

MINUTES OF THE POLICE PENSION BOARD MEETING ON APRIL 14, 2011

Chairman Smith called the Police Pension Board Meeting to order at 9:07 a. m. There was a quorum.

Members Present

J. Smith Chairman
R. Thames, Vice-Chair
W. Long, Secretary
T. Blanca, Trustee (absent)
L. Botts, Trustee

Others Present

C. McCullion, Executive Director
A. Levinson, Board Attorney (via telephone)
S. Hetz; Police Department Advocate
R. Brown, Attorney for B. Licciardello
K. Zuccarini, Employment benefits
R. Burlon, Pension Coordinator

1. INITIAL DISABILITY HEARING OF THADDEUS JONES

S. Hetz advised the trustees that the Department recommends that the Board depose Dr. Kolin, who did the IME. She produced a timeline for the trustees of Officer Jones since he was hired in November 17, 1991 and gave the reasons and questions that she would like to ask Dr. Kolin.

Chairman Smith asked if the Department will be offering Officer Jones a Permanent Limited Duty Position. S. Hetz responded that she didn't think so. Chairman Smith asked if the Department feels this is a Line of Duty Disability. S. Hetz responded that the Department doesn't believe it is a Line of Duty Disability and doesn't know for sure if the Department believes he has a permanent and total disability.

Discussion ensued by the Trustees. R. Brown gave his opinion on the matter.

A MOTION TO MOVE FORWARD WITH THE DISABILITY HEARING AT THE MAY 12, 2011 MEETING was made by J. Smith and seconded by L. Botts; **MOTION CARRIED UNANIMOUSLY.**

C. McCullion asked what the Department Advocate's role will be at the disability hearing. Chairman Smith stated that unless there is a Permanent Limited Duty Position he asked the Board Attorney whether the Department Advocate needed to be present. Board attorney said it would not be necessary for the Department Advocate to attend unless there is a permanent limited duty position being offered in the Police Department without a reduction in pay or benefits at that time.

A MOTION TO RECONSIDER THE ORIGINAL MOTION PREVIOUSLY MADE was made by J. Smith and seconded by W. Long; **MOTION CARRIED UNANIMOUSLY.**

Discussion ensued.

A MOTION TO WITHDRAW THE ORIGINAL MOTION was made by J. Smith and seconded by L. Botts; **MOTION CARRIED UNANIMOUSLY.**

A MOTION TO MOVE FORWARD WITH OUTSIDE COUNSEL TO SEE IF THIS IS A LINE OF DUTY OR NON-LINE OF DUTY DISABILITY was made by J. Smith and seconded by L. Botts, opposed by W. Long and R. Thames; **MOTION FAILS.** Discussion ensued.

A MOTION TO HAVE THE PENSION COORDINATOR RECEIVE SPECIFIC QUESTIONS FROM THE TRUSTEES FOR DR. KOLIN TO ANSWER AND HAVE NOTARIZED AND RETURN TO THE PENSION COORDINATOR BEFORE THE HEARING; TO HAVE THE PENSION COORDINATOR REQUEST ADDITIONAL MEDICAL RECORDS FROM FEBRUARY 3, 1999, FROM TRI COUNTY PSYCHIATRY AND ADDITIONAL RECORDS FROM THE DESALVIO SHOOTING FROM THE DEPARTMENT. IF ALL MATERIALS ARE RECEIVED AND DISTRIBUTED TO TRUSTEES, HEARING WILL BE SCHEDULED FOR MAY 12, 2011 was made by J. Smith and seconded by L. Botts; **MOTION CARRIED UNANIMOUSLY.**

4. **PENDING**

a. **STATUS OF DISABILITY APPLICATIONS**

W. Gipson Hearing to be scheduled for June 9, 2011. However, W. Gipson does not live in the United States any more. Deposition may have to be taken by R.Cohen, Board Advocate, R. Brown and W. Gipson. Teleconference may be held so trustees can ask questions of the applicant. The Board Attorney will handle this discussion and determination of the deposition. Chairman Smith will have R. Cohen contact R. Brown to work out the details.

A. White Deposition of Dr. Bernard, her worker's compensation physician, to be taken by R. Brown and attended by Department Advocate on May 2, 2011.

2. **APPROVAL OF MINUTES**

A MOTION TO APPROVE THE MINUTES OF MARCH 10, 2011 was made by R. Thames and seconded by W. Long; **MOTION CARRIED UNANIMOUSLY.**

3. **CONSENT AGENDA**

Date of Retirement-March 1, 2011

Brook Sims #3921;	Heather R. Peery #2607;	Shirley D. Coleman #3942
Monthly \$5,090.06	Monthly \$4,499.46	Monthly \$5,222.08

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED was made by J. Smith and seconded by W. Long; **MOTION CARRIED UNANIMOUSLY.**

4. **NEW BUSINESS**

a. **LANGUAGE IN THE PLAN**

A. Levinson suggested that we meet to clean up the language in the plan to include pre-existing condition that incurred with the Mixon case. Chairman Smith also mentioned that the Board needs to go through the policies the Board has made over the years. Staff will schedule a workshop meeting in the near future with the Board Attorney and the Board of Trustees.

b. **MEDICAL AREARS**

K. Zuccarini brought up that there are officers who owe money to the city who are in a no-pay status and mutually agree to pay the City back upon retirement for medical benefits. Discussion ensued.

The meeting adjourned at 11:10 a.m.

Respectfully submitted,

Rochelle L. Burlon

Rochelle L. Burlon
Pension Coordinator