

At the regularly scheduled meeting of the Fire and Police Pension Fund held on the 5<sup>th</sup> day of June 2014, President Chris Willmore presided. The meeting was held at the Pension Office, 6009 John Douglass Drive, Chattanooga, TN 37421.

The meeting convened at 0915 hours with board members Chris Willmore, Phillip McClain, Mark Coffman, Shawn O'Kelley, Brent Goldberg, Less Lee and Craig Joel. Jerome Halbert joined the meeting at 0941 hours. Attorney Bill Robinson was also present. .

Motion by Craig Joel and seconded by Less Lee to approve the minutes from the May 15, 2014 meeting. Motion carried unanimously.

Motion by Shawn O'Kelley and seconded by Mark Coffman to approve the following membership changes:

REMOVE FROM THE ROLLS:

*Retired Police Officer Kenneth Bowman effective May 31, 2014, died May 23 2014 (2-412)*

*Retired Fire Captain Donald Strong effective May 31, 2014, died May 20, 2014 (2-411)*

ADD TO THE ROLLS:

*Marie Strong, designated 100% J&S beneficiary of Don Strong (2-411, 2-418)*

PAY DEATH BENEFIT:

*Timothy Bowman, designated beneficiary of Ken Bowman (2-412)*

*Marie Strong, designated beneficiary of Don Strong (2-411)*

The motion carried unanimously.

Attorney Bill Robinson updated the Board on the Walden and Frazier lawsuits.

Phillip McClain, on behalf of an ad hoc committee appointed by President Willmore to consider this matter led a Board discussion on the request of Police Sergeant Austin L. Garrett from the April 3, 2014 meeting regarding allowing the members of his academy to receive pension credit from the date of being sworn-in during December 1993, before graduating the academy and becoming a member of the Fund. That academy class did not begin to contribute to the Fund until February 1994. The ad hoc committee determined that the Board has no authority to decide when a cadet becomes eligible to participate in the Fund and that it is the City that determines when a probationer becomes a member of the Plan through the collection of employee contributions. According to its interpretation of the Fund legislation, the Board cannot enroll a person in the Fund until the effective date that it begins to receive contribution for that person from the City and that person. Therefore, the date on which an academy class is sworn-in does not, by itself, determine when the members of that class begin to participate in the Fund. The Board directed Frank Hamilton to prepare a letter to Sergeant Garrett explaining its position on this matter.

The Board discussed the maximum hiring age for Fire and Police and the impact that increasing or eliminating the age limit could have on the Fund. The Board directed Frank Hamilton to draft a letter responding to the City Attorney regarding his findings on other similarly situated public safety pensions on this matter.

The Board discussed the Public Employee Defined Benefit Financial Security Act of 2014 that was recently signed into law by Governor Haslam. This new law could boost the funded status of the Plan, but the new law and the current plan to resolve Police Department pay inequities are anticipated to increase the

required contributions from the City in future years. The Board directed Frank Hamilton to draft a letter explaining this situation to Mayor Berke and the City Administration.

The Board reviewed and discussed the preliminary budget for the Fund presented by Frank Hamilton.

Motion by Shawn O'Kelley and seconded by Craig Joel to pay the bills. Motion carried unanimously.

Motion by Phillip McClain and seconded by Brent Goldberg to adjourn at 1018 hours. Motion carried unanimously.

**Note:** Received City Court fees for April 2014

**Note:** All active members who will have reached 25 YOS before 07/01/2014 have now been provided either: 1) a benefits estimator or, 2) a personalized comparison of benefits for pre- and post-Plan modifications.

**Note:** Disability hearing for Michael Dewayne Davenport scheduled for 10:30 AM.

Chris Willmore  
President

Phillip McClain  
Secretary

<u>Visitors</u> None
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