

# **NEW ORLEANS FIRE FIGHTER'S PENSION AND RELIEF FUND**

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**William M. Carrouche`  
Board President**

**Richard J. Hampton, Jr.  
Secretary-Treasurer**

**SUBJECT:**

**Board of Trustees Regular Meeting  
Fire Fighter's Pension & Relief Fund**

**TIME, DATE AND PLACE:**

**9 am, August 7, 2013  
3520 General DeGaulle  
Suite 3001  
New Orleans, Louisiana 70130**

**Board Secretary-Treasurer Richard Hampton called the meeting to order. The following members of the Board of Trustees were present: Richard Hampton, William Carrouche, Keith Noya, T. Hampton, Darryl Klumpp, Dean DiSalvo and Tim McConnell (Norman Foster listened via telephone)**

**Absent: Norman Foster and N. Felton**

**Total as follows: Seven (7) members present, two (2) members absent, and one vacancy. A quorum being present, the Secretary-Treasurer declared the meeting duly convened to conduct business.**

**Also present,**

**Louis Robein, Board attorney  
Pam Meyer  
Paul Mitchell  
Jesse Evans, NOMERS  
Derrick Francis, Mayor's office  
Eneida Younis, OIG  
Kenny Prevost, Firefighter  
R. Connors, Firefighters  
Ryan Mast, Firefighter  
Martin Gaul, retired Firefighter  
Tommy Meagher, Firefighter**

**COMMUNICATIONS**

Mr. Hampton acknowledged receipt of a thank you card from the family of John Marcade.

**REVIEW AND ACCEPT MINUTES**

**MOTION:** Moved by Carrouche and seconded by T. Hampton to approve the July 2013 minutes.

Motion passed.

**NO OBJECTIONS**

**REFUND OF CONTRIBUTIONS**

**Jonathan Pajeaud:** Mr. Pajeaud has 15 years of service and is currently 44 years of age. He has provided a letter requesting a refund of his pension contributions. He has been informed that he will be forfeiting his right to a monthly benefit at age 50.

**MOTION:** Moved by Carrouche and seconded by T. Hampton to approve the refund of contributions for Mr. Pajeaud.

Motion passed.

**NO OBJECTIONS**

**CHANGE OF BENEFICIARY**

Robert C. Newman and Cleaver Fredericks

**DROP WITHDRAWAL**

None

**NEW APPLICATIONS**

**MOTION:** Moved by DiSalvo and seconded by Carrouche to go into executive session to discuss medical matters of individuals submitting disability retirement applications.

Motion passed.

**NO OBJECTIONS**

**MOTION:** Moved by T. Hampton and seconded by Carrouche to end the executive session to discuss medical matters of individuals submitting disability retirement applications.

**Motion passed.**

**NO OBJECTIONS**

**MOTION: Motion by Carrouche and seconded by DiSalvo to go out of regular order of business to discuss pending applications for 66 2/3% disability retirement applications.**

**MOTION: Moved by DiSalvo and seconded by Carrouche to go into executive session to discuss medical matters of individuals submitting 66 2/3% disability retirement applications which are pending.**

**Motion passed.**

**NO OBJECTIONS**

**MOTION: Moved by T. Hampton and seconded by Noya to end the executive session to discuss medical matters of individuals submitting 66 2/3% disability retirement applications which are pending.**

**Motion passed.**

**NO OBJECTIONS**

**Dwayne M. Seghers: New Fund Fire Captain, Age 54 with 33 years of service is submitting an application for a 50% Service Connected Disability Pension effective August 7, 2013.**

**MOTION: Moved by T. Hampton and seconded by Klumpp to approve a 50% Service Connected Disability Pension effective August 7, 2013.**

**Motion passed.**

**NO OBJECTIONS**

**Theodore T. Eden: New Fund Fire Operator, age 44, with 16 years of service is submitting an application for a 50% Service Connected Disability Pension effective August 25, 2013.**

