

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

April 6, 2004

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on April 6, 2004 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 9:30 a.m.

Benefit Board Members present: Chair Betsy Walkup, Vice-Chair Clyde D. Smith; Members: B. R. Hall, Sr., Randy Lovett, David Manning, Edward C. Mason, II, Thomas A. Storey.

Members Albert Berry, Pat Harris-Wingfield and H. Russell White were unable to be present.

Other Members present: Mr. Kevin Klein, Attorney, Metro Legal Department and Christopher Fletcher, Civil Service Medical Examiner.

A. MINUTES: Chair Betsy Walkup called the meeting to order and said the first order of business was to determine if there were any amendments, corrections or questions of the minutes from February 3, 2004, February 17, 2004 Special Called and March 2, 2004 regular meeting. With no corrections, nothing further was noted and Randy Lovett moved for approval. Clyde Smith seconded and the Board approved without objection.

B. DISABILITY PENSIONS:

MOTION: Thomas Storey moved approval of the disability pension new requests for the length of time as recommended by the staff. Randy Lovett seconded and the Board approved without objection. B.R. Hall moved approval of the disability pension reexaminations for the length of time as recommended by the staff. Clyde Smith seconded and the Board approved without objection.

The terms of the approval or extension of the items listed in the above motion are specifically stated in these minutes.

1. NEW REQUESTS

MEDICAL

NAME	DEPARTMENT	RECOMMENDATION
B.-1.-a. Michael K. Austin	Circuit Court Clerk	As moved, seconded and approved, this pension was granted without stipulation of reexamination.
B.-1.-b. Alma R. Capps	MNPS	As moved, seconded and approved, this pension was granted for six (6) months, (October 2004) with reexamination at that time.
B.-1.-c. Paul Morrow	MNPS	As moved, seconded and approved, this pension was granted for one (1) year, (June 2005), with reexamination at that time.
B.-1.-d. Michael C. Nash	Water Services	As moved seconded and approved, this pension was granted without stipulation of reexamination.
B.-1.-e. Rebecca E. Wade	MAC	As moved, seconded and approved, this pension was granted for six (6) months, (September 2004), with reexamination at that time.

IN LINE OF DUTY

B.-1.-f. Angela M. Inglis	MNPS	As moved, seconded and approved, this pension was granted for six (6) months, (September 2004), with reexamination at that time.
B.-1.-g. Dennis R. Shepherd	Police	As moved, seconded and approved, this pension was granted for one (1) year, (April 2005), with reexamination at that time.

2. REEXAMINATIONS

MEDICAL

B.-2.-a. Estella Armstrong	Bordeaux	As moved, seconded, and approved, this pension was continued without stipulation of reexamination
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Service (continued)

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Paul Presley	Fire	Fire Captain	B	02/25/04	05/03/04
Robert Lyons	Police	Lieutenant	B	03/02/04	04/15/04
Willa McClain	General Hospital	Licensed Practical Nurse	B	03/05/04	04/05/04
Joyce Cole	Parks	Recreation Leader	B	03/05/04	04/05/04
Patricia Latimer	MNPS	General School Assistant	B	03/05/04	05/22/04
Barbara Eddings	Circuit Court		B	03/03/04	05/01/04
Clyde Sprouse, Jr.	MNPS	Painter	B	03/09/04	05/01/04
Jacqueline Bishop	MNPS	Special Education Assistant	B	04/05/04	05/23/04
William D. Sullivan	Public Works	Maintenance and Repair District Supervisor	B	04/05/04	04/05/04
Kathryn Montgomery	Police	Administrative Services Officer 3	B	03/16/04	05/01/03
Barbara McGill	General Hospital	Secretary	B	04/05/04	05/10/04
Kenneth Sanders	Police	Police Executive Administrator	B	04/05/04	04/06/04
Carolyn Franklin	Police	Crossing Guard	B	04/05/04	05/22/04
Chanh Le	General Hospital	Licensed Practical Nurse	B	04/05/04	06/30/04
Herbert Holt	Public Works	Equipment Operator 3	B	04/05/04	07/01/04
Shirley Minton	MNPS	Cafeteria Assistant	B	04/05/04	04/05/04
Yvonne Jackson	MNPS	Educational Assistant	B		
Sandra Herndon	MNPS	Secretary	B	04/05/04	06/01/04
Robert Johnson	Public Works	Maintenance and Repair Worker 2	B	04/05/04	07/01/04
Gerald Capps	Codes	Electrical Inspector 2	B	04/05/04	04/23/04
Jerry Lamb	Fire	Maintenance Worker 1	B	04/05/04	05/01/04
Armando Sanmiguel	Fire	Fire District Chief	B	04/05/04	07/01/04
George Ferguson	Fire	Fire District Chief	B	04/05/04	04/07/04
Jeffrey West	Police	Police Officer 2	B	04/05/04	04/06/04

