

OFR83003

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: MINUTES

CITY DEPARTMENT: ADMINISTRATIVE SERVICES

YEAR: 1983

FIRE PENSION BOARD MEETING
March 16, 1983

A meeting of the Fire Pension Board was called to Order by Chairman, Mike Petersen, on March 16, 1983 at 9:00 a.m. in the office of Claudia Hazelhurst, Personnel Director.

PRESENT: Claudia Hazelhurst, Gary Tharp, Ed Billings, Mike Petersen, John Tasker and Shirley VanArsdalen

ABSENT: Louie Brach

Chairman Mike Petersen read the minutes of the last meeting. Ed Billings made a motion that the minutes be accepted, seconded by Claudia Hazelhurst. Passed unanimously.

A discussion was held on whether Greg Hazelhurst should be eligible to receive incentive pay with his pension and the actual date that should be used in making the determination. Claudia had asked City Attorney, Gerald Ashby, for an opinion in this matter. His opinion stated he felt that consideration should be given from the date of injury. However, parties present in the meeting felt that because Greg was receiving incentive pay at the time of his application for retirement that that should be the date used, as at the time of his injury he did not know that he would actually be disabled as a result of this injury nor was he drawing incentive pay at that time. Mr. Ashby was asked to come into the meeting at this point, and he concurred with this thinking, as he said an employee should not be penalized for not applying for pension at the time of the accident, and the fund should be used for the fairness of the firemen.

A motion was made by Mike Petersen that Greg Hazelhurst's pension be computed with incentive pay and that any underpayments made thus far as a result of not including incentive pay be paid to him. Seconded by Ed Billings. Passed with John Tasker opposing and Claudia Hazelhurst abstaining.

Claudia stated that letters had been received from doctors stating that the conditions hadn't changed on Jerrel Capps and Greg Hazelhurst. Ed Billings made a motion that the medical bills submitted by Jerrel Capps for his examination be paid, and it was seconded by Gary Tharp. Passed unanimously.

A motion was made by Gary Tharp that Greg Hazelhurst continue to receive his pension for another year, seconded by John Tasker. Passed with Claudia Hazelhurst abstaining.

A motion was made by Claudia and seconded by Gary Tharp that Jerrel Capps' pension be continued for another year. Passed unanimously.

A discussion followed on whether to pull pension recipients in every year to make a decision as to whether they should continue to receive pension for the following year. It was decided that it was not mandatory or necessary in cases where an individual has been declared permanently disabled, such as in the cases of Mr. Hazelhurst and Mr. Capps, but that the present Board could not dictate action which might be made by future pension boards.

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Mike Petersen stated that it was time to elect a new Chairman. Ed Billings nominated Gary Tharp, and it was seconded by John Tasker. Passed unanimously.

Gary Tharp stated he would like to have a letter written to the Department of Local Affairs asking its opinion on employees freezing retirement after 20 years of service and drawing it at age 50 years.

Ed Billings moved that a letter be written to the Department of Local Affairs asking its opinion in this matter, seconded by Mike Petersen. Passed with John Tasker opposing.

Discussion followed on who would write this letter.

Mike Petersen moved that Gary Tharp write the letter and have it approved by each member of the Board before sending it. Seconded by John Tasker. Passed Unanimously.

Ed Billings made a motion to adjourn the meeting with John Tasker seconding the motion. Passed unanimously.

Meeting adjourned at 9:30 a.m.

sv

CITY OF GRAND JUNCTION, COLORADO

MEMORANDUM

Reply Requested

Yes No

Date

3/15/83

To: ~~(Per)~~ Fire Pension Board From: ~~(Per)~~ Gerald J. Ashby
City Attorney

I have been requested to make a determination as to the date to be applied when a member of the department suffers a disability leading to a disability retirement, and the date becomes important in a manner not related to the Pension Law.

In my opinion the date to be used in all cases should be the date of the injury and not the date upon which the determination is made to retire the fireman.

GJA:jc