**MOTION: Moved by T. Hampton and seconded by Klumpp to approve a 50% Service Connected Disability Pension effective August 25, 2013.**

**Motion passed.**

**NO OBJECTIONS**

**Ernest J. Majoue: New Fund Fire Fighter, age 57, with 34 years of service is submitting an application for a 50% Service Connected Disability Pension effective August 7, 2013.**

**MOTION: Moved by T. Hampton and seconded by Klumpp to approve a 50% Service Connected Disability Pension effective August 7, 2013.**

**Motion passed.**

**NO OBJECTIONS**

**Glenn T. Trainor:** New Fund Fire Deputy Chief, age 48, with 30 years of service is submitting an application for a 50% Service Connected Disability Pension effective August 7, 2013.

**MOTION:** Moved by McConnell and seconded by DiSalvo to approve a 50% Service Connected Disability Pension effective August 7, 2013.

Motion passed.

**NO OBJECTIONS**

**Donald A. Beaulieu, Sr. :** New Fund Fire Captain, age 61, with 33 years of service is submitting an application for a 50% Service Connected Disability Pension effective September 1, 2013.

**MOTION:** Moved by DiSalvo and seconded by R. Hampton to approve a 50% Service Connected Disability Pension effective September 1, 2013.

Motion passed.

**NO OBJECTIONS**

#### **APPLICATIONS PENDING**

**Gary Ballier:** Mr. Ballier requested a 66 2/3% Service Connected Disability Pension and was granted a 50% Service Connected Disability Pension effective April 11, 2013. Mr. Ballier appeared at a hearing to appeal the decision on July 25, 2013.

**MOTION:** Moved by Noya and seconded by DiSalvo to defer action to allow member to gather additional medical information.

Motion passed.

**NO OBJECTIONS**

**Adler Foret:** Mr. Foret applied for a 66 2/3% Service Connected Disability Pension, but was granted a 50% Service Connected Disability which he appealed. The hearing took place on July 25, 2013. Medical documentation does not support the 66 2/3% disability. Member is seeking additional medical documentation. Member seeks to defer action on this request.

**MOTION:** Moved by T. Hampton and seconded by Carrouche to defer action on the 66 2/3 % Service Connected Disability Pension pending receipt of additional medical information.

Motion passed.

**NO OBJECTIONS**

**Irving Bubeck:** At the April 11, 2013 meeting, Mr. Bubeck requested a change in pension status from a Regular Service Pension to a Service Connected Disability Pension. The request was denied via certified letter with the option to appeal. Mr. Bubeck is requesting an appeal per his letter dated May 25, 2013. The appeal hearing took place on July 25, 2013.

**MOTION:** Moved by Carrouche and seconded by Klumpp to deny the change in pension status to service connected disability.

Motion passed.

**NO OBJECTIONS**

### **DROP APPLICATIONS**

**Jesse Parker:** New Fund Fire Fighter Age 55 with 30 years of service.

**MOTION:** Moved by DiSalvo and seconded by Klumpp to approve the DROP application effective July 1, 2013.

Motion passed.

**NO OBJECTIONS**

**Thomas F. Meagher:** New Fund Fire Fighter Age 56 with 30 years of service. Mr. Meagher is buying back time, which would result in an overpayment of pension assessments and a refund of contributions.

**MOTION:** Moved by DiSalvo and seconded by Hampton to approve the buy-back of time.

Motion passed.

**NO OBJECTIONS**

**MOTION:** Moved by DiSalvo and seconded by Hampton to approve the refund of overpayment of pension assessments.

Motion passed.

**NO OBJECTIONS**

**MOTION:** Moved by DiSalvo and seconded by Hampton to approve the DROP application effective July 1, 2013.

Motion passed.

**NO OBJECTIONS**

**REPORTS OF DEATHS**

**Pensioners:**

**John V. Marcade, Jr. :** Died on July 13, 2013 at age 74 with widow and no minor children. Joined the department on December 3, 1973 and retired with 28 years of service on April 23, 1989. He spent 24 years on pension.

