

ST. MARY'S COUNTY SHERIFF'S OFFICE RETIREMENT PLAN
BOARD OF TRUSTEES MEETING
August 25, 2016

Members Present: Dr. Rebecca Bridgett, County Administrator
Jeannett Cudmore, Chief Financial Officer
Captain Terry Black, Sheriff's Office Representative
Lt. Edward Evans, Sheriff's Office Representative
Dr. Tracy Harris, Citizen Representative

Others Present: Catherine Pratson, Plan Administrator
Karen Gates, Recorder

Call to Order

The meeting was called to order at 1:00 p.m.

Acceptance of the Agenda

Rebecca Bridgett presented the agenda.

Approval of Minutes

Jeannett Cudmore made a motion, seconded by Edward Evans, to approve the July 28, 2016 meeting minutes. Motion carried.

Update of Eleventh Amendment

On Tuesday, August 23, 2016, the Commissioners of St. Mary's County approved a request to hold a Public Hearing on September 13, 2016 in consideration of amending the Sheriff's Office Retirement Plan by excluding contractual employees from the definition of "covered employee" for purposes of participating in the Sheriff's Office Retirement Plan. A public hearing notice was published in the August 26 and September 2, 2016 editions of the *Enterprise Newspaper*.

1. Impact of Eleventh Amendment on Contractual Deputy hired February 23, 2016

Catherine Pratson noted that if the Eleventh Amendment is approved, the contractual deputy hired on February 22, 2016 and enrolled in the SORP plan would cease to be a "covered employee" as of the effective date of the amendment and the deputy's participation in the Plan would cease. Catherine Pratson advised the Board that the Eleventh Amendment could be revised to grandfather the contractual deputy's participation in the Plan.

Catherine Pratson will provide the Commissioners of St. Mary's County with a copy of the draft SORP Meeting Minutes from today and provide them with a brief update of the Eleventh Amendment with regard to the deputy who may be impacted by the amendment at the Public Hearing meeting on September 13, 2016.

Edward Evans made a motion, seconded by Terry Black to contact the contractual deputy who may be impacted by the Eleventh Amendment and offer him the choice of participating in the Sheriff's Office Retirement Plan or be excluded from participating in the Sheriff's Office Retirement Plan. Motion carried.

2. Waiting Period for rehired SORP Retirees

An item of discussion came up at the Commissioners meeting on Tuesday, August 23, 2016 when the Commissioners were discussing the SORP public hearing. The item of discussion was a waiting period. The purpose of a waiting period is to verify that someone is officially retired before collecting a retirement benefit. The Maryland State Pension System requires there be a 45 day waiting period before a retiree of the Pension System is rehired by a participating governmental unit of the Maryland State Pension System. Commissioner O'Connor referred to the waiting period as "drawing a bright line" between separation and rehire. The rationale behind the 45 day waiting period is to ensure that the employee has a bona fide separation from service before beginning to collect a retirement benefit.

The Plan attorney has no recommendation against imposing a waiting period on the rehire of a retired deputy who is collecting pension benefits and is rehired by the County as a civilian employee. The Plan attorney's concern about providing for the restriction in the Plan document was that there would be exceptions to the rule. The provision might be better served in the Sheriff's Office Policy Manual.

The County's policy manual was amended to include a 90 day waiting period between the last day of payroll for a retiree and the date the employee is rehired by the County. There is no waiting period provision in the SORP plan document. The question is whether or not the Sheriff's Office policy should adopt a similar policy -- would excluding such a provision jeopardize the tax status of the Sheriff's Office Retirement Plan.

Catherine Pratson will consult with the SORP Plan attorney.

Discussion of Sheriff Cameron's Request to include the Pre-Trial Case Manager Position as a Covered Employee under the Sheriff's Office Retirement Plan

Catherine Pratson presented the Board of Trustees with a copy of Sheriff Cameron's August 2, 2016 written request asking that the Pre-Trial Services Case Manager position be eligible to participate in the Sheriff's Office Retirement Plan. This position mandates the incumbent to maintain Correctional Officer certification and is similar to the Inmate Services Coordinator position for which eligibility within the Plan is currently authorized. The current Plan document is written in such a manner that would exclude the Pre Trial Case Manager position from participating in the Plan. The Board will gather more information and tabled this discussion until the next meeting.

Administrator's Report

BILLS PAID SINCE LAST MEETING:

DATE	PAYEE	TYPE SERVICE	AMOUNT
08/09/16	Bolton Partners	Professional services rendered through 07/31/16. Two retirement calculations.	\$ 270.00
TOTAL:			\$ 270.00

Next Meeting

| The next meeting is scheduled for Thursday, ~~August 25, 2016~~. September 22, 2016.

Adjournment

The meeting adjourned at approximately 2:40 p.m.

Respectfully submitted,

APPROVED:

Karen Gates
SORP Plan Coordinator

Dr. Rebecca B. Bridgett
Chair