

**JOURNAL OF PROCEEDINGS - BOARD OF TRUSTEES -
POLICE & FIRE RETIREMENT SYSTEM - CITY OF DETROIT**

**PROCEEDINGS HELD THURSDAY, MAY 12, 2005 - 9:00 A.M.
IN THE CONFERENCE ROOM OF THE RETIREMENT SYSTEMS
910 COLEMAN A. YOUNG MUNICIPAL CENTER
DETROIT, MICHIGAN 48226**

PRESENT

Marty Bandemer	Trustee
Roger Cheek	Ex/Officio Trustee
Gary Christian	Ex/Officio Trustee
Seth Doyle	Ex/Officio Trustee
Laura Isom	Trustee & Vice Chairperson
Timothy Ngare	Ex/Officio Trustee
George Orzech	Trustee & Chairperson
Paul Stewart	Elected Trustee
Cynthia Thomas	Assistant Executive Secretary
Janet S. Lenear	Recording Secretary
Ronald Zajac	Legal Counsel

EXCUSED

Gregory Best	Trustee
Frank English	Trustee
Sharon McPhail	Ex/Officio Trustee & City Council Member
Walter Stampor	Executive Secretary
Richard Huddleston	Investment Analyst

ABSENT

None

CHAIRPERSON

George Orzech

VICE CHAIRPERSON

Laura Isom

ROLL CALL WAS TAKEN AT 9:00 A.M. BY THE BOARD'S RECORDING SECRETARY AND CHAIRMAN ORZECH CALLED THE MEETING TO ORDER.

RETIREMENTS

BY MR. STEWART - SUPPORTED BY MR. BANDEMER

RESOLVED, THAT THE APPLICATIONS FOR RETIREMENT AND EFFECTIVE DATE CHANGE WHICH ARE OUTLINED BELOW BE APPROVED:

YEAS - TRUSTEES BANDEMER, CHEEK, ISOM, STEWART AND CHAIRMAN ORZECH - 5

NAYS - NONE

RETIREMENTS

**NAME, TITLE, DEPARTMENT
RETIREMENT, PLAN, OPTION, POP-UP**

**SERVICE CREDIT
APPLICATION DATE, EFFECTIVE DATE**

**MELVIN BILLS - FIRE FIGHTER - FIRE
EARLY RETIREMENT - NEW - STRAIGHT
LIFE**

**20 02 26
04 18 05 - 03 28 05**

RETIREMENTS

NAME, TITLE, DEPARTMENT	DANIEL JABLONSKI - BATTALION CHIEF - FIRE
RETIREMENT, PLAN, OPTION, POP-UP SERVICE CREDIT	SERVICE - NEW - A-C 36 06 00
APPLICATION DATE, EFFECTIVE DATE	04 13 05 - 07 06 05

NAME, TITLE, DEPARTMENT	LAWRENCE TERRELL, JR. - COMM. OFFCR. - POLICE OFFCR. - POLICE
RETIREMENT, PLAN, OPTION, POP-UP SERVICE CREDIT	SERVICE - NEW - STRAIGHT LIFE 36 11 24
APPLICATION DATE, EFFECTIVE DATE	04 25 05 - 05 12 05

NAME, TITLE, DEPARTMENT	RICHARD LANCASTER - FIRE ENGINE OPERATOR - FIRE
RETIREMENT, PLAN, OPTION, POP-UP SERVICE CREDIT	SERVICE - NEW - 3, NO POP-UP 34 09 03
APPLICATION DATE, EFFECTIVE DATE	02 04 05 - 04 08 05*

***CHANGE OF EFFECTIVE DATE FROM APRIL 7, 2005 TO APRIL 8, 2005**

CONFIRMATIONS

BY MS. ISOM - SUPPORTED BY MR. BANDEMER

**RESOLVED, THAT THE DISBURSEMENTS AND RECEIPTS WHICH
ARE REFERENCED ON PAGE 4 BE CONFIRMED:**

**YEAS - TRUSTEES BANDEMER, CHEEK, ISOM, STEWART AND
CHAIRMAN ORZECH - 5**

NAYS - NONE

CONFIRMATIONS

THE BOARD **RECEIVED** THE SUM OF **\$347,840.00** ON APRIL 27, 2005 FROM CAPRI'S SELECT INCOME – 2005 FIRST QUARTER DISTRIBUTION

