

## **MINUTES**

### **METROPOLITAN EMPLOYEE BENEFIT BOARD**

**December 1, 2009**

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, December 1, 2009 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 9:30 a.m.

Benefit Board members: Chair: Edna J. Jones; Vice Chair: G. Thomas Curtis; Members: Christine Bradley, Ann V. Butterworth, Charles D. Clariday, Sr., B.R. Hall, Sr., James H. Johnson, Richard M. Riebeling, Rita Roberts-Turner and Clyde D. Smith.

Others present: Shannon B. Hall, Metro Human Resources, Nicki Eke, Attorney, Metro Legal Department and Dr. Cynthia Perry, Civil Service Medical Examiner.

**A. MINUTES:** Chair Edna Jones 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 3, 2009. With no corrections, nothing further was noted and Ann Butterworth moved for approval. Christine Bradley seconded and the Board approved without objection.

#### **B. APPEAL ANNOUNCEMENT:**

Shannon Hall announced the process and timeframe for appealing a decision made by this 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.

Dr. Cynthia Perry reported to the Board that she recommends approval of the disability pension new requests, items 1 through 6 for the length of time as recommended. Ann Butterworth moved for approval of the recommendation to approve the disability pension new requests, items 1 through 6 for the length of time as recommended. Clyde Smith seconded and the Board approved without objection.

On item 7, Dr. Cynthia Perry reported to the Board that she recommends approval of the disability pension new request and the individual be placed on the return to work list with restrictions. Ann Butterworth moved for approval of the recommendation on item 7 to approve the disability pension new request and place the individual on the return to work list with restrictions. Christine Bradley seconded.

There was some discussion of the department being able to accommodate the individual's restrictions.

The individual was present and addressed the Board on their injury and current position.

After some discussion of the pension request and the accommodations, Clyde Smith moved to defer this item pending clarification on the department's ability to accommodate the restrictions.

After clarification as to a motion on the floor to approve the disability pension new request and place the individual on the return to work list with restrictions, Clyde Smith withdrew his motion.

The Board discussed holding the departments accountable on accommodating restrictions, having departments provide documentation (and or be present at the meetings) regarding accommodations (before approving a return to work) and procedurally what the process is in the event restrictions are not accommodated.

A vote was taken on the motion to approve the disability pension new request, item 7, and place the individual on the return to work list with restrictions and was approved without objection. The Board also requested that the department indicate whether they could accommodate the restrictions.

Dr. Cynthia Perry reported to the Board that on the disability pension new request, item 8, she recommends denial.

The individual was present and addressed the Board on the injuries/conditions.

There was discussion of the individual's current position, restrictions, processes and the individual's years of credited service.

Ann Butterworth moved for approval of the recommendation on the disability pension new request, item 8, to deny the request. Richard Riebeling seconded and the Board approved with B.R. Hall, Charles Clariday, James Johnson and Clyde Smith opposed and Edna Jones abstaining. (5/4/1)

Dr. Cynthia Perry reported to the Board that she recommends approval for continuing the disability pension reexaminations and return to work where applicable, items 9 through 15 for the length of time as recommended. Christine Bradley moved for approval of the recommendation to continue the disability pension reexaminations and return to work where applicable, items 9 through 15 for the length of time as recommended. Ann Butterworth seconded and the Board approved without objection.

On items 16 through 19, Dr. Cynthia Perry reported to the Board that she recommends deferral for one month pending additional medical information. Ann Butterworth moved for approval of the recommendation to defer items 16 through 19 for one month. Christine Bradley seconded and the Board approved without objection.

**NEW REQUESTS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Recommendation</b>
1.	Ian J. Abbott	Police	IOD	As moved, seconded and approved, this disability pension request was approved for three months, (March 2010), with re-exam at that time.
2.	Suzan E. Blacksmith	Health	IOD	As moved, seconded and approved, this disability pension request was approved for one year, (December 2010), with re-exam at that time.
3.	Henry J. Brackman	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for one year, (December 2010), with re-exam at that time.
4.	Mitzi R. Curtis	Parks	Medical	As moved, seconded and approved, this disability pension request was approved for five months, (May 2010), with re-exam at that time.
5.	Faye J. Jordan	Bordeaux	IOD	As moved, seconded and approved, this disability pension request was approved for five months, (May 2010), with re-exam at that time.
6.	Johnny B. Young	Bordeaux	Medical	As moved, seconded and approved, this disability pension request was approved for one year, (December 2010), with re-exam at that time.
7.	Kenneth Barnes	Fire	IOD	As moved, seconded and approved, this disability pension request was approved and the individual placed on the return to work list.