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Byron S. Womack	Fire	A	03/01/04
Charles R. Head, Jr.	Police	A	03/01/04
Gwenden L. Davis	Fire	A	03/01/04
John C. Lewis	Police	B	03/01/04
Thomas Mayberry	Fire	A	03/01/04
Lois A. Thompson	Social Services	B	02/01/04

Options Elected

Employee	Department	Pension type	Plan A/B	Effective Date	Option	DROP Election
Linda S. Brown	MNPS	Early Service	B	2/7/2004	Normal	
Annie L. Darden	Bordeaux Hospital	Early Service	B	1/31/2004	Normal	
Jerry L. Dobbins	Police	P&F Service	B	2/11/2004	Option E	1
Donald R. Etheridge	Fire	P&F Service	B	1/6/2004	Option E	
Margie H. Ferguson	MNPS	Service	B	1/1/2004	Normal	
Donald D. Gray	Police	P&F Service	B	1/1/2004	Option E	1
Carl T. Hall, Sr.	MNPS	Service	B	2/1/2004	Option B	1
Richard A. Hillebrand	Police	P&F Service	B	1/3/2004	Option E	

Options Elected

Employee	Department	Pension type	Plan A/B	Effective Date	Option	DROP Election
Wallace V. Hitchcox	General Hospital	Early Service	B	1/31/2004	Option E	
Gay N. Lane	Health	Early Service	B	1/29/2004	Option F	
Jesse D. Lipscomb	MNPS	Service	B	1/10/2004	Option A	
Nathan L. Modling	MNPS	Service	B	2/1/2004	Option A	
Nancy W. Northcutt	MNPS	Service	B	1/3/2004	Normal	
David R. Pugh	Police	P&F Service	B	1/16/2004	Normal	3
Robert L. Ramsey	Codes Administration	Service	B	2/1/2004	Option B	3
Charles Rowland	Fire	P&F Service	B	2/1/2004	Normal	
Roger D. Therber	Police	P&F Service	B	1/3/2004	Normal	
David S. Vandygriff	Fire	P&F Service	B	1/14/2004	Option F	1
Felix L. Ware	MNPS	Service	B	2/1/2004	Option B	
Barbara P. West	Codes Administration	Service	B	1/16/2004	Option F	

Survivor

Employee Name	Department	Survivor Name	Plan Membership	Effective Date
George R. Hedge	Police	Dorothy N. Hedge	Old City	03/05/04
Henry P. Sadler	General Sessions Court	Bertha L. Sadler	B	03/05/04
Alice A. Chapman	Parks	Lynn T. Chapman	B	03/07/04
Donald L. Stockton	Public Works	Cathy Stockton	B	03/05/04
Perry J. Shannon	Water Services	Virginia I. Shannon	A	03/13/04
Earl C. Owen	Sheriff	Luellan R. Owen	B	01/29/04

BENEFIT BOARD ITEMS

Mr. John P. Kennedy, Assistant Director of Human Resources, was unable to facilitate today's meeting and his assistant, Ms. Shannon Beehan submitted the following for the Board's consideration and appropriate action on his behalf:

Item #1. Bylaws amendment.

Shannon Beehan reported this item was presented at the last meeting for consideration. She stated that there needs to be a technical correction made to the by-laws regarding the ten year vesting period. She stated that staff recommends amending the by-laws to reflect the five year vesting period.

David Manning moved approval of the amendment. Randy Lovett seconded and the Board approved without objection.

Item #2. Update on self-insured plan amendment – incontinence supplies.

Kevin Klein stated that in reviewing the Americans with Disabilities Act guidelines and the Equal Employment Opportunities Commission (EEOC) regulations whether or not the provision in the self insured plan regarding incontinence supplies is a violation of the Americans with Disabilities Act the legal department recommends the language should be changed to either provide for these supplies or not to provide for them and not draw a distinction to only provide for them for certain injuries.

Shannon Beehan stated that Bryan, Pendleton, Swats & McAllister is currently doing a cost analysis of what the impact of this may be.

Item #3. Amendment to the self-insured plan document.

Shannon Beehan reported to the Board that effective January 2004 the State of Tennessee implemented new regulations regarding fully insured plans. She stated that under certain medical criteria recommended by the American Medical Association and the American Cancer Society it is being required that colorectal screenings be provided. She stated that even though Metro's plan is a self-insured plan Blue Cross Blue Shield recommends this be added to Metro's plan. She further stated that the actuaries are working on a cost and staff recommends this be considered for approval in the self-insured plan and no action is required at this time. Additionally the Board requested costing this benefit for a five-year provision as well as the ten-year provision as recommended.

Item #4. Timing change for life changing events.

Shannon Beehan reported that currently on the life changing event policy you are required to make the change within 30 working days and that has been difficult to administer because it has been confusing for employees to understand (30 working days versus 30 calendar days). She stated that Deloitte recommends that it be extended to a flat 60 calendar days, which is completely within the IRS guidelines. This item was presented for consideration and will be acted upon accordingly at the next meeting.

