

MEETING NUMBER 2595

**JOURNAL OF PROCEEDINGS OF THE BOARD OF TRUSTEES OF THE
POLICE AND FIRE RETIREMENT SYSTEM OF THE CITY OF DETROIT**



**PROCEEDINGS HELD THURSDAY, SEPTEMBER 28, 2006
9:00 A.M.
IN THE CONFERENCE ROOM OF THE RETIREMENT SYSTEMS
910 COLEMAN A. YOUNG MUNICIPAL CENTER
DETROIT, MICHIGAN 48226**



PRESENT

Marty Bandemer	Elected Trustee
Jeffrey Beasley	Ex/Officio Trustee/Treasurer
Gary Christian	Ex/Officio Alternate Trustee
Seth Doyle	Ex/Officio Alternate Trustee
Frank English	Elected Trustee/Chairperson
DeDan Milton	Ex/Officio Alternate Trustee
James Moore	Elected Trustee
George Orzech	Elected Trustee
Paul Stewart	Elected Trustee
Alberta Tinsley-Talabi	Ex/Officio Trustee/City Council Representative
Walter Stampor	Executive Secretary
Cynthia Thomas	Assistant Executive Secretary
Janet S. Lenear	Recording Secretary
Ronald Zajac	Legal Counsel
Joe Turner	Special Legal Counsel

EXCUSED

Gregory Best	Elected Trustee/Vice Chairperson
Richard Huddleston	Investment Analyst

ABSENT

None

CHAIRPERSON

Frank English

**ROLL CALL WAS TAKEN AT 9:07 A.M. BY THE BOARD'S
RECORDING SECRETARY AND THE MEETING WAS CALLED TO
ORDER.**

INHERITANCE CAPITAL

BY MR. STEWART - SUPPORTED BY MR. BANDEMER

Whereas, The Board has been presented with a **September 27, 2006** communication from Inheritance Capital wherein Inheritance requests that the Board fund the capital installment due for Inheritance Capital Group, LLC in the amount of **\$6,900,000.00**, Therefore Be It

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

YEAS - TRUSTEES BANDEMER, DOYLE, ORZECH, STEWART AND CHAIRMAN
ENGLISH - 5

NAYS - NONE

CONFIRMATIONS

BY MR. STEWART - SUPPORTED BY MR. DOYLE

RESOLVED, THAT THE **DISBURSEMENT** AND **RECEIPTS** WHICH ARE
OUTLINED BELOW BE **CONFIRMED**:

YEAS - TRUSTEES BANDEMER, DOYLE, ORZECH, STEWART AND CHAIRMAN
ENGLISH - 5

NAYS - NONE

CONFIRMATIONS

THE BOARD **DISBURSED** THE SUM OF **\$666,708.67** ON SEPTEMBER 21, 2006 TO FUND DRAW "5" FOR SAVANNAH RIVER

THE BOARD **RECEIVED** THE SUM OF **\$900,000.00** ON SEPTEMBER 21, 2006 FROM LIBERTY LIFE'S C-IV-U. S. POWER FUND

THE BOARD **RECEIVED** THE SUM OF **\$550,796.87** ON SEPTEMBER 22, 2006 FROM MAYFIELD GENTRY REALTY ADVISORS

THE BOARD **RECEIVED** THE SUM OF **\$35,728.13** ON SEPTEMBER 26, 2006 FROM STATE STREET – CLASS ACTION PROCEEDS

REFUNDS OF ACCUMULATED CONTRIBUTIONS

BY MR. BANDEMER – SUPPORTED BY MR. DOYLE

RESOLVED, THAT THE CONTRIBUTIONS TO THE ANNUITY SAVINGS FUND BY MEMBERS OF THE POLICE AND FIRE RETIREMENT SYSTEM OF THE CITY OF DETROIT, AS SET FORTH ON LIST **#3212** IN THE AMOUNT OF **\$298,288.93**, INCLUDING INTEREST, BE REFUNDED PENDING AUDIT BY RETIREMENT SYSTEM ACCOUNTING STAFF:

YEAS – TRUSTEES BANDEMER, DOYLE, ORZECH, STEWART AND CHAIRMAN ENGLISH – 5

NAYS – NONE

- ▶ TRUSTEE MOORE ENTERED THE MEETING.
- ▶ TRUSTEE BANDEMER TEMPORARILY EXCUSED HIMSELF.
- ▶ TRUSTEE BANDEMER RE-JOINED THE MEETING.
- ▶ TRUSTEE MILTON ENTERED THE MEETING.

