

City of Eustis, Florida

Meeting Minutes- Final

Eustis Police Pension Board

Wednesday, April 16, 2014

3:34 p.m.

Eustis Library

CALL TO ORDER: Sgt. Gary Winheim – 3:34 p.m.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

Present: 4 Sergeant Gary Winheim
Sue Hooper
John Sommer
Lieutenant Kenneth Birkhofer

I. AGENDA UPDATE- None

II. APPROVAL OF MINUTES

A quorum was present. A motion was made by Kenneth Birkhofer to approve the minutes from February 12, 2014, quarterly meeting. The minutes were approved by the Board.

III. PRESENTATIONS

None

IV. AGENDA

- a. Meeting called to order and it was acknowledged a quorum was present.
- b. Minutes were approved for quarterly meeting held on February 12, 2014.
- c. Rule 17.1 Procedure; Operating Rules and Procedures for the City of Eustis Police Officers' Pension Trust Fund was discussed for future amendment. The changes discussed are to attempt to get Eustis City Ordinance, Section 70-112 (4) amended to be consistent with Florida State Statute 185.18 (4) to provide savings to the City and Police Pension Fund; to establish a disability affidavit and deliver it by certified U.S. Mail with return receipt for all retirees collecting disability pensions.

A motion was made to draft a disability letter for review and potential approval at the quarterly pension meeting May 14, 2014. The motion was seconded by John Sommer and was approved by all board members present.

- d. The Initial Hearing for Senior Officer Holman Tim Horton:
 - i. Several days before the hearing Attorney Kevin Stone (legal counsel) had emailed each Board member Senior Officer Horton's medical records and independent medical examination for Trustees to review.
 - ii. Prior to today's hearing Attorney Stone briefed the Board on the process of the hearing and further briefed the Board of the elements (1. totally disabled; 2. permanently disabled; and 3. the injury occurred in the line of duty) that had to be met for Senior Officer Horton eligible for a disability retirement.
 - iii. Senior Officer Horton made a verbal presentation to the Board which lasted less than the allotted 15 minutes. After the verbal presentation Board members questioned Senior Officer Horton.
 - iv. During the Initial Hearing the Trustees:
 - 1. reviewed the medical records;
 - 2. reviewed the independent medical examination report;
 - 3. listened to Senior Officer Horton's verbal presentation;
 - 4. and required Senior Officer Horton to provide answers specific questions each Trustee had for Senior Officer Horton.
 - v. After thoroughly reviewing the facts and evidence of Senior Officer Horton's disability claim a motion was made by Gary Winheim to find Senior Officer Horton totally disabled, permanently disabled and the disability occurred in the line of duty. The motion was seconded by Sue Hooper. The Trustees voted and unanimously concluded that Senior Officer Horton was totally disabled, permanently disabled, and the disability occurred while in the line of duty. Therefore, per Florida State Statute 185.18 and Eustis City Ordinance, Section 70-112, the Board determined Senior Officer Horton is eligible for a "disability retirement" effective immediately.
 - vi. Attorney Kevin Stone was directed by the Board to prepare and Order with the findings of the Board to present to the pension funds actuary and accountant.

V. AUDIENCE TO BE HEARD

None

VI. FUTURE AGENDA ITEMS

- a. Call to Order
- b. Acknowledgement of Quorum and Proper Notice.
- c. Approval of minutes for April 16, 2014 special meeting.
- d. Public input

- e. Investment Reports:
 - i. ICC Capital Investments
 - ii. Mark Holder, Wells Fargo Investments
- f. Presentation of actuarial report by Pete Strong; Gabriel, Roeder, and Smith.
- g. Attorney Report:
 - i. Disability Affidavit
 - ii. Request to amend Ordinance 70-112
 - iii. Raslowsky disability claim
- h. And any other matters of new or old business properly before the Board.

VII. COMMENTS - None

VIII. ADJOURNMENT- 5:03 p.m.