THE BOARD **DISBURSED** THE SUM OF **\$776,003.68** ON MAY 4, 2005 TO FUND DRAW 11 FOR THE KALES BUILDING

THE BOARD **DISBURSED** THE SUM OF **\$281,174.81** ON MAY 5, 2005 TO FUND DRAW 6 FOR PARK AVENUE APARTMENTS (MMA)

THE BOARD **DISBURSED** THE SUM OF **\$158,255.27** ON MAY 10, 2005 TO FUND DRAW 26 FOR SHADOW RIDGE APARTMENTS (MMA)

THE BOARD **RECEIVED** THE SUM OF **\$72,994.33** ON MAY 9, 2005 FROM INLAND'S RETAIL TRUST

THE BOARD **RECEIVED** THE SUM OF **\$573,827.72** ON MAY 4, 2005 FROM WALTON'S REAL ESTATE REIT

REFUNDS OF ACCUMULATED CONTRIBUTIONS

BY MS. ISOM - SUPPORTED BY MR. STEWART

RESOLVED, THAT THE CONTRIBUTIONS TO THE ANNUITY SAVINGS FUND BY MEMBERS OF THE POLICEMEN AND FIREMEN RETIREMENT SYSTEM OF THE CITY OF DETROIT, AS SET FORTH ON LIST #3167 (WHICH IS REFERENCED AT THE END OF THESE PROCEEDINGS), IN THE AMOUNT OF \$914,486.21, INCLUDING INTEREST, BE REFUNDED PENDING AUDIT BY RETIREMENT SYSTEM ACCOUNTING STAFF:

**YEAS - TRUSTEES BANDEMER, CHEEK, ISOM, STEWART AND
CHAIRMAN ORZECH - 5**

NAYS - NONE

MINUTES OF THURSDAY, APRIL 21, 2005

BY MR. BANDEMER - SUPPORTED BY MR. STEWART

RESOLVED, THAT THE MINUTES OF THE MEETING HELD THURSDAY, APRIL 21, 2005 BE APPROVED AS RECORDED AND SUBMITTED BY THE BOARD'S RECORDING SECRETARY:

**YEAS - TRUSTEES BANDEMER, CHEEK, ISOM, STEWART AND
CHAIRMAN ORZECH - 5**

NAYS - NONE

| LEGAL COUNSEL RONALD ZAJAC ENTERED THE MEETING.

**| EX/OFFICIO TRUSTEES SETH DOYLE AND TIMOTHY NGARE
ENTERED THE MEETING.**

| EX/OFFICIO TRUSTEE GARY CHRISTIAN ENTERED THE MEETING.

PERSONAL SERVICES CONTRACT OF SHIRLEY HILL

BY MS. ISOM - SUPPORTED BY MR. STEWART

RESOLVED, THAT THE BOARD'S PERSONAL SERVICES CONTRACT WITH SHIRLEY HILL TO SUPERVISE CERTAIN RETIREMENT SYSTEM EMPLOYEES AND PROVIDE RETIREMENT ALLOWANCE COMPUTATION SERVICES TO THE BOARD BE APPROVED FOR THE PERIOD DESIGNATED BELOW AT THE HOURLY RATES SO SPECIFIED IN SAID CONTRACT, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO MS. HILL:

COMMENCING: MAY 9, 2005

TERMINATING: UPON THE BOARD'S REQUEST OR UPON MS. HILL'S REQUEST

YEAS - TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE, ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 8

NAYS - NONE

REQUEST OF RUSSELL ARBUCKLE

BY MR. BANDEMER - SUPPORTED BY MS. ISOM

WHEREAS, RUSSELL ARBUCKLE HAS PRESENTED THE BOARD WITH A REQUEST TO RECEIVE A REFUND OF THE MILITARY SERVICE TIME HE PURCHASED, PER A MAY 8, 2005 COMMUNICATION, THEREFORE BE IT

RESOLVED, THAT THE REQUEST OF MR. ARBUCKLE BE APPROVED:

YEAS - TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE, ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 8