BILL PAYMENT REQUESTS

BY MR. DOYLE – SUPPORTED BY MR. MOORE

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 – SEPTEMBER 15, 2006 - \$3,979.64 – POLICE AND FIRE PORTION OF \$7,959.27 – CONTRACT AND MISCELLANEOUS SERVICES

ADP – AUGUST 11, 2006 - \$4,131.20 – POLICE AND FIRE PORTION OF \$8,262.40 – CONTRACT AND MISCELLANEOUS SERVICES

ADP – AUGUST 4, 2006 - \$1,930.22 – POLICE AND FIRE PORTION OF \$3,860.43 – CONTRACT AND MISCELLANEOUS SERVICES

CRAIN'S DETROIT BUSINESS – SEPTEMBER 27, 2006 - \$39.00 – MISCELLANEOUS EXPENSES

GENERAL RETIREMENT SYSTEM – SEPTEMBER 27, 2006 - \$31,782.34 – POLICE AND FIRE PORTION OF \$63,564.67 – EMPLOYEE PAYROLL FOR THE PERIOD AUGUST 21, 2006 THROUGH SEPTEMBER 22, 2006

LOGIX – SEPTEMBER 12, 2006 - \$1,519.50 – POLICE AND FIRE PORTION OF \$3,039.00 – EQUIPMENT/ACQUISITIONS

MILLENNIUM BUSINESS SYSTEMS – SEPTEMBER 20, 2006 - \$990.00 – POLICE AND FIRE PORTION OF \$1,980.00 – CONTRACT AND MISCELLANEOUS SERVICES

OFFICE DEPOT – SEPTEMBER 20, 2006 - \$353.10 – POLICE AND FIRE PORTION OF \$706.20 – OFFICE SUPPLIES

BILL PAYMENT REQUESTS

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

HAROLD LAMKIN – SEPTEMBER 25, 2006 - \$4,168.23 – SEPTEMBER, 2006
COMPUTER SERVICES

FRANK LEARNED – SEPTEMBER 25, 2006 - \$4,282.81 – SEPTEMBER, 2006
COMPUTER SERVICES

ANITA LINET – SEPTEMBER 25, 2006 - \$2,297.68 – SEPTEMBER, 2006
COMPUTER SERVICES

DENNIS LINET – SEPTEMBER 25, 2006 - \$6,738.69 – SEPTEMBER, 2006
COMPUTER SERVICES

MICHAEL POWNING – SEPTEMBER 25, 2006 - \$5,456.67 – SEPTEMBER, 2006
COMPUTER SERVICES

SANJAY PRASAD – SEPTEMBER 25, 2006 - \$5,761.47 – SEPTEMBER, 2006
COMPUTER SERVICES

RONALD REEVES – SEPTEMBER 25, 2006 - \$4,560.00 – SEPTEMBER, 2006
COMPUTER SERVICES

RAY TCHOU – SEPTEMBER 25, 2006 - \$6,491.20 – SEPTEMBER, 2006
COMPUTER SERVICES

ED ZARZYCKI - SEPTEMBER 25, 2006 - \$3,120.00 – SEPTEMBER, 2006
COMPUTER SERVICES

YEAS – TRUSTEES BANDEMER, DOYLE, MILTON, MOORE, ORZECH, STEWART
AND CHAIRMAN ENGLISH – 7

NAYS – NONE

► LEGAL COUNSEL RONALD ZAJAC ENTERED THE MEETING.

