

Chairman J. Smith called the Orlando Police Pension Board Meeting to order on Wednesday, August 13, 2008 at 9:00 a.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:

C. McCullion, Assistant Treasurer
K. Laudeman, Dep. Exec. Director
R. Klausner, Board Attorney
S. Hetz, Police Department Advocate
S. Hoffman, FOP
J. Williams, FOP
R. Brown, Attorney for FOP
M. Holberg, Disability Applicant
S. Burlon, Pension Coordinator

1. **DISABILITY HEARING FOR MICHAEL HOLBERG**

Chairman Smith advised that this was the time set for the Disability Hearing of Michael Holberg. The disability notebook and additional nine exhibits were submitted as evidence. Randy Brown, represented the applicant and Shannon Gridley Hetz, represented the Orlando Police Department. Chairman Smith asked both attorneys to give their opening statements. S. Hetz waived her opening statement. R. Brown waived his opening statement. All witnesses present were sworn in. **A MOTION TO PERMIT ALL WITNESSES TO STAY IN THE ROOM FOR THE HEARING** was made by V. Montgomery and seconded by J. Smith; L. Singletary opposed, **MOTION CARRIED.**

R. Brown called his first witness Dr. Gregory S Barrow. Dr. Barrow testified, S. Hetz and trustees asked questions of the Dr. R. Brown called his second witness, Dr. Brandon M. Crotty. Dr. Crotty testified, S. Hetz and trustees asked questions of the witness. The Board took a ten minute break.

S. Hetz called Dr. Chowallur Dev Chacko, who performed the independent medical examination, to testify. R. Brown and trustees asked questions of Dr. Chacko. R. Brown called Dr. Douglas J. Mason to testify. S. Hetz and trustees asked questions of the witness. The Board took a ten minute break.

R. Brown called Police Officer Jeriel A. Gomes to testify. Trustees and S. Hetz asked questions of the witness. R. Brown called Ann Holberg, wife of applicant to testify.

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The Board recessed and will continue the hearing on Friday, August 15, 1:00 p.m. The meeting adjourned at 3:15 p.m.

Respectfully submitted,

Rochelle L. Burlon

Shelly Burlon
Pension Coordinator

Chairman J. Smith called the Orlando Police Pension Board Meeting to order on Friday, August 15, 2008 at 1:05 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:

C. McCullion, Assistant Treasurer
K. Laudeman, Dep. Exec. Director
S. Kaufman, Board Attorney
S. Hetz, Police Department Advocate
S. Hoffman, FOP
J. Williams, FOP
R. Brown, Attorney for FOP
M. Holberg, Disability Applicant
S. Burlon, Pension Coordinator

1. **CONTINUATION OF DISABILITY HEARING FOR MICHAEL HOLBERG**

Michael Holberg testified. S. Hetz cross examined the applicant. Trustees asked questions of the applicant. S. Hetz gave out a GAF Scale to the trustees and applicant's attorney.

Chairman Smith advised that the evidence phase was now closed. R. Brown gave his closing statement. S. Hetz gave her closing statement. S. Kaufman reviewed Florida Statutes 185.18 for the trustees.

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 V. Montgomery and seconded by J. Smith, L. Singletary opposed; **MOTION CARRIED.**

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 K. Edmonds; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT WITH REGARD TO FS 185.18 THIS IS NOT A RESULT OF THE USE OF INTOXICANTS was made by R. Sutton 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 L. Singletary 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. S. Hetz 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 SEPTEMBER 1, 2008 was made by J. Smith and seconded by V. Montgomery; **MOTION CARRIED UNANIMOUSLY.**

2. **MINUTES**

A MOTION TO APPROVE THE MINUTES OF JULY 9 AND JULY 16, 2008 was made by R. Sutton and seconded by K. Edmonds; **MOTION CARRIED UNANIMOUSLY.**

3. **CONSENT AGENDA**

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

4. **PENDING**

a. **STATUS OF DISABILITY APPLICATIONS**

S. Burlon gave an update on the disability applicants.

Scott Longanecker Hearing to be scheduled for September.

Juan McDermott IME report received. Hearing should be in October.

Anthony Miller To be scheduled for a disability hearing in September.

Daniel Nessim IME report received, hearing should be scheduled for October.

Doanh Nguyen IME appointment scheduled. Possible disability hearing in November.

S. Kaufman advised that no decision has been rendered by the Court on the following appeals.

WILLIAM GIPSON Response to Petition for Writ of Certiorari filed.

DAVID MIXON Response to Petition for Writ of Certiorari filed.

b. **JENNISON, NEPC AND BANK OF NY CONTRACTS**

Chairman Smith asked for an update on the contracts pending with Jennison, NEPC and BNY Mellon. K. Laudeman advised that the contracts were being reviewed at the various attorneys' offices. Chairman Smith asked that the contracts be sent to the trustees for review when completed.

5. **NEW/GENERAL APPEARANCE/OTHER BUSINESS**

None

Meeting adjourned at 5:00 p.m.

Respectfully submitted,

Rochelle L. Burlon
Pension Coordinator