

**The City of Mobile, Alabama
Police and Firefighters Retirement Plan
Rescheduled Regular Meeting
December 19, 2007**

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 19, 2007 in the City Council Pre-Conference room on the first floor of the south tower of Government Plaza.

Present:

Fire Service Captain Bryan Lee, Chairman
Retired Fire Service Captain Terry Lilley
Fire Service Captain James Connick
Police Lieutenant Mike Morgan
Ms. Barbara Malkove
Ms. Wanda Cochran, Counsel
Ms. Mary Berg, Secretary
Ms. Deborah Blackburn, Office Assistant III

Absent:

Police Deputy Chief James Barber
Retired Police Lieutenant George Goodwin
Mr. Briley Shirah
Mr. Michael Druhan

Guests:

Ms. Gwelda Swilley-Burke, Gray & Company
Mr. William Broadus, Retired Firefighter
Mr. Jerry Hughes, Retired Firefighter

The chairman, Captain Bryan Lee, called the meeting to order at 9:05 a.m.

The chairman presented the **minutes of the regular Board meeting of November 28, 2007**. *Captain Connick requested a correction to the minutes. On a motion by Captain Connick seconded by Mr. Lilley, approval of the minutes was tabled until the January Board meeting.*

The chairman presented the **financial statements for the month of October, 2007**. *Ms. Malkove moved for approval, the motion was seconded by Lt. Morgan, and carried.*

The chairman presented items 4 through 8 on the agenda for consideration. *On a motion by Captain Connick seconded by Lt. Morgan the Board approved the following:*

Personnel Action Notice submitted by **Fire Service Driver Robert D. Brown**, of his intent to leave the Fire Department and withdraw from the DROP to enter active retirement, effective December 31, 2007;

Personnel Action Notice submitted by **Police Corporal Lawrence H. Jernigan, Jr.**, of his intent to leave the Police Department and withdraw from the DROP to enter active retirement, effective December 28, 2007;

Personnel Action Notice of retirement submitted by **Communication Officer Virginia P. Bettis**, Mobile Fire Department, effective December 8, 2007. As of December 7, 2007 Officer Bettis will be 58 years old and will have served 23.93 years. She has elected the 50% joint and survivor annuity option without the "pop-up" feature;

Personnel Action Notice of retirement submitted by **Police Corporal Charles E. Simmons, Jr.**, Mobile Police Department, effective December 13, 2007. As of December 12, 2007 Corporal Simmons will be

56 years old and will have served 24.42 years. He has elected the 50% joint and survivor annuity option with the “pop-up” feature; and

Personnel Action Notice of retirement submitted by **Police Captain John S. McLain**, Mobile Police Department, effective December 28, 2007. As of December 27, 2007 Captain McLain will be 53 years old and will have served 26.68 years. He has elected the maximum benefit with no benefits due a survivor.

The chairman presented items 9 through 11 on the agenda for approval. *On a motion by Ms. Malkove seconded by Lt. Morgan the Board approved the following:*

Payment of Invoice No. 003593 dated November 29, 2007 in the amount of \$5,000.00 submitted by Gray & Company for investment performance analysis ending November 30, 2007;

Payment in the amount of \$2,646.00 to Hicks, Muse, Tate & Furst for 2008 partnership fees; and

Payment of Invoice in the amount of \$390.00 from the National Association of Public Pension Attorneys (NAPPA) for annual dues for the year 2008.

The chairman presented a request to approve purchase of prior service for **Police Officer Frederick M. Freeman**, Mobile Police Department. Officer Freeman has presented two checks totaling \$22,423.87 to purchase prior service for the period March 15, 1997 through July 13, 2007. Officer Freeman will be credited with 10 years, 3 months, and 28 days. *Lt. Morgan moved for approval, motion was seconded by Mr. Lilly, and it carried.*

The secretary provided each Board member with a list of the **requests for refund**. *On a motion by Captain Connick, seconded by Ms. Malkove, the Board approved refunds totaling \$66,364.59 as follows:*

<i>Michael A. Cleveland</i>	<i>\$ 8,210.85</i>
<i>Robert B. Lewis</i>	<i>8,502.12</i>
<i>Scott A. McDougald</i>	<i>21,795.74</i>
<i>Raymond W. Pecue</i>	<i>18,816.91</i>
<i>Eric D. Williams</i>	<i>9,038.97</i>
<i>Total Refunds</i>	<i>\$66,364.59</i>

The chairman acknowledged the consultant, Ms. Swilley-Burke and turned the meeting over to her. Ms. Swilley-Burke reviewed a document comparing LSV Asset Management with other smid cap investment management companies. Her overall assessment was that the lack of performance by LSV could be grounds to consider termination. After discussion by the Board members, *Lt. Morgan moved to terminate LSV, effective December 31, 2007, and to begin a search for a new manager. The motion was seconded by Mr. Lilly, and the motion carried.*

Ms. Swilley-Burke will screen potential managers, and have five candidates make presentations at the March meeting. Ms. Cochran requested a copy of each candidate’s contracts prior to their presentations. The discussion then centered upon whether to place the funds made available by the termination of LSV into a money market account, or to find a transition asset manager so that funds would remain in the market. *The chair moved to have Gray & Co. find a transition manager and move forward with transferring funds. The motion was seconded by Ms. Malkove, and it carried.*

Unfinished business:

- Ms. Cochran spoke briefly about legal opinions regarding the release of retiree’s addresses. Ms. Cochran then suggested that if the Board was going to release this information, a policy should be set by the Board. A committee, made up of Mr. Lilley, Mr. Goodwin, and Captain Lee, will develop a policy to present to the Board. *Mr. Lilley moved to release names and addresses of Plan retirees to himself and Mr. Goodwin, as members of the Board. Captain Connick seconded the motion. The motion carried with Lt. Morgan and Ms. Malkove opposing.*
- Captain Lee, Mr. Lilley, Ms. Cochran, and Ms. Berg met with Councilmember Connie Hudson regarding raises for retirees. Though sympathetic, Ms. Hudson reminded those meeting that it would require a budget amendment, and that such an amendment would have to come from the Mayor. Ms. Hudson advised approaching the Mayor. After being requested to “pave the way” to a meeting with the Mayor, Ms. Malkove requested any notes or information resulting from the meeting with Ms. Hudson before trying to set a meeting with Mayor Jones and Mr. Stokes.

New business:

- Mr. William Broadus and Mr. Jerry Hughes addressed the Board regarding raises for retirees.

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 11:05 a.m.

Bryan T. Lee, Chairman

Mary A. Berg, Secretary