THE REQUEST OF ALMA VOSS

BY MR. DOYLE – SUPPORTED BY MR. STEWART

WHEREAS, **ALMA VOSS** HAS PRESENTED THE BOARD WITH A REQUEST TO RETURN TO WORK, THEREFORE BE IT

RESOLVED, THAT **MS. VOSS'** MEDICAL FILE BE FORWARDED TO THE BOARD'S **MEDICAL DIRECTOR** AND THE BOARD'S **MEDICAL DIRECTOR** BE REQUESTED TO SCHEDULE AN EXAMINATION ON MS. VOSS' BEHALF:

YEAS – TRUSTEES BANDEMER, DOYLE, MILTON, MOORE, ORZECH, STEWART AND CHAIRMAN ENGLISH – 7

NAYS – NONE

DISABILITY RETIREMENT REVIEW BOARD OF MAYA REECE

BY MR. DOYLE – SUPPORTED BY MR. ORZECH

WHEREAS, THE BOARD IS IN RECEIPT OF A SEPTEMBER 20, 2006 COMMUNICATION FROM **ARBITRATOR SUGERMAN** WHEREIN ARBITRATOR SUGERMAN RECOMMENDS THAT **MAYA REECE** RECEIVE A PSYCHIATRIC EVALUATION FOR THE PURPOSE OF ASCERTAINING POST TRAUMATIC STRESS SYNDROME DISABILITY, AND

WHEREAS, THE BOARD HAS DISCUSSED THE RECOMMENDATION OF ARBITRATOR SUGERMAN, THEREFORE BE IT

RESOLVED, THAT MS. REECE HEREBY RECEIVE A PSYCHIATRIC EVALUATION PERFORMED BY A PSYCHIATRIST (CHOSEN BY DR. VILA FOR MS. REECE AND DR. SHEINER FOR THE POLICE DEPARTMENT) FOR THE PURPOSE OF ASCERTAINING POST TRAUMATIC STRESS SYNDROME DISABILITY, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE AFFORDED ARBITRATOR SUGERMAN, MAYA REECE AND THE MEDICAL SECTION OF THE DETROIT POLICE DEPARTMENT:

DISABILITY RETIREMENT REVIEW BOARD OF MAYA REECE

YEAS – TRUSTEES BANDEMER, DOYLE, MILTON, MOORE, ORZECH, STEWART
AND CHAIRMAN ENGLISH – 7

NAYS – NONE

▶ EX/OFFICIO TRUSTEE CHRISTIAN ENTERED THE MEETING.

▶ EX/OFFICIO TRUSTEE BEASLEY ENTERED THE MEETING.

BILL PAYMENT REQUESTS

BY MR. DOYLE – SUPPORTED BY MR. MOORE

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

CLARK HILL – SEPTEMBER 21, 2006 - \$9,740.25 – AUGUST, 2006 SERVICES -
MISCELLANEOUS

CLARK HILL – SEPTEMBER 21, 2006 - \$598.25 – AUGUST, 2006 SERVICES – SYN
COM V

CLARK HILL – SEPTEMBER 21, 2006 - \$421.20 – AUGUST, 2006 SERVICES –
MMA

CLARK HILL – SEPTEMBER 21, 2006 - \$12.85 – AUGUST, 2006 SERVICES –
PERSEUS PARTNERS VII

YEAS – TRUSTEES BANDEMER, BEASLEY, CHRISTIAN, DOYLE, MILTON,
MOORE, ORZECH, STEWART AND CHAIRMAN ENGLISH – 9

NAYS – NONE

MCTEVIA & ASSOCIATES

GARY GIUMETTI APPEARED BEFORE THE BOARD AND DISCUSSED ENVIRONMENTAL DISPOSAL SYSTEMS, INC. (EDS, INC.) AT LENGTH.

EX/OFFICIO TRUSTEE TALABI ENTERED THE MEETING DURING MR. GIUMETTI'S DISCUSSION.

THE BOARD THEN EXCUSED MR. GIUMETTI.

