis, Alexis Bilbro, Sherry Downs, Justine Server, Ward Emling, Florance Bass; Ann Thames and Judy Clark, Mississippi Retired Public Employees Association; Senator Sollie Norwood, Senator David Jordan, Senator Robert Jackson, and Senator Albert Butler, Mississippi State Senate; Representative Jay Hughes, Representative John Faulkner, Representative Bryant Clark, Representative Tom Miles, and Representative Orlando Paden, Mississippi House of Representatives; Cecil Brown, Public Service Commission; Steve Wilson, Mississippi Center for Public Policy; Jan Richardson, MSPE PAC; Ashley Norwood, Mike Fant, and Desare Frazier, Mississippi Public Broadcasting; Emily Pettus, Associated Press; and, participating via teleconference, Audra Ferguson-Allen and Robert Gauss, Ice Miller LLP.

Chairman Breland, called the meeting to order at 12:12 p.m.

Chairman Breland stated that there was one person signed up to make public comments before the Board today. He advised that a two-thirds vote of the Board would be necessary for the meeting agenda to be revised to add the Public Comment agenda item. He stated that, if approved by the Board, the public comment would be limited to five minutes.

Chairman Breland called for a motion to amend the meeting agenda to include the Public Comment agenda item.

The individual who requested the public comment stated that she wanted to waive her request, thereby canceling the necessity to amend the agenda to include the Public Comment item.

Chairman Breland stated that, for the information of all attendees, the PERS Board has a Public Comment policy in place that requires anyone who wishes to speak in any Board meeting, to complete a Public

**SPECIAL CALLED BOARD OF TRUSTEES MEETING MINUTES**

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

FEBRUARY 12, 2019

PAGE 2

Comment Request form. He advised that the regularly scheduled February Board of Trustees meeting is scheduled to be held in two weeks.

**Special Called Administrative  
Committee Meeting**

Chairman Breland, acting Administrative Committee Chair, stated that the Administrative Committee met this morning, Tuesday, February 12, 2019, in a Special Called Administrative Committee meeting. He advised, for informational purposes, that Dr. Lee Childress, Administrative Committee Chair, attended the Special Called Administrative meeting, via teleconference, and that Dr. Childress was remaining on the phone, attending this Special Called Board meeting.

Chairman Breland asked Director Higgins to present a brief synopsis of the items discussed in the Special Called Administrative Committee meeting.

Chairman Breland asked Dr. McCoy to state the motion for the Report of the Special Called Administrative Committee.

Dr. McCoy advised that the Administrative Committee approved the following action and is presenting the following motion to the Board:

The motion was made by Dr. McCoy, seconded by Mr. Benson and Mr. Dale, which motion duly passed, to direct PERS' staff to develop or amend regulations to allow retirees to receive their benefits and, if qualified and elected, to serve as representative or senator in the Mississippi Legislature, without forfeiture of benefits; knowing that this regulation must meet the conditions set forth in Section 25-11-127 of Mississippi Code; to also be in compliance with the Attorney General's Opinion, federal law, and not to jeopardize the Plan's qualified status with the Internal Revenue Service; to be finalized by January 1, 2020.

Voting for: Benson, Breland, Childress, Dale, Graham, Hanna, McCoy, and Rutledge. Voting against: Snyder. Absent: Howard.

*(Addendum A – AG Opinion regarding Application of PERS Regulations, dated November 29, 2018; Addendum B – AG Opinion regarding PERS Retirees Serving in the Mississippi Legislature, dated January 24, 2019)*

There being no additional business, the chairman called for a motion to adjourn.

The motion was made by Mr. Benson, seconded by Dr. Rutledge, which motion duly passed, to adjourn the meeting. Voting for: Benson, Breland, Childress, Dale, Graham, Hanna, McCoy, and Rutledge, and Snyder. Voting against: none. Absent: Howard.

The meeting adjourned at 12:20 p.m.

Respectfully Submitted,

**SPECIAL CALLED BOARD OF TRUSTEES MEETING MINUTES**  
**PUBLIC EMPLOYEES' RETIREMENT SYSTEM**  
**FEBRUARY 12, 2019**  
**PAGE 3**



H. Ray Higgins, Jr.  
*Executive Director*  
Public Employees' Retirement System



Kelly Breland  
*Chair*  
PERS Board of Trustees

HRH: maj