

Chairman J. Smith called the Orlando Police Pension Board Meeting to order on February 7, 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
K. Edmonds, Trustee

Also Present:

D. R. Jones, Executive Director
K. Laudeman, Dep. Exec. Director
R. Burlon, Pension Coordinator
S. Hetz, Department Advocate
K. Zuccarini, Employee Benefits
S. Kaufman, Board Attorney
J. Ingoglia, Disability Applicant
R. Brown, Attorney for applicants
S. Hoffman, FOP
R. Emerson, Disability Applicant
C. McCullion, Assistant Treasurer
K. Laskoff, Department Advocate

Member(s) Absent

R. Sutton, Vice-Chair

1 **CONTINUATION OF DISABILITY HEARING FOR JESSICA INGOGLIA**

Chairman Smith advised that this was the time set for the Continuation of the Disability Hearing for Jessica Ingoglia. R. Brown represented the applicant and K. Laskoff, represented the Police Department. **A MOTION TO REOPEN THE EVIDENCE IN ORDER TO ACCEPT THE REBUTTAL AND DEPOSITION OF DR. ROSEN AND DR. KNYCH.** was made by J. Smith and seconded by K. Edmonds; **MOTION CARRIED UNANIMOUSLY.** Chairman Smith asked both attorneys to give their opening statements. J. Ingoglia was sworn in. R. Brown gave his opening statement. K. Laskoff gave her opening statement. R. Brown gave his closing statement as well as K. Laskoff. Questions were asked of the applicant by the trustees.

A MOTION THAT THERE IS NO PRE-EXISTING CONDITION was made by J. Smith, seconded by L. Singletary; opposed by V. Montgomery and K. Edmonds; withdrawn second by L. Singletary; **MOTION FAILED.**

Discussion ensued. **A MOTION THAT THERE IS A PRE-EXISTING CONDITION** was made by V. Montgomery, no second; **MOTION FAILED.**

A MOTION THAT THERE IS NO PRE-EXISTING CONDITION was made by J. Smith and seconded by L. Singletary; V. Montgomery opposed; **MOTION CARRIED.**

A MOTION THAT THIS IS A LINE OF DUTY DISABILITY was made by J. Smith and seconded by K. Edmonds; **MOTION CARRIED UNANIMOUSLY.**

The evidence phase was reopened to see if Chief Demings had a position available without a reduction in pay and benefits; K. Laskoff stated that there is no position available.

A MOTION THAT THIS IS A PERMANENT AND TOTAL DISABILITY AND THAT JESSICA INGOGLIA'S LINE OF DUTY DISABILITY PENSION IS GRANTED EFFECTIVE MARCH 1, 2008 was made by J. Smith and seconded by L. Singletary; **MOTION CARRIED UNANIMOUSLY.**

The Board took a fifteen minute break.

2. **DISABILITY HEARING FOR RUSSELL EMERSON**

Chairman Smith advised that this was the time set for the Disability Hearing of Russell Emerson. Randy Brown, represented the applicant and Shannon Hetz, represented the Orlando Police Department. Chairman Smith asked both attorneys to give their opening statements. S. Hetz waived her opening statement. R. Brown gave his opening statement. R. Emerson was sworn in and testified. Witness, Kerby Nozil was sworn in. R. Brown called K. Nozil of Florida Hospital to testify. Mr. Nozill performed the functional capacity test on R. Emerson. Trustees asked questions of the witness. Trustees asked questions of the applicant. L. Freeman gave her closing statement. R. Brown gave his closing statement. J. Smith advised that the evidence phase was now closed.

A MOTION THAT BASED UPON THE EVIDENCE AND TESTIMONY PROVIDED THAT THIS IS NOT A PERMANENT AND TOTAL DISABILITY, AS DEFINED BY THE POLICE PENSION PLAN, was made by V. Montgomery and seconded by L. Singletary; **MOTION CARRIED UNANIMOUSLY.**

Disability Denied. Hearing terminated.

The Board took a ten minute break.

3. **MINUTES**

A MOTION TO APPROVE THE MINUTES OF DECEMBER 18, 2007 was made by V. Montgomery and seconded by L. Singletary; **MOTION CARRIED UNANIMOUSLY.**

4. **CONSENT AGENDA**
Travis M. Cimini #10872
\$3,749.65 monthly

Retirement Date
January 1, 2008

Peter S. Gauntlett #1961
\$6,704.43 monthly
January 1, 2008

Brian Gilliam #2020
\$4,998.08 monthly
January 1, 2008

Michael McCoy #7070
\$8,376.47 monthly
January 1, 2008

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

5. **PENDING**

a. **STATUS OF DISABILITY APPLICATIONS**

S. Burlon gave an update on the disability applicants.

Michael Holberg IME scheduled for February 11, 2008.

Scott Longanecker Notebooks received on February 5, 2008.

Sharon Renee Vereen Notebooks received on January 30, 2008

Tara Vincent Chairman sent letter for updates on 11/14/07. Not at MMI. Employee has been terminated.

Suzann Woidyla Notebooks received on February 7, 2008.

Will Gipson Case #1 Denied. Response to Petition for Writ of Certiorari filed.
Case #2 Subsequent disability. On hold until first case has been finalized.

David Mixon Case denied. Response to Petition for Writ of Certiorari filed.

Meeting adjourned at 12:45 p.m.
Respectfully submitted,

Rochelle L. Burlon
Pension Coordinator