**Active members:**

**Scott P Blanchard:** Died on July 7, 2013 at age 27 with no widow and no minor children. He joined the department on August 30, 2010 and obtained nearly 3 years of service.

**Tommy D. Ashby:** Died on July 7, 2013 at age 28 with widow and one minor child and a baby due in September. He joined the department on September 30, 2007 and obtained nearly 5 years of service.

**Widows:**

**Lucille L. Englehardt:** Died on July 6, 2013 at age 97 after 33 years on benefits. Benefits began August 1, 1979.

**Elsie Kloppenburg:** Died on July 19, 2013 at age 95 after 17 years on benefits. Benefits began July 1, 1996.

**Audrey C. Ruppert:** Died on July 15, 2013 at age 86 after 8 months on benefits. Benefits began December 1, 2012.

**MOTION:** Moved by Noya and seconded by T. Hampton to remove the above noted members from the rolls.

Motion passed.

**NO OBJECTIONS**

**WIDOW'S APPLICATIONS**

**Mrs. William Dillenkoffer:** Application for a Line of Duty Widow's Benefit effective retroactive to July 1, 2013.

**MOTION:** Moved by R. Hampton and seconded by T. Hampton to approve the Line of Duty Widow's benefit effective May 1, 2013.

Motion passed.

**NO OBJECTIONS**

## **OLD BUSINESS**

**FNBC:** The Fund began selling shares of FNBC stock on Tuesday. 121,000 shares were sold at an average price of \$25.90 and \$0.03 per share trading costs. We will continue to offer the shares at \$26.00/ share and sell blocks of 25,000 shares or more at \$25.50 or better under current market conditions. Mr. Hampton noted that the Board authorized sales at \$24.75 or better to recoup the initial investment of \$6,500,000. We are optimistic, based upon conversations with our brokers and others that all shares can be sold above \$25.00/ share.

**Aventura:** Mr. Hampton noted that the sale of the Aventura closed resulting in \$3,603,357.00 of proceeds.

**Expense Policy:** Members of the Board were provided with a copy of the Expense Policy, as amended, effective January 1, 2010, which included highlighted changes submitted by the Expense Committee following their February 21, 2013 meeting and changes documented following the Board's March 5, 2013 meeting. Norman Foster, participating in the meeting by phone, objected to the discussion of this item on the agenda. Mr. Foster felt the expense policy should be discussed by the Expense Committee before adoption by the Board. McConnell recommended delaying adoption of any changes to the expense policy pending a meeting of the expense committee. All Board members assigned to the Expense Committee and all associate members other than Schmidt were on hand. None on the Expense Committee members in attendance saw a need to delay adoption the expense policy. Members agreed to proceed with their review of changes to the Expense Policy.

Discussion followed on all of the highlighted changes. Members affirmed the intent of the changes. All deletions and additions noted in the draft were agreed to. Additional changes approved in the draft at this meeting were as follows:

4c) Reports shall be submitted within 90 days of the seminar or conference. Members noted that one single report shall suffice from attendees when several of the same board members attend the same conference (as opposed to a report from each attendee).

5c) sales tax exemption documentation will be presented when available. Members noted they have no knowledge of such an exemption for travel related matters.

5d) delete first sentence.

6a(ii) Departures to conferences before 10:00am and return trips arriving after 5:00 p.m. will qualify for a full day's per diem. Daily meal allowance will not reflect dollar amounts. The

policy will reflect meal allowances at approved State department of Administration rates.  
Mr. Hampton's title is listed as Secretary Treasurer.

**MOTION: Moved by Carrouche and seconded by T. Hampton that the Expense Policy as amended with the changes noted be adopted.**

**Motion passed**

**McConnell**

**Objected**

**Fletcher:** R. Hampton informed the Board that no additional information is available since the last update.

**Pension Board Election:** Mr. Hampton noted that nominations ended Friday August 2, 2013. An election Committee meeting will be held at 1:00 pm today. He noted there were four active members seeking two seats and four retired members seeking two seats.

