

**MINUTES**

**METROPOLITAN EMPLOYEE BENEFIT BOARD**

**December 2, 2008**

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, December 2, 2008 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 9:33 a.m.

Benefit Board members: Chair: Ann V. Butterworth; Vice Chair: Clyde D. Smith; Members: \*G. Thomas Curtis, B.R. Hall, Sr., Edna J. Jones, Richard M. Riebeling, and Dorothy Shell-Berry.

Members **Christine Bradley, Douglas D. Conquest, Sr., and James H. Johnson were unable to be present.**

Others present: Justin Stack, Metro Human Resources, and Nicki Eke, Attorney, Metro Legal Department.

**A. MINUTES:** Chair Ann Butterworth 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 the last regular meeting held on November 4, 2008. With no corrections, nothing further was noted and Clyde Smith moved for approval. Dorothy Shell-Berry seconded and the Board approved without objection.

**B. APPEAL ANNOUNCEMENT:**

Justin Stack announced the process and timeframe for appealing a decision made by this Board.

At this time, item 1, Presentation of resolution, under Benefit Board items was taken out of order without objection.

Ann Butterworth presented H. Russell White with a resolution honoring his dedication and service to the Metropolitan Employee Benefit Board.

**C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and referrals)**

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

Justin Stack reported to the Board that the Civil Service Medical Examiner recommends approval of the disability pension new requests, items 1 through 16, for the length of time as recommended and items 17 through 19 accordingly. Mr. Stack also noted that on item 16, the individual has requested to return to work in a civilian position.

The Board discussed the individual on item 16 being made aware of the implications of returning to work in a civilian position.

Dorothy Shell-Berry moved for approval of the recommendations to approve the disability pension new requests, items 1 through 16 for the length of time as recommended and items 17 through 19 accordingly. Edna Jones seconded.

After discussion on the placement and restrictions on the return to work requests a vote was taken on the motion to approve the disability pension new requests, items 1 through 16 for the length of time as recommended and items 17 through 19 accordingly and was approved without objection.

**NEW REQUESTS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty or Medical Disability</b>	<b>Recommendation</b>
1.	Glenda S. Anderson	MNPS	Medical	As moved, seconded and approved, this disability pension request was approved for six months, (June 2009), with re-exam at that time.

**NEW REQUESTS: (continued)**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty or Medical Disability</b>	<b>Recommendation</b>
2.	Phyllis Bell	Bordeaux	IOD	As moved, seconded and approved, this disability pension request was approved for three months, (March 2009), with re-exam at that time.
3.	Ronald T. Chambers	Water	Medical	As moved, seconded and approved, this disability pension request was approved for two months, (February 2009), with re-exam at that time.
4.	Johnny R. Clinard	MNPS	IOD	As moved, seconded and approved, this disability pension request was approved for four months, (April 2009), with re-exam at that time.
5.	Brenda L. Dowell	MNPS	IOD	As moved, seconded and approved, this disability pension request was approved for one month, (January 2009), with re-exam at that time.
6.	Brenda K. Edwards	Register of Deeds	Medical	As moved, seconded and approved, this disability pension request was approved for six months, (June 2009), with re-exam at that time.
7.	Sharon M. Evans	General Services	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (April 2009), with re-exam at that time.
8.	Deborah C. Fisher	District Attorney	Medical	As moved, seconded and approved, this disability pension request was approved without stipulation of scheduled re-exam.
9.	Sandra S. Frazier	County Clerk	Medical	As moved, seconded and approved, this disability pension request was approved without stipulation of scheduled re-exam.
10.	Billy W. Mabry	Sheriff	IOD	As moved, seconded and approved, this disability pension request was approved for one year, (December 2009), with re-exam at that time.
11.	Thomas R. Rediker, II	Public Works	Medical	As moved, seconded and approved, this disability pension request was approved for three months, (March 2009), with re-exam at that time.
12.	Misty S. Reid	General Services	IOD	As moved, seconded and approved, this disability pension request was approved for two months, (February 2009), with re-exam at that time.

**NEW REQUESTS: (continued)**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty or Medical Disability</b>	<b>Recommendation</b>
13.	Marian M. Sutton	Health	Medical	As moved, seconded and approved, this disability pension request was approved without stipulation of scheduled re-exam.
14.	Daulton K. Walker	State Fair	IOD	As moved, seconded and approved, this disability pension request was approved for four months, (April 2009), with re-exam at that time.
15.	Aretta D. White	General Hospital	Medical	As moved, seconded and approved, this disability pension request was approved for one year, (December 2009), with re-exam at that time.
16.	Stephany R. Wilson	Police	Medical	As moved, seconded and approved, this disability pension request was approved and the individual placed on the return to work list.

