

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

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

Present:

Gloria J. Johnson	Secretary/Treasurer
Stanley Fidge, Vice Chair	General Member
Commissioner Reginald Sessions	City Commission Member
Nina Hurtubise	U.A. Board Appointee
Rodney Nieves	Police Officer Member
Attorney Jim Walker	Assistant City Attorney, Advisory

Absent:

Commissioner Tom Perona, Chair	City Commission Member
William Conavay	U.A. General Member

Recording:

Christina Luna	Retirement Clerk
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**ITEM NO. 1 & 2 ~ ROLL CALL**

**Vice-Chairperson, Mr. Stanley Fidge** called the meeting to order at 2:06p.m., the first item on the agenda being the “*Roll Call*”. Absent were Commissioner Tom Perona and Mr. Will Conavay.

**ITEM NO. 3 ~ COMMENTS FROM THE PUBLIC**

**Mr. Fidge** 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 none.

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

**ITEM NO. 4 ~ APPROVAL OF SUMMARIZED MINUTES OF JUNE 19, 2014.**

The next item was the approval of the summarized minutes of June 19, 2014. Mr. Fidge asked if there was a motion to approve the minutes.

**Ms. Nina Hurtubise** said there was a typographical error on page 3, above number 6; it reads extinct and should be extent.

**A motion was made by Mrs. Gloria Johnson and seconded by Ms. Hurtubise to approve the summarized minutes of June 19, 2014, with noted correction.**

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

**Mr. Fidge** asked for a motion to excuse the absences of Comm. Perona and Mr. Conavay.

**A motion was made by Comm. Reginald Sessions and seconded by Ms. Hurtubise to excuse the absences of Comm. Tom Perona and Mr. Will Conavay.**

**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 he had attended the NAPPA Conference, a report has been dictated and the board would be getting a copy of the material at the next meeting. Other than that he had no other comments.

**Mr. Fidge** asked if there were any questions for Attorney Walker. There were none.

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

**ITEM NO. 6 ~ PUBLIC HEARING ON BENEFITS APPLICATIONS**

**Mr. Fidge** stated that the next item on the agenda was Public Hearings on Benefit Applications.

**Mr. Fidge** opened up the public hearings for anyone to comment on the request for retirement from Noble R. Upchurch with 9 years and 4 months of service with the Fort Pierce Utilities Authority. He asked if there was any one here who would like to publicly comment on this request. Seeing none, he closed the public hearing. Mr. Fidge opened up the matter for the Board. **A motion was made by Ms. Hurtubise and seconded by Mr. Rodney Nieves to approve the request for retirement from Noble R. Upchurch.** Mr. Fidge asked for any questions or comments on this request before the motion was called. **All those in favor of the motion signified by saying aye. There was no opposition and the motion was carried unanimously.**

**Mr. Fidge** opened up the public hearings for anyone to comment on the request for retirement from Mark Bassett with 25 years of service with the Fort Pierce Utilities Authority. He asked if there was any one here who would like to publicly comment on this request. Seeing none, he closed the public hearing. Mr. Fidge opened up the matter for the Board. **A motion was made by Ms. Hurtubise and seconded by Mrs. Johnson to approve the request for retirement from Mark Bassett.** Mr. Fidge asked for any questions or comments on this request before the motion was called. **All those in favor of the motion signified by saying aye. There was no opposition and the motion was carried unanimously.**

**Mr. Fidge** opened up the public hearings for anyone to comment on the request for retirement from James A. Ward with 16 years and 3 months of service with the City of Fort Pierce Police Department. He asked if there was any one here who would like to publicly comment on this request. Seeing none, he closed the public hearing. Mr. Fidge opened up the matter for the Board. **A motion was made by Comm. Sessions and seconded by Mrs. Johnson to approve the request for retirement from James A. Ward.** Mr. Fidge asked for any questions or comments on this request before the motion was called. **All those in favor of the motion signified by saying aye. There was no opposition and the motion was carried unanimously.**

