A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, March 10, 2010, at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:06 p.m.

Trustees Present:	Mark Calice Thomas J. Gordon, II John M. Lamerato Steve Pallotta Thomas Rosewarne
Trustees Absent:	Mary Kerwin William R. Need (Ex-Officio) A. John Szerlag
Also Present:	Lori Grigg Bluhm, City Attorney Thomas C. Michaud, VanOverbeke, Michaud & Timmony, P.C. Daniel M. Rhodes, Daniel M. Rhodes, P.C.

Minutes

Resolution # ER – 2010-3-13
Moved by Pallotta
Seconded by Rosewarne

RESOLVED, That the Minutes of the February 10, 2010 meeting be approved as amended.

Yeas: All – 5
Absent: Kerwin, Szerlag

Other Business – Disability Retirement Request of Dave Kocenda

Thomas Michaud and Daniel Rhodes presented information to the Board on the disability request of Dave Kocenda.

Resolution # ER – 2010-3-14
Moved by Gordon II
Seconded by Lamerato

See attached resolution.

Yeas: All – 5
Absent: Kerwin, Szerlag

Other Business – Retirement Requests

Resolution # ER – 2010-3-15
Moved by Pallotta
Seconded by Lamerato

RESOLVED, That the Retirement Request of:

Name	James C. Nunelley
Pension Program	DC
Retirement Date	3/20/10
Department	Building Operations
Service Time	10 years, 3 months

Yeas: All – 5
Absent: Kerwin, Szerlag

Other Business – Investment Policy Review

The Board will continue the review of the Investment Policy at the April 14, 2010 meeting.

Public Comment

Cameron Wright introduced himself to the board.

The next meeting is April 14, 2010 at 12 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 1:13 p.m.

Mark Calice, Chairman

John M. Lamerato, Secretary

JML/bt\Retirement Board\2010\3.10.10 – Minutes_Final

Resolution # ER – 2010-3-14
Moved by Gordon II
Seconded by Lamerato

RESOLVED, that the City of Troy Employee Retirement System Board of Trustees has received an application for a duty disability retirement from David W. Kocenda.

BE IT FURTHER RESOLVED that the Retirement Board is vested with the responsibility to determine whether David W. Kocenda is eligible to apply for a duty disability retirement from the City of Troy.

BE IT FURTHER RESOLVED, that at its February 10, 2010 regular meeting, the City of Troy Employee Retirement System Board of Trustees formally requested a legal opinion on the issue of the eligibility of David W. Kocenda to apply for a duty disability retirement, and has asked for the attorney to be present at the March 10, 2010 regular meeting to answer any additional questions concerning this issue and to provide further legal guidance, and has notified the attorney for David W. Kocenda of the meeting and has invited an opinion or discussion from Mr. Kocenda and/or his attorney, prior to the Board's discussion and deliberation on the matter.

BE IT FURTHER RESOLVED, that the City of Troy Employee Retirement Board of Trustees has received an opinion from its legal counsel, Michael VanOverbeke, and that the Board formally waives the attorney client privilege as to the March 4, 2010 letter from its attorney regarding the eligibility of David W. Kocenda to apply for a duty disability retirement from the City of Troy.

BE IT FURTHER RESOLVED, that the City of Troy Employee Retirement System Board of Trustees has reviewed the letter from its legal counsel Michael VanOverbeke, and has also invited an opinion or written documentation from David W. Kocenda and/or his attorney, and has provided an opportunity for further discussion and deliberation at the March 10, 2010 regular meeting of the Employee Retirement System, and has deliberated this issue.

BE IT FINALLY RESOLVED that after being fully advised on this matter, the City of Troy Employee Retirement System Board of Trustees determines that David W. Kocenda IS NOT eligible to apply for a duty disability retirement from the City of Troy.

Yeas: All – 5
Absent: Kerwin, Szerlag