NAYS - NONE

REQUEST OF DENNIS DERMIDOFF

BY MR. BANDEMER - SUPPORTED BY MS. ISOM

WHEREAS, DENNIS DERMIDOFF HAS PRESENTED THE BOARD WITH A REQUEST TO RECEIVE A REFUND OF THE MILITARY SERVICE TIME HE PURCHASED, PER AN APRIL 29, 2005 COMMUNICATION, THEREFORE BE IT

RESOLVED, THAT THE REQUEST OF MR. DERMIDOFF BE APPROVED:

YEAS - TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE, ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 8

NAYS - NONE

REQUEST OF DONALD KNOBBELSDORF

BY MR. BANDEMER - SUPPORTED BY MS. ISOM

WHEREAS, DONALD KNOBBELSDORF HAS PRESENTED THE BOARD WITH A REQUEST TO RECEIVE A REFUND OF THE MILITARY SERVICE TIME HE PURCHASED, PER AN APRIL 20, 2005 COMMUNICATION, THEREFORE BE IT

RESOLVED, THAT THE REQUEST OF MR. KNOBBELSDORF BE APPROVED:

YEAS - TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE, ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 8

NAYS - NONE

2004 PERSONAL BENEFITS STATEMENT

BY MS. ISOM - SUPPORTED BY MR. STEWART

RESOLVED, THAT THE BOARD ACCEPT AND APPROVE THE SYSTEM'S 2004 PERSONAL BENEFITS STATEMENT AS AMENDED:

YEAS - TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE, ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 8

NAYS - NONE

REQUEST OF BEVERLY PEETE

BY MR. DOYLE - SUPPORTED BY MR. CHRISTIAN

WHEREAS, BEVERLY PEETE, WIDOW OF DECEASED RICHARD PEETE, PER AN APRIL 26, 2005 COMMUNICATION, HAS PETITIONED THE BOARD TO CHANGE THE NAMED BENEFICIARY FROM RASHIDA PEETE (DAUGHTER OF DECEASED RICHARD PEETE) TO BEVERLY PEETE (WIDOW OF DECEASED RICHARD PEETE), AND

WHEREAS, THE BOARD HAS NO AUTHORITY TO DISREGARD THE NAMING OF THE BENEFICIARY BY MR. PEETE, THEREFORE BE IT

RESOLVED, THAT THE AFORESAID PETITION OF BEVERLY PEETE BE DENIED AND A COPY OF THIS RESOLUTION BE FORWARDED TO BEVERLY PEETE:

YEAS - TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE, ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 8

NAYS - NONE

SMITH BARNEY

BRUCE BALLARD AND AN ASSOCIATE APPEARED BEFORE THE BOARD, DISCUSSED THE BANK OF NEW YORK AND 2005 FIRST QUARTER PERFORMANCE AND THEN EXCUSED THEMSELVES.

ENVIRONMENTAL DISPOSAL SYSTEMS, INC.

BY MR. BANDEMER - SUPPORTED BY MS. ISOM

Whereas, The Board has been presented with a May 3, 2005 communication from McTevia and Associates wherein McTevia and Associates requests that the Board fund Draw 28 for EDS, Inc. in the amount of \$259,121.00, Therefore Be It

Resolved, That subject to final approval of all transaction documents by the Boards Legal Counsel, the Board approve said funding:

**YEAS - TRUSTEES BANDEMER, CHEEK, DOYLE, ISOM, NGARE
AND CHAIRMAN ORZECH - 6**

NAYS - TRUSTEES CHRISTIAN AND STEWART - 2

BANYAN REALTY ADVISORS, LLC - IDLEWYLDE APARTMENTS

BY MR. CHRISTIAN - SUPPORTED BY MR. CHEEK

WHEREAS, BANYAN REALTY ADVISORS, LLC HAS PRESENTED THE BOARD WITH AN APRIL 28, 2005 COMMUNICATION WHEREIN BANYAN REQUESTS THAT THE BOARD ACCEPT AND APPROVE THE REQUESTS WHICH ARE REFERENCED BELOW RELATIVE TO IDLEWYLDE, AND

WHEREAS, THE BOARD HAS DISCUSSED SAID REQUESTS, THEREFORE BE IT

RESOLVED, THAT THE BOARD ACCEPTS AND APPROVE SAID REQUESTS:

BANYAN REALTY ADVISORS, LLC - IDLEWYLDE APARTMENTS

**REQUEST 1: APPROVE BANYAN REALTY ADVISORS, LLC
PERFORMING A PHASE I "ALTERNATIVES
AND OPTIONS" EVALUATION OF THE
IDLEWYLDE PROPERTY**

**REQUEST 2: DESIGNATE F. LOGAN DAVIDSON AS SPECIAL
COUNSEL REGARDING THIS TRANSACTION**

**YEAS - TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE,
ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 8**

NAYS - NONE

BILL PAYMENT REQUESTS

BY MS. ISOM - SUPPORTED BY MR. BANDEMER

**WHEREAS, THE BOARD IS IN RECEIPT OF THE FOLLOWING
BILLINGS REQUESTING PAYMENT FOR SERVICES RENDERED,
AND**

**WHEREAS, THE BOARD IS SATISFIED THAT SERVICES WERE
PROVIDED TO THE BOARD AS REQUESTED BY THE BOARD,
THEREFORE BE IT**

**RESOLVED, THAT SUBJECT TO STAFF AUDIT, THE BOARD
APPROVE PAYMENT OF SAID BILLINGS:**

FIRM OR INDIVIDUAL, DATE, AMOUNT, SERVICE(S) PROVIDED

**ADP, INC. - APRIL 8, 2005 - \$3,818.61 - POLICE AND FIRE
PORTION OF \$7,637.21 - CONTRACT/MISCELLANEOUS SERVICES
- INVOICE #163737**

BILL PAYMENT REQUESTS

FIRM OR INDIVIDUAL, DATE, AMOUNT, SERVICE(S) PROVIDED

**ADVENT CAPITAL MANAGEMENT - MAY 2, 2005 - \$67,127.61 -
2005 FIRST QUARTER MANAGEMENT FEES**

**CALAMOS ASSET MANAGEMENT - APRIL 28, 2005 - \$143,751.34 -
2005 FIRST QUARTER MANAGEMENT FEES**

**CONSULTING PHYSICIANS - MAY 11, 2005 - \$700.00 - AHISHA
PEAY EXAM**

**COUZENS LANSKY - MAY 8, 2005 - \$190.00 MISCELLANEOUS
SERVICES**

**CREDIT SUISSE - APRIL 26, 2005 - \$77,226.76 - 2005 FIRST
QUARTER MANAGEMENT FEES**

**DIMENSIONAL FUND ADVISORS - APRIL 18, 2005 - \$122,793.29 -
2005 FIRST QUARTER FEES**

**EARTH LINK - APRIL 29, 2005 - \$34.48 - POLICE AND FIRE
PORTION OF \$68.96 - TRUSTEE INTERNET ACCESS**

**FISHER INVESTMENTS - APRIL 13, 2005 - \$156,454.07 - 2005
FIRST QUARTER FEES**

**GABRIEL, ROEDER, SMITH & COMPANY - MAY 1, 2005 -
\$4,150.00 - MAY, 2005 SERVICES**

**IRON MOUNTAIN - APRIL 30, 2005 - \$76.42 - POLICE AND FIRE
PORTION OF \$152.83 - CONTRACT/MISCELLANEOUS SERVICES -
INVOICE #BK-39623**

BILL PAYMENT REQUESTS

FIRM OR INDIVIDUAL, DATE, AMOUNT, SERVICE(S) PROVIDED

**IRON MOUNTAIN - APRIL 30, 2005 - \$655.77 - POLICE AND FIRE
PORTION OF \$1,311.54 - CONTRACT/MISCELLANEOUS SERVICES
- INVOICE #BK-39623**

**KENWOOD GROUP, THE - APRIL 27, 2005 - \$59,051.30 - 2005
FIRST QUARTER MANAGEMENT FEES**

**BETTY LOWE - MAY 3, 2005 - \$1,699.20 - APRIL, 2005
INTERVIEWING SERVICES**

**MERRILL LYNCH - MAY 2, 2005 - \$18,222.36 - JANUARY, 2005 -
MARCH, 2005 SERVICES**

**MILLENNIUM BUSINESS SYSTEMS - APRIL 25, 2005 - \$5.00 -
POLICE AND FIRE PORTION OF \$10.00 -
CONTRACT/MISCELLANEOUS SERVICES - INVOICE #PL-0472**