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

**NEW REQUESTS:**

8.	Idell W. Clay	Metropolitan Nashville Public Schools	IOD	As moved, seconded and approved, this disability pension request was denied.
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**REEXAMINATIONS:**

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
9.	Kevin T. Bloomfield	Fire	IOD	As moved, seconded and approved, this disability pension was continued for one year, (December 2010), with re-exam at that time.
10.	Johnny R. Clinard	Metropolitan Nashville Public Schools	IOD	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam.
11.	Renaldo Hall	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam.
12.	Julie A. Sloan	Fire	IOD	As moved, seconded and approved, this disability pension was continued for one year, (December 2010), with re-exam at that time.
13.	Aretta D. White	General Hospital	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam.
14.	Michael C. Cox	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued and the individual placed on the return to work list.
15.	Joyce Chandler	Social Services	Medical	As moved, seconded and approved, this disability pension was continued and the individual placed on the return to work list.
16.	Deborah F. Gregoire	State Fair Grounds	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (January 2010), with re-exam at that time.
17.	Billy W. Mabry	Sheriff	IOD	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (January 2010), with re-exam at that time.
18.	Bobby G. Robertson, Jr.	Parks	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (January 2010), with re-exam at that time.

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

**REEXAMINATIONS:**

19.	Beverly D. Valentine	Metropolitan Nashville Public Schools	IOD	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (January 2010), with re-exam at that time.
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Dr. Cynthia Perry reported to the Board that she concurs with the case management recommendations on the referrals. Clyde Smith moved for approval of the recommendations on the referrals. Rita Roberts-Turner seconded and the Board approved without objection.

**SOCIAL SECURITY REFERRALS:**

Item	Name	Department	Review Originated From	Case Mgmt. Rec. for Referral	CSME Rec. for Referral	Comments
1	Joseph Haywood	Police	Pension Approval	Yes	Yes	
2	Patricia Owen	MNPS	Pension Approval	Yes	Yes	
3	Loretta Minnifee	Bordeaux	Pension Approval	Yes	Yes	
4	Alisa Boone	Register of Deeds	Pension Approval	Yes	Yes	
5	David Russell	MNPS	Pension Approval	Yes	Yes	

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

Ann Butterworth moved for approval of the pensions. Charles Clariday seconded and the Board approved without objection.

**Service**

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Terry L. Canady	Fire	Fire Fighter 3	B	10/28/2009	10/16/2009
Ronald W. Brown	Fire	Fire Captain	B	10/28/2009	10/26/2009
Malcolm R. Biggs	General Services	Master Technician	B	10/29/2009	12/26/2009
Henry L. Bean	Bordeaux	Maintenance Supervisor	B	10/29/2009	12/12/2009
Annie L. Reed	MNPS	Custodian Helper	B	10/29/2009	01/01/2010
Ronald M. Ward	Fire	Fire Captain	B	11/03/2009	11/22/2009
Mary L. Corley	MNPS	Cashier Cluster Lead Worker	B	11/04/2009	11/14/2009
Cecil J. Steve	Water	Treatment Plant Technician 2	B	11/05/2009	11/27/2009
Belinda J. Scott	General Hospital	RN	B	11/10/2009	12/01/2009
Larry Clayton Boyd	Sheriff	Administrative Services Officer 1	B	11/10/2009	11/28/2009
Joan W. Parmer	MAC	Headstart Teacher 2	B	11/11/2009	12/18/2009
Michael S. Varnell	MNPS	Educational Assistant	B	07/14/2009	02/01/2010
Carol M. Summar	MNPS	General School Assistant	B	11/12/2009	12/26/2009
William H. Bolden	MNPS	Senior Mechanic	B	11/11/2009	01/01/2010
James V. Mueller	MAC	Bus Driver	B	11/17/2009	12/20/2009
Rebecca A. Holman	ITS	Information Systems Operator Technician 1	B	11/17/2009	01/01/2010
Willie D. Grigsby	MNPS	Senior Plumber/Steamfitter	B	11/17/2009	12/31/2009
Bettilyn M. Bush	General Hospital	LPN	B	11/18/2009	01/01/2010

Kathryn H. Pittman	Bordeaux	Nursing Support Specialist	B	11/18/2009	01/01/2010
Betty G. Dews	MNPS	Timekeeper Coordinator	B	11/19/2009	01/01/2010
Annie S. Howard	MNPS	School Bus Monitor	B	11/19/2009	01/01/2010
Mavis A. Combs	Police	Police Operations Coordinator 2	B	11/20/2009	12/23/2009

