

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM
MINUTES OF MEETING HELD
APRIL 17, 2014**

Summarized Minutes of the regular meeting of the City of Fort Pierce Retirement and Benefit System, April 17, 2014 at 2:00 p.m. in the 2nd Floor Conference Room at City Hall.

Present:

Commissioner Tom Perona, Chair
Gloria J. Johnson
Stanley Fidge
Commissioner Reginald Sessions
William Conavay

City Commission Member
Secretary/Treasurer
General Member
City Commission Member
U.A. General Member

Attorney Jim Walker
Christina Luna

Assistant City Attorney, Advisory
Retirement Clerk

Absent:

Nina Hurtubise
Rodney Nieves

U.A. Board Appointee
Police Officer Member

Recording:

Johnna Morris

Chief Accountant

ITEM NO. 1 & 2 ~ ROLL CALL

Chairperson, Commissioner Tom Perona called the meeting to order at 2:09p.m., the first item on the agenda being the “*Roll Call*”. Absent were Nina Hurtubise and Rodney Nieves.

ITEM NO. 3 ~ COMMENTS FROM THE PUBLIC

Comm. Perona stated that the next item on the agenda was comments from the public. He asked if there were any comments from the public. There were no comments from the public.

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM
MINUTES OF MEETING HELD
APRIL 17, 2014**

ITEM NO. 4 ~ APPROVAL OF SUMMARIZED MINUTES OF MARCH 27, 2014.

Comm. Perona stated that the next item was the approval of the summarized minutes of March 27, 2014. Comm. Perona asked if there was a motion to approve the minutes.

A motion was made by Commissioner Reginald Sessions and seconded by Mr. Stan Fidge to approve the summarized minutes of March 27, 2014.

All those in favor of the motion signified by saying aye. There was no opposition and the motion carried unanimously.

ITEM NO. 5 ~ ATTORNEY'S REPORT

Attorney Jim Walker said at the chairman's request there was a review of the questions of whether margin notations constitute a public record. This came up in the context of handwritten notes being public records. A memorandum was drafted to explain this, but the short answer is a simple notation as a personal reminder would not be a public record however, if it were a means of communication it is a public record. There could be instances where the dividing line could become fuzzy so he recommended the board to adopt a policy on such. He said he was available for questions.

Comm. Perona agreed and said it would be best for the board to err on the side of caution and be mindful of what you write or put on your iPads.

Mr. Will Conavay asked if there was a policy on passing on notes to newly elected board members that were coming in; does the next person that comes along get all of his notes.

Atty. Walker said no there is no such policy.

Mr. Conavay asked if there was a policy on the destruction of the records for board members, can they be destroyed or must they be retained.

Atty. Walker said the Secretary is the public record custodian of all records for the board and the person responsible for retaining such, as a board member you are not required to keep any records. Your personal notations are not property of the board and are not retained by the secretary and you may need to retain them.

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM
MINUTES OF MEETING HELD
APRIL 17, 2014**

Mr. Stan Fidge suggested a new policy be formulated to address these issues for successors that may have the same concerns.

Comm. Perona said part of that policy needs to forbid any member from sharing any notes.

Mr. Conavay asked if he were to make notes on his iPad would his replacement have access to those notes.

Mr. Fidge said that it could be wiped clean and there would be no access to prior records.

Comm. Sessions said isn't the pertinent threshold something that is potentially going to be voted on in the future. Something that has been previously notated and previously could be excluded, it is not a communication at that point, is this correct.

Atty. Walker said not necessarily, records don't lose their status as public records.

Comm. Sessions said not as public records, but as it relates to communication between board members and his successor.

Atty. Walker said it would have to be determined if it related to a sunshine violation. He suggested the practice to be followed is to send everything through the secretary. He said he would draft language for consideration at the next meeting.

Atty. Walker said the only other thing he had was the legislative report from Jim Linn; it involves FRS, 175 and 185 plans and no concern to this board.

Comm. Perona asked if there were any questions Attorney Walker. There were none.

ITEM NO. 6 ~ PUBLIC HEARING ON BENEFITS APPLICATIONS

There were no benefit applications..

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM
MINUTES OF MEETING HELD
APRIL 17, 2014**

ITEM NO. 7 ~ OLD BUSINESS

Comm. Perona stated that the next item is Old Business, a discussion on the Commission agenda workshop, and turned it over to Mrs. Johnson.

Mrs. Johnson gave the board an overview of what was discussed at the workshop and said she was preparing a report for the City Commission outlining what was discussed and summarizing what was recommended and it will be on the first agenda in May. From the recommendations they gave a general idea to accept recommendation for eight year averaging with a three year phase in, with no retroactivity.

Comm. Perona thanked Mrs. Johnson for the review and asked for any other old business. Seeing none he moved to item no. 8.

ITEM NO. 8 ~ NEW BUSINESS

Comm. Perona stated that the next item is New Business.

Mrs. Gloria Johnson said there was a request from Comm. Tom Perona to become a member of the system, noting that there will be contribution requirements from both the City and the Commissioner.

Comm. Perona said before a motion was made he was passing the gavel to Mr. Stan Fidge, co-chair, and recusing himself from voting.

A motion was made by Mrs. Johnson and seconded by Comm. Sessions to accept the request for membership from Comm. Perona

All those in favor of the motion signified by saying aye. There was no opposition and the motion carried unanimously.

Mr. Fidge returned the gavel to Comm. Perona.

Comm. Perona asked for any other new business. Seeing none he moved to item no. 9.

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM
MINUTES OF MEETING HELD
APRIL 17, 2014**

ITEM NO. 9 ~ CONSENT AGENDA

Comm. Perona stated that the next item is the Consent Agenda.

A motion was made by Mrs. Johnson and seconded by Comm. Sessions to approve the refund of member contributions.

All those in favor of the motion signified by saying aye. There was no opposition and the motion carried unanimously.

ITEM NO. 10 ~ CONSIDERATION OF ABSENCES

Comm. Perona said that the next item is Consideration of Absences.

A motion was made by Mr. Conavay and seconded by Comm. Sessions to approve the absence of Nina Hurtubise.

All those in favor of the motion signified by saying aye. There was no opposition and the motion carried unanimously.

ITEM NO. 11 ~ NEXT MEETING

Comm. Perona said the next meeting was scheduled for May 15, 2014 at 2:00 p.m.

ITEM NO. 12 ~ ADJOURNMENT

Seeing there were no further questions or comments, **Comm. Perona** adjourned the meeting at 2:45 p.m. He thanked everyone for their time and attendance.

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM
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APRIL 17, 2014**

ATTEST:

Secretary/Treasurer

Chairperson

Note: These minutes are not verbatim, only important issues and motions are reproduced in writing for the benefit of the Fort Pierce Retirement and Benefit System members. The recording itself is the official record for the meeting. The meeting tape/cd is available.