Re: Increase of up to \$925,000.00 to Existing Construction and Permanent Mortgage Loan: Romulus Deep Disposal Well, Romulus, Michigan

BY MR. BEASLEY - SUPPORTED BY MR. DOYLE

WHEREAS, the Board has received a request from Romulus Deep Disposal Limited Partnership, Remus Joint Venture and Environmental Disposal Systems, Inc. (collectively the "Borrowers") requesting the Board increase the captioned loan by up to an additional \$925,000.00, and

WHEREAS, the Board has received a report dated September 20, 2006 relative to the foregoing request from its consultant, McTevia & Associates recommending the Board consider making the additional loan, and

WHEREAS, the Board has discussed this matter, Therefore Be It

RESOLVED, that the Board authorize an increase of up to \$925,000.00 in the existing construction and permanent mortgage loan on the captioned project, subject to the following conditions: (1) that simultaneously with the closing of the additional loan, the Borrowers to execute a quit claim deed to a party to be designated by the Board for the consideration of \$10.00 for the approximately 7.0 acre parcel of land which is part of the project site but which the Borrowers have represented is not needed for the operation of the project, and upon any sale of said property, the net sales proceeds be paid to the Board to reduce the loan amount outstanding, (2) that simultaneously with the closing of the additional loan, 100% of the stock of Environmental Disposal Systems, Inc. be transferred to a party to be designated by the Board for the consideration of \$10.00 on the condition that if the Borrowers meet the sales, income, expense and cash flow projections prepared by the Borrowers and attached as Exhibits "E," "F" and "H" to the September 20, 2006 report from McTevia & Associates (said projections shall exclude any prepaid revenues received or to be received by the Borrowers from any generator, other than prepaid revenues actually received and earned between September 28, 2006 and February 28, 2007) by not later than February 28, 2007, then said stock will be returned to the former owners for the consideration of \$10.00, (3) that all requests for disbursement and subsequent payments of any portions of the additional loan amount shall be subject to the review and approval of McTevia & Associates, (4) the Borrowers shall agree to pay all of the Board's costs and expenses associated with the proposed loan increase,

Re: Increase of up to \$925,000.00 to Existing Construction and Permanent Mortgage Loan: Romulus Deep Disposal Well, Romulus, Michigan

and (5) that all transaction documents, including the loan documents and the transfer of ownership documents shall be subject to review and approval by the Board and its special legal counsel and general legal counsel:

YEAS – TRUSTEES BANDEMER, BEASLEY, CHRISTIAN, DOYLE, MILTON, MOORE, ORZECH, STEWART, TALABI AND CHAIRMAN ENGLISH – 10

NAYS – NONE

LEGAL COUNSEL'S REPORTS

LEGAL COUNSEL RONALD ZAJAC DISCUSSED VARIOUS MATTERS WITH THE BOARD, INCLUDING EDS, INC., PFRS SOUTH TRYON CORPORATION, GSC PARTNERS, KLA-TENCOR CORPORATION, SAFE-NET CORPORATION, TWO ELIGIBLE DOMESTIC RELATIONS ORDERS AND AMEX CAMPUS.

Re: Increase of up to \$84,517.09 to Existing Construction and Permanent Mortgage Loan: Romulus Deep Disposal Well, Romulus, Michigan

BY MR. DOYLE – SUPPORTED BY MR. STEWART

WHEREAS, the Board has been requested to execute the following documents dated as of September 28, 2006: (i) Twelfth Modification Agreement of First Loan Documents, (ii) Seventh Modification Agreement of Second Loan Documents, and (iii) Memorandum of Modification of Mortgage relative to the aforesaid transaction, and

WHEREAS, the execution of said documents has been recommended by the Board's advisor, McTevia & Associates, Inc. and the Board's special legal counsel, F. Logan Davidson, and

WHEREAS, the execution of said documents has been reviewed and approved as to form by the Board's legal counsel and the execution of said documents is consistent with prior action of the Board, and