**Mr. Fidge** opened up the public hearings for anyone to comment on the request for retirement from Jeffrey Lashorne with 12 years and 7 months of service with the City of Fort Pierce Police Department, entering into the DROP. He asked if there was any one here who would like to publicly comment on this request. Seeing none, he closed the public hearing. Mr. Fidge opened up the matter for the Board. **A motion was made by Mrs. Johnson and seconded by Ms. Hurtubise to approve the request for retirement from Jeffrey Lashorne.** Mr. Fidge asked for any questions or comments on this request before the motion was called. **All those in favor of the motion signified by saying aye. There was no opposition and the motion was carried unanimously.**

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

**Mr. Fidge** opened up the public hearings for anyone to comment on the request for retirement from John E. Jones with 9 years and 5 months of service with the City of Fort Pierce, entering into the DROP. He asked if there was any one here who would like to publicly comment on this request. Seeing none, he closed the public hearing. Mr. Fidge opened up the matter for the Board. **A motion was made by Mrs. Johnson and seconded by Ms. Hurtubise to approve the request for retirement from John E. Jones.** Mr. Fidge asked for any questions or comments on this request before the motion was called. **All those in favor of the motion signified by saying aye. There was no opposition and the motion was carried unanimously.**

**Mr. Fidge** opened up the public hearings for anyone to comment on the request for recalculation of benefit from Mazella Smith. He asked if there was any one here who would like to publicly comment on this request. Seeing none, he closed the public hearing. Mr. Fidge opened up the matter for the Board.

**Mrs. Johnson** explained that Ms. Smith had petitioned the board to have her sick leave hours included in her benefit calculations, there was supposed to be a hearing on this matter at this meeting. Since that time, Commission has approved payment of those sick hours and in doing so her benefits had to be revised to include the payment.

**A motion was made by Mrs. Johnson and seconded by Ms. Hurtubise to approve the request for recalculation of benefit from Mazella Smith.** Mr. Fidge asked for any questions or comments on this request before the motion was called. **All those in favor of the motion signified by saying aye. There was no opposition and the motion was carried unanimously.**

**ITEM NO. 7 ~ OLD BUSINESS**

**Mr. Fidge** stated that the next item is Old Business, a second reading on the adoption of Rule 9(d)-Continuances, to the rules of procedure, and yielded to Atty. Walker.

**Atty. Walker** said this was before the board for second reading; this providing a mechanism for rules on continuances as discussed at last month's meeting.

Mr. Fidge asked for a motion to approve. **A motion was made to approve the adoption of Rule 9(d)-Continuances by Comm. Sessions and seconded by Ms. Hurtubise, with discussion.**

**Ms. Hurtubise** asked if this was going to be included in the members' procedures handbook and would the handbook be provided electronically.

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

**Mrs. Johnson** said yes it would be at the next meeting.

**Mr. Fidge** asked for any questions or comments on this request before the motion was called. **All those in favor of the motion signified by saying aye. There was no opposition and the motion was carried unanimously.**

**ITEM NO. 8 ~ NEW BUSINESS**

**Mr. Fidge** opened new business with a discussion on considered changes to the system.

**Ms. Hurtubise** said she had submitted a letter highlighting some points from a memo provided to the City Commission by the Director of Utilities, Bill Thiess. She was hoping the recommendation of the 8 year averaging would be reconsidered and the benefits of using the 2.5% multiplier would be reviewed and recommended to Commission. It seems like they should be able to provide their employees with an option to keep the same benefits that they have had; by doing so there would still be quite a bit of cost saving if the employee chose to buy-up. The cost savings to the system was greater over the 30 year period for the multiplier change than the change in the final average salary. The final decision lies with the City Commission, but she was hoping the retirement system would re-recommend the benefits of providing the change of the 2.5% multiplier with the option to buy-up to 3%.

**Mrs. Johnson** said the board, along with others on the committee, was tasked with providing a recommendation to the Commission, and had done so as a committee. She felt Mr. Thiess had done the correct thing by petitioning the Commission to reconsider, because it is in their hands to decide. There is nothing that this board needs to consider at this time, because that was one of the options recommended.

