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## **PUBLIC EMPLOYEES' RETIREMENT BOARD MEETING**

**January 27, 2025**

**9:30 A.M.**

A regular meeting of the Public Employees Retirement Board (PERB) convened at 9:30 a.m., Monday, January 27, 2025, in the First Nebraska Administrative Building, Lower-Level, Training and Development Room, 1526 "K" Street, Lincoln, Nebraska.

The Board members were notified of this meeting by Agenda posted on the PERB SharePoint website on Friday, January 17, 2025. Public notice of this meeting was published in the Lincoln Journal-Star and Omaha World-Herald on Sunday, January 19, 2025. J. Elliott chaired the meeting and C. Bryant recorded the minutes.

MEMBERS PRESENT:                      JANIS ELLIOTT, VICE-CHAIR/CHAIR  
    JUDGE THOMAS ZIMMERMAN, VICE-CHAIR  
    KELLI ACKERMAN  
    GERALD CLAUSEN  
    CHARLES NEUMANN  
    ALLEN SIMPSON  
    LUKE SPLATTSTOESSER  
    ELLEN HUNG, EX-OFFICIO

MEMBERS NOT PRESENT:                PATRICK BOURNE

NONMEMBERS PRESENT:

TYLER CUMMINGS, Interim Director  
TAG HERBEK, Legal Counsel  
VANESSA HOHLEN, Internal Auditor  
CORAL BRYANT, Administrative Specialist  
JOHNETTA LANG, Data Services Manager  
MELISSA NUSS, Retirement Plan Manager  
JACK HARDY, Information Technology (IT) Manager  
CATHY MAESTAS-GRAHAM, Training Specialist  
NAOMI STROUP, Training Specialist  
CAITLIN GLENN, Auditor  
AARON MCARTHUR, Auditor  
JOHN E. JENSEN, Legal Counsel  
TREVOR FITZGERALD, Retirement Committee  
RYAN WALTON, State Budget Office  
JOSH RUHNKE, Ameritas  
ERIC ASBOE, Supreme Court

JAKE CURTISS, School Plan Member  
VICKI HUBER, State Plan Member  
ZACH WENDLING, Nebraska Examiner  
WALTA SUE DODD, Omaha Education Association (OEA) – Retired  
DOREEN JANKOVICH, Omaha Education Association (OEA) – Retired  
ROGER REA, Omaha Education Association (OEA) – Retired  
SAM BROWER, Public

**Agenda Item 1:** K. Ackerman stated this meeting will follow the Nebraska Open Meetings Act and a copy of the Act is provided electronically, via a link on the final agenda posted on the Nebraska Public Employees Retirement Systems' (NPERS) website, on the Attorney General's website, and a copy of the Act is located on the table by the door.

**Agenda Items 2 and 3 – Meeting Called to Order:** K. Ackerman called the January 27, 2025, Board Meeting to order at 9:30 a.m. Present at meeting: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, T. Zimmerman, and E. Hung. Absent: P. Bourne

**Agenda Item 4 – Election of Officers:** K. Ackerman reviewed the election of officers' procedures. She opened nominations for Board Secretary. A. Simpson nominated T. Cummings for Board Secretary. T. Zimmerman seconded the nomination. J. Elliott moved nominations cease and a unanimous ballot be cast for T. Cummings. C. Neumann seconded the motion. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Motion carried.

T. Cummings opened nominations for Board Chair. A. Simpson nominated J. Elliott. C. Neumann seconded the nomination. C. Neumann moved nominations cease and a unanimous ballot be cast for J. Elliott. G. Clausen seconded the motion. Members voted as follows: For: K. Ackerman, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Abstain: J. Elliott. Motion carried.

J. Elliott opened nominations for Board Vice-Chair. A. Simpson nominated T. Zimmerman for Board Vice-Chair. C. Neumann seconded the nomination. G. Clausen moved that nominations cease, and a unanimous ballot be cast for T. Zimmerman. L. Splattstoesser seconded the motion.

**Agenda Item 5 – Approval of Minutes:** T. Zimmerman moved for approval of the minutes of the December 16, 2024, Board Meeting. Motion was seconded by K. Ackerman. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Motion carried.