WHEREAS, in connection with said additional loan, the Board is being requested by the Borrowers to disburse the additional loan amount of \$84,517.09 to the parties listed on an Authorization for Disbursement of Funds signed by the Borrowers, Therefore Be It

Re: Increase of up to \$84,517.09 to Existing Construction and Permanent Mortgage Loan: Romulus Deep Disposal Well, Romulus, Michigan

RESOLVED, that said documents be executed by two authorized signatories on behalf of the Board, and be it further

RESOLVED, that the sum of **\$84,517.09** be disbursed to the parties listed on an Authorization for Disbursement of Funds signed by the Borrowers, as approved by the Board's Executive Secretary, the Board's General Legal Counsel and the Board's Special Legal Counsel:

YEAS – TRUSTEES BANDEMER, BEASLEY, CHRISTIAN, DOYLE, MILTON, MOORE, ORZECH, STEWART, TALABI AND CHAIRMAN ENGLISH – 10

NAYS – NONE

Re: PFRS SOUTH TRYON CORP. (South Tryon Square Office Building and Parking Structure, Charlotte, North Carolina)

The Board of Trustees has been made aware of the execution of the following documents dated September 28, 2006 in connection with the captioned transaction: (i) a First Amendment to Deed of Trust, Security Agreement and Fixture Filing with Wachovia Bank, National Association ("Lender") in connection with the \$11,125,000 parking structure loan and (ii) a First Amendment to Deed of Trust, Security Agreement and Fixture Filing with the Lender in connection with the \$22,875,000 office building loan from the Lender, by an officer of the corporation.

Re: SafeNet, Inc. Class Action Securities Litigation

By Mr. Doyle – Supported by Mr. Moore

WHEREAS, the Board of Trustees is in receipt of a letter dated September 27, 2006 from class action special legal counsel, Bernstein, Litowitz, Berger & Grossmann, LLP (BLBG) wherein BLBG recommends attaining two other institutional investors to join the Police and Fire Retirement System of the City of Detroit as co-lead plaintiffs in the aforesaid litigation, and

WHEREAS, the Board of Trustees has discussed this matter with its general counsel, Therefore Be It

RESOLVED, that the Board approves the recommendation of BLBG, and be it further

Re: SafeNet, Inc. Class Action Securities Litigation

RESOLVED, that the Board notes the contents of the afore-referenced September 27, 2006 letter, and be it further

RESOLVED, that BLBG act consistent with this resolution, and be it further

RESOLVED, that a copy of this resolution be forwarded to class action special legal counsel BLBG, Attn: Douglas M. McKiege:

Yeas - Trustees Bandemer, Beasley, Christian, Doyle, Milton, Moore, Orzech, Stewart, Talabi and Chairman English - 10

Nays – None

MAYFIELD GENTRY REALTY ADVISORS
AMEX CAMPUS ACQUISITION
PHOENIX, ARIZONA

BY MR. BANDEMER – SUPPORTED BY MR. BEASLEY

WHEREAS, MAYFIELD GENTRY REALTY ADVISORS HAS PRESENTED THE BOARD WITH A SEPTEMBER 28, 2006 COMMUNICATION WHEREIN MAYFIELD GENTRY REQUESTS THAT THE BOARD ACCEPT AND APPROVE THE DISBURSEMENT WHICH IS REFERENCED BELOW RELATIVE TO THE BOARD'S ACQUISITION OF 3151 AND 3202 BEHREND DRIVE IN PHOENIX ARIZONA, AND

WHEREAS, THE BOARD HAS DISCUSSED THE REQUEST OF MAYFIELD GENTRY REALTY ADVISORS, THEREFORE BE IT

RESOLVED, THAT THE BOARD HEREBY APPROVES SAID DISBURSEMENT:

DISBURSE THE SUM OF **\$1,000,000.00** AS A REFUNDABLE EARNEST-MONEY DEPOSIT FOR THE ACQUISITION OF 3151 AND 3202 BEHREND DRIVE IN PHOENIX, ARIZONA