\* Deferred Benefit

**Disability to service**

Employee	Department	Plan A/B	Effective Date of Conversion
Ronald M. Gibson	Circuit Court	B	10/01/2009
Roy D. Layne	Police	A	11/01/2009
Clara M. Armstrong	Social Services	B	11/01/2009
Peggy K. Grant	Police	B	11/01/2009
Jerry R. Davis	Fire	A	11/01/2009

**Options Elected**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Canady, Terry L.	Fire	Early Service	B	10/7/2009	Option E	
Daly, James H	Codes Administration	Service	B	10/17/2009	Option E	
Johnson, Mary A	MNPS	Service	B	10/1/2009	Option F	3
Kennedy, Craig E.	Public Works	Service	B	10/8/2009	Option E	
Sandlin, Bobby D	Parks	Early Service	B	9/19/2009	Option B	
Smith, Thomas Marvin	MNPS	Service	B	10/8/2009	Option F	2

**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
Stephen Foster	Civil Defense	Candy Beard Foster	A	11/08/2009
Eural Lucas	State Fair	Gwendolyn Lucas	B	11/04/2009
Woodson Miller	General Sessions Court	Frances Miller	A	10/30/2009
Walter T. White, Jr.	Police	Jo White	A	11/03/2009
Roy Clary	Police	Shirley Clary	B	11/08/2009
Chester Duffield, Jr.	Police	Patricia Duffield	Old Closed	11/15/2009
Edward Pointer	Water	Rosie Pointer	A	11/18/2009
Beverly Tucker	Public Works	Ruby Diane Tucker	A	10/18/2009
Eli Caruthers	Farmer's Market	Rosie Delois Caruthers	A	10/31/2009

**BENEFIT BOARD ITEMS**

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

1. Cost of living adjustments for Division A and B pension plans.

Shannon Hall reported to the Board that these cost of living adjustments are offered in accordance with the Metro Code. She stated that as a result of the decrease (-1.286) in the consumer price index, there

1. Cost of living adjustments for Division A and B pension plans. (continued)

is no cost of living adjustment that should be granted to retirees under Division A or Division B as of January 1, 2010.

Ann Butterworth moved to accept the report from the actuary indicating no cost of living adjustment for retirees in Division A or Division B effective January 1, 2010. Christine Bradley seconded and the Board approved without objection.

2. Election of Metropolitan Employee Benefit Board Chair and Vice-Chair for 2010.

Shannon Hall reviewed the procedures to conduct the election of Chair and Vice-Chair for 2010 and opened the floor to nominations.

2. Election of Metropolitan Employee Benefit Board Chair and Vice-Chair for 2010. (continued)

Clyde Smith nominated Edna Jones for Metropolitan Employee Benefit Board Chair for 2010. B.R. Hall seconded the nomination.

Ann Butterworth nominated Christine Bradley for Metropolitan Employee Benefit Board Vice-Chair for 2010. Rita Roberts-Turner seconded the nomination.

Clyde Smith moved all nominations cease. G. Thomas Curtis seconded all nominations cease.

After discussion on the nominations, a vote was taken on the nomination for Chair and Edna Jones was elected Chair for the Metropolitan Employee Benefit Board for 2010 and Christine Bradley will serve as Vice-Chair.

3. Disability pensioner compliance update.

Shannon Hall reported to the Board that this individual was granted an IOD disability pension. Due to his restrictions, he was unable to perform his previous position and other similar positions and based on his current education completion, he is currently unable to pursue other job opportunities with the Metropolitan Government. As a result, the Board also granted vocational case management for GED monitoring to assist him pursuing his GED completion paid by the Board. Ms. Hall stated that the case manager will be reporting on the individual's progress.

Paula Krebs, Eckman/Freeman, presented updated information and reported to the Board that the individual has made great progress and will hopefully have taken his GED examination by his scheduled re-exam date.

4. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization reports from CIGNA.
- c. Utilization report from Alternative Service Concepts.
- d. Annual report to Council.
- e. CVS/Caremark.

Items 4.-a. through 4.-e. were for information only and no action was required.

Shannon Hall made note of items 4.-d. and 4.-e.

5. Reports for your information:

- a. Return to work.
- b. Social Security approvals.
- c. Refund of pension contributions.
- d. Repayment of pension contributions.

5. Reports for your information: (continued)
- e. Reports from Treasury.
  - f. Non-compliant disability pensioners. (none to report)
  - g. Pending litigations. (reported quarterly)
  - h. Disability status reports.
  - i. Denial log from Alternative Service Concepts.

Items 5.-a. through 5.-i. were for information only and no action was required.

6. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 10:23 a.m.

ATTEST:

APPROVED:

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***Mrs. Rita Roberts-Turner, Director  
Human Resources***

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***Ms. Edna J. Jones, Chair  
Employee Benefit Board***