

**The City of Mobile, Alabama
Police and Firefighters Retirement Plan
Regular Meeting
December 16, 2009**

The Board of Trustees for The City of Mobile, Alabama Police and Firefighters Retirement Plan met in rescheduled regular session at 9:00 a.m. on Wednesday, December 16, 2009 in the City Council Pre-Conference room on the first floor of the south tower of Government Plaza.

Present:

Police Lieutenant Mike Morgan, Chairman
Retired Fire Service Capt. Terry Lilley, Vice-Chairman
Fire Service Captain James Connick
Fire Service Captain Bo McLarty
Ms. Barbara Malkove
Mr. Michael Druhan
Police Deputy Chief James Barber
Retired Police Sergeant Joe Connick
Ms. Mary Berg, Secretary
Ms. Debbie Blackburn, Office Assistant III

Absent:

Guests:

Fire Service Captain Bryan Lee, Mobile Fire Department
Police Corporal John Mitchell, Mobile Police Department
Firefighter Derrick Marks, Mobile Fire Department

The chairman, Lt. Mike Morgan, called the meeting to order at 9:10 a.m.

The chairman presented for hearing, the disability application of Firefighter Derrick Marks, Mobile Fire Department, for a non-service connected disability retirement. He called on Mr. Druhan to conduct the hearing. Firefighter Marks answered questions from the Board. The City of Mobile did not enter an appearance at the hearing. By agreement all medical records and other documents on file were made part of the record at the request of Mr. Druhan. The hearing concluded.

Captain Connick made a motion to accept the recommendation of the disability committee to grant a non-service connected disability to Firefighter Marks, Mobile Fire Department. The motion was seconded by Captain McLarty and carried. Firefighter Marks will receive non-service connected disability benefits on the basis of 49.73% of his final salary.

The chairman presented the **minutes of the regular Board meetings of November 18, 2009**. *On a motion by Ms. Malkove, seconded by Captain McLarty, the minutes were approved as written and distributed.*

The chair presented the Personnel Action Request of **Fire Service Driver James B. Harden** of his intent to leave the Fire Department and withdraw from the DROP to enter active retirement, effective December 31, 2009. *Captain Connick moved for approval. With a second by Terry Lilley, the motion carried.*

The chairman presented a letter from Southern Actuarial Services explaining three different smoothing methods. *Deputy Chief Barber moved to accept a 5-year smoothing, with a re-evaluation every three years. Mr. Druhan seconded the motion. The motion carried with Captain Connick, Captain McLarty, and Mr. Lilley voting no.*

The chairman presented items 6 through 9 on the agenda for approval. *On a motion by Mr. Druhan, seconded by Mr. Lilley, the Board approved the following with Mr. Lilley abstaining on item 9:*

Payment of Invoice No. 004192 dated November 30, 2009 in the amount of \$5,000.00 submitted by Gray & Company for investment performance analysis ending November 30, 2009;

Payment in the amount of \$12,000.00 to Levine Leichtman Capital Partners, Inc. for capital call for current investment;

Payment of invoice No. 009-1109a dated November 27, 2009 in the amount of \$625.00 submitted by Southern Actuarial Services Company, Inc. for a special studies report on smoothing; and

Request of Mr. Lilley for reimbursement in the amount of \$605.00 for travel expenses for trip to Atlanta, GA and Montgomery, AL on November 9 and 10, 2009.

The chairman presented an **invoice in the amount of \$600.00 to the Florida Public Pension Trustees Association (FPPTA)** for year 2010 membership dues. *On a motion by Ms. Malkove, seconded by Mr. Connick, the Board tabled until the January meeting.*

The chairman presented a request by **Fire Service Captain William L. Carroll** to pay the amount of \$911.75 of monies he still owes to purchase time accrued while on active military service in 2007. *On a motion by Ms. Malkove, seconded by Deputy Chief Barber, the Board approved the request of Captain Carroll pending the approval from Ms. Cochran, legal counsel.*

There were no **requests for refunds** for this meeting.

Unfinished business:

- Ms. Berg presented the format for business cards that is currently in use by the City.

New business:

- *Mr. Lilley made a motion asking that Ms. Cochran provide a written legal opinion on the concerns Deputy Fire Chief Brannon raised regarding the Sunshine Law, and also asking that the opinion be presented at the January 2010 meeting. With a second by Captain Connick, the motion carried.*

There being no further business to come before the Board, on a motion by Mr. Lilley, and seconded by Captain Connick, the meeting adjourned at approximately 10:00 a.m.

Michael Morgan, Chairman

Mary A. Berg, Secretary