

KNOX COUNTY RETIREMENT AND PENSION BOARD

JANUARY 23, 2017

The Knox County Retirement and Pension Board met in regular session on Monday, January 23, 2017, at 1:30 P.M. in the County Commission Conference Room 640, City-County Building, Knoxville, Tennessee. Chairman Moody presided and called the meeting to order.

The following members were present: Ms. Robin Moody, Chairman *pro tempore*, Mr. Chris Caldwell, Mayor Burchett's designee as Vice Chairman, Commissioner Hugh Nystrom, Secretary, Commissioner Ed Brantley, Commissioner John Schoonmaker, Commissioner Bob Thomas, and Ms. Ashley Huffaker. Also present at the meeting were: Mr. Nick McBride, Chief Deputy Register of Deeds, Senator Doug Overbey, Mr. Bob Cross, USICG, Mr. William Mason, Mr. John Owings, Mrs. Stephanie Coleman, Legal Counsel, Mr. Rick Trott and Mr. Greg Gass, Knox County Sheriff's Office, Mr. Wayne Sellers, Nationwide, Mr. Mike Steely, Knox Focus, and Retirement staff, Mrs. Kim Bennett, Mrs. Jennifer Schroeder, Mrs. Terri Chase, and Mrs. Janet Rowan.

IN RE: APPROVAL OF MINUTES OF DECEMBER 19, 2016

Consideration of approval of the minutes of the previous meeting of December 19, 2016, was presented. A motion was made by Mr. Caldwell that the minutes be approved as presented. The motion was seconded by Commissioner Brantley and unanimously approved.

IN RE: APPROVAL OF MINUTES OF JANUARY 12, 2017

Consideration of approval of the minutes of the previous meeting of January 12, 2017, was presented. A motion was made by Commissioner Brantley that the minutes be approved as presented. The motion was seconded by Commissioner Thomas and unanimously approved.

IN RE: APPLICATION FOR RETIREMENT – UNIFORMED OFFICERS PENSION PLAN

The following applications for retirement, as provided in the Uniformed Officers Pension Plan, were presented for consideration:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>CREDITED SERVICE</u>	<u>EFFECTIVE DATE</u>
Timothy Blackburn	Sheriff	28 years 9 months	February 1, 2017

After review, a motion was made by Mr. Caldwell to approve the applications for retirement under the Uniformed Officers Pension Plan as presented and authorize the Trustee, State Street Bank, to make disposition of the benefits. The motion was seconded by Commissioner Brantley and unanimously approved.

IN RE: APPLICATIONS FOR RETIREMENT AS PROVIDED IN THE ASSET ACCUMULATION PLAN AND AUTHORIZATION OF CREDITED SERVICE BENEFIT BASED ON COMPLETED YEARS OF SERVICE

The following applications for retirement and the credited service benefit based upon completed years of credited service at the date of retirement, as provided in the Asset Accumulation Plan, were presented for consideration:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>CREDITED SERVICE</u>	<u>EFFECTIVE DATE</u>
Minnie J Bates	Schools	20 years 5 months	February 1, 2017
Susie D Beeler	Schools	17 years 3 months	February 1, 2017
Steven L Campbell	Finance	8 years 7 months	February 1, 2017
Patricia A Foster	Schools	38 years 5 months	February 1, 2017
Karen A Gibson	Schools	12 years 10 months	February 1, 2017
Donna Harrison	Schools	8 years 6 months	February 1, 2017
Charlotte K King	Health	20 years 5 months	February 1, 2017
Manuella T Sammons	Health	10 years 9 months	February 1, 2017
Nancy B Sanders	Schools	5 years 6 months	February 1, 2017
Wilma J Templin-Branner	Health	19 years	February 1, 2017
Linda S Underwood	Schools	9 years 6 months	February 1, 2017
Patricia A Viles	PBA	6 years 7 months	February 1, 2017

After review, a motion was made by Commissioner Thomas to approve the applications for retirement under the Asset Accumulation Plan as presented and to authorize the Directed Custodian, Wells Fargo Bank, to make disposition of the benefits upon certification from USI and to authorize Trustee, State Street Bank, to make payment of the credited service benefit. The motion was seconded by Commissioner Brantley and unanimously approved.

IN RE: REPORT OF EXECUTIVE DIRECTOR

Mrs. Bennett stated Mr. Mason had exchanged e mails with Attorney Dupree regarding Michael Bartleson, James Page and Raymond Treece in which Mr. Dupree advised he is no longer representing Mr. Bartleson or Mr. Page, only Mr. Treece. She reported that all three officers have requested to speak at the February Board Meeting.

