

Chairman J. Smith called the Orlando Police Pension Board Meeting to order on Thursday, December 11, 2008 at 8:20 a.m., Conference Room R, 2<sup>nd</sup> 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  
A. Blanca, Trustee

**Also Present:**

C. McCullion, Executive Director  
R. Brown, Attorney for FOP  
L. Freeman, Department Advocate  
S. Kaufman, Board Attorney (via telephone)  
S. Hoffman, FOP  
D. Mazzoli, Disability Applicant  
S. Burlon, Pension Coordinator  
K. Zuccarini, Employee Benefits

1. **DISABILITY HEARING FOR DEAN MAZZOLI**

Chairman Smith advised that this was the time set for the Disability Hearing of Dean Mazzoli. 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. Chairman Smith advised that the evidence phase was now closed. R. Brown gave his closing statement. L. Freeman waived her 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 L. Singletary and A. Blanca; MOTION CARRIED UNANIMOUSLY.**

**A MOTION THAT BASED UPON THE EVIDENCE PROVIDED THAT NO PRE-EXISTING CONDITION HAD A CAUSAL RELATIONSHIP TO THE DIABILITY CLAIMED was made by V. Montgomery and seconded by R. Sutton; 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 T. Blanca 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 JANUARY 1, 2008** was made by J. Smith and seconded by I. Singletary; **MOTION CARRIED UNANIMOUSLY.**

The Board took a ten minute break.

2. **APPROVAL OF MINUTES OF NOVEMBER 12, 2008**

**A MOTION TO APPROVE THE MINUTES OF NOVEMBER 12, 2008** was made by L. Singletary and seconded by R. Sutton; **MOTION CARRIED UNANIMOUSLY.**

3. **CONSENT AGENDA**

<u>Employee Name</u>	<u>Retirement Date</u>
Scott Longanecker \$4,722.77 monthly	November 1, 2008
Anthony Miller \$3,387.74 monthly	November 1, 2008
Daniel Nessim \$4,687.32	November 1, 2008
Doanh Nguyen \$4,255.68	November 1, 2008

**A MOTION TO ACCEPT THE CONSENT AGENDA AS PRESENTED** was made by R. Sutton and seconded by V. Montgomery; **MOTION CARRIED UNANIMOUSLY.**

4. **PENDING**

a. **STATUS OF DISABILITY APPLICATIONS**

S. Burlon gave an update on the pending disability applications.

<b><u>APPLICANT</u></b>	<b><u>APPLIED</u></b>	<b><u>Notebooks submitted</u></b>	<b><u>Notebooks distributed</u></b>
<b>David Scott</b>	11-18-08		
<b>William Gipson, Subsequent Disability Application</b>	6/28/07	8/2007	12/11/08
<b>Darren S. Braddy</b>	12/10/08		

W. Gipson's subsequent disability application was determined at the meeting of July 11, 2007 as a change of circumstance. Additional medical documentation will need to be furnished by applicant and then an IME can be scheduled. S. Kaufman and C. McCullion will work on an RFP to obtain outside counsel for this case and any others being contested in the future.

K. Zuccarini advised that she sends out forms regarding rollovers within thirty days of termination. **A MOTION TO NOT HAVE EMPLOYEE BENEFITS SEND OUT ROLLOVER FORMS AFTER A DISABILITY IS DENIED UNTIL SIXTY DAYS AFTER THE HEARING, IN ORDER TO DETERMINE IF THE APPLICANT HAS FILED AN APPEAL WITH THE CIRCUIT COURT** was made by L. Singletary and seconded by J. Smith; **MOTION CARRIED UNANIMOUSLY.**

**UPDATE-APPEALS**

S. Kaufman reviewed William Gipson's Denied Petition for Certiorari which was determined by the Circuit Court on December 1, 2008.

**DAVID MIXON-** no response received.

S. Hoffman advised that D. Scott will still submit disability notebooks, however, D. Braddy's will be submitted on cd's per the new policy.

Police Pension Board Minutes  
Page Four  
December 11, 2008

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

- a. J. Smith reviewed the Connex conference he just attended in Fort Worth, Texas.

The meeting adjourned at 9:15 a.m.

Respectfully submitted,

*Rochelle L. Burlon*

Rochelle (Shelly) L. Burlon  
Pension Coordinator