

THE UNIVERSITY OF WINNIPEG
TRUSTEED PENSION PLAN
BOARD OF TRUSTEES

Minutes of the Meeting
Thursday, January 14, 2010

ATTENDANCE:

Present: Mary Anne Walls, Laurel Repski, Greg Gillis, Barry Barske, Wendy Josephson, Karen Zoppa, Brent Stearns, Maurice Mearon, Ray Erb, Hans Werner, Mike Emslie, Dave Torz.

Also in Attendance: Jody Langhan, Legal Counsel; Doug Poapst, Actuary; Shelley Mangiacotti, recording secretary.

Regrets: Henry Hudek, Valerie Gilroy

i. Approval of Agenda

Additions to the Agenda:

Under Other Business:

- Report from Mike Emslie – 2009 Income on Fund
- Report from Jody Langhan – Update of Interpleader Status

It was MOVED: Repski/Barske

That the agenda be approved with the noted changes

...CARRIED

ii. Approval of Minutes

Minutes of the November 18, 2009 meeting

It was noted that the motion to move in-camera was moved/seconded by Josephson/Repski. It was also noted that the amended motion re the selection of an auditor was moved/seconded by Gilroy/Emslie.

It was MOVED: Gillis/Josephson

That the minutes of November 18, 2009 be accepted with friendly amendments as noted.

...CARRIED

1. Amendments to the Pension Benefits Act and Regulation

A summary of the 2005 amendments to the Pension Benefits Act, as well as the July 2009 draft amendments to the Regulation were distributed and reviewed at the previous meeting. D. Poapst stated that the draft amendments to the Regulation were not yet finalized; the Pension Commission said that the target date for completion is the end of February. D. Poapst also indicated that the Pension Commission sought and had received substantive comments from various actuaries related to the funding portion of the amendments, therefore it may be expected that some changes to the proposed amendments to the Regulation may be made. It was suggested this item be tabled until the amendments to the Regulation are finalized.

A question was asked whether there was anything in the Regulation amendments that we need to act on immediately. D. Poapst indicated that there is nothing that needs to be done in the immediate future.

2. Minimum Surplus Distribution to Pensioners

The DB Committee had been asked to present a recommendation to the Board on the minimum surplus payment issue. The background, methodology, rationale, and recommendations were provided in a document from the DB Committee. The DB Committee Chair also gave some background as to the previous committee's decision to provide a surplus distribution to retired members.

A discussion followed on the merits and ramifications of granting or not granting a further minimum payment. J. Langhan indicated that the responsibility of the Board is to act with an even hand, in a reasoned and impartial way, having regard for the terms of the Plan and other pertinent documentation. To act with an even hand does not necessarily mean that all plan members have to be treated the same way; rather, differently situated plan members can be treated differently provided that there is a reasoned and fair basis for the differential treatment.

It was MOVED: Emslie/Repski

That no further minimum payment be made.

In favour = 6
Opposed = 6
Abstained = 0

It was MOVED: Emslie/Gillis

That a further minimum payment equal to the regular monthly December 1999 pension benefit be made to pensioners.

In favour = 4
Opposed = 7
Abstained = 1

Motion defeated

It was MOVED: Barske/Erb

That a further minimum surplus payment to pensioners be granted so that the "Remaining Surplus Share" for a pensioner shall mean the greater of 16.1362% of his or her Pensioner Accumulation at December 31, 1999 and two (2) times the regular monthly pension paid to him or her in the month of December, 1999 increased for interest using the CANSIM series V 122515 rate of return from January 1, 2000 to January 31, 2010.

In favour = 7
Opposed = 2
Abstained = 3

...CARRIED

ACTION ITEM:

J. Langhan to send a letter to the Superintendent of pensions providing the Plan actuary's calculations of surplus entitlement and indicating that a further minimum surplus payment would be made to pensioners.

3. Surplus Distribution Preparedness

The Board members were provided with a document entitled "Pension Surplus Distribution Requirements" that outlined the tasks and steps that needed to be done to make the surplus payment. D. Poapst indicated that he will provide payment data to Human Resources by January 22, 2010.

It was noted that the preparation of these plan member surplus statements and the processing of the payments would be a multi-week task. A brief discussion was held as to whether the Board would be prepared to help cover the cost of the additional payroll to support this project.

M. Walls indicated that a legal opinion will be required with respect to various issues concerning marriage break-ups, as the MB Pension Commission has ruled that the surplus payment is subject to sharing between spouses.

D. Poapst suggested that the payment from the University to cover the distribution to plan members be given to RBC Dexia who will decide how to hold the funds and in what type of account.

J. Langan confirmed that he has asked the MB Pension Commission for an extension of the January 31, 2010 payment deadline but to date has received no response. D. Poapst indicated that CRA advised him that they will have a response to the Board by January 31.

M. Walls and D. Poapst were thanked for their efforts by the Chair of the Board.

4. i. Report from the Operations Committee

- Auditor selection - The Operations Committee advised the Board that it has selected KPMG as the Auditor of the plan. They were selected based on their proposal and past satisfactory performance.
- External Trustee

It was moved: Josephson/Emslie

That the Board move “in-camera” for discussion on this item.

...CARRIED

It was moved: Josephson/Emslie

That the Board move out of “in-camera” to continue the meeting.

,,,CARRIED

As the one potential candidate has declined, the Committee will require further nominations by the end of January.

- Newsletter - The Board of Trustees fall/winter 2009 newsletter has been sent out.
- Budget - This item is tabled till next meeting. Last year’s budget will be used in the interim.
- Revised Code of Conduct - will be put on website as it was approved at last meeting based on the changes which are represented in this document.

4. ii. Interpleader Status update

It was moved: Gillis/Stearns

That the Board move “in-camera” for discussion on this item.

...CARRIED

It was moved: Josephson/Walls

That the Board move out of “in-camera” to continue the meeting.

,,,CARRIED

The balance of the agenda items were tabled until the next meeting Next meeting is to take place in February, 2010 G. Gillis moved that the meeting be adjourned.

Chair

Secretary