

**TOWN OF JUPITER POLICE OFFICERS' RETIREMENT FUND
MINUTES OF MEETING HELD
OCTOBER 23, 2009**

Chairperson Nick Scopelitis called the meeting to order at 1:12 P.M. at the Town Council Chambers, Jupiter, Florida. Those persons present were:

TRUSTEES

Frank Barrella
Nick Scopelitis
Marc Dobin (1:35 PM)
Jack Forrest
Mike Lilienfeld

OTHERS

Burgess Chambers, Burgess Chambers & Associates
Nick Schiess, Pension Resource Center
Ken Harrison, Sugarman & Susskind P.A.

PUBLIC COMMENTS

Chairman Nick Scopelitis invited those present to address the Board with public comments. There were not any public comments.

TRUSTEE ELECTIONS & APPOINTMENT OF CHAIRPERSON

Mr. Schiess reported that a Member Trustee election had been conducted and only Nick Scopelitis had received a nomination and was therefore re-elected by default. Mike Lilienfeld provided a written statement on the election results for the record. Mike Lilienfeld made a motion to certify the election results. Jack Forrest seconded the motion, approved by the Trustees 4-0.

Mike Lilienfeld made a motion to appoint Nick Scopelitis as Chairperson of the Board. certify the election results. Jack Forrest seconded the motion, approved by the Trustees 4-0.

It was noted that Marc Dobin and Frank Barella had been reappointed to the Board by the Town Council on October 20, 2009.

APPROVAL OF DISBURSEMENTS

The Trustees reviewed the disbursements presented for approval by the Administrator. Frank Barrella made a motion to approve the disbursements as presented. Jack Forrest seconded the motion, approved by the Trustees 4-0.

ATTORNEY REPORT

Ken Harrison provided the Board with an update on the appeal of Katherine Berish noting that Robert Klausner was available to serve as advocate in the proceedings and a special meeting would be scheduled.

Mr. Harrison provided a revised Special Tax Notice for distribution.

PROPOSALS FOR AUDITING SERVICES

CHERRY BEKAERT & HOLLAND

James Burdick and Rowana Flitan appeared before the Board on behalf of Cherry Bekaert & Holland to provide a proposal for auditing services, noting that the firm specialized in governmental audits including governmental pension plans. The fees proposed were not to exceed \$13K for the year 2009, \$13.5K for the year 2010 and \$14K for the year 2011. Mr. Burdick was questioned whether the fees were negotiable and he conceded a discount in the amount of \$1K from the proposed fees.

GOLDSTEIN SCHECHTER KOCH

Clement Johns appeared before the Board on behalf of Goldstein Schechter Koch to provide a proposal for auditing services, noting that the firm concentrated on audit for governmental pension plans. The fees proposed were not to exceed \$16K unless new auditing standards arose that increased the preparation time of the audit.

Marc Dobin arrived at the meeting.

CONSIDERATION OF THE PROPOSALS

The Trustees discussed the qualifications, experience, costs and other factors regarding the proposals for auditing services. The Board discussed the circumstances of the current auditing firm. It was noted that the senior partner of the current firm had resigned from the firm as a result of negative publicity surrounding allegations of fraud. A lengthy discussion ensued whether to dismiss the incumbent firm. It was noted that the alleged fraud was not perpetrated by the Plan's auditing staff and the alleged fraud was separate from the accounting firm itself. A lengthy discussion then arose regarding the viability of the firm under the circumstances and grave concern was expressed that the firm might dissolve during the actual preparation of the next audit leaving the Plan and the Town in a precarious position. Mike Lilienfeld made a motion to terminate the relationship with Alberni Caballero & Castellanos. Marc Dobin seconded the motion, approved by the Trustees 4-1 with Frank Barrella dissenting. Marc Dobin made a motion to engage the auditing services of Cherry Bekaert & Holland for the fees of \$12K for the year 2009, \$12.5K for the year 2010 and \$13K for the year 2011. Jack Forrest seconded the motion, approved by the Trustees 5-0. Marc Dobin made a motion to authorize the Chairperson to execute the Audit Engagement Letter contingent the successful negotiation of the Letter by the Attorney. Jack Forrest seconded the motion, approved by the Trustees 5-0

OTHER BUSINESS

Ken Harrison provided and reviewed a proposed Ordinance Amendment revising the technical provisions of the Plan to bring the Plan into compliance with revised Internal Revenue Service regulations. Mike Lilienfeld made a motion to approve the Ordinance

Amendment, obtain an actuarial impact statement and submit the Amendment to the Town for consideration. Frank Barrella seconded the motion, approved by the Trustees 5-0.

Ken Harrison provided and reviewed a proposed Ordinance Amendment revising the provisions of the Plan in response to recently revised State Statutes that was discussed and approved at the last meeting. The Trustees requested a few additional revisions and Mr. Harrison agreed to present the revised Ordinance Amendment at the next meeting.

Mike Lilienfeld reported the Town's consideration of the Florida Retirement System as an alternative to the Plan has arisen in collective bargaining negotiations. He advised that the Board had been requested to become involved with the negotiations and questioned the extent of the any possible involvement. Ken Harrison advised that the Board only administers the Plan as it is established through collective bargaining.

SCHEDULE NEXT MEETING

With there being no further business and the next meeting scheduled for November 16, 2009 the meeting was adjourned at 2:52 P.M.

Respectfully submitted,

Secretary