YEAS – TRUSTEES BANDEMER, BEASLEY, CHRISTIAN, DOYLE, MILTON, MOORE, ORZECH, STEWART, TALABI AND CHAIRMAN ENGLISH – 10

NAYS – NONE

**JOHNSON VERSUS JOHNSON
WAYNE COUNTY CASE #05-517776-DM**

BY MR. STEWART – SUPPORTED BY MR. BANDEMER

WHEREAS, THE BOARD IS IN RECEIPT OF A JUNE 2, 2006 CONSENT JUDGMENT OF DIVORCE WHEREIN, SUBJECT TO THE ENTRY OF AN ELIGIBLE DOMESTIC RELATIONS ORDER COLLEEN JOHNSON IS AWARDED CERTAIN RIGHTS TO THE DEFINED BENEFIT PLAN AND DEFINED CONTRIBUTION PLAN BENEFITS OF JAMES JOHNSON, AND

WHEREAS, PARTICIPANT'S DATE OF BIRTH IS MAY 6, 1960 AND, TO DATE PARTICIPANT HAS ATTAINED 20 YEARS OF SERVICE CREDIT, AND

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

WHEREAS, SUBJECT TO ENTRY OF AN EDRO, DEFINED CONTRIBUTION PLAN AMOUNTS CAN BE MADE TO PARTICIPANT OR ALTERNATE PAYEE UPON PARTICIPANT ATTAINING 25 YEARS OF SERVICE CREDIT, OR TERMINATION OF SERVICE, OR UPON PARTICIPANT OTHERWISE BEING ELIGIBLE TO WITHDRAW AMOUNTS FROM THE DEFINED CONTRIBUTION PLAN, AND

WHEREAS, SUBJECT TO ENTRY OF AN EDRO, THE EARLIEST DATE THAT PAYMENTS FROM THE DEFINED BENEFIT PLAN CAN BE MADE TO 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 IS TO BE BORNE BY THE PARTIES TO THE DOMESTIC RELATIONS PROCEEDINGS AND THE EDRO SHOULD PROVIDE FOR THE PAYMENT OF THE ACTUARY'S FEES, THEREFORE BE IT

**JOHNSON VERSUS JOHNSON
WAYNE COUNTY CASE #05-517776-DM**

**RESOLVED, THAT THE BOARD ACKNOWLEDGE RECEIPT OF SAID
CONSENT JUDGMENT OF DIVORCE AND THE PARTIES ARE
ENCOURAGED TO ARRANGE FOR THE ENTRY OF AN EDRO, AND BE IT
FURTHER**

**RESOLVED, THAT 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 JESSICA WOLL, ATTORNEY RONALD
OLSZEWSKI, COLLEEN JOHNSON AND JAMES JOHNSON:**

YEAS – TRUSTEES BANDEMER, BEASLEY, CHRISTIAN, DOYLE, MILTON,
MOORE, ORZECH, STEWART, TALABI AND CHAIRMAN ENGLISH – 10

NAYS – NONE

**WALENCEWICZ VERSUS WALENCEWICZ
MACOMB COUNTY CASE #01-4303-DM**

BY MR. STEWART – SUPPORTED BY MR. BANDEMER

**WHEREAS, THE BOARD IS IN RECEIPT OF A SEPTEMBER 11, 2006
ELIGIBLE DOMESTIC RELATIONS ORDER WHEREIN SUZANNE
WALENCEWICZ IS AWARDED CERTAIN RIGHTS TO THE DEFINED
BENEFIT PLAN AND DEFINED CONTRIBUTION PLAN BENEFITS OF
THOMAS WALENCEWICZ, AND**

**WHEREAS, PARTICIPANT’S DATE OF BIRTH IS AUGUST 14, 1962 AND,
TO DATE, PARTICIPANT HAS ATTAINED 20 YEARS AND 04 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**