Mr. Mason reported that all three officers are disability retirees with worker's compensation offsets under UOPP or the Disability Plan. He also reported that Mr. Dupree argued that the Board could not amend the Uniformed Officers Pension Plan for offset of worker's compensation and Social Security. Mr. Mason reminded the Board that the referendum approved by the voters in 2006 to authorize UOPP specifically included provision for offset of disability benefits for workers compensation and other benefits.

Mrs. Bennett reported the Investment Management Contract for CenterSquare is being reviewed by legal counsel before being signed.

Mrs. Bennett reported Mark Young, retiree of the Uniformed Officers Pension Plan, has requested to attend the March Board meeting an error in his pension benefit due to over-stated earnings in the final calculation.

Mrs. Bennett reported the cost of living adjustments are complete and the valuations of all Plans will begin in the next couple of weeks.

Mrs. Bennett stated Pugh & Company are in the Retirement office to begin the staffing and workflow interviews.

Ms. Bennett reported the following statistics for the **Loan Program**:

Asset Accumulation Plan

Total number of loans –as of January 20, 2017	175
Approximate number of participants eligible for loans	2,500
Percentage of Participants with loans processed	14.5%
Total value of all loans as of January 20, 2017	\$2,900,000
Average Loan Balance	\$16,571

STAR – No participants eligible for loans.

Mrs. Bennett stated there were 9 loans processed in the last month. She also stated there will be a couple of defaults due to employees terminating employment.

Mrs. Bennett reported the final audited financials from Pugh & Company have been distributed to each Board member.

IN RE: CONSIDERATION OF INCOME AND MEDICAL REPORTS FOR 2016 FOR DISABILITY PARTICIPANTS

The report on annual income for 2016 for disability participants was received and reviewed by the Board, with the exception of those participants that have not submitted the requested information.

After review, a motion was made by Commissioner Thomas to approve the reports received, and to have the Retirement Office send a third certified final notice for information to those who had not reported yet. The motion was seconded by Commissioner Nystrom and unanimously approved. The report on income for those who have not yet responded to the Executive Director's request was deferred to the February meeting.

IN RE: CONSIDERATION OF ANNUAL REPORT ON STATUS OF SURVIVING BENEFICIARIES AND DEPENDENT CHILDREN.

The annual report on the status of surviving beneficiaries and dependent children was received and reviewed by the Board, with the exception of those who have not submitted the requested information.

After review, a motion was made by Commissioner Thomas to approve the reports received, and to have the Retirement Office send a third certified final notice for information to those who had not reported yet. The motion was seconded by Commissioner Nystrom and unanimously approved. The report for those who have not yet responded to the Executive Director's request was deferred to the February meeting.

IN RE: REPORT OF ELECTION COMMITTEE

Mrs. Bennett reported the Election Committee has a meeting on January 27th to verify the candidates for the election. She stated the deadline for petitions is 4:00 p.m. January 26th and there are currently 9 ballots out – 1 for schools and 8 for county. Mrs. Bennett stated the election will be held February 9th via online voting. She stated the 3 new members will be sworn in at the March Board Meeting.

IN RE: REPORT OF UOPP VACATION COMMITTEE

Commissioner Nystrom reported that the Ad Hoc UOPP Vacation Committee met on December 13th to discuss the issues presented by Sgt. Gass in his appeal to the Board regarding the pensionability of his excess vacation cash-out. However, Commissioner Nystrom stated the Committee did not make a formal recommendation to resolve the issue but instead recommended that the Board hold a workshop to discuss the issue in more detail with the full Board.

Commissioner Nystrom stated that a workshop was held for Board Members on January 17, 2017, which included a detailed discussion of the controlling issues.

After discussion by the Board, a motion was made by Commissioner Nystrom to deny Sgt. Gass' appeal. The motion was seconded by Commissioner Brantley. Sgt Gass was given an opportunity to be heard. Sgt Gass reiterated some of the points he had raised in the December 13th Committee meeting and in the January 17th workshop. The hearing having been completed, the Board voted and approved the motion to deny Sgt Gass' appeal, with Commissioner Thomas voting nay.

Attached to these minutes is a transcription of the discussion of this item.

