

Chairman J. Smith called the Orlando Police Pension Board Meeting to order on Wednesday, July 9, 2008 at 1:15 p.m., Agenda Conference Room, 2nd floor, City Hall at 400 S. Orange Avenue, Orlando, Florida. A quorum was present.

Member(s) Present

J. Smith, Chairman
V. Montgomery, Secretary
L. Singletary, Trustee
R. Sutton, Vice-Chair
K. Edmonds, Trustee

Also Present:

D. R. Jones, Executive Director
K. Laudeman, Dep. Exec. Director
C. McCullion, Assistant Treasurer
L. Freeman, Department Advocate
R. Klausner, Board Attorney (via phone)
S. Hoffman, FOP
R. Brown, Attorney for FOP
S. Vereen, Disability Applicant
T. Ryan, Disability Applicant
S. Burlon, Pension Coordinator

1. **DISABILITY HEARING FOR SHARON VEREEN**

Chairman Smith advised that this was the time set for the Disability Hearing of Sharon Vereen. Randy Brown, represented the applicant and Lee Ann Freeman, represented the Orlando Police Department. Chairman Smith asked both attorneys to give their opening statements. L. Freeman waived her opening statement. R. Brown waived his opening statement. S. Vereen was sworn in and testified. Chairman Smith advised that the evidence phase was now closed. L. Freeman waived her closing statement. R. Brown gave his closing statement.

A MOTION THAT BASED UPON THE EVIDENCE AND TESTIMONY PROVIDED THAT THERE IS A PERMANENT AND TOTAL DISABILITY, AS DEFINED BY THE POLICE PENSION PLAN, was made by K. Edmonds and R. Sutton; MOTION CARRIED UNANIMOUSLY.

A MOTION THAT BASED UPON THE EVIDENCE PROVIDED THAT NO PRE-EXISTING CONDITION HAD A CAUSAL RELATIONSHIP TO THE DISABILITY CLAIMED was made by R. Sutton and seconded by V. Montgomery; MOTION CARRIED UNANIMOUSLY.

A MOTION THAT BASED UPON THE EVIDENCE AND TESTIMONY PROVIDED THE DISABILITY INJURY INCURRED WAS A LINE OF DUTY DISABILITY was made by V. Montgomery and seconded by J. Smith; MOTION CARRIED UNANIMOUSLY.

Chairman Smith asked if the Police Chief had a light duty position available without any reduction in pay or benefits. L. Freeman advised that Chief Demings does not have a light duty position available in the Police Department.

A MOTION THAT BASED UPON THE EVIDENCE AND TESTIMONY PROVIDED OF THE EXISTENCE OF A PERMANENT AND TOTAL DISABILITY THAT THE LINE OF DUTY DISABILITY BENEFITS COMMENCE ON AUGUST 1, 2008 was made by J. Smith and seconded by L. Singletary; **MOTION CARRIED UNANIMOUSLY.**

The Board took a ten minute break.

2. **DISABILITY HEARING FOR TIMOTHY RYAN**

Chairman Smith advised that this was the time set for the Disability Hearing of Timothy Ryan. Mr. Ryan was not represented by an attorney. The Board Attorney, R. Klausner reviewed the hearing rules. Lee Ann Freeman, represented the Orlando Police Department. Chairman Smith asked both of them to give their opening statements. L. Freeman waived her opening statement. T. Ryan was sworn in and waived his opening statement. Applicant testified. Chairman Smith asked a question of the applicant. L. Freeman waived her closing statement. Applicant gave his closing statement. Chairman Smith advised that the evidence phase was now closed.

A MOTION THAT BASED UPON THE EVIDENCE AND TESTIMONY PROVIDED THAT THERE IS A PERMANENT AND TOTAL DISABILITY, AS DEFINED BY THE POLICE PENSION PLAN, was made by L. Singletary and R. Sutton; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT BASED UPON THE EVIDENCE PROVIDED THAT NO PRE-EXISTING CONDITION HAD A CAUSAL RELATIONSHIP TO THE DISABILITY CLAIMED was made by V. Montgomery and seconded by J. Smith; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT BASED UPON THE EVIDENCE AND TESTIMONY PROVIDED THE DISABILITY INJURY INCURRED WAS A LINE OF DUTY DISABILITY was made by J. Smith and seconded by L. Singletary; **MOTION CARRIED UNANIMOUSLY.**

Chairman Smith asked if the Police Chief had a light duty position available without any reduction in pay or benefits. L. Freeman advised that Chief Demings does not have a light duty position available in the Police Department.

A MOTION THAT BASED UPON THE EVIDENCE AND TESTIMONY PROVIDED OF THE EXISTENCE OF A PERMANENT AND TOTAL DISABILITY THAT THE LINE OF DUTY DISABILITY BENEFITS COMMENCE ON AUGUST 1, 2008 was made by J. Smith and seconded by R. Sutton; **MOTION CARRIED UNANIMOUSLY.**

The Board took a ten minute break.

3. **MINUTES**

A MOTION TO APPROVE THE MINUTES OF APRIL 30 AND JUNE 26, 2008 was made by L. Singletary and seconded by R. Sutton; **MOTION CARRIED UNANIMOUSLY.**

4. **CONSENT AGENDA**

Retirement Date

Eric Taylor #25886
\$3,986.44 monthly

June 1, 2008

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED was made by L. Singletary and seconded by R. Sutton; **MOTION CARRIED UNANIMOUSLY.**

5. **PENDING**

a. **STATUS OF DISABILITY APPLICATIONS**

S. Burlon gave an update on the disability applicants.

Michael Holberg Hearing to be scheduled for August 13.

Scott Longanecker Hearing to be scheduled for possibly September.

Juan McDermott IME has been scheduled for July 30, 2008.

Anthony Miller	IME received on June 16. To be scheduled for a disability hearing probably in September.
Daniel Nessim	IME appointment was on June 25, 2008.
Doanh Nguyen	Notebooks to be submitted before the end of July 2008
Tara Vincent	Withdrew application for disability.

R. Klausner advised that no decision has been rendered by the Court on the following appeals.

WILLIAM GIPSON	Response to Petition for Writ of Certiorari filed.
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DAVID MIXON	Response to Petition for Writ of Certiorari filed.
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6. **NEW/GENERAL APPEARANCE/OTHER BUSINESS**

None

Meeting adjourned at 2:30 p.m.

Respectfully submitted,

Rochelle L. Burlon

Pension Coordinator