

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

August 3, 2021

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, August 3, 2021 in the Sonny West Conference Room, Howard Office Building, 700 2nd Avenue North, Nashville, Tennessee, at approximately 9:32 a.m.

Benefit Board members: Chair: Edna J. Jones; Vice Chair: Christine Bradley; Members: Stephanie Bailey, **Kevin Crumbo, G. Thomas Curtis, *Harold W. Finch, II, B.R. Hall, Sr., Shannon B. Hall, Jeremy Moseley, and Jonathan Puckett.

Others present: Christina Hickey, Metro Human Resources, Nicki Eke, Attorney, Metro Legal Department and Dr. Gill Wright, Civil Service Medical Examiner.

A. MINUTES: Chair Edna Jones called the meeting to order and said the first order of business was to determine if there were any amendments, corrections, or questions of the minutes from the last regular meeting held on July 6, 2021. With no corrections, nothing further was noted and Christine Bradley moved for approval. Stephanie Bailey seconded, and the Board approved without objection.

B. APPEAL ANNOUNCEMENT:

Christina Hickey announced the process and timeframe for appealing a decision made by this Board.

C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security referrals)

The terms of the approval or extension of the items listed in the motions are specifically stated in these minutes.

Dr. Gill Wright, Civil Service Medical Examiner, (CSME), and Claire Cobb, CSME Assistant, reviewed the disability pensions with the Board.

Dr. Gill Wright reported to the Board that he recommends approval of the disability pension new requests, items 1 and 2, for the length of time as recommended. Tom Curtis moved for approval of the recommendation to approve the disability pension new requests, items 1 and 2 for the length of time as recommended. Kevin Crumbo seconded, and the Board approved without objection.

The employee and a friend Kathleen Powers were present for item 3.

Les Bowron, Health Department, was also present.

Dr. Gill Wright reported to the Board that on the disability pension new request, item 3, he recommends a denial.

The employee addressed the Board regarding her job duties, medical conditions, related procedures and how the condition affects her ability to do her job.

*Denotes the arrival of Harold Finch.

Dr. Gill Wright stated that the medical record does not show where she has been placed on any restrictions by any of her treating physicians and that is the basis for his denial.

Les Bowron, Health Department, stated the department has no reason to disagree with Dr. Wright's findings based on the review of the medical record.

Kathleen Powers also addressed the Board regarding the employee's job duties, some of the medical record and upcoming tests.

There was some discussion regarding the medical record, upcoming appointments, and if approved when it would convert to a service pension and work conditioning.

C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security referrals)

After some discussion of the disability standard in the Code, having to base the decision on the medical record and deferring this item in order to obtain clarification on any limitations to the condition from her treating physicians, Shannon Hall moved to defer the disability pension new request item 3 for one month. Christine Bradley seconded.

After further discussion of the medical record, there being no limitations, the employee re-applying, a vote was taken on the motion to defer the disability pension new request, item 3 for one month and the Board approved with Christine Bradley, Shannon Hall, Jonathan Puckett, B.R. Hall, Harold Finch, and Kevin Crumbo in favor and Edna Jones, Tom Curtis, Jeremy Moseley and Stephanie Bailey opposed.

The employee for item 4 was present.

Larissa Burdette, State Trial Courts, was also present.

Dr. Gill Wright reported to the Board that he recommends a denial of the disability pension new request item 4.

The employee addressed the Board regarding her medical condition, job duties, how her condition affects the ability to perform her duties and upcoming appointments for additional testing for her condition.

Larissa Burdette, State Trial Courts, addressed the Board regarding the employee's ability to perform her job duties and noted that she can not currently carry a case load when she comes to work.

Dr. Gill Wright stated that there are no restrictions in the medical record and there is nothing in the record that indicates she can not perform her job duties and that is the basis for his denial. He also stated that there may be some additional information after her upcoming appointments.

There was also some discussion regarding her job performance, the appearance that some information is missing from the medical record, subjective verses objective findings and other compounding factors in the medical record (poor job performance verses a medical condition).

After some discussion regarding assisting the employee with getting the neuropsychological testing, the change in job performance, almost being terminated and having to base the decision on the medical record, Jeremy Moseley moved for approval of the recommendation to deny the disability pension new request, item 4. Harold Finch seconded and the Board approved without objection.

Item 5 was moved to the end of the disability pensions section as Mark Young, Fire Union rep, stated that the employee was on his way.

The employee and his interpreter were present for item 6.

Dr. Gill Wright reported to the Board that the employee has restrictions in place and if the department can accommodate those he can be returned to work and if not, he recommends approval of an in line of duty disability pension with review in December.

