## MINUTES

## OF

## ADMINISTRATIVE APPEALS COMMITTEE May 23, 2016 at 9:45 A.M., E.T.

## **Board Room**

Perimeter Park West, 1270 Louisville Road Frankfort, KY 40601

At the meeting of the Administrative Appeals Committee, held on May 23, 2016, the following members were present: Vince Lang, Chair, William Summers, Donna Shelton and Chris Lewis, Dual Proxy on behalf of Thomas Stephens.

In addition, those present were Becky Stephens, KRS, Joseph Bowman, KRS, Alan Hurst, KRS, Faith Sebastian, KRS and Tracy Chambers, Recording Secretary.

\* \* \* \* \* \* \* \* \*

It was moved by Ms. Shelton, seconded by Mr. Summers, and carried to approve the Minutes of the March 28, 2016 Administrative Appeals Committee Meeting.

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Mr. Lang noted the necessity of closed session for the purpose of reviewing the administrative appeals of Administrative Action Numbers: 15-PS-03, 15-PS-08 and 15-PS-22.

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Following discussion in closed session, the Committee returned to open session, whereafter the following transpired.

\* \* \* \* \* \* \* \* \* \*

It was moved by Mr. Summers, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 15-PS-03, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, that the increase in creditable compensation greater than ten percent (10%) at issue was not the direct result of a bona fide promotion or career advancement pursuant to KRS 61.598. Claimant shall be required to pay for the additional actuarial costs assessed at \$2,837.80. The Board sustains KRS' Motion to Strike the Affidavit attached to Claimant's Exceptions received April 12, 2016 but denies KRS' Motion to Strike Claimant's Objection received April 20, 2016.

It was moved by Ms. Shelton, seconded by Mr. Summers, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 15-PS-08, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, that the increase in creditable compensation greater than ten percent (10%) at issue was not the direct result of a bona fide promotion or career advancement pursuant to KRS 61.598. Claimant shall be required to pay for the additional actuarial costs assessed at \$7,237.24.

It was moved by Mr. Summers, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the Agreed Order to Dismiss Action and any exceptions duly filed, in the case of Administrative Action Number: 15-PS-22, to accept the Agreed Order to Dismiss Action and to dismiss this administrative appeal with prejudice, as there being no justiciable controversy between the parties.

There being no further business, the meeting was adjourned at 9:55 A.M., E.T. to meet on July 18, 2016 immediately following the Disability Appeals Committee meeting.	
CERTIFICATION	
I, Tracy Chambers, do certify that I was present at this meeting, and I have recorded the above action of the Committee on the various items considered by it at this meeting.	
Tracy Chambers	7.18.16
Tracy Chandbers Recording Secretary	Date
I, Vince Lang, do certify that the Minutes of the meeting held on May 23, 2016 were approved by the Administrative Appeals Committee on July 18, 2016.	
Vince Jang Vince Lang, Chair	7-18-16
Vince Lang, Chair	Date
Administrative Appeals Committee	

I, Joseph P. Bowman, was present at the May 23, 2016 Administrative Appeals Committee meeting, and have reviewed the minutes for form and legality.

Joseph P. Bowman KRS Staff Attorney

Date \*