**REEXAMINATIONS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty or Medical Disability</b>	<b>Recommendation</b>
17.	Toney W. Moore	Public Works	Medical	As moved, seconded and approved, this disability pension was continued for five months, (May 2009), with re-exam at that time.

**RETURN TO WORK:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty or Medical Disability</b>	<b>Recommendation</b>
18.	Judy C. Petty	Police	Medical	As moved, seconded and approved, this return to work request was approved.
19.	Pamela Vague	MNPS	IOD	As moved, seconded and approved, this return to work request was approved.

**SOCIAL SECURITY REFERRALS:**

<b>Item</b>	<b>Name</b>	<b>Department</b>	<b>Review Originated From</b>	<b>Case Management Recommendation for Referral</b>	<b>CSME Recommendation for Referral</b>
1	Michael Eva	Police	Pension Approval	No	No
2	Deborah Holt	Health	Pension Approval	No	No
3	Brenda Lee	MNPS	Pension Approval	No	No
4	Jeffrey McKee	Water	Pension Approval	Yes	Yes
5	Michael Moore	Public Works	Pension Approval	No	No

**SOCIAL SECURITY REFERRALS:**

Item	Name	Department	Review Originated From	Case Management Recommendation for Referral	CSME Recommendation for Referral
6	Paul Porter, Sr.	General Services	Pension Approval	Yes	Yes
7	Mary Sowder	MNPS	Pension Approval	No	No

Justin Stack reported to the Board that the Civil Service Medical Examiner concurs with the recommendations on the Social Security referrals. Clyde Smith moved for approval of the Social Security referrals. B.R. Hall seconded and the Board approved without objection.

**D. PENSIONS: (service, disability to service, options elected and survivor)**

**MOTION:** B.R. Hall moved for approval of the pensions. Dorothy Shell-Berry seconded and the Board approved without objection.

**Service**

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
John R. Richardson	Fire	Firefighter 3	B	10/28/2008	01/01/2009
David L. Bass	MNPS	Custodian Helper	B	10/28/2008	12/20/2008
Mary R. Vaughn	Sheriff	Prisoner Process Specialist	B	10/29/2008	11/15/2008
Frank A. Spain	Codes	Plumbing Inspector 2	B	10/29/2008	01/01/2009
Feli C. Propes	Health	Program Specialist 3	B	10/29/2008	12/27/2008
Mamie S. Maclin	General Hospital	Registered Nurse	B	10/30/2008	11/01/2007*
Billy G. Halliburton	County Clerk	Deputy Clerk 4	B	11/04/2008	01/01/2009
George Wooten, Jr.	Water	Equipment & Supply Clerk 3	B	11/04/2008	01/01/2009
Ruby G. Davis	MNPS	Senior Painter	B	11/05/2008	12/20/2008
Ann V. Roberts	Historical Commission	Executive Director	B	10/16/2008	01/01/2009
Freddie E. Garrette	Police	Police Officer 2	B	11/05/2008	11/05/2008
Valerie C. Stringer	Fire	Fire Captain	B	11/06/2008	01/01/2009
James E. Jones	Public Works	Equipment Operator 2	B	10/24/2008	12/13/2008
Janet L. Gaston	Bordeaux LTC	Licensed Practical Nurse	B	11/06/2008	12/28/2008
Yetteva D. Sheffield	Health	Public Health Nurse 3	B	11/06/2008	12/31/2008
Charles E. Bush	Water	Indust Tech Master	B	11/07/2008	01/01/2009
Evelyn F. Petty	MNPS	General School Assistant	B	11/11/2008	01/03/2009
Jerry W. Russell	Water	Engineering Technician 3	B	11/11/2008	12/27/2008
Doris M. Derrick	MNPS	Cafeteria Assistant	B	11/12/2008	01/03/2009
Judith G. Gentry	MNPS	Special Ed MIP – Educational Assistant REG	B	11/13/2008	11/01/2008*
Hazel A. Edde	MNPS	Pre-K Educational Assistant	B	11/13/2008	01/03/2009
Vickie R. Charleston	MNPS	Special Ed Life Skills Ed. Asst.	B	11/17/2008	11/08/2008
William H. Gentry	Sheriff	Admin. Svcs. Officer 3	B	11/18/2008	12/04/2008
James Earl Reid	MNPS	Facilities Maintenance Engineer	B	11/18/2008	12/01/2008
Terry W. Ashley	Police	Police Sergeant	B	11/19/2008	12/31/2008
Sarah A. Franklin	MNPS	Technician/Pupil Locator	B	11/19/2008	01/10/2009
W. Carolyn Duncan	MNPS	Senior Account Clerk	B	11/20/2008	12/27/2008