**ORRICK - MARCH 21, 2005 - \$23,474.21 - SERVICES THROUGH
FEBRUARY, 2005**

**PRACTITIONER'S PUBLISHING - APRIL 20, 2005 - \$48.85 -
POLICE AND FIRE PORTION OF \$97.70 - PRINTING COSTS -
INVOICE #8425284**

**RETIREMENT SYSTEM EMPLOYEES - \$2,477.72 - POLICE AND
FIRE PORTION OF \$4,955.44 - RETRO PAY ADJUSTMENTS FOR
CERTAIN RETIREMENT SYSTEM EMPLOYEES**

**SMILEY, STEPHANIE - MAY 3, 2005 - \$1,368.57 - APRIL, 2005
IMAGING SERVICES**

**TIMMIS & INMAN - APRIL 27, 2005 - \$2,014.80 - MARCH, 2005
SERVICES**

BILL PAYMENT REQUESTS

FIRM OR INDIVIDUAL, DATE, AMOUNT, SERVICE(S) PROVIDED

**VIKING OFFICE PRODUCTS - MAY 2, 2005 - \$158.48 - POLICE
AND FIRE PORTION OF \$316.95 - OFFICE SUPPLIES**

**YEAS - TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE,
ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 8**

NAYS - NONE

**FOR THE PURPOSE OF DISCUSSING CERTAIN STAFF ISSUES,
THE CHAIRMAN REQUESTED THAT A MOTION BE MADE FOR THE
BOARD TO ENTER INTO CLOSED SESSION.**

CLOSED SESSION

By Mr. Doyle - Supported by Mr. Stewart

**Resolved, That the Board enter into Closed Session for the
purpose of discussing certain staff issues:**

A Roll Call Vote was taken as follows:

**YEAS - TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE,
ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 8**

NAYS - NONE

The Board entered into Closed Session at 12:45 P.M.

**Chairman Orzech then asked everyone other than Board
members and Legal Counsel to excuse themselves.**

OPEN SESSION

By Mr. Bandemer - Supported by Mr. Doyle

Resolved, That the Board return to Open Session:

A Roll Call Vote was taken as follows:

**YEAS - TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE,
ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 8**

NAYS - NONE

The Board returned to Open Session at 1:55 P.M. and everyone who had excused themselves during Closed Session re-joined the Meeting.

LEGAL COUNSEL'S REPORTS

LEGAL COUNSEL RONALD ZAJAC DISCUSSED VARIOUS MATTERS WITH THE BOARD, INCLUDING 1099-R DISABILITY PAYMENTS, THE CALPINE CORPORATION, THE PFRS PATRICK CENTER CORPORATION, AS WELL AS THE DELPHI CORPORATION.

PFRS PATRICK CENTER CORPORATION

THE BOARD WAS MADE AWARE OF THE EXECUTION OF THE LIST OF OFFICERS, DIRECTORS AND RESIDENT AGENT OF THE CORPORATION (DATED MAY 12, 2005) BY AN OFFICER OF THE CORPORATION.

IRS/FORM 945

LEGAL COUNSEL PROVIDED EACH MEMBER OF THE BOARD WITH A COPY OF A MAY 2, 2005 (AND MAY 4, 2005) COMMUNICATION FROM THE IRS TO THE BOARD REGARDING THE ABOVE-CAPTIONED MATTER.

IRS/1099-R DISABILITY PAYMENTS

LEGAL COUNSEL PROVIDED EACH BOARD MEMBER WITH A COPY OF A MAY 5, 2005 COMMUNICATION FROM LEGAL COUNSEL TO THE IRS REGARDING THE ABOVE-CAPTIONED MATTER.

CALPINE CORPORATION

LEGAL COUNSEL PROVIDED EACH BOARD MEMBER WITH A COPY OF AN APRIL 28, 2005 COMMUNICATION FROM SPECIAL COUNSEL KOHN, SWIFT AND GRAF TO LEGAL COUNSEL REGARDING THE ABOVE-CAPTIONED SECURITIES LITIGATION.

OM GROUP MEDIATION HEARING IN NEW YORK

LEGAL COUNSEL AND TRUSTEE CHEEK DISCUSSED THE OM GROUP MEDIATION HEARING THEY ATTENDED IN NEW YORK IN APRIL, 2005.

