

**MINUTES OF THE GENERAL EMPLOYEES' PENSION PLAN SPECIAL BOARD  
MEETING HELD ON MONDAY OCTOBER 19, 2009 AT 2:00PM IN COMMISSION  
CHAMBERS, CITY HALL, BOYNTON BEACH, FLORIDA**

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<b>Trustees:</b> Jerry Taylor, Chair Lisa J Jensen Michael Low Cathy McDeavitt Kurt Bressner	<b>Others:</b> Bonni Jensen, Perry & Jensen Dixie Martinez, Resource Centers Aurelio Rodriguez <b>Members of Public</b>
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**I. OPENINGS:**

**A.** Call to Order – Mayor Gerald (Jerry) Taylor, Chairman

Chair Taylor called the meeting to order at 2:00 p.m.

**II. AGENDA APPROVAL:**

**A. Additions, Deletions, Corrections**

No additions, deletions, or corrections to the Agenda.

**Motion**

Ms. Lisa Jensen moved to approve the Agenda. Ms. McDeavitt seconded the motion that unanimously passed 5-0.

**III. Review & Approval of Waiver & Release Form for Aurelio Rodriguez**

Ms. Jensen reported that she had brought forward a memorandum dated August 24, 2009 indicating that the Pension Board needed to review the benefits of Mr. Rodriguez to determine whether he should forfeit his benefit under the Florida Statue 112.3173. Based on that memorandum and the discussion at the meeting the Board had determined that Ms. Bonni Jensen needed to notify Mr. Rodriguez that the Pension Board was considering actions as a requirement to forfeit his rights to a pension under Florida Statute 112.3173. Ms. Bonni Jensen explained that the Board gave him an opportunity to present his case against forfeiture at a Public meeting before the Board of Trustees. She explained that Mr. Rodriguez contacted her office and indicated that he was not interested in going forward with a hearing and that he would like to forfeit his benefit under the Florida Statute 112.3173. Ms. Bonni Jensen provided him with a waiver and release document which explained the situation and it also explained that the Board offered him an opportunity to have a hearing and that he declined it. Ms. Bonni Jensen explained that Mr. Rodriguez also indicated that he wanted to receive a refund of his contributions. Ms. Jensen reported that Mr. Rodriguez's total refund of contributions is \$82,141.73 but prior to the forfeiture determination Mr. Rodriguez had

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received a total of \$26,548.56 in payments therefore he is entitled to an amount of \$55,969.97 as a refund of his contributions into the Plan. Ms. Jensen reported that included in the documents there was a special release of claims regarding any issues related to a domestic relations order. Ms. Bonnie Jensen indicated that he was not represented by counsel although she had advised him to seek counsel regarding the release. Ms. Jensen explained that at this point it would be appropriate for the Board of Trustees to acknowledge that they have a release form signed by Mr. Rodriguez and also to acknowledge his forfeiture of his benefit under Florida Statute 112.3173 and approve his refund of contribution totaling \$82,141.73.

### **Motion**

Ms. McDeavitt moved to receive the waiver and release form for Aurelio Rodriguez regarding the forfeiture of his pension benefit per Florida Statute 112.3173 and to refund him his pension contributions totaling \$82,141.73 less payments already received. Mr. Low seconded the motion that unanimously passed 5-0.

### **IV. ADJOURNMENT**

There being no other business and the next meeting having been previously scheduled for Monday, November 30 at 1:30 PM, the Trustees adjourned the meeting at 2:05 p.m.

MINUTES APPROVED: November 30, 2009

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Jerry Taylor, Chair  
Boynton Beach General Employees' Pension  
Board

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Dixie Martinez, Administrator  
Boynton Beach General Employees' Pension  
Board