

**West Palm Beach Police Pension Fund
2100 North Florida Mango Road
West Palm Beach, Florida 33409**

Minutes

**July 17, 2009
8:15 AM**

CALL THE MEETING TO ORDER

Mr. Mitchell called to order the West Palm Beach Police Pension Fund Meeting on July 17, 2009 at 8:20 AM, in the conference room of the Palm Beach County Police Benevolent Association.

Present at the meeting: Ed Mitchell, Chairman, Jonathan Frost, Board Secretary, Chris Roaf, Board Trustee, Chris Fragakis, Board Trustee and Wilton White, Board Trustee.

Also present: Joe White, Saxena White (departed at 9:10 AM); Ernest George, Retiree; Bonni Jensen, Board Attorney, Law Offices of Perry & Jensen, LLC. and Dave Williams, Plan Administrator.

Mr. Frost asked Mr. Williams for an update regarding the reinstatement of the Board's Fiduciary Insurance, which was provided.

Public meeting recessed at 8:25 AM for the Board to enter into the attorney/client session pursuant to Florida Statute 286.011(8), to discuss the Collins capital litigation, Case # 09-808-46 Civil Marra/Johnson. The meeting was reconvened to the public meeting at 9:10 AM.

APPROVAL OF THE MINUTES

Mr. Mitchell asked if there were any changes required to the minutes of June 12, 2009. Mr. Frost made the motion to approve the minutes, which was seconded by Mr. Fragakis. All Trustees voted yes, and the motion was passed 5-0.

APPROVAL OF DISTRIBUTIONS

New Warrants were presented for review and execution. Warrants approved at the last meeting were presented to the Board in spreadsheet format by Mr. Williams. In addition, contained in the administrative report was a drop loan, a refund of buy back contribution and a pension contribution refund which was provided to the Board to consider. After reviewing same, Mr. Frost made the motion to approve the foregoing, which was seconded by Mr. Fragakis. All Trustees voted yes, and the motion was passed 5-0.

ATTORNEY'S REPORT

Mrs. Jensen provided the Board with the revised Trustee Expense policy. Mr. White made a motion to approve the policy as revised, which was seconded by Mr. Frost. All Trustees voted yes, and the motion was passed 5-0.

Mrs. Jensen provided the Board with an update regarding the Smith Barney litigation. Trade confirmations from 2002-2005 were received and provided to legal counsel.

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Mrs. Jensen advised the Board about a letter received from Collins Capital. The issue at hand was that Collins Capital intended to move our account to a special purpose vehicle (SPV) for redemption purposes. The consensus from the members was that this action was not in the best interest of the fund.

Mr. White offered a motion requesting Mrs. Jensen to communicate with Collins' representatives requesting to keep our account out of the proposed SPV. This motion was seconded by Mr. Roaf. All Trustees voted yes, and the motion was passed 5-0.

Mrs. Jensen indicated that since the last meeting the fund was required to complete an Internal Revenue filing for the proceeds held in the Collins Capital Account, as it is an offshore holding. Mrs. Jensen indicated that filings may be required from the inception of the holdings.

Mrs. Jensen advised written communication was received from Intercontinental Real Estate Corp. regarding a real estate offering.

Mrs. Jensen provided the responses from the Independent Auditor request for proposals. Responses were received from the following firms: Cherry, Bekaert & Holland, LLP, Davidson, Jamieson and Cristini, P.L., Goldstein Schechter Koch, Nowlon, Holt & Miner, P.A. and Rachlin. Having an opportunity to review the presentation booklets provided Mr. Frost made a motion to interview representatives from Davidson, Jamieson and Cristini, P.L., Goldstein Schechter Koch, Nowlon, Holt & Miner, P.A., which was seconded by Mr. Fragakis. All Trustees voted yes, and the motion was passed 5-0.