IN RE: REPORT OF LEGAL REVIEW COMMITTEE

Commissioner Schoonmaker reported the Legal Review Committee reviewed and discussed the proposals of both legal firms and made a recommendation to keep Kennerly Montgomery only. He stated he met with Mr. Buuck and Mr. Armstrong, Knox County Law Department, and they advised they can assist the Retirement Board with any type of litigation without any conflict of interest. The recommendation was not accepted.

After much discussion between Board Members and Legal Counsel, Commissioner Brantley requested to defer for 6 months and revisit after the full Board is appointed at the March Board Meeting.

IN RE: REPORT OF INVESTMENT COMMITTEE

Mr. Caldwell presented the rates of return for the Defined Contribution Plans as of December 31, 2016, from USI that were distributed to the Board Members. He stated the Investment Committee Meeting is February 15, 2017 at 1:30 p.m.

IN RE: REPORT OF LEGAL COUNSEL

Mr. Mason stated there was no business to report at this time.

Mr. Owings stated there was no business to report at this time.

IN RE: REPORT OF ACTUARY

Mr. Cross stated there was no business to report at this time.

IN RE: STATEMENT OF ACCOUNTS AS AUDITED AND RECOMMENDED FOR PAYMENT BY KIM BENNETT, EXECUTIVE DIRECTOR

The following statement of accounts for professional services was presented for consideration and approval of payment, in accordance with agreements and audited and recommended for payment by Mrs. Bennett:

Invoices for January 2017	Fiscal YTD Approved Invoices 12/31/2016	January Invoice For Approval	Fiscal YTD Approved Invoices 1/31/2017
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BENXL			
Invoice #		\$0.00	
TOTAL BENXL	\$30,400.00	\$0.00	\$30,400.00
KENNERLY, MONTGOMERY & FINLEY, P.C.		\$1,510.50	
Invoice # 200429			
KENNERLY, MONTGOMERY & FINLEY, P.C.		\$8,749.00	
Invoice # 200427			
***TOTAL KENNERLY, MONTGOMERY & FINLEY, P.C.	\$51,939.50	\$10,259.50	\$62,199.00
ROBERTSON, OVERBEY			
Invoice #		\$0.00	
*** TOTAL ROBERTSON, OVERBEY	\$0.00	\$0.00	\$0.00
USI CONSULTING GROUP		\$3,464.50	
Invoice # 90014007			
TOTAL USI CONSULTING GROUP	\$192,601.89	\$3,464.50	\$196,066.39
Invoices through January 2017	\$274,941.39	\$13,724.00	\$288,665.39
*** Retainer not included in approved billings for the Board			Fiscal YTD
Robertson, Overbey Retainer	\$4,000 per month		\$28,000
Kennerly Montgomery Retainer	\$5,000 per month		\$35,000
Fees Received from QDRO Participants	\$500 (DC Fee)		\$2,000
	\$2,000 (DB Fee)		\$0

After review of the statement of accounts and invoices, a motion was made by Commissioner Thomas that the Board authorize the payment indicated above to be paid from the designated Retirement Plans. The motion was seconded by Commissioner Brantley and unanimously approved.

IN RE: RECOGNITION OF SERVICE WITH THE RETIREMENT & PENSION BOARD

In recognition of service, Mrs. Bennett presented a certificate to Mr. McBride (2010-2017, his second period of Board service) and Ms. Ashley Huffaker (2015-2017) in appreciation of their time and service given to the Retirement Board.

ADJOURNMENT

As there was no further business to come before the Board, the meeting was adjourned in order.



ROBIN MOODY, CHAIR PRO TEMPORE



HUGH NYSTROM, SECRETARY PRO TEMPORE

January 23, 2017
KCRS Board Meeting Transcript
Sergeant Gass Portion

Revised

1:31:06 – Chair Moody
Okay, UOPP Vacation Committee.

1:31:00 – Commissioner Nystrom
Just to give kind of a quick update on the UOPP Vacation Committee. We reconvened, actually to bring you all up to speed, I think almost everybody was here – we had a initial Committee meeting back in December, I think it was December 13th – the Committee consisted of Commissioner Thomas and Chris Caldwell and I, where we basically unloaded all of the details and thoroughly discussed the UOPP appeal of Gass.

One of the outcomes of that is we did not make a formal recommendation to this Committee 'cause, frankly, we thought it was too important a issue just to be decided on a Committee level and we reconvened as an entire Board I guess it was last...

1:30:17 – Kim Bennett
In a workshop.

1:30:15 – Commissioner Nystrom
In a workshop, last–

1:30:14 – Kim Bennett
Last week.

