

**MINUTES
OF
ADMINISTRATIVE APPEALS COMMITTEE
July 18, 2016 at 9:28 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 July 18, 2016, the following members were present: Vince Lang, Chair, Donna Shelton and Chris Lewis, Dual Proxy on behalf of Thomas Stephens.

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

It was moved by Ms. Shelton, seconded by Mr. Lang, and carried to approve the Minutes of the May 23, 2016 Administrative Appeals Committee Meeting.

Mr. Lang noted the necessity of closed session for the purpose of reviewing the administrative appeals of Administrative Action Numbers: 15-PS-18, 15-A-17, 15-A-07 and 16-PS-01.

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

It was moved by Ms. Shelton, seconded by Mr. Lang, 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-18, to accept the Hearing Officer's Report, as modified in the Board 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 \$2,951.40.

It was moved by Mr. Lang, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the Recommended Order Granting Summary Judgement and any exceptions duly filed, in the case of Administrative Action Number: 15-A-17, hereby accepts the Hearing Officer's Order as the Final Order that claimant failed to timely file for disability retirement benefits.

It was moved by Mr. Lang, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Order of Dismissal and any exceptions duly filed, in the case of Administrative Action Number: 15-A-07, to accept the Hearing Officer's Order of Dismissal and to dismiss this administrative appeal with prejudice.

It was moved by Ms. Shelton, seconded by Mr. Lang, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Order of Dismissal and any exceptions duly filed, in the case of Administrative Action Number: 16-PS-01, to accept the Hearing Officer's Order of Dismissal and to dismiss this action with prejudice and as a result thereof, claimant must pay the pension spiking actuarial amount owed of \$9,513.22.

There being no further business, the meeting was adjourned at 9:36 A.M., E.T. to meet on September 19, 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.

<u>Tracy Chambers</u> Tracy Chambers Recording Secretary	<u>9.19.16</u> Date
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I, Vince Lang, do certify that the Minutes of the meeting held on July 18, 2016 were approved by the Administrative Appeals Committee on September 19, 2016.

Vince Lang 9-19-16
Vince Lang, Chair Date
Administrative Appeals Committee

I, Joseph P. Bowman, was present at the July 18, 2016 Administrative Appeals Committee meeting, and have reviewed the minutes for form and legality.

[Signature] 9/19/16
Joseph P. Bowman Date
KRS Staff Attorney