\* Deferred Benefit

**Disability to service**

Employee	Department	Plan A/B	Effective Date of Conversion
Shirley C. Bennett	MNPS	B	10/01/2008

**Disability to service (continued)**

Employee	Department	Plan A/B	Effective Date of Conversion
Randy L. Roberts	Fire	B	11/01/2008
James E. Thomas	Police	B	11/01/2008

**Options Elected**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Anderson, Louise M	General Hospital	Early Service	B	10/2/2008	Option C	
Bishop, Joseph D.	Police	P&F Service	B	10/29/2008	Option E	3
Borum, Linda J	Codes Administration	Service	B	10/2/2008	Normal	1
Cheek, Glenda T	MNPS	Service	B	9/27/2008	Normal	3
Coffee, Elna D	MNPS	Service	B	5/1/2007	Normal	
Dean, Peggy Dianne	Police	Service	B	10/2/2008	Normal	
Dozier, William D	Fire	P&F Service	B	9/23/2008	Option E	3
Dunn, Shirley J.	General Hospital	Service	B	9/1/2008	Normal	
Elam, Alice J.	General Hospital	Early Service	B	8/30/2008	Normal	
Gabany, Sue Ann	MNPS	Service	B	8/30/2008	Option E	1
Gift, Robert M	Fire	P&F Service	B	10/16/2008	Option F	3
Gleaves, Thomas E	Water Services	Service	B	10/4/2008	Option B	3
Halpin Jr, William E	MNPS	Service	B	3/29/2008	Option F	

**Options Elected**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Hearn, Beth A	Health	Service	B	10/18/2008	Option F	
Helms, Bruce W.	Sheriff	Service	B	10/4/2008	Option B	
Hickman, Gail E	Sheriff	Service	B	11/1/2008	Normal	1
Holley, Frank H	Water Services	Service	B	10/4/2008	Option D	
Hollins, Johnny C	Sheriff	Early Service	B	10/2/2008	Option A	
King, Barbara Faye	MNPS	Service	B	9/27/2008	Normal	
Leary, Stephen V.	Circuit Court Clerk	Service	B	10/1/2008	Normal	
Letson, Christine E	Health	Early Service	B	10/3/2008	Normal	
Mcgee, Dorislynn	Codes Administration	Early Service	B	10/18/2008	Normal	
Mikrut Jr, Edward C	Sheriff	Early Service	B	9/20/2008	Option E	
Nix, Linda A	MNPS	Service	A	10/1/2008	Normal	
Pridemore Jr, Billy	Police	P&F Service	A	10/1/2008	Option C	
Roberge, Carole E	Criminal Court Clerk	Service	B	10/4/2008	Option F	2
Rungsakul, Chaichana	Info. Tech. Service	Service	B	10/8/2008	Option A	
Shores, Patricia A	MNPS	Service	B	10/25/2008	Normal	3
Sircy, Glenn M	MNPS	Service	B	10/23/2008	Normal	
Wallace, Carmelita Y.	General Services	Early Service	B	8/19/2008	Option D	
Williams, Florence J	MNPS	Service	B	8/11/2008	Normal	
Wilson, James E	Fire	P&F Service	B	9/8/2008	Option F	3

**Pension options key:**

- Normal - life annuity (no option elected)
- Option A - Joint & Survivor - 100% to surviving beneficiary
- Option B - Joint & Survivor - 50% to surviving beneficiary
- Option C - Social Security
- Option D - 120 payments certain and life
- Option E - Joint & Survivor - 100% to surviving beneficiary with pop-up feature
- Option F - Joint & Survivor - 50% to surviving beneficiary with pop-up feature

**Survivor**

Employee Name	Department	Survivor Name	Plan Membership	Effective Date
Clarence A. Lovell, Jr.	Fire	Mary Lovell	Old County	10/30/08
Paul T. Cooper	Police	Tiffany Cooper	B	11/01/08