**WALTER ROBINSON VERSUS THE POLICE AND FIRE
RETIREMENT SYSTEM**

BY MR. BANDEMER - SUPPORTED BY MR. STEWART

WHEREAS, The Board's general policy is to assign lawsuits to special counsel who coordinates with general counsel regarding representations of the interests of the Retirement System, and

WHEREAS, General counsel suggests that due to the nature of this case, general counsel continue being the attorney of record and using outside legal services and law clerks as an on-needed basis, therefore be it

RESOLVED, That the Board approves expenses of up to three thousand (\$3,000.00) dollars for use of other attorneys and/or law clerks to assist general counsel regarding research, brief drafting, discovery and court hearings regarding this matter, and be it further

RESOLVED, That any expenses in excess of \$3,000.00 are subject to approval of the Board per separate resolution:

**YEAS - TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE,
ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 8**

NAYS - NONE

KIBLER VERSUS KIBLER
LIVINGSTON COUNTY CASE #96-24876-DM

BY MS. ISOM – SUPPORTED BY MR. STEWART

WHEREAS, THE BOARD IS IN RECEIPT OF A NOVEMBER 5, 1997 JUDGMENT OF DIVORCE WHEREIN JACQUELINE KIBLER IS AWARDED CERTAIN RIGHTS TO THE DEFINED BENEFIT PLAN AND DEFINED CONTRIBUTION PLAN BENEFITS OF ROBERT KIBLER, SUBJECT TO THE ENTRY OF AN EDRO, AND

WHEREAS, PARTICIPANT'S DATE OF BIRTH IS MARCH 28, 1965, AND, TO DATE, PARTICIPANT HAS ATTAINED 14 YEARS AND 02 MONTHS OF SERVICE CREDIT, AND

WHEREAS, SUBJECT TO THE ENTRY OF AN EDRO, ALTERNATE PAYEE IS ENTITLED TO CLAIM A PORTION OF PARTICIPANT'S DEFINED BENEFIT AND DEFINED CONTRIBUTION PLAN, AND

WHEREAS, SUBJECT TO THE ENTRY OF AN EDRO, DEFINED CONTRIBUTION PLAN AMOUNTS CAN BE MADE TO THE PARTICIPANT OR ALTERNATE PAYEE UPON PARTICIPANT ATTAINING 25 YEARS OF SERVICE CREDIT, OR TERMINATION OF SERVICE, OR UPON PARTICIPANT ATTAINING THE AGE OF 60 YEARS AND FURTHER SUBJECT TO APPLICATION FOR SAME BEING MADE BY THE PARTY SEEKING PAYMENT; AND THE EARLIEST DATE THAT PAYMENTS FROM THE DEFINED BENEFIT PLAN CAN BE MADE TO THE PARTICIPANT OR ALTERNATE PAYEE IS UPON PARTICIPANT ATTAINING 25 YEARS OF SERVICE CREDIT OR, OTHERWISE, RECEIVING RETIREMENT BENEFITS, AND

WHEREAS, THE BOARD'S POLICY IS TO REQUIRE THAT THE COST FOR THE ACTUARY'S CALCULATIONS ARE TO BE BORNE BY THE PARTIES TO THE DOMESTIC RELATIONS

KIBLER VERSUS KIBLER
LIVINGSTON COUNTY CASE #96-24876-DM

PROCEEDINGS, AND THE EDRO SHOULD PROVIDE FOR PAYMENT OF THE ACTUARY'S FEES, AND

RESOLVED, THAT THE BOARD ACKNOWLEDGE RECEIPT OF SAID COURT ORDER. BUT THAT NO PENSION BENEFITS BE PAID PENDING ENTRY OF AN EDRO CONSISTENT WITH PUBLIC ACT 46 OF 1991, A COPY OF THIS RESOLUTION BE IMMEDIATELY ATTACHED AS THE TOP SHEET OF THE PENSION FILE, OTHER APPROPRIATE RECORDS BE RETAINED BY THE RETIREMENT SYSTEM RELATIVE TO THIS MATTER, AND A COPY OF THIS RESOLUTION BE FORWARDED TO ATTORNEY WILLIAM FOREN, ATTORNEY DONALD STOLBERG, JACQUELINE KIBLER AND ROBERT KIBLER:

