

Minutes of the Firefighter's Pension Board Meeting

Chairman Ronald Glass called the meeting to order on Thursday, November 20, 2008 at 8:20 a.m. 2nd floor, Agenda Conference Room, City Hall at 400 S. Orange Avenue, Orlando, Florida. There was a quorum.

Members Present:

Ronald Glass, Chairman
John Miller, Vice-Chair
Michael Droege, Secretary
Mario A. Garcia, Trustee*
Rebecca W. Sutton, Trustee

*left meeting at 9:35 am

Also Present:

Christopher P. McCullion, Executive Director
Katrina Laudeman, Deputy Executive Director
Amanda Green, Fire Department Advocate
James B. Loper, Board Attorney
Deputy Chief Mark Oakes
Katie Zuccarini, Employee Benefits
Jeromy Hansen, Disability Applicant
Rochelle L. Burlon, Pension Coordinator

1. DISABILITY HEARING FOR JEROMY HANSEN

Chairman R. Glass advised that this was the time set for the application for line of duty disability pension of Jeromy Hansen. R. Glass recognized the Applicant who was represented by Mike Clelland, attorney. Amanda Green represented the Department. J. Loper went over the guidelines of the disability hearing. R. Glass informed all present that the hearing was being recorded and indicated that the applicant's package and the Board's IME would be accepted into evidence. J. Hansen and Deputy Chief M. Oakes were sworn in. A. Green asked Deputy Chief Oakes if there were any limited duty positions for the applicant in the Fire Department with no reduction in pay or benefits and Deputy Chief Oakes advised there was none. M. Clelland gave his opening statement. A. Green waived her opening statement. J. Hansen did not testify but was asked questions by the trustees. R. Glass advised that the evidentiary phase of the hearing was closed. Neither attorney gave a closing statement.

A MOTION THAT THIS IS A PERMANENT AND TOTAL DISABILITY was made by M. Droege and seconded by M. Garcia; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT J. HANSEN'S DISABILITY IS A LINE OF DUTY DISABILITY AS STATED IN THE PENSION PLAN was made by M. Droege and seconded by R. Sutton; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT THE LINE OF DUTY DISABILITY PENSION WILL BE EFFECTIVE DECEMBER 1, 2008 was made by M. Droege and seconded by J. Miller; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT JEROMY HANSEN IS NOT ENTITLED TO COST-OF LIVING INCREASES SINCE HE DOES NOT HAVE 20 OR MORE YEARS OF ACTUAL SERVICE was made by J. Miller and seconded by M. Droege; **MOTION CARRIED UNANIMOUSLY.**

2. **APPROVAL OF MINUTES**

A MOTION TO APPROVE THE MINUTES OF SEPTEMBER 18, 2008 was made by R. Sutton and seconded by J. Miller; **MOTION CARRIED UNANIMOUSLY.**

3. **CONSENT AGENDA**

Jason W. Ballard #13109 October 1, 2008
\$4,104.44 monthly

Corby Rusk #11594 October 1, 2008
\$3,658.55 monthly

Daniel Velez #11356 October 1, 2008
\$4,392.58 monthly

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED was made by M. Droege and seconded by J. Miller; **MOTION CARRIED UNANIMOUSLY.**

4. **PENDING**

a. **STATUS OF DISABILITY APPLICATIONS**

S. Burlon gave an update on the disability applicants. Jose Miranda Disability pension denied in August, 2008. He is no longer seeking a subsequent disability pension and no petition for writ of certiorari was filed.

Olivia DeRosa Notebooks submitted on November 18, 2008.

Michael J. Redd Application submitted on November 18, 2008.

The following firefighters have picked up application packages and binders:
Brad Arnold, Terri Lee and Collette Bates.

b. **STATUS OF TERMINATED FIREFIGHTER WHO WAS ELIGIBLE FOR BENEFITS AS OF JUNE 1, 2004**

C. McCullion advised that a firefighter who left the City of Orlando who remained vested with a future benefit could have started to draw a pension at 47 years of age. He is 51 years old now and hasn't applied to start drawing a pension. He has been notified by mail to apply and has not responded. **A MOTION TO SEND HIM ANOTHER LETTER BY CERTIFIED MAIL; TO GIVE HIM OR ANYONE ELSE IN THE FUTURE WHO DOES NOT APPLY FOR THEIR PENSION WHEN THEY ARE FORTY-SEVEN YEARS OLD TO RECEIVE THE ACTUARIAL EQUIVALENT AMOUNT MONTHLY RATHER THAN A LUMP SUM FOR THE MONTHS OR YEARS THAT THEY DIDN'T RECEIVE THEIR PENSION WITHOUT INTEREST** was made by R. Sutton and seconded by M. Droege; **MOTION CARRIED UNANIMOUSLY.**

Staff was instructed to have Stanley Holcombe & Associates prepare a factor table for both male and females for Employee Benefits.

c. **HEROES EARNINGS ASSISTANCE AND RELIEF TAX (HEART) ACT OF 2008**

J. Loper reviewed the Ordinance he prepared for the HEART Act. **A MOTION TO HAVE STANLEY HOLCOMBE AND ASSOCIATES PREPARE AN ACTUARIAL IMPACT STATEMENT FOR THIS ORDINANCE FOR NON-LINE OF DUTY BENEFITS BEING PAID TO BENEFICIARIES SHOULD A FIREFIGHTER DIE WHILE SERVING IN THE MILITARY;** was made by M. Droege and seconded by R. Sutton; **MOTION CARRIED UNANIMOUSLY.**

d. **BENEFICIARY FORM-10 YEAR CERTAIN**

C. McCullion reviewed the new form J. Loper and K. Zuccarini prepared. **A MOTION TO APPROVE THE FORM AS PRESENTED** was made by M. Droege and seconded by R. Sutton; **MOTION CARRIED UNANIMOUSLY.**

5. **NEW BUSINESS/GENERAL APPEARANCE**

a. **COLLECTIVE BARGAINING CHANGES TO PLAN**

A Special Act/Local Bill was prepared by J. Loper which will be presented to the Orange County Delegation on December 15. These benefits have been approved by Collective Bargaining and City Council on Monday, November 17, 2008.

b. **DISABILITY PENSION PROCEDURES**

C. McCullion reviewed the procedures that the Police Pension Board will be enacting next year. He advised the trustees that the Firefighters' don't have to change the way their procedures are done but he wanted them to be aware of the changes and cost effectiveness. Staff to send more information to trustees.

c. **INDEPENDENT MEDICAL EXAMINATION PROCEDURES**

C. McCullion reviewed the procedures that the Police Pension Board will be enacting next year with regard to IMEs. J. Miller advised that Dr. Portnoy would not be a good choice for the Fire Pension Board since he presently does return to duty examinations.

Meeting adjourned at 10:15 a.m.

Respectfully submitted,

Rochelle L. Burlon

Rochelle (Shelly) L. Burlon
Pension Coordinator