**Survivor**

Employee Name	Department	Survivor Name	Plan Membership	Effective Date
Michael Gulla	Police	David Gulla	B	11/01/08
Robert L. Brown	Parks	Helen Brown	B	11/07/08
Cecil T. Brown	Civilian Police	Mark E. Fuqua	B	11/09/08
Billie J. Peterson	MNPS	David F. Nabors, Jr.	A	03/18/06
Kelly Newsom	MNPS	Barbara Newsom	B	11/02/08
James Pewitt	Public Works	Maudie Elsie Pewitt	B	11/15/08

**BENEFIT BOARD ITEMS**

The Human Resources staff submitted the following for the Board's consideration and appropriate action:

1. Self-insured PPO plan appeal - Denial of Bariatric Surgery.

Justin Stack reported to the Board that this item was deferred from the October Board meeting pending adequate medical records to substantiate medical necessity of bariatric surgery. He stated that at the November Board meeting it was requested that Blue Cross Blue Shield and the individual's physician discuss the lacking medical information needed to complete the medical record and attempts by Blue Cross Blue Shield to do so. He stated that staff recommends denial of the appeal until sufficient medical information is provided to Blue Cross Blue Shield.

Rob Briley, attorney, and the individual were present. Mr. Briley discussed obtaining the information regarding family history and submitted letters from the individual's physicians regarding family history. He also discussed how to meet the required medical criteria.

There was discussion of the information regarding family history being submitted to Blue Cross Blue Shield, meeting the family medical history criteria, this appeal no longer being a Blue Cross Blue Shield appeal, procedures used by Blue Cross Blue Shield to utilize specialists to review medical records in grievance cases, and this Board needing information regarding family history in order for this Board to render a decision.

There was further discussion of all the required medical information not being submitted in order to determine whether or not they meet the criteria for the procedure.

Debbie Sims and Vanessa Marsh, Blue Cross Blue Shield, were present and addressed the Board. Ms. Sims reviewed the timeline regarding this case, the medical policy regarding bariatric surgery and communications to the individual's providers and attorney outlining the necessary medical information, the criteria already met and what is missing from the medical record. Ms. Sims also discussed sending this case to a specialist for review and contacting the individual's physician.

Ms. Sims and Ms. Marsh reviewed the criteria in detail and indicated that without the individual submitting the necessary medical information it would be a denial for the procedure.

There was discussion of Blue Cross Blue Shields appeal process, this now being in the jurisdiction of the Board for a decision, and the review by the Civil Service Medical Examiner. There was also further discussion of the individual not providing all the necessary medical information, the individual's willingness to submit this information and attempting to bypass the required process.

After discussion of another attempt for the physicians to discuss the medical record, Clyde Smith moved to defer this item for one meeting. Edna Jones seconded.

There was discussion of the individual repeating the appeal process through Blue Cross Blue Shield and the Board denying the appeal based on the individual not meeting the criteria. There was discussion of meeting the medical criteria versus the intent of the medical criteria.

After clarification on the motion, it was determined that this item will be brought back to the Board after the physicians have spoken and the requested additional documentation is submitted to Blue Cross.

1. Self-insured PPO plan appeal - Denial of Bariatric Surgery. (continued)

A vote was taken on the motion to defer this item and was approved with B.R. Hall opposed.

2. Request of disability pensioner for vocational retraining.

Justin Stack reported to the Board that this disability pensioner is unable to return to his former position due to his restrictions, nor can his department accommodate him. Mr. Stack stated that the individual is interested in pursuing continuation of their college degree that would allow them to seek positions within their restrictions within Metro and reduce or discontinue their disability pension. He stated that the cost associated with this continuation of education is approximately \$20,000 (tuition, books and mileage reimbursement) and exceeds the amount allowed without Board approval. He stated it is recommended that this disability pensioner be allowed to return to school in accordance with the vocational guidelines established for disability pensioners.

Paula Krebs, Eckman/Freeman, was present and reviewed the costs with the Board.

\*Denotes the arrival of G. Thomas Curtis.

After discussion of possible tuition increases, removing the individual from the return to work list, the success with retraining of disability pensioners, and accountability, B.R. Hall moved for approval of vocational assistance up to \$20,000 (if it exceeds that amount it must come back to the Board), flat mileage reimbursement, and removing the individual from the return to work list. Edna Jones seconded and the Board approved without objection.

