

**RESOLUTION NO. 2020-14  
(3-17-2020)**

**RESOLUTION BY THE VILLAGE BOARD OF THE VILLAGE OF STURTEVANT  
AUTHORIZING THE ADOPTION OF THE  
WISCONSIN OPEB TRUST INVESTMENT ADVISORY AGREEMENT  
AND APPOINTMENT OF INVESTMENT MANAGER**

WHEREAS, the VILLAGE OF STURTEVANT provides for the welfare of its eligible employees, former employees and their dependents by maintaining one or more post-employment welfare benefit plans including, without limitation, plans to provide health care benefits (collectively, the “Plans”);

WHEREAS, such post-employment benefits provided by the Local Government may represent compensation resulting from contractual agreements between the Local Government and its eligible employees and former employees for services rendered to the Local Government;

WHEREAS, such post-employment benefits provided by the Local Government may represent compensation resulting from the Local Government’s policy including a policy of the Governing Board and/or an employment handbook or compensation resulting from an individual employment contract;

WHEREAS, the Local Government’s obligation to provide such post-employment benefits and its liability with respect to the cost of funding such benefits accrues and has accrued during the period of employment of such eligible employees and former employees;

WHEREAS, in guidance it has provided, the Governmental Accounting Standards Board (the “GASB”) has acknowledged that it is fiscally appropriate to have the cost of funding such post-employment benefits recognized and provided for as such benefits accrue;

WHEREAS, the Local Government created a segregated, irrevocable trust fund (the “Trust”) pursuant to a trust and custody agreement (the “Trust Agreement”) and Wisconsin law in order to establish and maintain a trust which will hold and custody assets to fund all or a portion of the Local Government’s accrued liability with respect to the cost of funding such post-employment benefits;

WHEREAS, the Local Government intends for the Trust to qualify as an employee benefits trust fund within the meaning of its applicable accounting and financial reporting requirements;

WHEREAS, the Trust is separate and independent from any other segregated account of the Local Government which may hold or be used to account for assets used to pay post-employment benefits or fund accrued liability associated with employee benefits as required under section 115 of the Internal Revenue Code of 1986, as amended, and section 66.0603 of the Wisconsin Statutes, and under no circumstances may any assets in any such other account be commingled with assets of the Trust;

WHEREAS, the Plan funds will be invested pursuant to section 66.0603 of the Wisconsin Statutes in accordance with the Investment Advisory Agreement between the Local Government and the Investment Manager service provider;

WHEREAS, the Local Government intends to appoint an Investment Manager (the "Investment Manager") to manage the assets of the Trust as its discretionary and independent fiduciary under Wisconsin and federal law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees that:

1. Adoption of the Investment Advisory Agreement. The adoption of the Wisconsin OPEB Trust Investment Advisory Agreement ("Investment Advisory Agreement") is hereby approved. The Investment Advisory Agreement shall be adopted in the form of Exhibit A attached hereto and incorporated herein by reference. The VILAGE OF STURTEVANT and VILLAGE PRESIDENT are hereby authorized and directed to execute the Investment Advisory Agreement on behalf of the Local Government. Terms that are defined in the Restated Trust Agreement and the Investment Advisory Agreement shall have the same meaning in this adoption resolution.


2. Appointment of Investment Manager. Prudent Man Advisors, LLC ("PMA LLC") is appointed as Investment Manager under the Investment Advisory Agreement.

3. Further Authorizations. The officers, employees and agents of the Local Government are hereby authorized and directed to do any and all things reasonable and necessary to accomplish the purposes of this Resolution.

4. Conflicting Actions Rescinded; Severability; Effective Date. All prior resolutions, rules or other actions of the Local Government or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded this 17<sup>th</sup> day of March, 2020.

  
Jayme Hoffman, President

ATTEST:   
Amanda Ingle, Clerk