**Agenda Item 6 – Approval of Budget Status Report & December Retirement Report:** A. Simpson moved to approve the Budget Status Report and the December 2024 Retirement Report. Motion was seconded by L. Splattstoesser. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Motion carried.

**Agenda Item 7 – Public Comments or Correspondence from Citizens:** W. Dodd and R. Rea spoke on behalf of the Omaha Education Association regarding concerns about the Omaha School Employees' Retirement Systems (OSERS) plan management.

**Agenda Item 8 - Legislative Update:** T. Herbek gave an overview of upcoming legislative bills that could impact NPERS:

- LB295
- LB645
- LB689
- LB29
- LB190
- LB472
- LB565
- LB634

Discussion followed the presentation.

G. Clausen moved to approve the legislative update. Motion was seconded by L. Splattstoesser. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Motion carried.

**Agenda Item 9 - Director's Report:** T. Cummings gave the Director's Report.

Discussion followed the presentation.

G. Clausen moved to receive the Director's Report. Motion was seconded by C. Neumann. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Motion carried.

T. Cummings requested \$3,000 in expenses to attend the National Conference on Public Employees Retirement Systems (NCPERS) 2025 Legislative Conference in Washington, DC from January 27, 2025, through January 30, 2025.

K. Ackerman moved to approve up to \$3,000 in expenses for T. Cummings to attend the NCPERS 2025 Legislative Conference in Washington, DC from January 27, 2025, through January 30, 2025. Motion was seconded by G. Clausen. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Motion carried.

The PERB took a break from 10:14 a.m. until 10:26 a.m.

**Agenda Item 10 – NPERS Director Finalist Interviews:** J. Elliott stated that the PERB would interview the following finalist for the NPERS Director position: Mr. Tyler Cummings, Lincoln, NE.

**Agenda Item 11 – Executive Session:** At 11:08 a.m. T. Zimmerman moved the Board exit Regular Session and convene in Executive Session for the purpose of discussing the following: the Finalist for the NPERS Director position; Protection of the Public Interest, Prevention of Needless Injury to the Reputation of an Individual and finding the finalist has not requested that the discussion be held in open session. Case No. D-25-1; Prevention of Needless Injury to the Reputation of an Individual; Case No. A-23-3; Prevention of Needless Injury to the Reputation of an Individual. G. Clausen seconded the motion. J. Elliott repeated the motion for the record. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Motion carried.

E. Hung left the meeting.

At 12:30 p.m., T. Zimmerman moved the Board exit Executive Session and reconvene in Regular Session. Motion was seconded by G. Clausen. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Motion carried.

**Agenda Item 12 – Board Committee Reports:** There were none. A. Simpson thanked the Budget and Personnel Committee for all their hard work in selecting the new Director.

**Agenda Item 13 – Board Education/Travel Requests:** There were no requests.

**Agenda Item 14 – Future Meeting/Agendas:** The next PERB meeting is February 24, 2025.

**Agenda Item 15 – Board Action on Executive Session Topics:** T. Zimmerman moved for approval of Case Review No. D-25-1. Motion was seconded by C. Neumann. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, and T. Zimmerman. Against: None. Abstain: L. Splattstoesser. Motion carried.

T. Zimmerman moved to accept the recommendation from the Hearing Officer on Case Review No. A-23-3. Motion was seconded by G. Clausen. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Motion carried.

A. Simpson moved to approve the hiring of Michael Tyler Cummings for the NPERS Director position. Motion was seconded by C. Neumann. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Motion carried.

A. Simpson moved to appoint Chairperson J. Elliott to negotiate the mutually acceptable employment terms and conditions with Michael Tyler Cummings as directed by the PERB. Motion was seconded by L. Splattstoesser. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Motion carried.

**Adjournment:** C. Neumann moved that the meeting adjourn. Motion was seconded by K. Ackerman. Members voted as follows: For: K. Ackerman, J. Elliott, G. Clausen, C. Neumann, A. Simpson, L. Splattstoesser, and T. Zimmerman. Against: None. Motion carried.

The meeting adjourned at 12:39 p.m.