1:30:13 – Commissioner Nystrom
Last week, was it Monday or Tuesday?

1:30:12 – Kim Bennett
Tuesday.

1:30:11 – Commissioner Nystrom
Tuesday of last week, so everybody who was here – I don't probably need to discuss all the details of what we talked about that, but that's, that's gonna' - for the purpose of the records, that's where we are on that.

You know, kind of before it, I don't know if we want to do a vote on that or you know, Ms. Chair {? 1:29:50} so, we've got a choice right now if we want to go ahead and look at his appeal, we've got enough people here to vote. That's something this – we going to have a discussion about that?

1:29:35 – Chair Moody
Anybody have any opinions on going ahead and voting today?

1:29:32 – Commissioner Brantley
I think we should.

1:29:30 – Commissioner Schoonmaker
Do.you...

{Overlap}

1:29:28 - Commissioner Brantley
Who's going to make the recommendation?

1:29:27 - Commissioner Schoonmaker

Do you want to fill out – say anything else of what information came out of the work session?

1:29:22 – Commissioner Nystrom

When we came back to the work session a big part of it was, and goodness there was so much that came out on it, and it was fairly consistent with the information that we talked about in the original December meeting which was in the minutes and shared with the {1:29:06}

I think that, you know, some of the key takeaways from that for a lot of us was the concern of say, if this was a Merit Council type of decision, that I think the representatives from the Sheriff's Department, his point was that, if this were before the Merit Council, you know, their point of view would be that they'd want to be pretty consistent and treat all of the employees roughly the same. A lot of this comes down to, it's not necessarily about the how the Sheriff's Department manages their team, a lot of it just comes down to whether the hours were pensionable. And that's kind of where the pedal hits the metal on this one – it's not anything personal about any of the folks involved in it – it's just were these hours pensionable in that, I mean that's kind of the bottom line on it. And, uh, I don't know where anybody else stands, you know, ultimately it's up to a vote, and that's uh, that's kind of the bottom line.

1:28:10 – Commissioner Schoonmaker

Did you also have a copy of the original ordinance that was signed by Knox County when it was put into place?

1:28:05 – Commissioner Nystrom

Yes. Yeah, we shared that at the meeting. I'm sure it's actually part of the file. {1:28:01 overlap}

1:27:56 – Commissioner Schoonmaker

Do you want to refer to it?

1:27:56 - Commissioner Nystrom

Yeah, if you'd like to.

1:27:46 – Commissioner Nystrom

For me personally for this particular issue, I was asked to help chair the Subcommittee as one of the newest members on this particular Board, so I went back thinking how did we actually get to this, so as I mentioned in the meeting, I went back and watched the great, exciting viewing – if you want to put yourself to sleep – but I went back and watched all the County Commission meetings from 2006 where this subject came up – just the whole inception of the whole Plan. Uh, and I went ahead and had them pull that ordinance that the voters voted on just so we can start with the Charter and then work our way down to where it was actually implemented. You know, when you look at the Charter and it says "whereas the Fraternal Order of Police has proposed an amendment to the Knox County Charter which would establish a Pension Plan for the Uniformed Officers in Knox County similar to the Plan in effect for the City of Knoxville and whereas under this proposed Plan Uniformed Officers over the age of 50 with 25 years of service for their survivors and dependents would be entitled to a normal retirement defined benefit for life. The proposed Plan would also provide benefits for the Officers who terminate after a minimum of five years of service for early retirement and disability.

This goes on fairly lengthy for multiple pages and I'm gonna' spare you all the details of actually reading the entire ordinance. Part B in Section 6.05 under this states that "Uniformed... The officers Pension shall provide a normal retirement annuity for life upon attainment age 50 with at least 25 years of service equal to 2.5% of the average of high of two twelve-month periods salary times years of service to a maximum of 30 years of service at after vesting upon completion of 5 years of service." And it kind of goes on, on there. Uh, for me, and just to translate that, what all that math means is that it's roughly 75% of the average of your two years, um, according to this it says "salary" and some of what's created all of our problems comes down to the definition of salary versus compensation. We've talked about this thoroughly, it's – and you know, my point when I encountered it was, I looked at the Charter and then I thought, well what was the intent of the voters, and I think most of us when we think about what is a salary – a salary is, you know, when you're hired your salary is – if I could ask Chris what his salary is, I think our salaries as

