

**TEQUESTA PUBLIC SAFETY OFFICERS' PENSION TRUST FUND  
SPECIAL BOARD MEETING MINUTES  
MARCH 1, 2013**

**I. Call To Order and Roll Call**

The Special Board Meeting of the Tequesta Public Safety Officers' Pension Trust Fund Board of Trustees was held at the Tequesta Village Hall, 345 Tequesta Drive, Tequesta, Florida, on March 1, 2013. The meeting was called to order at 8:00 a.m.

A roll call was taken by Pension Administrator Dixie Martinez. In attendance at the meeting were: Chair Ed Sabin, Secretary Ray Giblin, Board Member Dave Cooper and Board Member John Terzakis.

Also in attendance were Attorney Bonni Jensen, Pension Administrators Scott Baur and Dixie Martinez.

**II. Approval of Agenda**

**MOTION:**

**Secretary Giblin made a motion to approve the Agenda as presented. Board Member Terzakis seconded the motion, which carried by unanimous 4-0 vote**

**III. UNFINISHED BUSINESS**

**1. IRS Determination Letter, Attorney Bonni Jensen**

Attorney Bonni Jensen explained the process of filing for an IRS determination letter. She reported that she had received a facsimile transmission from a representative of the IRS, in which the IRS requested that Section 19 of the Plan be amended to incorporate the provision of Internal Revenue Code 415(c) (limits applicable to defined contribution plans) to address the DROP. Ms. Jensen reviewed some of the history on DROP issues. Ms. Jensen reported that basically it seems that the Plan has two options. Either they can agree that the Plan conforms with the provisions of Internal Revenue Code 415(c), if not the Plan will be sent to Technical Assistance and hopefully will be considered along with the other Pension Plans containing the DROP. The Board had a lengthy discussion regarding this matter. The Board agreed that the DROP Plan contained in the Fund's Plan document is an optional way for members to elect to receive their defined benefit plan distribution. As such there are no separate accounts for members. The balances are maintained only in a notional way. The Board agreed that the DROP Plan is not a defined contribution benefit and therefore not subject to the limitations of that section.

**MOTION:**

**Secretary Giblin made a motion to request that the Plan be sent to Technical Assistance and be considered along with the other Pension Plans containing DROP**

**Plans. Board member Cooper seconded the motion, which carried by unanimous 4-0 vote.**

The Board had a brief discussion in regards to implementing a fixed rate of return for DROP accounts as opposed to the current variable rate based on market returns. The Board will discuss this matter at a future meeting.

#### **IV. Adjournment**

**MOTION:**

**Secretary Giblin moved to adjourn. Board Member Terzakis seconded the motion which carried by unanimous 4-0 vote.**

There being no further business, the meeting was adjourned at 8:21 a.m.

Respectfully submitted,

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Dixie Martinez  
Administrator  
Village of Tequesta Public Safety Officers' Pension Plan

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Board Member  
Village of Tequesta Public Safety Officers' Pension Plan