Item #5. Long-term care update:

- a. Discussion of amendment to the rules, regulations and procedures for the voluntary benefits programs to facilitate sales of long term care insurance.

Shannon Beehan stated that when the voluntary benefits were introduced those benefits were not regulated and this procedure was put into place to regulate those voluntary benefits offered to employees that were not under Metro contract. She stated that when the optional benefits were introduced in 2001 (supplemental life, short and long term disability, and vision) they have been administered as optional benefits and did not feel that the rules for the voluntary benefits applied to the optional benefits because they are under Metro contract and are regulated. Staff recommends proceeding forward with enrollment as with the other optional benefits.

After some discussion of the policy for voluntary benefits, the compilation of one document for voluntary and optional benefits and possible Code provisions for optional benefits, the Board discussed reviewing the policy for voluntary benefits and proceed with the long-term care enrollment.

Item #6. Committee Reports:

Chair Betsy Walkup turned the meeting over to the Chair of the particular Committee.

1. Medical & Life Committee: (Chair Edward C. Mason, II.; Vice Chair Randy Lovett; Members: Pat Harris-Wingfield, David Manning, Thomas A. Storey and H. Russell White)

- a. Approval of the March 4, 2004 minutes.
- b. Approval of self-insured plan document and related operating procedure.

Chair Edward Mason reported to the full Board that the Medical & Life Committee met on March 4, 2004 and reviewed the language in the self-insured plan dealing with felonies and the appeal procedure. Edward Mason stated that the Committee recommends to the Board that the felony provision include any denials being reported to the Board, the appeals process remain as is and that the plan document be adopted with the changes recommended by the Committee.

Chair Edward Mason asked if there were any amendments, corrections or questions of the minutes from the March 4, 2004 Medical & Life Committee meeting. With no corrections and

nothing further was noted, David Manning moved for approval. Randy Lovett seconded and the Committee approved without objection.

Clyde Smith moved approval of the recommendations from the Medical & Life Committee. David Manning seconded and the Board approved with one opposed.

2. Elected Members Committee: (Chair Thomas A. Storey; Members: B.R. Hall, Sr., Pat Harris-Wingfield, Edward C. Mason, II and Clyde D. Smith)

- a. Approval of the March 16, 2004 minutes.
- b. Study & Formulating Committee recommendations.

Chair Thomas Storey reported to the full Board that the Elected Members Committee met on March 16, 2004 and discussed the possibility of a catastrophic disability benefit and prioritized the items from the Study & Formulating Committee report that the Board wanted further study on. He stated the items recommended are: Police & Fire 30 years/75%, 2%yr general Government, Rule of 85/no minimum age General Government and disability cost of living with 1% per year retro).

Chair Thomas Storey asked if there were any amendments, corrections or questions of the minutes from the March 16, 2004 Elected Members Committee meeting. With no corrections and nothing further was noted, Edward Mason moved for approval. Clyde Smith seconded and the Committee approved without objection.

After some discussion of the items prioritized from the report, Edward Mason moved that the Study & Formulating Committee report and the related costs available to date be forwarded to Council, along with the priorities from the Elected Members Committee and there being no recommendation from the full Board. B.R. Hall seconded and the Board approved without objection.

Chair Betsy Walkup clarified that on item #6.-1.-b., there was a vote to approve the recommendations of the Medical & Life Committee relevant to the self-insured plan document. Chair Walkup asked for an additional motion to approve the document as a whole and the operating procedure to change provisions and amendments.

Clyde Smith moved approval of the plan document inclusive of the recommendations of the Committee and the operating procedure. David Manning seconded and the Board approved with one opposed.

Item #7. Correspondence:

- a. Report from Blue Cross.
- b. Report from Cigna.

Items 7.-a. and 7.-b. were for information only and no action was required.

- c. Retirement incentive.

Randy Lovett reported that the retirement incentive will be up for second reading with the Council and there is a letter from the actuary analyzing the impact of the incentive on the plan. He stated it is recommended that the Board send this letter to the Council officially. Randy Lovett moved that the actuarial letter be sent to the Council on the retirement incentive. David Manning seconded and the Board approved without objection.

Item #8. Reports For Your Information:

- a. Return to work.
- b. Social Security approvals.

- c. Refund of pension contributions.
- d. Repayment of pension contributions.
- e. Emergency withdrawal requests.
- f. Employee benefit trust fund annual comparison management consultant expenses.
- g. Employee benefit trust fund annual comparison investment management expenses.
- h. Employee benefit trust fund total expenses annual comparison.

Items 8.-a. through 8.-h. were for information only and no action was required.

Item #9. Late item:

There were no late items reported.

With nothing further presented, the meeting adjourned at 10:50 a.m.

ATTEST:

APPROVED:

**Mr. John P. Kennedy, Assistant Director
Human Resources**

**Mrs. Betsy Walkup, Chair
Employee Benefit Board**