Commissioners has been well defined – and what's made this so complicated is counting the vacation payouts as deferred compensation for calculation of the Pension payout. And, uh, the Sheriff's Department has uh, but, but it's gotten complicated is because, you know, folks were carrying over an awful lot for different reasons and it was across the board within our Sheriff's team of when you carry out – over a whole lot of vacation of when you leave or retire, you get paid out that vacation at the end of your service and, uh usually that's just, you're paid out on any vacation that you didn't have to take. And, uh, in this context it's, uh, has happened – and I don't know how it happened in the fine print or anything, is that basically it was counting as part of the compensation calculation and when our friends at the actuaries came and when we put together this whole plan, the intent was really just to be taking a look at your two-years actual salary versus the deferred compensation. And, uh, while I haven't seen what the City of Knoxville Plan, you know just based on some basic review, it's my understanding, if anyone knows otherwise, this was supposed to be modeled off the City of Knoxville Plan, and I don't – I do not think that the City of Knoxville Plan counts deferred, that deferred compensation for calculation. So, uh, it was, you know, for me personally, it was a, those were some of the factors that uh made me feel like it was probably – and also then I thought about what the Merit Council might say – I thought, yeah, me personally, I probably can't support the appeal – and it's nothing personal towards Mr. Gass, it's just this is what the facts are telling me and that's how I'm gonna make my decision, you know, and if he wants to file or do something like that, well then that can be decided later, but at least in the context of this Committee and why I was elected, and to use my analytical head, that's kind of where I came down, and I'm sort of very much summarizing the results of what were two two-hour meetings, but that's sort of where, that's a very brief summary and uh, uh, Sergeant Gass did a great job also sharing his perspective and all that in those Committees - I know that's really well documented in the minutes as well 'cause he's done an outstanding job, but I also think as fiduciaries for our County's Pension, you know, that was kinda' where – Oh, and I forgot even that a lot of this decision came down under the uh, uh, you know the definition that we received from Counsel who uh recommended, you know, this decision as well. So, you've heard what I saw – we also a legal opinion from our attorney on this subject matter as well, uh in regards to turning down the appeal. So that's kinda where I'm at. So, thank you.

1:22:48 - Commissioner Schoonmaker

{Ms. Chair – you were at the last one – is that kind of, try and take a very long meeting and sum it up...

1:22:44 – Chair Moody

Yeah. That works. Well, any discussion on this before we go on?

1:22:39 - Commissioner Thomas

Yeah. I – You know what's uncomfortable for me and, uh, counsel can give you an opinion on this, or anybody can jump in this. I've never worked a job where my employer said, you know, I'm not going to give you a raise, I'm going to give you more days off and this is part of your salary – in lieu of a raise, I'm giving you more time off – and how does that fit into if this is part of my salary in a sense, then is it part of my salary or is it just, hey, you know, you get more days off every year? So how does that compute in the equation? Any ideas or opinions or...

1:21:45 – Chair Moody

Well, one thing I thought of, you know, when you're saying the salary from the last two years or the highest two years, actually if you go back and you make that vacation time part of the salary, then will that vacation time be salary for the years that he didn't take it in, which wouldn't all fall within the last two years anyway?

1:21:20 - Commissioner Nystrom

Well, I'd hope that he's getting paid for the – you know it's not like...compensation...

{Overlap}

1:21:16 – Chair Moody

Yeah, is that income earned in a previous year when it's paid out and not actually that year's salary?

1:21:11 – Commissioner Nystrom

Right. It's ultimately, yes, you're getting paid for the sala—the uh, vacation days, it's just are they pensionable or not? Cause you're gonna get paid for them.

1:21:03 - Commissioner Thomas

Right.

1:21:01 – Commissioner Nystrom

And in a way, I guess, you know, you're – it's, I guess part of it comes down to intent, you know the intent of vacation time is to take time off and what made this whole situation so much more complicated and awkward for all of us is, you know, he had a difficult time, especially in some of his early years, you know, getting some time off – not so much in recent years, but in some of the earlier years had a difficult time getting some time off, but, uh, not in the more recent years.

1:20:29 – Commissioner Brantley

Got any motions?

1:20:26 – Chair Moody

Okay. Open the floor for motions.

1:20:18 – Commissioner Nystrom

I'll make - I'll make that. So moved. I'll make the move to uh to deny the appeal.

1:20:17 – Chair Moody

Okay. I have a motion to deny the appeal, any seconds?

1:20:13 - Commissioner Brantley

Second.

1:20:12 – Chair Moody

All in favor?