**Ms. Hurtubise** said she thought it may be more palatable to the bargaining units to have an option that does not reduce benefits, even if it is a cost to the employee; she felt it would be better to have choice.

**Mr. Fidge** asked for a motion.

**A motion was made by Ms. Hurtubise to have the Retirement Board re-recommend to the City Commission considering the option of the 2.5% multiplier with the option to buy-up at the employee's expense, and it was seconded for discussion by Mrs. Johnson.**

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

**Mr. Nieves** said he could not agree with that option, and could only speak for the officers and what they are paying already; he doesn't think it is viable. He knows the board is to look out for the best interests of the City, but have an obligation to the employees as well. The 3% multiplier was gained from raises that they gave up many years ago and to reduce it to 2.5% and say pay for it to be back at 3% is still money being taken from their pockets.

**Ms. Hurtubise** asked if he had seen the numbers to see that the 8 years average change was going to be greater on the employees than the multiplier.

**Mrs. Johnson** said to add on to what Nieves was saying, the police officers are already paying 5.16% to the system under the general and another 7% under the 185 and now you are asking them to pay another .5%; with no raises and increased insurance costs it is very costly to our employees. The UA may be in a better position with their employees, but when you look at our younger employees that 2.5% is going to have the greatest effect on them.

**Mr. Fidge** said the committee as a whole had recommended both options, but felt the 8 year averaging was the better, as a whole. He asked for any other questions on the issue. Seeing none he asked for the vote on the motion

**There was 1 in favor of the motion and signified by saying aye, 4 in opposition and signified by saying nay; the motion was denied.**

**Mr. Fidge** opened the next item, which was a discussion on disability retirement.

**Mrs. Johnson** said she had put this on the agenda for discussion because she had some questions on disability and worker's compensation and the impact on these decisions on the system. She wants to know if there are other means that can be used to alleviate some of the cost to this system. Maybe others have questions that need to be addressed. Why doesn't worker's comp kick in, and what are the rules?

**Comm. Sessions** asked if we were to be more aggressive, as it relates to worker's comp, would it alleviate the system or would a claimant be getting additional money from worker's comp plus what he is getting from the system.

**Mrs. Johnson** said how it works is if they have been deemed disable thru worker's comp, they pay their pension up until they reach retirement age or 25 years of service. Once they reach the age or years target the system kicks in. She is wondering if worker's comp is not deeming these individuals disabled is there something we can do to help defray some of the cost.

**Mr. Fidge** is wondering why there is not a cost share if the disability is work related.

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

**Atty. Walker** said he would recommend that everyone read page 58 in the handbook; the background memorandum on disability. He said state law does provide that in the event a worker is getting both a benefit from worker's comp and a secondary source there is a cap on what is to be paid. He said the standards of entitlement are different for in-line of duty disability; regular duty disability is totally different. So they could very well get in-line of duty here and not get worker's compensation.

**Mrs. Johnson** asked if an employee is not 100% disabled, but seeking this retirement only because we don't have another position for them can they be considered as such. Can we revise our criteria for granting?

**Atty. Walker** said he would have to research this, he knows it cannot be changed for police officers. After much discussion he said he would research this matter and bring some options before the board at next month's meeting.

**ITEM NO. 9 ~ CONSENT AGENDA**

**Mr. Fidge** stated that the next item is the Consent Agenda.

**A motion was made by Mrs. Johnson and seconded by Ms. Hurtubise 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**

**Approval was made earlier, under Item No. 4.**

**ITEM NO. 11 ~ NEXT MEETING**

**Mr. Fidge** said the next meeting was scheduled for August 21, 2014 at 2:00 p.m.

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

**ITEM NO. 12 ~ ADJOURNMENT**

Seeing there were no further questions or comments, Mr. Fidge adjourned the meeting at 2:44 p.m. He thanked everyone for their time and attendance.

ATTEST:

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Secretary/Treasurer

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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.