

PENSION BOARD MTG 9-15-06 TRANSCRIPTS

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Ron Snodgrass I think this would be a good place to talk about this. I've been contacted by one of our members who is anticipating or considering maybe coming back to the Department. I think that maybe we need to do a little bit of research. In other words, they're going to retire from our pension system, leave DROP, and potentially come back in a different position. And there are some rules that apply (unknown) called the Dave Hendershot rule that came into effect, I don't know how many years ago.

Ed Zuecher Four, five, six years ago.

Ron Snodgrass Yeah.

Ed Zuecher Come back as a civilian?

Ron Snodgrass Coming back, just coming back. And there are some restrictions as far as people coming back and being a city employee.

Ed Zuecher OK

Ron Snodgrass They can go to any other city and be an employee but it restricts coming back to the same employer.

Ed Zuecher So they're already a city employee, that would be a civilian employee? In the COPR system, covered by the COPR system rather than the public safety system?

Ron Snodgrass Potentially

Ed Zuecher OK

Ron Snodgrass And I think we need to have a little bit of research done by David because just this year some additional language has passed with regards to that which really kind of muddies up the waters a little bit. And, so if maybe at the next board meeting, and in this situation we might even consider having a board meeting rather quickly because this individual asked if we could address this for him and there are some time constraints coming down the line and so it might call for a meeting.

RECORDING STOPS

Unknown M Initially they talk about six months (unknown)...

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2 Ed Zuecher 90 days for (unknown)...

3  
4 Unknown M The day that you retire or come you back into the city system.  
5 Ed Zuecher OK. Gotcha.  
6  
7 Unknown F You have to wait 90 days?  
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9 Unknown M You have to wait 90 days.  
10  
11 Unknown F ...or you have to do it within...  
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13 Unknown F2 It's a draft AR, it's not been adopted.  
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15 Ed Zuecher The AR is an administrative regulation. It's an internal policy. It doesn't have the force  
16 of law but it has the force of the city manager's signature.  
17  
18 Unknown F Right.  
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20 Ed Zuecher OK  
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22 Ron Snodgrass So my, I guess, obviously I can't make a motion, but for a future agenda item, maybe  
23 David can take a peek at that for us so that I can be a little more specific...  
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25 Ed Zuecher So it's really, as I understand it, will be a question of someone covered by a public safety  
26 pension system, retirees, DROPS, finishes DROP, and the question is: is it possible for  
27 them to come back in the civilian capacity, in a civilian capacity.  
28  
29 Ron Snodgrass Yes. Yes. Basically and in...  
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31 Ed Zuecher Covered by the civilian system.  
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33 Ron Snodgrass And I should carry this on because indeed we are, because there are some restrictions  
34 based on title 38, which is what the guidelines the laws that we're governed by, are, this  
35 could come before us and we could end up having to address it after the fact. And I  
36 think we better address it before the fact that this happens rather than put somebody in  
37 jeopardy who we've given a pension to given DROP to and there be all kinds of  
38 problems.  
39

1 Ed Zuecher And this is what, I guess, different from what we had that was raised by the fire  
2 department about someone who wanted just to not DROP and would just continue  
3 working.  
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5 Ron Snodgrass Totally different, yes.  
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7 Ed Zuecher OK. Because in that case that lead to this administrative regulation.  
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9 Ron Snodgrass Yes.  
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11 Ed Zuecher OK. Alright. David, make sense? Do you know what you're looking into?  
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13 Attorney I do. The statute as it currently reads prior to this legislative session says that if a retired  
14 member becomes employed in **the same position** by the employer from which the  
15 member retired, the system basically suspends pension payments to that individual.  
16 That was clarified slightly this year to say that the **same position** means any position  
17 where the **same authority** is exercised and the same duties are exercised. There's been  
18 some refinement to the statute to describe the circumstances where a pension can be  
19 suspended. These pensions are substantial at the risk of having them suspended  
20 because of a choice they make in the workplace would lead an individual for kind of an  
21 advanced determination as to what this board views, how this board views that issue.  
22

23 Unknown F But you're talking about a different position, correct? Someone coming back...  
24

25 Ron Snodgrass Potentially.  
26

27 Ed Zuecher Potentially. OK. Could be...alright?  
28

29 Ron Snodgrass Yeah.  
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31 Ed Zuecher So that will be a future item. Are there any other items under future consideration for  
32 the police force? Hearing none, call to the public. Seeing no public, our next board  
33 meeting will be October 20<sup>th</sup>.  
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