The interpreter translated on behalf of the employee regarding his condition.

The Parks Department was notified of this meeting however a representative was not present.

After some discussion of the department being able to return the individual to work with the restrictions, Jeremy Moseley moved to approve the disability pension new request, item 6. Stephanie Bailey seconded.

After some discussion of the employee's job duties, a vote was taken on the motion to approve the disability pension new request, item 6 and the Board approved with Tom Curtis abstaining as he was not present for the full discussion.

The employee and Mark Young, Fire Union representative, were present for item 5.

C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security referrals)

Dr. Gill Wright reported to the Board that he recommends a denial of the disability pension new request item 5.

Mark Young, Fire Union, stated that the employee was requesting an in line of duty disability pension, however, after the recommendation from Dr. Wright he is requesting a medical disability pension due to his other medical issues. Mr. Young also stated that his medical issues keep him from performing his job duties in addition to facing disciplinary action for not being able to perform his duties and it was suggested that he apply for a disability pension.

The employee addressed the Board regarding his medical conditions.

Dr. Gill Wright reviewed the medical file with the Board. He stated that he has been released to full duty from every medical condition and in line of duty claim in the medical record. He also noted that he was released to full duty prior to applying for the disability pension and his last day of work was March 1, 2021. He also stated that based on being released to full duty he did not recommend an in line of duty disability pension or consider a medical disability pension as an option as he had already resigned.

Jamie Summers, Fire Department, was present for any questions.

There was some discussion of any medical conditions in the record that would have deemed him disabled prior to his last day at work, no restrictions listed, the employee being released to full duty and the time period the employee received short term disability.

There was also some discussion of the employee not being eligible for FMLA, disciplinary issues and applying for a disability pension.

There was some discussion regarding meeting the criteria for an in line of duty disability pension and qualifying for a medical disability pension.

After further discussion of how short-term disability payouts work, his last date of employment, and if he was granted a disability pension and cleared to return to work the department would have to take him back or pay the pension, Tom Curtis moved for approval of the recommendation to deny the disability pension new request, item 5. Stephanie Bailey seconded, and the Board approved with B.R. Hall and Jonathan Puckett opposed.

**Denotes Kevin Crumbo leaving the meeting.

Dr. Gill Wright reported to the Board that he recommends approval for continuing the disability pension reexamination, item 7 for the length of time as recommended. B.R. Hall moved for approval of the recommendation to continue the disability pension reexamination, item 7 for the length of time as recommended. Christine Bradley seconded, and the Board approved without objection.

Dr. Gill Wright reported to the Board that on items 8 and 9, he requests a deferral for the length of time as requested. Jeremy Moseley moved for approval of the request to defer items 8 and 9 for the length of time as requested. B.R. Hall seconded and the Board approved without objection.

There was a question on the distinction of the recommendations on items 7 and 8 and Dr. Wright responded that he is awaiting on additional medical information on item 8.

The disability pensioner was present for item 10.

Jamie Summers, Fire Department, was also present.

Dr. Gill Wright reported to the Board that on item 10 he recommends approval of the request to return to work with a salary supplement.

Jamie Summers, Fire Department, stated they are prepared to return the individual to work.

C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security referrals)

After some discussion regarding the request also including retention in the Police and Fire pension plan, Shannon Hall moved for approval of the request to return to work on item 10 with retention of Police and Fire pension plan status. Jeremy Moseley seconded, and the Board approved without objection.

NEW REQUESTS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
1.	David R. Farris, II	Metropolitan Nashville Public Schools	Medical	As moved, seconded, and approved, this disability pension request was approved for eight months, (April 2022), with re-exam at that time.
2.	James M. Jensen	Police	Medical	As moved, seconded, and approved, this disability pension request was approved for eight months, (April 2022), with re-exam at that time.
3.	Joanne R. Hilliard	Health	Medical	As moved, seconded, and approved, this disability pension request was deferred.
4.	Erika S. Peters	State Trial Courts	Medical	As moved, seconded, and approved, this disability pension request was denied.
5.	Justin L. Shelby	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension request was denied.
6.	Adnan Y. Salam	Parks	In Line of Duty	As moved, seconded, and approved, this disability pension request was approved for four months, (December 2021), with re-exam at that time.

REEXAMINATIONS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
7.	Irene M. Johnson	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.

REEXAMINATIONS - DEFER:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
8.	Cody W. O'Quinn	Police	In Line of Duty	As moved, seconded, and approved, this disability pension re-exam was deferred for one month, (September 2021).
9.	Patrice A. Rogers	Bordeaux	Medical	As moved, seconded, and approved, this disability pension re-exam was deferred for two months, (October 2021).

