

Chattanooga Fire and Police Pension Fund

Sworn Trustee Election Policy

GENERAL INFORMATION

This Policy on Sworn Trustee Election has been formalized and adopted as of August 20, 2015 to be effective immediately, for the purpose of guiding the Board of Trustees and educating sworn members ("Participants") of the Chattanooga Fire and Police Pension Fund on the practices for the service and election of Trustees for the Chattanooga Fire and Police Pension Fund Board.

SCOPE OF THIS POLICY

This Sworn Trustee Election policy reflects the relevant policy parameters, objectives and constraints of the Chattanooga Fire and Police Pension Fund (or "Fund") regarding the service and election of sworn Trustees to the Board of Trustees.

PURPOSE OF THE ANNUAL SWORN ELECTION POLICY

This Policy is adopted by the Board of Trustees of the Fund to:

1. Define and assign the responsibilities of all parties involved;
2. Establish guidelines for the service and election of sworn Trustees to the Board;
3. Establish eligibility for sworn participants to be elected and serve as a Trustee; and
4. Insure that the Fund is administered in the interest of all participants of the Fund.

SWORN ELECTION GUIDELINES

This written policy is effective August 20, 2015. Elections held after this date will be guided and reviewed in accordance with this policy.

Activities leading to the Annual Election of sworn Trustees will be scheduled as follows:

EVENT	DATE TARGETED
Notice of upcoming election to Active Members	2 nd Thursday in July
Deadline for submitting name as candidate	4 pm on 2 nd Thursday in August
Public Notice of election	2 nd Friday in August
Validation of Ballot	2 nd regular Board Meeting in August

The notice to active participants of the upcoming election will be made through the City email system. The notice will be mailed to the sworn distribution lists of each department (currently "CPDsworn" and "CFDswn"). All sworn participants are assumed to be included the distribution lists and no additional verification that each sworn participant received notification of the election is necessary.

Notice to the active sworn participants is to include the following:

- Date of the election
- Statement regarding ranks that are eligible to seek election
- Deadline for participants to submit candidacy
- Names of current Trustees whose terms are expiring
- Letter of Intent form to be submitted by candidates

SWORN ELECTION ELIGIBILITY

Only current, actively working sworn participants, who submit their name as a candidate by the posted deadline, will be eligible candidates for the position of a Board Trustee. Retired participants, Terminated Vested participants and beneficiaries of former sworn participants are ineligible to serve as a Trustee on the Board. In accordance with Chattanooga City Code 2-406, sworn participants cannot be elected to serve on the Board if another person of the same rank from the same Department is serving a term of office that expires in a year other than the current election year. This should in no way be construed that a Trustee must step down if promoted/demoted to the same rank of another Trustee while in office. However, if two Trustees serving on the Board are of the same Department and rank, the Trustee whose term expires first will not be eligible for re-election if the other Trustee of the same rank continues serving on the Board.

Active sworn participants requesting candidacy must be in good standing with their respective Department. Said candidate must disclose if he/she has ever served as a fiduciary in the past and for whom with contact information. Any participant who has served as fiduciary, in any/all cases, will not be eligible for candidacy if his/her role as a fiduciary was terminated (voluntarily/involuntarily) for an ethics violation or breach of fiduciary responsibility, regardless of whether or not, legal action was taken by the party/parties to whom the participant had a fiduciary obligation.

ELECTION

The election of sworn Trustees will be held on the first Tuesday in September. The hours of the election will be scheduled by the Board as needed based upon variables including, but not limited to, the number of candidates and availability of space for voting. As a general rule in an uncontested election, voting should be allowed for at least six (6) consecutive normal business hours; and for at least eight consecutive normal business hours in a contested election. Hours may be extended at the discretion of the Fund Administrator.

When a race is uncontested it is permissible for voting to be held at the Pension Office location only. Police Department voting for ballots with multiple candidates will be held at the Pension Office and at the Police Service Center located at 3410 Amnicola Highway. Fire Department voting for ballots with multiple candidates will be held at the Pension Office and at the Fire Training Center located at 3200 Amnicola Highway.

Ballot boxes will be sealed in a tamper-evident manner for transport to the Pension Office. Ballot boxes will be opened and votes tallied in a meeting that is open to the public following the closing of voting. The candidate receiving the most votes will be elected to a term of 3 years. A simple majority is not required to win the election.

