

City of Eustis, Florida

Meeting Minutes- Final

Eustis Police Pension Board

Wednesday, July 30, 2014

3:31 p.m.

Eustis Library/Eustis Women's Center

CALL TO ORDER: Sgt. Gary Winheim – 3:31 p.m.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

I. AGENDA UPDATE- None

II. APPROVAL OF MINUTES

A quorum was present. A motion was made by John Sommer to approve the minutes from May 14, 2014, quarterly meeting. The motion was seconded by Kenneth Birkhofer. A vote was taken and the minutes were unanimously approved by the Board.

III. PRESENTATIONS

None

IV. AGENDA

- a. The meeting was called to order at the Eustis Library and it was acknowledged a quorum was present. Sue Hooper was not present when the meeting was called to order at the Eustis Library. The conference room was not available at the Eustis Library, so the special board meeting was relocated to an inner section of the main library. After acknowledgement of a quorum a motion was made by Danny Provencher to change the location of the meeting to the Eustis Women's Club, 227 N. Center Street, Eustis, FL. John Sommer seconded the motion and the motion carried on a vote of 4-0. This location was mutually agreed upon by both the Board's attorney and Patricia Raslowsky's attorney. The venue was relocated to the Eustis Women's Club. At 3:41 p.m. the meeting was reconvened at the Eustis Women's Club with Trustee Sue Hooper present.

- b. Minutes were approved for quarterly meeting held on May 14, 2014.
- c. The Initial Hearing for former police officer Patricia Raslowsky:
 - i. Several days before the hearing Attorney Kevin Stone (legal counsel) had emailed each Board member Patricia Raslowsky'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. The claimant's injury occurred in the line of duty; 2. The claimant is totally disabled; and 3. The claimant's disability is permanent) that had to be met for Patricia Raslowsky to be eligible for a disability retirement.
 - iii. Attorney Stewart Cohen made a verbal presentation to the Board which lasted approximately 28 minutes. After the verbal presentation Board members interviewed Patricia Raslowsky.
 - iv. During the Initial Hearing the Trustees:
 - 1. reviewed the medical records;
 - 2. reviewed the independent medical examination report;
 - 3. listened to Attorney Cohen's verbal presentation;
 - 4. and required Patricia Raslowsky to provide answers to specific questions each Trustee had for Patricia Raslowsky.
 - v. After thoroughly reviewing the facts and evidence of Patricia Raslowsky's disability claim a motion was made by Sue Hooper to find Patricia Raslowsky totally disabled, permanently disabled and the disability occurred in the line of duty. The motion was seconded by John Sommer. The Trustees voted and by a 3-2 vote (Sue Hooper, John Sommer, and Danny Provencher assenting; Gary Winheim and Kenneth Birkhofer dissenting) the Board concluded Patricia Raslowsky 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 Patricia Raslowsky is eligible for a "disability retirement" effective immediately.
 - vi. Attorney Kevin Stone was directed by the Board to prepare an Order with the findings of the Board. This Order will be presented to the Board's actuary and accountant to initiate disability payment to Patricia Raslowsky.
- d. Sgt. Danny Provencher reminded the Board that his appointment to the Police Pension Board expires on September 23, 2014. He indicated that he was thankful for his 10 years of service on the Board; however, he has opted to not be re-appointed to the Board.
- e. A motion was made by Sgt. Provencher to close the meeting. The motion was seconded by John Sommer. The vote of the Board was 5-0 to close the meeting.

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 July 30, 2014, special meeting.
- d. Public input
- e. Investment Reports:
 - i. ICC Capital Investments
 - ii. Mark Holder, Wells Fargo Investments
- f. Attorney Report:
 - Status of "Naples Letter"
 - Status of "Separation Application"
 - Status of potential Ordinance Changes to correspond with Chapter 185
 - Status of election and appointment dates for Trustees.
- g. And any other matters of new or old business properly before the Board.

VII. COMMENTS - None

VIII. ADJOURNMENT- 5:08 p.m.