C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security referrals)

RETURN TO WORK:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
10.	Gary W. Moore, Jr.	Fire	In Line of Duty	As moved, seconded, and approved, this individual was returned to work.

SOCIAL SECURITY REFERRALS:

Dr. Gill Wright reported to the Board that CSME's office concurs with the case management recommendations on the Social Security referrals.

Tom Curtis moved for approval of the referrals. Harold Finch seconded and the Board approved without objection.

Item	Name	Department	Origin of Review	CM Referral Recommendation	CSME	Comments
1	Nichols, Scott T.	Fire	Pension Approval	Yes	Yes	Evaluation, May Meet SSA Guidelines
2	Pierpoint, Jason W.	Police	Pension Approval	Yes	Yes	Evaluation, May Meet SSA Guidelines

At this time, Dr. Gill Wright gave an update on COVID-19 and vaccines.

D. PENSIONS: (service, disability to service, options elected, qualified domestic relations orders, (QDRO's), and survivor)

Jeremy Moseley moved for approval of the pensions. B.R. Hall seconded and the Board approved without objection.

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Alice Smalls *	MNPS	Cashier - Cluster Lead	B	07/02/2021	08/01/2021
Sharon Griffin	MNPS	Mgr - Food Service III High School	B	07/07/2021	08/10/2021
Shelia Lowe	MNPS	Monitor - School Bus	B	07/01/2021	08/10/2021
Christi McLaughlin	MNPS	Asst - Admin	B	07/14/2021	08/20/2021
Cynthia Chatham	MNPS	Secretary-Clerk	B	07/12/2021	08/10/2021
Steven Little	Sheriff	Correctional Officer 2	B	07/19/2021	07/24/2021
Susan Gullely	Health	Dental Hygienist 1	B	07/07/2021	10/08/2021
Robert Hanson li	Police	Police Sergeant	B	07/08/2021	08/01/2021
Timothy Carr	Public Works	Maintenance & Repair Worker	B	07/02/2021	07/03/2021
William Gise	Sheriff	Correctional Officer Lieutenant	B	07/12/2021	08/28/2021
Robert Martin	Water Services	Customer Service Field Rep Sen	B	07/15/2021	09/15/2021
Cynthia Dahlgren	Parks	Golf Course Mgr.	B	06/29/2021	08/20/2021
Gary Cunning	Sheriff	Laundry Officer-DCSO	B	07/13/2021	08/20/2021
Penny Adcock	Parks	Park Police 2	B	07/13/2021	10/09/2021
Joe Cooper	Fire	Fire Inspector 2	B	06/28/2021	06/23/2021
Terry Richards	Police	Police Officer 2	B	07/23/2021	07/22/2021
Debra Dixon	Sheriff	Sheriff Case Worker 1	B	07/07/2021	07/31/2021
Kenneth Adcock	General Services	Equip Mechanic	B	06/29/2021	07/20/2021
Doris Hicks	District Attorney	Office Support Rep Sr	B	07/15/2021	09/11/2021
Robert Jones Jr	Fire	Fire Asst Chief	B	07/06/2021	07/17/2021
Eula Taylor	Water Services	Office Support Spec 2	B	07/14/2021	07/31/2021
John Taylor Jr	Sheriff	Chief Warrant Officer-Sheriff	B	07/01/2021	07/02/2021

D. PENSIONS: (service, disability to service, options elected, qualified domestic relations orders, (QDRO's), and survivor)

Service (continued)

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Bruce Sanschargin	Emergency Communication Center	Emer Telecommunications Manage	B	07/06/2021	07/10/2021
Philip Carr	Finance	Finance Asst Dir	B	07/13/2021	08/28/2021
Leland Broyles	MNPS	Monitor - School Bus	B	06/23/2021	08/10/2021
Asha Kincaid *	Bordeaux Long Term Care	Licensed Practical Nurse	B	05/07/2021	06/01/2021
Roxianne Bethune *	Convention Center Authority	Diver Bus Mgr-Conv Ctr Auth	B	06/28/2021	07/01/2019
Roberta Roseberry *	Sheriff	Admin Svcs Officer 1	B	07/07/2021	08/01/2021
Pamela Bolden *	Health	Office Support Rep 3	B	07/08/2021	07/01/2021

* Deferred Benefit

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Mitzie Curtis	Parks	B	07/01/2021
Lori Thurman	Fire	B	07/01/2021
Ann Gann	Fire	A	07/01/2021
Trudy Graves	MNPS	B	07/01/2021
Michael Campbell	Sheriff	B	07/01/2021
Mary Collins	Health	B	07/01/2021
Charlene Woods	MNPS	B	07/01/2021
Tamala Dunn	MNPS	B	07/01/2021