1:20:09 – {John Owings, Legal Counsel

Madame Chair, may I interrupt for just a second?

1:20:08 – Chair Moody

Yes, please.

1:20:07 – John Owings, Legal Counsel

Um, has the appeal hearing concluded? Um, the way I understood from the work session, this was going to be carried over until March. And maybe I'm wrong about that.

1:19:52 – {multiple overlap}

No.

No – that's not true.

1:19:52 – Commissioner Nystrom

Well, you know, I did bring that up for discussion but, uh, I think that, you know part of this I, I think we may have to just make a decision on now, so, but I'll accept your advice on this...

1:19:40 – {multiple overlap}

1:19:38 - John Owings, Legal Counsel

My additional thought on that would be to allow Mr. Gass one more opportunity to address the Board if he has any additional comments that he would like to make and then the Board vote.

1:19:25 – Commissioner Nystrom
That seems fair.

1:19:24 - Nystrom
Alright, Mr. Gass?

1:19:20 – Sergeant Gass
I appreciate the opportunity to talk to you all and the consideration in this matter. Uh, I'd like to bring up - to get to the bottom of this, the last half of this, the, uh, Mr. Mason referred to as bona fide days. The days, uh, pursuant to what he has said, as well as what I've read, what bona fide...

1:18:59 – {multiple overlap} Commissioner Schoonmaker
Come to order for just a minute. We have a motion on the floor in second, we're in discussion amongst ourselves, the Chairman did not recognize any outside person, so I'm a little confused at what procedure we're following here.

1:18:47 – Commissioner Brantley
Yeah.

1:18:46 – Chair Moody
Okay, so do we need to vote on the motion or can we hear the motion and allow discussion?

1:18:39 - John Owings, Legal Counsel
I thought you just recognized Mr. Gass.

1:18:36 – Commissioner Nystrom
I was the one who recognized Mr. Gass, not the Chairman.

1:18:34 – Chair Moody
Okay, Mr. Gass, the Chair recognizes you.

1:18:31 - Sergeant Gass
Yes ma'am, thank you. Once again, sorry about stepping all over Robert's rules. And uh, get back to my point, thank you again for your consideration in this matter. I would bring it up to you as about what bona fide a day, what bona fides a day is is recognition within policy of whom you work for, and I brought this up, and this is the brass tacks of this whole thing, uh although I gained benefit and so forth from Knox County, I do not work for, or I did not work for Knox County, I worked for the Knox County Sheriff's Office - as in, people who work for the Clerk's Office work for the Clerk's Office. They have their internal policies, they do their hiring and firing internal, not through the policy mandates of Knox County. They can choose to adopt, uh certain policies of Knox County government and gain certain benefits, i.e. accounting, insurances and so forth, of the corporate good – but they, the fee offices do not operate under the County policy per se, operate under their own. The policy by which I was issued these, uh, days, was under the Sheriff's Office which allowed these days to be carried over in the manner by which I have accrued them. That in and of itself bona fides these days. The reason that the uh, policy I'm saying is, did bona fide them is because after the problem was addressed, and the Sheriff wished to, for lack of a better term, play nice to everybody not and not cause a problem. He changed the existing policy to mirror what is throughout the County now. That tells you right there in and of itself, prima facie, that the policy was different from County policy, ergo the policy bona fide the days that were given to me. I'm not asking to break, break the Pension Board. I'm not asking to do anything outside of what was due me. The benefit that I would have gleaned from these days that I took them contemporaneously was not afforded to me due to the fact that there wasn't enough people working to allow me to take them. I got paid for them, that's good, but part of the value of that day is the pensionable benefit of that day, and it was associated with the days up to a certain point, and after a certain break point the days weren't afforded that benefit for the same days. And I'll ask for your consideration in that sometimes I tell my children, of which I have five, and uh, three of which are not my own, we take, we took them on – they asked me, uh, someone asked me what integrity was. Integrity is doing, I told them, the right thing because it's the right thing to do, not because it's a popular thing to do,

and I would ask you all that same question. I would ask you to do what is right, not what is actually the politically popular thing to do at this point. Thank you.

1:15:24 – Chair Moody

Thank you sir. Okay, we have a motion on the floor. Any further discussion? Okay, vote on the motion. All in favor?

1:15:13 – multiple

Aye.

1:15:10 – Chair Moody

Any opposed?

1:15:09 – Commissioner Thomas

I, nay.

1:15:06 – Chair Moody

Alright the motion carries. Okay, Legal Review Committee.