Mrs. Jensen provided the responses from the Actuarial services request for proposals. The Board asked for the proposals to determine a cost analysis. Responses were received from the following firms: Bolton Partners, Buck Consultants, Freiman Little Actuaries, LLC, Gabriel Roeder Smith & Company, Segal and Southern Actuarial Services. As the professional services of Gabriel Roeder Smith & Company are already well known, it was determined they did not have to be interviewed. Having an opportunity to review the presentation booklets provided Mr. Frost made a motion to interview representatives from Bolton Partners and Southern Actuarial Services which was seconded by Mr. Fragakis. All Trustees voted yes, and the motion was passed 5-0.

OLD BUSINESS

Performance Monitor Search - This matter was tabled at the June 12, 2009 meeting. Mr. Roaf made a motion to begin the RFP process for an Investment Performance Monitor. Further Mr. Roaf asked Mrs. Jensen to place an advertisement in Pension & Investments. This motion was seconded by Mr. Fragakis. All Trustees voted yes, and the motion was passed 5-0.

Ertle Matter - This issue was tabled at the June 12, 2009 meeting. Mrs. Jensen outlined the subject before the Board to consider. Retired police officer Mr. Ray Ertle died on March 27, 2009. Prior to his death, Mr. Ertle modified his beneficiary to Margaret Ertle. This modification would be permissible due to the change in state law (FS. 185.341).

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An Actuarial reduction was applied and provided to the Board. Mr. Frost made a motion to approve Mrs. Margaret Ertle as a surviving beneficiary of Mr. Ray Ertle and provide Mrs. Ertle an actuarially reduced benefit effective April 1, 2009. This motion was seconded by Mr. Roaf. All Trustees voted yes, and the motion was passed 5-0.

ADMINISTRATOR'S REPORT

Buyback Bevell - Mr. Williams advised the Board that he had the pleasure of meeting with Mr. Bevell to discuss and review his buyback. In order to remove Mr. Bevell from a negative amortization position, the following proposal is being offered to the Board to consider. Increase payments from \$200.00 per pay period to \$440.64 and extend the payment plan for five years. Mr. Bevell would also have the opportunity to pay off the buyback once vested and having an account balance to satisfy the buyback balance. The Board members felt that these members were not aware of the negative amortization position that they were placed into. As such, the members agreed that special provisions should be made to accommodate their buyback while still making the fund whole. Mr. Fragakis made a motion to accept the buyback as proposed, which was seconded by Mr. Roaf. This motion was seconded by Mr. Roaf. All Trustees voted yes, and the motion was passed 5-0. Mr. Williams will continue contacting the balance of the members in a similar situation.

Lemanowicz (Vested Deferred Retirement Calculation) - This matter was tabled at the June 12, 2009 meeting. Mr. Williams provided the Vested Deferred Retirement Calculation of Mr. Lemanowicz to the Board to consider. Mr. Lemanowicz's dates of service were December 2, 1991 to February 28, 2008. The calculation was formulated October 17, 2008 by Mr. Bauer. The incident involving Mr. Lemanowicz's resignation was reviewed by Mrs. Jensen, and it was determined there were no grounds to consider forfeiture.

OPEN DISCUSSION

Mr. Williams presented the Board with quotes for the proposed wpbppf.com mouse pads. Mr. Williams indicated that open communications with the members are paramount. This is a formal marketing effort to inform the members about the site. Further, by pension members using the website a reduction in printing costs would result and would be a form of a green initiative. Mr. Frost made the motion to approve the purchase not to exceed \$1,500.00, which was seconded by Mr. Fragakis. All Trustees voted yes, and the motion was passed 5-0.

Member's expressed a concern about the former administrator's errors that have been discovered since the transition. Mrs. Jensen advised that she will communicate with Mr. Williams to determine if there are any damages.

Mr. Frost commented on the Wells statements of May and June 2009. Mr. Williams will contact the Wells representative for comment.

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ADJOURNMENT

Being there was no other business; the meeting was adjourned at 10:20 AM.

Next meeting is scheduled for August 14th, 2009 at 8:15 AM

Jonathan Frost, Board Secretary