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Brenda Jones	Metro Action Commission	Service Without Option	B	05/01/2021	Normal	
Jean Sumner	MNPS	Service With Option	B	05/26/2021	Option A	
Vicki Bell	MNPS	Early Service Without Option	B	05/27/2021	Normal	
Wol East	MNPS	Service With Option	B	05/27/2021	Option A	
Kutonya Sanders	MNPS	Early Service Without Option	B	05/27/2021	Normal	
Carol Bayless	MNPS	Service Without Option	B	05/27/2021	Normal	
Jackie Jones	MNPS	Early Service With Option	B	05/26/2021	Option F	
Steven Webb	MNPS	Early Service With Option	B	05/21/2021	Option B	
Candy Gentry	MNPS	Service With Option	B	05/26/2021	Option A	
Pamela Adams	MNPS	Service With Option	B	05/27/2021	Option F	
Roberta Wair	MNPS	Early Service Without Option	A	05/27/2021	Normal	
Garth Crownover	MNPS	Service With Option	B	05/29/2021	Option A	
Lawrence Brown	Police	Early Service Without Option	B	06/03/2021	Normal	
Arthur Jaramillo	Register of Deeds	Service With Option	B	05/29/2021	Option E	
Johnny Mcdonald	Water Services	Service With Option	B	05/29/2021	Option B	
Jerry Morton	MNPS	Service With Option	B	05/29/2021	Option A	3
Brenda Alcorn	MNPS	Service With Option	B	05/15/2021	Option B	
Marc Overlock	General Hospital	Early Service With Option	B	06/01/2021	Option A	
Shelia Tate	MNPS	Service With Option	B	05/27/2021	Option F	
Elizabeth Odle	Public Library	Service Without Option	B	05/15/2021	Normal	
David Huber	General Hospital	Service Without Option	B	05/29/2021	Normal	
Cedric Lee	Water Services	Service With Option	B	06/01/2021	Option D	3
Elizabeth Cox	MNPS	Service With Option	B	05/27/2021	Option B	
Deborah Yeater	County Clerk	Service Without Option	B	06/10/2021	Normal	1
James Griffith	Sheriff	Service With Option	B	06/05/2021	Option E	
Tony Stokes	Police	Early Service With Option	B	06/05/2021	Option D	
Kimberly Lovell	Sheriff	P&F Service Pen Without Option	B	06/05/2021	Normal	3
Joe Cooper	Fire	P&F Service Pen With Option	B	06/23/2021	Option B	
Hubert Byers Jr	Fire	P&F Service Pen With Option	B	06/29/2021	Option B	3
Darell Dixon	Fire	P&F Service Pen With Option	B	06/05/2021	Option E	3
Sam Thompson Jr	Fire	P&F Service Pen With Option	B	06/15/2021	Option A	3
Quinetta Bartley	Fire	P&F Service Pen With Option	B	06/29/2021	Option B	3
Luis Morales	Fire	P&F Service Pen Without Option	B	06/28/2021	Normal	3
James Sanders	Juvenile Court	Service With Option	B	03/16/2021	Option A	

D. PENSIONS: (service, disability to service, options elected, qualified domestic relations orders, (QDRO's), and survivor)

Options Elected (continued)

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Donetta McKissack	MNPS	Service Without Option	B	05/26/2021	Normal	3
Robert Bogle	Fire	P&F Service Pen With Option	B	06/16/2021	Option A	
Curtis Rich	Police	Early Service With Option	B	05/21/2021	Option E	
Brian Gregory	Police	Early Service With Option	B	06/01/2021	Option A	
Christopher Blackwell	Police	P&F Service Pen With Option	B	06/16/2021	Option E	
Janet Frazier	Parks	Service Without Option	B	06/11/2021	Normal	3
Mary Andrews	Water Services	Service Without Option	B	06/01/2021	Normal	1
Gloria Phelps	MNPS	Service Without Option	B	05/26/2021	Normal	
Joseph Wauford	Water Services	Service With Option	B	06/24/2021	Option E	
Daniel Coble	MNPS	Service With Option	B	05/27/2021	Option A	
Melany Robinson	State Trial Courts	Service With Option	B	05/29/2021	Normal	
Deborah Scott	MNPS	Early Service With Option	B	05/27/2021	Option A	
Shelia Jones	MNPS	Service Without Option	B	05/26/2021	Normal	
Ethel Woods	MNPS	Service Without Option	B	05/26/2021	Normal	
Rhonda Becknell	Health	Service Without Option	B	05/27/2021	Normal	
Jackie Benson	MNPS	Service Without Option	B	05/26/2021	Normal	
Shannon Vick	Caring for Children	Service With Option	B	01/01/2021	Option D	
Jephanie Peters	Health	Service Without Option	B	06/01/2021	Normal	
Laurie Kennedy	General Hospital	Service Without Option	B	06/01/2021	Normal	
Michael Boswell	MNPS	Service Without Option	B	07/01/2021	Normal	
Dawana McAfee	MNPS	Service Without Option	B	07/01/2021	Normal	
John Bowers	General Sessions Court	Service Without Option	B	01/01/2021	Normal	

