

POLICE PENSION BOARD MEETING

January 9, 1975

The Police Pension Board met in the City Manager's office at 9:00 a.m. Thursday, January 9, 1975. Members present: Chairman Harvey Rose, Finance Director Victor Vance, Police Representative Harvey Gorby, and Secretary Neva Lockhart. Also present: Personnel Assistant Pat Bittle and City Attorney Gerald J. Ashby.

City Attorney Ashby reviewed the situation to date with regard to John L. McFall and his request for retirement with full benefits from the Police Pension Fund. Although records show that he was enrolled in Social Security from initial employment on November 21, 1951, until his enrollment in the Police Pension Fund after December 31, 1955, Mr. Ashby stated "does this action on Mr. McFall's part negate the idea that he considered himself an employee of the Police Department." The question evolved around the "swearing-in" statement dated 1956 in Mr. McFall's personnel folder. Police Officer Gorby noted that there are several Police officers in the Department for a number of years who have never been sworn into office.

Mr. Ashby advised the Board it could uphold its motion or it could reverse that motion and require Mr. McFall's employment on the City payroll for an additional year. Mr. Ashby said there is rather a fine line and his feeling was the Court might uphold Mr. McFall's petition should he choose to contest the decision. Mr. Ashby was willing to follow through if the Board wished to reverse its decision.

There being no motion presented, the decision of the Board on December 19, 1974, to place John L. McFall on retirement with Police Pension benefits will stand. (\$381.50 per month for 1975)

The meeting adjourned at 9:30 a.m.



Neva B. Lockhart
Secretary