YEAS – TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE, ISOM,
 NGARE, STEWART AND CHAIRMAN ORZECH – 8

NAYS – NONE

KOSS VERSUS KOSS

WAYNE COUNTY CASE #04-424937-D0

BY MS. ISOM – SUPPORTED BY MR. STEWART

WHEREAS, THE BOARD IS IN RECEIPT OF AN APRIL 20, 2005 DOMESTIC RELATIONS ORDER WHICH AMENDS/SUPPLEMENTS AN ORDER OF SEPARATE MAINTENANCE, AND

WHEREAS, THE BOARD HAS BEEN INFORMED THAT PARTICIPANT RETIRED EFFECTIVE NOVEMBER 14, 1975, AND

WHEREAS, PARTICIPANT'S DATE OF BIRTH IS JULY 16, 1920, AND PARTICIPANT HAD ATTAINED 25 YEARS, 05 MONTHS AND 09 DAYS OF SERVICE CREDIT, AND

WHEREAS, ALTERNATE PAYEE IS NOT ENTITLED TO CLAIM A PORTION OF PARTICIPANT'S DEFINED CONTRIBUTION PLAN AS ALL AMOUNTS WERE PREVIOUSLY WITHDRAWN FROM THE DEFINED CONTRIBUTION PLAN, BUT ALTERNATE PAYEE IS ENTITLED TO CLAIM A PORTION OF PARTICIPANT'S DEFINED BENEFIT PLAN, AND

WHEREAS, THE EARLIEST DATE THAT PAYMENTS FROM THE DEFINED BENEFIT PLAN CAN BE MADE TO THE PARTICIPANT OR ALTERNATE PAYEE IS IMMEDIATELY, AND

WHEREAS, THE BOARD'S POLICY IS TO REQUIRE THAT THE COST FOR THE ACTUARY'S CALCULATIONS ARE TO BE BORNE BY THE PARTIES TO THE DOMESTIC RELATIONS PROCEEDINGS, AND THE COURT ORDER PROVIDES FOR THE PARTIES TO SHARE THE COST OF THE ACTUARY'S FEES, AND

WHEREAS, SAID MATTER HAS BEEN DISCUSSED WITH LEGAL COUNSEL WHO HAS OPINED THAT THE APPLICABLE TERMS OF SAID COURT ORDER ARE CONSISTENT WITH THE PROVISIONS

KOSS VERSUS KOSS

WAYNE COUNTY CASE #04-424937-D0

OF THE RETIREMENT SYSTEM AND APPLICABLE LAW, THEREFORE
BE IT

RESOLVED, THAT THE BOARD ACKNOWLEDGE RECEIPT OF SAID
COURT ORDER AND PAY PENSION BENEFITS CONSISTENT WITH
SAID COURT ORDER, A COPY OF THIS RESOLUTION BE
IMMEDIATELY ATTACHED AS THE TOP SHEET OF THE PENSION FILE,
OTHER APPROPRIATE RECORDS BE RETAINED BY THE RETIREMENT
SYSTEM RELATIVE TO THIS MATTER, AND A COPY OF THIS
RESOLUTION BE FORWARDED TO ATTORNEY JAMES SMITH AND
JULIA KOSS AND JOHN KOSS:

YEAS – TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE, ISOM,
NGARE, STEWART AND CHAIRMAN ORZECH – 8

NAYS – NONE

WILSON VERSUS WILSON
WAYNE COUNTY CASE #04-425168-DO

BY MS. ISOM – SUPPORTED BY MR. STEWART

WHEREAS, THE BOARD IS IN RECEIPT OF AN APRIL 25, 2005 JUDGMENT OF DIVORCE WHICH AMENDS/SUPPLEMENTS A MARCH 15, 2005 JUDGMENT OF DIVORCE WHEREIN TEETRICK WILSON IS AWARDED CERTAIN RIGHTS TO THE DEFINED BENEFIT PLAN AND DEFINED CONTRIBUTION PLAN BENEFITS OF WHO IS CURRENTLY AN ACTIVE EMPLOYEE, AND

WHEREAS, PARTICIPANT'S DATE OF BIRTH IS SEPTEMBER 2, 1959, AND, TO DATE, PARTICIPANT HAS ATTAINED 23 YEARS AND 02 MONTHS OF SERVICE CREDIT, AND