Key Codes

Options	Drop Elections
Normal Form - life annuity, no payments guaranteed	1 - 1 year drop
Option A - Joint and 100% to Survivor	2 - 2 year drop
Option B - Joint and 50% to Survivor	3 - 3 year drop
Option C - Level Social Security option	
Option D - Life Income, 120 payments guaranteed	
Option E - Joint and 100% to Survivor with popup	
Option F - Joint and 50% to Survivor with popup	

QDRO

Employee	Alternate Payee	Plan A/B	Effective Date
Alvin Humphrey	Tammy Humphrey	B	07/01/2021
David Vanderpool	Mary Vanderpool	B	07/01/2021
David Vanderpool	Lara Tek	B	07/01/2021

Survivor

Employee	Department	Survivor Name	Plan A/B	Effective Date
Donny Biggs	Police	Barbara Biggs	B	07/12/2021
Ronnie Cook	Water Services	Mary Cook	B	07/15/2021
Verlon Malone	Public Library	Ben Malone	B	06/29/2021
Clyde Henderson	MNPS	Patricia Henderson	B	06/28/2021
Carolyn Poteete	MNPS	Jerold Poteete	B	07/05/2021
Jimmy Brown	Water Services	Jo Della Brown	B	06/10/2021
Jon Auer	Information Technology Service	Sandra Auer	B	07/15/2021
Edward Keen	Fire	Wanda Keen	B	06/29/2021
Vernon Back	NCAC	Rebecca Back	B	07/17/2021
Jack Pardon	Sheriff	Effie Pardon	B	07/01/2021
Thomas Baker	Public Works	Rebecca Baker	B	07/16/2021
Mildred Bearden	MNPS	William Bearden	B	07/06/2021

BENEFIT BOARD ITEMS

The Human Resources staff submitted the following for the Board's consideration and appropriate action:

1. Presentation of resolution.

A resolution was presented to Stacey Rucker acknowledging his dedication and service to the Employee Benefit Board.

2. Actuarial services request for proposal.

Christina Hickey reported to the Board that the Purchasing Department has recently concluded the procurement process for Metro's actuarial services and representatives from the Purchasing Department will present an overview of this process and award for the Board's review.

Scott Ferguson, Purchasing Department reviewed the procurement process and the intent to award to USI Consulting Group also known as Findley.

Tom Curtis moved for approval of the intent to award. Christine Bradley seconded, and the Board approved without objection.

3. 457(b) deferred compensation plan administrator procurement process and extension request.

Christina Hickey reported to the Board that at the July Study Session a Metro Finance representative presented information recommending extending the 457(b) Deferred Compensation Plan Administrator contract to eight years (from five years). She stated the plan is scheduled to go out to RFP (Request for Proposal) in 2022. She stated that If the Board wishes to execute this extension, the contract would be extended to 2025. She also stated the memorandum from the Metro Treasurer that was distributed at the July Study Session is being provided as well as a requested report highlighting some of the benefits of extending the contract and the Board will need to decide if they would like to extend this contract to eight years expiring in 2025.

Michelle Bosch, Finance Department, was present and gave an overview of the request and answered any additional questions from the Board.

After some discussion regarding any legal issues with the proposed change, Stephanie Bailey moved for approval of the proposal as presented. Jonathan Puckett seconded, and the Board approved with Jeremy Moseley opposed.

4. Correspondence:

- a. Provider network change from Blue Cross Blue Shield.
- b. COVID-19 testing cost share waiver extension from CIGNA.

Items 4.-a. and 4.-b. were for information only.

5. Reports for your information:

- a. Repayment of pension contributions.
- b. Privacy notice.
- c. TN Open Meetings Act.
- d. Denial log from Davies.
- e. Benefit Board budget reports.

Items 5.-a. through 5.-e. were for information only.

6. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 11:30 a.m.

ATTEST:

APPROVED:

Shannon B. Hall, Director
Human Resources

Edna J. Jones, Chair
Employee Benefit Board