Active and retired participants seeking to vote in the election must show a State or Department issued identification card to the person(s) working the polling area before the poll worker will provide the member with a ballot for voting. Active and retired participants are allowed only one vote and must be present to vote (no absentee voting is permitted).

ELECTION REVIEW AND APPEALS

The public meeting of the Board to count ballots will be held at the Pension Office following the closing of the polls on the same date. The sealed ballot boxes will be opened and votes tallied during the public meeting. Only votes cast for a candidate whose name appears on the ballot will be counted. In the event that the number of ballots/votes cast exceeds the number of signatures of members requesting ballots, the ballot box should be discarded. If valid signatures exceed the number of votes cast, then the ballots should be counted. If either such discrepancy arises, the remaining Trustees who are not a candidate on the ballot have discretion on final disposition of a ballot box in question based upon reasonable and articulable facts. Candidates must express any concerns over a ballot box in question before the votes in said ballot box are tallied.

Candidates who are not elected to the Board may appeal the results of the election to the Board. As soon as practical, after each election, the Fund Staff will review ballots and signatures for any discrepancies. If no appeal is filed and no discrepancies are noted, then the results of the election will be deemed to be final 60 days after the date of the election. After the required 60 days, the minutes of the meeting to count votes will become the only required record of the election. Ballots and signature pages may be destroyed at that time.

APPOINTMENTS AND VACANCIES

If for any reason, the seat for a sworn Trustee becomes vacant, the remaining sworn Trustees will appoint another active sworn participant to the vacant seat using the same guidelines and requirements as stated in the SWORN ELECTION ELIGIBILITY section of this policy. A sworn Trustee who resigns or retires from his/her position as a sworn Firefighter or Police Officer will no longer be eligible to serve and a Trustee for the Fund and must vacate the seat of active sworn Trustee.

ASSIGNMENT OF RESPONSIBILITY

The Board is responsible for notifying active sworn participants of the upcoming election and eligibility requirements via the sworn distribution lists maintained by the City of Chattanooga. It is the responsibility of the Administration of the City of Chattanooga to maintain current sworn email distribution lists for the Fire and Police Departments. The Board of Trustees and Fund Staff will have no liability on their part for the failure to notify active sworn participants who are not included in said distribution lists.

The Fund Staff will make public notice, directed at retired participants, of Pension Elections on the Fund website, August advice statement memo, and social media sites utilized by the Fund. This should be done as soon as practical after the deadline for candidacy has passed.

Sworn Fire Trustees or their designees who are not a candidate in the current election should work the Police voting location held in the Police Service Center and sworn Police Trustees or their designees who


are not a candidate in the current election should work the Fire voting location in the Fire Training Center. If necessary, Police Trustees may work at a Police voting location, and Fire Trustees may work at a Fire voting location, but under no circumstances is a Trustee allowed to work a ballot box in which he/she is a candidate. Fund Staff may work at any voting location. The Board of Trustees may hire temporary employees to work voting location if necessary.

Candidates and persons campaigning for candidates must not in any way interfere with members casting their vote. Active campaigning on election day is best suited for outdoors or common areas with multiple routes of ingress and egress. Campaigning in areas that members must pass through to cast a vote is not acceptable. Board Members or their designees working a ballot box may determine where a candidate may campaign and their decision shall be final and binding. Candidates engaged in their normal daily activities during voting hours will not be considered to be actively campaigning by requesting votes from others with whom they interact in the performance of normal daily activities or who are sought out by others while the candidate is performing his/her normal daily activities.


Active and retired Police Officers and Firefighters who arrive at a voting location to vote in the current election must show a State issued or Department issued identification card to cast their vote.

The Board of Trustees shall have the responsibility to review and revise this policy as deemed necessary.

This Sworn Trustee Selection Policy is restated as of the 4th day of October 2018, effective immediately, by the Board of Trustees whose signatures appear below.



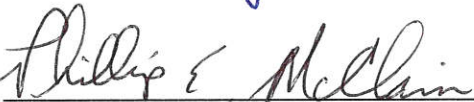
Charlie Thomason, President




Mark Coffman, Secretary



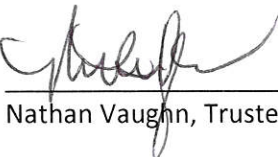
Joe Shaw, Vice-President




Phillip McClain, Trustee



Chris Hopkins, Trustee



Nathan Vaughn, Trustee



Kelly Simmons, Trustee