WHEREAS, ALTERNATE PAYEE IS ENTITLED TO CLAIM A PORTION OF PARTICIPANT'S DEFINED CONTRIBUTION PLAN, PAYMENT OF WHICH IS SUBJECT TO PARTICIPANT'S ELIGIBILITY FOR WITHDRAWAL FROM DEFINED CONTRIBUTION PLAN, AND SUBJECT TO ALTERNATE PAYEE FILING AN APPLICATION FOR SAME; AND ALTERNATE PAYEE IS ENTITLED TO CLAIM A PORTION OF PARTICIPANT'S DEFINED BENEFIT PLAN, AND

WHEREAS, DEFINED CONTRIBUTION PLAN AMOUNTS CAN BE MADE TO THE PARTICIPANT OR ALTERNATE PAYEE UPON PARTICIPANT ATTAINING 25 YEARS OF SERVICE CREDIT, OR TERMINATION OF SERVICE, OR UPON PARTICIPANT ATTAINING THE AGE OF 60 YEARS, AND SUBJECT TO APPLICATION FOR SAME BEING MADE BY THE PARTY SEEKING PAYMENT; AND THE EARLIEST DATE THAT PAYMENTS FROM THE DEFINED BENEFIT PLAN CAN BE MADE TO THE PARTICIPANT OR ALTERNATE PAYEE IS UPON PARTICIPANT

WILSON VERSUS WILSON
WAYNE COUNTY CASE #04-425168-DO

ATTAINING 25 YEARS OF SERVICE CREDIT OR, OTHERWISE, RECEIVING RETIREMENT BENEFITS, AND

WHEREAS, THE BOARD'S POLICY IS TO REQUIRE THAT THE COST FOR THE ACTUARY'S CALCULATIONS ARE TO BE BORNE BY THE PARTIES TO THE DOMESTIC RELATIONS PROCEEDINGS, BUT THE COURT ORDER IS SILENT AS TO PAYMENT OF THE ACTUARY'S FEES, THEREFORE THE BOARD WILL ASSESS EACH PARTY ONE-HALF OF SAID COSTS, AND

WHEREAS, SAID MATTER HAS BEEN DISCUSSED WITH LEGAL COUNSEL WHO HAS OPINED THAT THE APPLICABLE TERMS OF SAID COURT ORDER ARE CONSISTENT WITH THE PROVISIONS OF THE RETIREMENT SYSTEM AND APPLICABLE LAW, INCLUDING PUBLIC ACT 46 OF 1991 (MCLA 38.1701), AS APPLICABLE, THEREFORE BE IT

RESOLVED, THAT THE BOARD ACKNOWLEDGE RECEIPT OF SAID COURT ORDER AND PAY PENSION BENEFITS CONSISTENT WITH SAID COURT ORDER, A COPY OF THIS RESOLUTION BE IMMEDIATELY ATTACHED AS THE TOP SHEET OF THE PENSION FILE, OTHER APPROPRIATE RECORDS BE RETAINED BY THE RETIREMENT SYSTEM RELATIVE TO THIS MATTER, AND A COPY OF THIS RESOLUTION BE FORWARDED TO ATTORNEY TRACEY WHEELER, ATTORNEY EDWARD HOMEIER AND TEETRICK WILSON AND ERIC WILSON:

YEAS – TRUSTEES BANDEMER, CHEEK, CHRISTIAN, DOYLE, ISOM,
NGARE, STEWART AND CHAIRMAN ORZECH – 8

NAYS – NONE

PUBLIC FORUM

AT 2:28 P.M., CHAIRMAN ORZECH DECLARED THE MEETING IN OPEN FORUM FOR GENERAL DISCUSSION BY THE PUBLIC ATTENDING THE MEETING.

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, CHAIRMAN ORZECH ADJOURNED THE MEETING AT 3:00 P.M. UNTIL THURSDAY, MAY 19, 2005, AT 9:00 A.M., IN ROOM 910 OF THE COLEMAN A. YOUNG MUNICIPAL CENTER, DETROIT, MICHIGAN 48226.

RESPECTFULLY SUBMITTED,

ASSISTANT EXECUTIVE SECRETARY

