

**THE UNIVERSITY OF WINNIPEG**  
**TRUSTEED PENSION PLAN**  
**BOARD OF TRUSTEES**

**Minutes of the Meeting**  
**Friday, October 9, 2009**

ATTENDANCE:

Present: Mary Anne Walls, Bill Balan, Laurel Repski, Valerie Gilroy, Barry Barske, Wendy Josephson, Hans Werner, Karen Zoppa, Brent Stearns, Maurice Mearon, Henry Hudek, David Torz,

Also in Attendance: Jody Langan, Legal Counsel to the Plan, Doug Poapst, Actuary to the Plan, Barbara Doran, recording secretary.

Regrets: Gary Maksymyk, Greg Gillis, Ray Erb

The Board of Trustees welcomed the new UWFA Representative, Hans Werner.

i. Approval of Agenda

Additions to the Agenda:

Under Other Business:

- Add Committee Reports

It was MOVED: Repski/Josephson

**That the agenda be approved with the noted change**

...CARRIED

ii. Approval of Minutes

Minutes of the meeting of July 28, 2009

Under Item 1 – Review of Letter from the Superintendent of Pensions

A concern was raised whether the Superintendent of Pensions would question the Motion “That the Board of Trustees accepts the Superintendent’s recommendation for the determination of the rate of interest” being ruled Out of Order.

The Chair responded that the Motion ruled Out of Order was ruled thus: because it is redundant to make a motion on an item that is outside of the Board's control. We have no choice but to work within the interest rate guidelines the Superintendent ordered. This explanation would eliminate the misleading appearance that the Board rejects the Superintendent's guidelines.

It was MOVED: Josephson/Repski

That this wording be accepted.

...CARRIED

It was MOVED: Josephson/Barske

**That the minutes of July 28 be accepted as noted above.**

...CARRIED

1. Annual Meeting with the Plan Counsel

Jody Langan reported that at this time, in his opinion, there were no concerns that the Board of Trustees had to address except for the impact of the new changes to the MB Pension Benefits Act. The changes to the Act become effective December 31, 2009. Plan amendments will have to be made soon after the effective date; however, it was noted that the Plan will have to be administered in accordance with the new legislation as soon as the PBA amendments become effective.

**ACTION ITEM:**

Doug Poapst will report back to the Board of Trustees on the updated impact to the Plan.

2. Pension Beneficiary Dispute

Jody Langan reported that the parties involved in the dispute asked that this item be put on the Agenda of the Board of Trustees. He reported that the Board has the right to apply to the court for an interpleader order to resolve the dispute or the Board of Trustees can seek further information and documentation from the individuals in question. There is very little risk in seeking an interpleader order. The indirect risk is setting a precedent in which the Board of Trustees will be asked to intervene in other disputes. A discussion ensued as to next step the Board should take.

The Board requested that all such correspondence in future use initials rather than names of the individuals, that everyone return their hard copy of Jody's letter to the Secretary for destruction and that all electronic copies of the letter be deleted.

It was MOVED: Josephson (Barb my notes indicate that Henry moved this, but if your notes indicate Wendy, then go with her name)/Mearon

**That Jody Langan , Plan Counsel, correspond with all the parties concerned, asking for relevant documentation but noting that the Board of Trustees is not making any decision at this time.**

...CARRIED

ABSTENTIONS: 2

3. Annual Meeting with the Plan Actuary

Doug Poapst noted that the Plan document should be consolidated and some language clean-up should be made. Also, when the new Act becomes official, amendments to reflect the changes will need to be made. He also noted that before the next valuation takes place, the Board needs to review and discuss the funding policy, risk, actuarial assumptions, etc.

With regard to whether annual solvency valuations are required, Doug noted that he reviewed the Regulation and it didn't specifically exclude the University, however, he talked to Linda Buchanan of the Pension Commission and she noted that the University is not on the watch list for an annual valuation. Ms. Buchanan indicated that she will look into it and let us know.

4. Pension Distribution clarification from Superintendent

A September 23, 2009 letter from the Superintendent was reviewed. In the letter the Superintendent makes it clear that crediting of the July 1, 2001 excess COLA increase against the outstanding surplus amount will not be permitted.

Jody Langan indicated that on the basis of the Superintendent's instructions, the Plan Actuary can now calculate the amount to be distributed, and it is now incumbent on the Board to proceed with the application to the CRA.

It was pointed out that the Plan Actuary was requested to provide the Board with calculations using various rates of return including the CANSIM rate.. Doug Poast indicated that he would do so.

It was further pointed out that while there seemed to be a consensus at the last meeting, the Board has not determined the rate of interest and that the Board needs to be clear in its instructions.

It was MOVED: Josephson/Stearns

**That the Plan Actuary prepare a submission to the CRA regarding the cash distribution in accordance with the Superintendent of Pensions instructions. ...CARRIED**

With regard to the pay-out, Mary Anne Walls noted that there will likely be some complications related to the payouts. Of the estimated 600 potential beneficiaries, about 143 are now inactive and many of these will be difficult to trace. Divisions of pension following marriage break-down will also be a complicating factor. Also, a determination will have to be made with respect to any minimum benefit payment to pensioners.

**ACTION ITEM:**

The finalized list of beneficiaries will be co-ordinated between Mary Anne Walls and Doug Poapst.. The Board will determine options for those beneficiaries who cannot be traced.

5. Maximum Pension Benefit

The Board briefly discussed the Plan cap. It was acknowledged that the cap is now out of date with respect to CRA guidelines. The Plan Actuary pointed out that all actuarial valuations have been done on the basis of the present cap remaining in place. If the cap is revised it will increase Plan liabilities and current service costs and increasing the cap may prove to be expensive. It was determined that as this is a cost issue, it is a matter for bargaining.

Tabling of further agenda items to next meeting

Item 6 – Interest rate error

Item 7 – Fall newsletter (email)]

Item 8 – External Trustee replacement – nominations for the replacement of Gary Maksymyk should be forwarded to Laurel Repski by November 1<sup>st</sup>.

Item 9 – Draft Policy on relationship between Board and Stakeholders.

Committee Reports

It was MOVED: Josephson/Repski

**That Committees should table their reports with Mary Anne Walls prior to meetings of the Board of Trustees. ....CARRIED**

Laurel Repski moved the meeting be adjourned.

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Chair

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Secretary