



MINUTES

**Claims Panel Meeting
of the Board of Trustees of the
State Universities Retirement System
Monday, September 27, 2021, 8:30 a.m.
Via remote access only due to ongoing COVID-19 concerns statewide**

The meeting of the Claims Panel of the Board of Trustees of the State Universities Retirement System convened on September 27, 2021, at 8:30 a.m., via Zoom (video conference) based on the Executive Order allowing for remote public meetings to be conducted via phone or video conference.

The following Claims Panel members were present: Mr. Daniel Gaumer, Hearing Officer; Ms. Suzanne Mayer, Interim Executive Director; and Mr. Richard Figueroa, SURS Board of Trustee member.

Others present: Ms. Bianca Green, General Counsel; Mr. Albert Lee, Associate General Counsel; Ms. Heather Kimmons, Associate General Counsel; Ms. Karen Nyi and Ms. Annette Ackerman, Executive Assistants; Ms. Ann Parkinson, Area Wide Reporting; Ms. Carolyn Clifford of the law firm of Ottosen, DiNolfo, Hasenbalg & Castaldo; Lori Kmiecik, member; Nicolette Kmiecik, member's daughter; and Mr. Bryan Hoffman, witness.

Claims Panel roll call attendance was taken. Hearing Officer Daniel Gaumer, present; Interim Executive Director Suzanne Mayer, present; and Trustee Richard Figueroa, absent.

Trustee Figueroa joined the meeting at 8:37 a.m.

APPROVAL OF MINUTES

Mr. Gaumer presented the open minutes from the Claims Panel Hearing of July 9, 2021.

Ms. Mayer made the following motion:

- That the open minutes from the July 9, 2021 Claims Panel Hearing be approved as presented.

Mr. Gaumer seconded the motion which passed via the roll call vote referenced below:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	absent

Mr. Gaumer presented the closed minutes from the Claims Panel Hearing of July 9, 2021, for approval.

Mr. Gaumer made the following motion:

- That the closed minutes from the July 9, 2021 Claims Panel Hearing be approved as presented and remain closed.

Ms. Mayer seconded the motion which passed via the roll call vote referenced below:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	absent

Mr. Gaumer admitted 259 pages of evidence into the record. The record includes the written authorities submitted by SURS Legal Counsel and Lori Kmiecik per the request of the Hearing Officer following the July 9, 2021 hearing. Arguments were then presented by both parties. Upon conclusion of the oral arguments, Mr. Gaumer closed the proof of evidence.

CLAIMS PANEL DELIBERATIONS

Mr. Gaumer made a motion to move into closed session pursuant to §2(c)(4) of the Illinois Open Meetings Act to consider the evidence and testimony presented in open hearing as is authorized by law. Trustee Figueroa seconded the motion which passed via the roll call vote referenced below:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

RETURN TO OPEN SESSION

Upon completion of the deliberations, the Claims Panel returned to Open Session at approximately 8:55 am.

Ms. Mayer then made the following motion:

- To affirm the staff decision, finding that Lori Kmiecik has not proven by preponderance of the evidence that SURS has improperly assessed an overpayment of disability retirement annuity benefits in the amount of \$ 9,180.23, with a written decision of factual findings and conclusions to be drafted by the Hearing Officer and signed by members of the Claims Panel voting in favor of the motion.

Trustee Figueroa seconded the motion which passed via the following roll call vote:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

Mr. Gaumer confirmed that he would prepare the written decision to be circulated and signed by all Claims Panel members.

PUBLIC COMMENT

There was no public comment.

There was no further business before the Claims Panel and Ms. Mayer moved that the meeting be adjourned. The motion was seconded by Trustee Figueroa and passed via the roll call vote below:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

Respectfully submitted,



Daniel L. Gaumer
Hearing Officer

dlg:aa