**WALENCEWICZ VERSUS WALENCEWICZ
MACOMB COUNTY CASE #01-4303-DM**

WHEREAS, DEFINED CONTRIBUTION PLAN AMOUNTS CAN BE MADE TO THE PARTICIPANT OR ALTERNATE PAYEE UPON PARTICIPANT ATTAINING 25 YEARS OF SERVICE CREDIT, OR TERMINATION, 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 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 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 FELICE IAFRATE, SUZANNE WALENCEWICZ AND THOMAS WALENCEWICZ:

YEAS – TRUSTEES BANDEMER, BEASLEY, CHRISTIAN, DOYLE, MILTON, MOORE, ORZECH, STEWART, TALABI AND CHAIRMAN ENGLISH – 10

NAYS – NONE

REQUEST OF THE DETROIT POLICE OFFICERS' ASSOCIATION

BY MR. ORZECH - SUPPORTED BY MR. STEWART

WHEREAS, THE DPOA HAS PRESENTED THE BOARD WITH A SEPTEMBER 27, 2006 COMMUNICATION WHEREIN THE DPOA REQUESTS THAT THE BOARD PROVIDE THE DPOA WITH THE NAMES AND ADDRESSES OF RETIREES (WIDOWS AND RETIREES WHO WILL BE TURNING 65 YEARS OF AGE) WHO ARE FORMER AND CURRENT PARTICIPANTS IN THE DPOA'S HARTFORD LIFE INSURANCE POLICY (CODES 40610, 40620, 40630, 40640 AND 40650), AND

WHEREAS, THE BOARD HAS DISCUSSED THE REQUEST OF THE DPOA, THEREFORE BE IT

RESOLVED, THAT THE BOARD HEREBY APPROVES THE REQUEST OF THE DPOA AND PROVIDE THE DPOA WITH THE REQUESTED DATA, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE DETROIT POLICE OFFICERS' ASSOCIATION:

YEAS - TRUSTEES BANDEMER, BEASLEY, CHRISTIAN, DOYLE, MILTON, MOORE, ORZECH, STEWART, TALABI AND CHAIRMAN ENGLISH - 10

NAYS - NONE

RETIREMENTS

BY MR. ORZECH - SUPPORTED BY MR. MOORE

RESOLVED, THAT THE FOLLOWING APPLICATIONS FOR RETIREMENT BE APPROVED:

YEAS - TRUSTEES BANDEMER, BEASLEY, CHRISTIAN, DOYLE, MILTON, MOORE, ORZECH, STEWART, TALABI AND CHAIRMAN ENGLISH - 10

NAYS - NONE

RETIREMENTS

NAME, TITLE, DEPARTMENT RETIREMENT, PLAN SERVICE CREDIT/EFFECTIVE DATE	JOHN A. DAVIS - LIEUTENANT - FIRE SERVICE - NEW 31 09 19 - 07 15 06
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NAME, TITLE, DEPARTMENT RETIREMENT, PLAN SERVICE CREDIT/EFFECTIVE DATE	EDMUND TILLMAN - LIEUTENANT - POLICE SERVICE - NEW 35 00 01 - 10 20 06
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NAME, TITLE, DEPARTMENT RETIREMENT, PLAN SERVICE CREDIT/EFFECTIVE DATE	ANTONIO TOSQUI - OFFICER - POLICE SERVICE - NEW 34 06 23 - 09 29 06
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NAME, TITLE, DEPARTMENT RETIREMENT, PLAN SERVICE CREDIT/EFFECTIVE DATE	GREGORY WARDFORD - OFFICER - POLICE CONVERTED DISABILITY FROM DUTY DISABILITY - NEW 25 00 00 - 09 22 06
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PUBLIC FORUM

AT 12:27 P.M., CHAIRMAN ENGLISH 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 ENGLISH ADJOURNED THE MEETING AT 12:32 P.M. UNTIL THURSDAY, **OCTOBER 5, 2006, AT 9:00 A.M., IN ROOM 910 OF THE COLEMAN A. YOUNG MUNICIPAL CENTER, DETROIT, MICHIGAN 48226.**

RESPECTFULLY SUBMITTED,

ASSISTANT EXECUTIVE SECRETARY

