

Okaloosa Island Firefighter's Pension Trust Fund
Board of Trustees Agenda
March 6, 2019

I. Call to Order

- A. Start Time:
- B. Present:
- C. Absent:

II. Proof of Notice

- A. Posted: 02/27/2019
- B. Updated: 03/01/2019
- C. Approval of Agenda:
- D. Approval of Minutes:
- E. Public to be placed on Agenda:

III. Actuary Report (Foster & Foster)

IV. Investment Reports:

- A. Performance Monitor (&Co):
- B. Investor (DANA):
- C. Financial Services (Salem Trust):

V. Attorney Report (Kaufman):

- A. Proposed HB 265
- B. Pending Retiree's

VI. RMLO Report:

VII. Old Business

- A.

VIII. New Business

- A. FORM 1'S

IX. Adjournment

Okaloosa Island Firefighter's Pension Trust Fund
Board of Trustees Amended Minutes
December 5, 2018

- I. Call to Order: 12:00 pm
Present-Brown, Metz, Fields and Wilson
Absent- Bressette
- II. Poof of Notice
 - A. **Posted:** 11/19/2018
 - B. **Updated:** 12/05/2018
 - C. **Approval of Agenda:** **Brown** made a motion to accept the agenda, **Wilson** seconded the motion, none were opposed, motion passed.
 - D. **Approval of Minutes:** **Fields** made a motion to accept the minutes as written, **Brown** seconded the motion, none were opposed, motion passed.
 - E. **Public to be placed on Agenda:** None
- III. **Actuary Report (Foster & Foster):** None
- IV. Investment Reports:
 - A. **Performance Monitor (&Co):**
Tyler Grumbles, representing &Co, report on the portfolio results for the most recent quarter, as detailed in the written report provided by &Co. Overall, our rate was 8.63% ahead and portfolio very positive.
 - B. **Investor (DANA):** Greg Peters, representing DANA, report on investments for this recent quarter, as detailed in the written report provided by DANA. DANA over all had a good performance quarter.
 - C. **Financial Services (Salem Trust):** No report.
- V. **Attorney Report (Kaufman):** Stu Kaufman advised the Board he would discuss claims procedures and time frames under New Business.
- VI. **RMLO Report:** Nothing discussed.
- VII. **Old Business:** No Old Business to conduct.

VIII. New Business:

A. Employee(s) question(s) regarding disability pension benefits:

- **Application-** the employee must file the application while employed and if terminated, the application must be filed within 30 days of separation of service. Once the application is filed, all correspondence will be between the applicant and the Pension Trust Fund attorney.
- **Process-** Once the application is filed, all medical records will be requested by the Pension attorney. Once all medical records are received, an independent medical evaluation will be scheduled for the applicant by the Pension attorney. Once this medical examination is complete, a special meeting of the Pension Board will be called. The application for Disability will be considered.
- **Denial-** if your application is denied, you have **90 days** from date of denial for appeal to the Circuit Court

Once an applicant files an application, it can always be withdrawn. Once the applicant completes the interrogatories, they must be notarized, which equals sworn testimony. During this entire process, the applicant can be represented by an attorney. Any further questions about this process should be addressed to the Pension Trust Fund attorney.

Two of the participants of the Pension plan were in attendance to ask questions of the Pension attorney. Those questions were asked and answered of the attorney.

Adjournment: @ 12:47 pm Motion made by **Brown** and seconded by **Wilson**.



MEMORANDUM

TO: ALL FLORIDA PENSION CLIENTS

FROM: KLAUSNER, KAUFMAN, JENSEN & LEVINSON

RE: HOUSE BILL 265 (proposed)

DATE: January, 2019

The purpose of this memo is to alert pension clients about proposed legislation, HB 265, that would amend Florida's Open Meetings Law and impose additional procedural requirements. As summarized below, HB 265 should be monitored in the event that it becomes law. If adopted, HB 265 would necessitate advance preparation by municipal pension boards.

The Florida Legislature begins this year's legislative session on March 5, 2019. Boards are already familiar with the requirements of Florida's Open Meetings Law, set forth in § 286.011, Fla. Stat. (hereinafter the "Open Meetings Law"). H.B. 265 amends the Open Meetings law to impose the following additional requirements which may require adaptation by many boards:

1. Publication requirements: Boards would be required to publish their agenda and "any materials or attachments to be distributed at the meeting" at least three days in advance of a meeting.
2. Emergency meeting exception: Where an emergency meeting is called, at least 24 hours advance notice must be provided.
3. Physical copies at meeting site: At least two copies of the agenda and any materials to be distributed at the meeting must be made available for public inspection at the meeting location.
4. Fine and fees: Because HB 265 proposes to insert these new requirements into the Open Meetings Law, a violation would be punishable by a fine not exceeding \$500. Moreover, in the event of litigation alleging a knowing violation of the law, the prevailing party would be entitled to reasonable attorney's fees, including appellate level fees.
5. Public participation: At least three minutes shall be available for public participation for each member of the public, as either the first or last item on the agenda. If there are more

than twenty people who want to speak on an item, the time can be limited to one minute per person. Groups can allow one individual to speak on behalf of the group.

6. Board response: The Board would be obligated to respond to any questions by members of the public, either publicly at the meeting in writing following the meeting. The Board would only have ten days to provide a written response. Written responses would become incorporated into the minutes.
7. Public participation form: Boards would be required to create a public participation form for members of the public requesting to speak at a meeting.

Undoubtedly, many boards will have implementation questions. Given the early date of this memo and the lack of a staff report, it is premature to provide definitive answers at this time. Nevertheless, boards are encouraged to review HB 265 to plan ahead and/or take other appropriate action.

It should also be noted that similar proposals have been considered across Florida's sixty-seven counties. Accordingly, it is important for boards to be familiar not only with the Open Meetings laws established by state statute, but also county and/or municipal requirements, as applicable.

A copy of SB 265 is available upon request or can be downloaded using the following link:
<http://www.myfloridahouse.gov/Sections/Bills/billsdetail.aspx?BillId=63159&SessionId=87>