### **NEW BUSINESS**

**LAPERS Pension Fund Educational Conference:** Conference will be held on September 15-17, 2013, New Orleans, LA. Mr. Hampton requested that members see Peggy Melancon for registration information.

**MOTION: Moved by DiSalvo and seconded by T. Hampton to approve attendance for all Board members and staff electing to attend the LAPERS conference.**

**City Website:** Mr. Hampton noted that the Fund has received a request to provide summary information about the Plan for inclusion on a payroll web-site being developed on behalf of the City of New Orleans. Staff has complied with the request which was reviewed by legal.

**Parks of Plaquemine-** Amended Agreement: Mr. Hampton noted that David Waltermath has requested that our agreement be amended to calendar year 2025. Discussion followed.

**MOTION: Moved by Carrouche and seconded by T. Hampton to approve the amendment to the Waltermath agreement.**

**Motion passed.**

**NO OBJECTIONS**



**Legal:**

**Bogdahn Group:** Staff and legal have reviewed the consultant contract with the Bogdahn Group. R. Hampton will meet with Mr. Bogdahn on Friday to discuss any changes among other things. The contract terms are for 3 years however termination can take effect after 30 days' notice. Language was adjusted to reflect fees reductions where applicable and identify insurance coverage.

**OIG Update:** The OIG will be reviewing certain supporting documentation for a sample of disbursements made by the Fund. Staff is gathering the documentation. The OIG is scheduled to review the documents on Thursday August 15, 2013.

**IRS Determination Letter:** Mr. Robein provided the Board with an update on the matter of the IRS determination letter. He noted that the regional office handling our case is also handling about 85 similar requests. All of those requests have been moved to an office in the D.C. area. He has submitted Plan changes to the IRS which, we believe, meet IRS requirements for interest earnings on DROP and PLOP balances. Those Plan changes would have to be passed by the Legislature next spring. Discussion followed.

**MOTION:** Moved by T. Hampton and seconded by W. Carrouche to go into executive session to discuss the Mandamus litigation.

Motion passed.

**NO OBJECTIONS**

**MOTION:** Moved by W. Carrouche and seconded by T. Hampton to end the executive session to discuss the Mandamus litigation.

Motion passed.

**NO OBJECTIONS**

**MOTION:** Moved by T. Hampton and seconded by Noya to go into executive session to discuss matters relating to Longevity.

Motion passed.

**NO OBJECTIONS**

**MOTION:** Moved by W. Carrouche and seconded by T. Hampton to end the executive session to discuss the Longevity litigation.

Motion passed.

**NO OBJECTIONS**

**TIMELY FILING OF APPLICATIONS:**

All Members applying for Pension, DROP or PLOP must do so 45 days in advance of the scheduled retirement date. All medical documentation for disability applications must be in the administrative office 45 days prior to the scheduled retirement date. Failure to comply with the Fund's rules will cause a delay in the Board taking action and will probably force an extension beyond the member's desired retirement date.

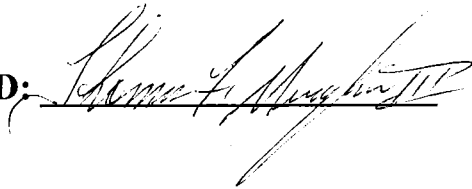
The administrative office will continue to process all paperwork in a friendly, orderly, and timely fashion. We thank all applying members for their continued cooperation. This will enable the Administrative Office and the Board of Trustees to perform their jobs more efficiently.

Members who have recently changed their address or marital status and have not updated their beneficiary form should do so at this time. Please contact the Pension Office during the hours of 10:00 am to 2:00 pm for beneficiary verifications. Your cooperation is appreciated.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 12:30 pm. The next regular meeting of the Board of Trustees is September 4, 2013.

APPROVED:



DATE:

11/19/13