After discussion of the disability pensioner complying with the terms of receiving the assistance, Metro's ability to recoup funds, and the individual attending other institutions, a vote was taken on the motion to approve the vocational assistance up to \$20,000 (if it exceeds that amount it must come back to the Board), flat mileage reimbursement, and removing the individual from the return to work list and was approved without objection.

3. Election of Metropolitan Employee Benefit Board Chair and Vice-Chair for 2009.

Justin Stack reviewed the procedures to conduct the election of Chair and Vice-Chair for 2009.

Chair Ann Butterworth opened the floor to nominations.

Clyde Smith nominated Edna Jones for Metropolitan Employee Benefit Board Chair for 2009.

Dorothy Shell-Berry nominated G. Thomas Curtis for Metropolitan Employee Benefit Board Vice-Chair for 2009.

G. Thomas Curtis indicated that he would like to have his nomination withdrawn, but subsequently changed his mind.

After discussion on the nomination for Vice-Chair and the by-laws, a vote was taken on the nomination for Chair and Edna Jones was elected Chair for the Metropolitan Employee Benefit Board for 2009 and G. Thomas Curtis will serve as Vice-Chair by acclamation.

At this time the Board took a break and then reconvened with the remainder of the agenda.

4. Presentation of resolution.

This item was taken out of order and acted upon accordingly.

5. Review of cafeteria plan with flexible spending arrangement.

Justin Stack reported to the Board that as a part of plan compliance review, the consultants have reviewed Metro's cafeteria plan and recommended changes. In addition, there are two new IRS

5. Review of cafeteria plan with flexible spending arrangement. (continued)

changes (military leave and the heart act) that will require adoption of the new law as well as administrative changes.

Andre Demetrius and John O'Donnell, Buck Consultants, reviewed the changes (mandatory, optional and clarifications) to the cafeteria plan with the Board.

After some discussion of the mandatory changes and timeframes involved Richard Riebeling moved for approval of the mandatory and clarification changes to the plan with review of the optional changes at a Special Called meeting. Thomas Curtis seconded and the Board approved without objection.

6. Long term care contract.

Justin Stack reported to the Board that the current long term care contract will expire May 31, 2009. He stated that currently there is participation of 121 individuals of which only 87 are Metro employees. He stated that staff recommends that the Board determine whether this benefit should be continued.

After discussion of whether or not those enrolled in the program would continue at the current rates with no contract in place with Metro, the Board requested that staff get clarification on that issue and review the possibility of those currently enrolled piggybacking on the long term care contract with MNPS.

7. Committee Reports - In Line of Duty Committee (Chair: Edna J. Jones; Vice-Chair: Christine Bradley; Members: Ann V. Butterworth and Clyde D. Smith. Alternates: B.R. Hall, Sr. and Dorothy Shell-Berry)

Justin Stack reported to the Board that the In Line of Duty Committee met on Tuesday, November 18, 2008 to deliberate on an in line of duty death benefit request, two in line of duty medical care requests and the eligibility for part-time employees to receive in line of duty benefits.

a. Request for in line of duty death benefit for David Sewell.

Justin Stack reported that the Committee is recommending to the Board to approve the in line of duty death benefit.

Committee Chair Edna Jones reported to the Board that this case was specific to the individual and was not setting up a precedent for that particular job classification.

After some discussion, Edna Jones moved for approval of the recommendation from the Committee to approve the in line of duty death benefit. Clyde Smith seconded and the Board approved without objection.

b. IOD medical care request(s):

Justin Stack reported to the Board that the Committee is recommending to the Board to approve the in line of duty medical care requests.

1. Employee from Metro Action Commission.
2. Employee from Fire Department.

Committee Chair Edna Jones reported to the Board that the Committee received additional information from the Civil Service Medical Examiner on the Fire Department employee's request. She also stated that after review of the Metro Action Commission employee's request, the Committee did not agree with the decision made by ASC to deny the claim.

Edna Jones moved for approval of the recommendation from the Committee to approve the in line of duty medical care requests. Clyde Smith seconded and the Board approved without objection.

7. Committee Reports - In Line of Duty Committee (continued)

c. Eligibility for part-time employees to receive in line of duty benefits.

Justin Stack reported to the Board that a memorandum was distributed to all Metro Nashville Public Schools employees stating that part-time employees who work less than 20 hours are not eligible for in line of duty benefits. Mr. Stack reported to the Board that there is no recommendation from the Committee on this item. He stated that staff recommends the Board uphold the current law, however, if it deems it appropriate, refer the item to the Study and Formulating Committee and /or Council for study, costing and potential revision to the Metro Code.

Doug Collier, Service Employees International Union (SEIU), was present and addressed the Board on this issue.

There was discussion of what benefits part-time employees are entitled to, if part-time employees were included in the original costing, benefits being stopped for those currently receiving in line of duty benefits and what the Charter says.

Richard Riebeling moved to have this deferred to the Study Session in order to obtain a determination from the Legal Department regarding the law, have a representative (David Hines) from MNPS to explain what precipitated the memorandum being sent to MNPS employees and for the actuary to provide information as to whether they included part-time employees in the in line of duty calculations.

Thomas Curtis seconded the motion.

There was further discussion of the employees who have had benefits stopped.

Dorothy Shell-Berry amended the motion to provide coverage for those individuals impacted by the memorandum sent out to MNPS employees.

Richard Riebeling withdrew his motion. Thomas Curtis withdrew his second.

Tracy Petty, Alternative Service Concepts, (ASC), reviewed previous claims data reported by part-time employees. She stated that out of 725 part-time employees, 136 claims have been filed ranging in date back to the 70's. She further stated that out of the 136 claims reported only 64 cases had dollars paid on them with the oldest case dating back to 1985. With respect to MNPS employees, she reported that out of 305 part-time employees, there were 29 claims reported, 14 that had dollars paid, with the oldest claim being from 2002.

Dorothy Shell-Berry moved to defer this to the Study Session, in order to obtain a determination from the Legal Department regarding the law, to have a representative (David Hines) from MNPS to explain what precipitated the memorandum being sent to MNPS employees, for the actuary to provide information as to whether they included part-time employees in the in line of duty calculations and all employees continue to be covered. Edna Jones seconded.

After clarification on the motion regarding continuing coverage, Clyde Smith called for the question, closing off any further debate.

A vote was taken on the motion to defer this to the Study Session, in order to obtain a determination from the Legal Department regarding the law, to have a representative (David Hines) from MNPS to explain what precipitated the memorandum being sent to MNPS employees, for the actuary to provide information as to whether they included part-time employees in the in line of duty calculations and all employees continue to be covered and was approved with Richard Riebeling and Thomas Curtis abstaining.

8. MetroMax plan update.

Justin Stack reported to the Board that the staff recommends approval of the Pension Protection Act plan amendments on the 457 plan to become effective January 1, 2011 in order for the effected departments to review and test system upgrades for the necessary changes.

Richard Riebeling moved for approval of the recommendation to approve the amendments on the 457 plan effective January 1, 2011. Clyde Smith seconded and the Board approved without objection.

9. Minimum pension benefit – five year vesting

Justin Stack reported to the Board that the ordinance drafted in regards to expanding the minimum pension benefit for those who have attained 5-year vesting did not cover every situation. He stated that a substitute ordinance is being presented and the actuary has confirmed that the change will not have a material impact on the cost previously reviewed. He further stated that staff recommends approval of the actuary recommendation and to refer the item to Council.

Richard Riebeling moved for approval of the actuary recommendation and to refer the item to Council. Dorothy Shell-Berry seconded and the Board approved without objection.

10. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Utilization report from Walgreens Health Initiatives. (not available)
- d. Utilization report from Alternative Service Concepts. (reported quarterly)

Items 10.-a. through 10.-b. were for information only and no action was required.

11. Reports for your information:

- a. Return to work.
- b. Social Security approvals.
- c. Refund of pension contributions. (not available)
- d. Repayment of pension contributions.
- e. Reports from Treasury. (not available)
- f. Non-compliant disability pensioners. (none to report)
- g. Pending litigations.
- h. Disability status reports. (not available)
- i. Denial log from Alternative Service Concepts.
- j. PERC update.
- k. Annual enrollment results.
- l. Voluntary insurances annual reports.

Items 11.-a. through 11.-l. were for information only and no action was required.

Alan Pennington, Bryan, Pendleton, Swats & McAllister, distributed a handout regarding the PERC project and gave an update.

Justin Stack made note of the annual enrollment results.

12. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 12:20 p.m.

ATTEST:

APPROVED:

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***Mrs. Dorothy Shell-Berry, Interim Director  
Human Resources***

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***Ms. Ann V. Butterworth, Chair  
Employee Benefit Board***