

CITY OF EUSTIS  
MUNICIPAL POLICE OFFICERS' PENSION AND RETIREMENT SYSTEM TRUSTEES (EPPB)  
TWO-YEAR TERMS - MEETINGS QUARTERLY

<p><b>Seat #1 or 2</b> <b>City Appointed in November in odd numbered year</b></p> <p><b>Kenneth Birkhofer</b></p> <p>51 E. Norton Avenue, Eustis, FL 32726 Phone: (352) 483-5400 City Email: <a href="mailto:KenBirkhofer@eustis.org">KenBirkhofer@eustis.org</a></p> <p>Term Expiration: 03/31/2025 Re-Appointed: 05/04/2023 Term Expiration: 03/31/2023 Appointed: 06/03/2021</p>	<p><b>Seat #4</b> <b>Elected in November in even numbered years</b></p> <p><b>Chris Fiedler</b></p> <p>51 E. Norton Avenue, Eustis, FL 32726 Phone: (352) 483-5400 City Email: <a href="mailto:cfiedler@eustis.org">cfiedler@eustis.org</a></p> <p>Term Expiration: 05/12/2025</p> <p>Elected: January 2025 Term Expiration: 11/31/2026</p>
<p><b>Seat #1 or 2</b> <b>City appointed in November in even numbered year</b></p> <p><b>Diane Thomas</b> <b>Secretary</b></p> <p>1026 Woodward Oaks Circle, Eustis, FL 32726 City Email: <a href="mailto:ThomasD@eustis.org">ThomasD@eustis.org</a></p> <p>Term Expiration: 01/31/2025 Re-Appointed: 03/2/2023 Term Expiration: 01/31/2023 Re-Appointed 05/20/2021 Initial Appt: 04/18/2019</p>	<p><b>Seat #5:</b> <b>Joint Position, 5<sup>th</sup> Trustee – Confirmed</b> <i>*Appt by 4 other members and confirmed by Eustis City Commission</i></p> <p><b>Gary Winheim</b> <b>Chairman</b></p> <p>51 E. Norton Avenue, Eustis, FL 32726 Phone: (352)-483-5400 City Email: <a href="mailto:GaryWinheim@eustis.org">GaryWinheim@eustis.org</a></p> <p>Term Expiration: 02/08/2025 Re-Appointed: 02/08/23</p>
<p><b>Seat #3</b> <b>Elected in November in odd numbered years</b></p> <p><b>Chris Horst</b></p> <p>51 E. Norton Avenue, Eustis, FL 32726 Phone: (352) 483-5400 Email: <a href="mailto:chorst@eustis.org">chorst@eustis.org</a></p>	<p><b>Board Attorney</b> Cynthia O'Donnell Stone &amp; Gerken, P.A. 4850 North Hwy 19A, Mount Dora, FL 32757 (352) 357-0330</p> <p>Administrator: Amanda Kish, Resource Ctrs. Email: <a href="mailto:amanda@resourcecenters.com">amanda@resourcecenters.com</a></p>

## **Ordinance Number 24-30**

### **Exhibit A**

Sec 70-115. Board of Trustees. (a) The sole and exclusive administration of and responsibility for the proper operation of the system and for making effective the provisions of this ordinance is hereby vested in a board of trustees defined elsewhere herein as the board. The board is hereby designated as the plan administrator, provided that it may delegate plan administration duties to a third-party plan administrator in its discretion. (b) The membership of the board shall consist of five members serving in numbered seats. Seats 1 and 2 must be legal residents of the city and must be appointed by the Eustis City Commission for two (2) year terms. Seat 1 shall be appointed in November of each year ending in an odd number and Seat 2 shall be appointed in November of each year ending in an even number. Seats 3 and 4 must be held by full-time police officers defined in F.S. § 185.02(16) who are elected by a majority of the active police officers who are members of such plan for two (2) year terms. Seat 3 shall be elected in November of each year ending in an odd number and Seat 4 shall be elected in November of each year ending in an even number. Seat 5 shall be chosen by a majority of the previous four members as provided herein, and such person's name shall be submitted to the Eustis City Commission. Upon receipt of the fifth person's name, the Eustis City Commission shall, as a ministerial duty, appoint such person to the board. The member holding Seat 5 shall have the same rights as each of the other four members and shall serve as trustee for a period of two (2) years. Each member may succeed himself or herself as a trustee so long as the member otherwise meets the requirements of that seat. In the event that any seat becomes vacant, a successor member who meets the requirements of that seat shall be appointed or elected in the manner required for that seat and shall serve for the remaining term of that seat. The board shall establish and administer the nominating and election procedures for each election. The board shall meet at least quarterly each year. The board shall be a legal entity with, in addition to other powers and responsibilities contained herein, the power to bring and defend lawsuits of every kind, nature, and description. (c) The trustees shall, by a majority vote, elect a chairman and a secretary. If the board has not appointed an administrator, the secretary of the board shall keep a complete minute book of the actions, proceedings, or hearings of the board. The trustees shall not receive any compensation as such, but may receive expenses and per diem as provided by law. (d) Each trustee shall be entitled to one vote on the board. Three affirmative votes shall be necessary for any decision by the trustees at any meeting of the board. A trustee shall abstain from voting as the result of a conflict of interest and shall comply with the provisions of F.S. § 112.3143. 81 Item 6.3 Ordinance Number 24-30: Police Pension Trustee Terms Page 4 of 5 (e) The board shall engage such actuarial, accounting, legal, and other services as shall be required to transact the business of the system. The compensation of all persons engaged by the board and all other expenses of the board necessary for the operation of the system shall be paid from the fund at such rates and in such amounts as the board shall agree. In the event the board chooses to use the city's legal counsel, actuary or other professional, technical or other advisors, it shall do so only under terms and conditions acceptable to the board. (f) The duties and responsibilities of the board shall include, but not necessarily be limited to, the following: (1) To construe the provisions of the system and determine all questions arising thereunder. (2) To determine all questions relating to eligibility and membership. (3) To determine and certify the amount of all retirement allowances or other benefits hereunder. (4) To establish uniform rules and procedures to be followed for administrative purposes, benefit applications and all matters required to administer the system. (5) To distribute to members, at regular intervals, information concerning the system. (6) To receive and process all applications for benefits. (7) To authorize all payments whatsoever from the fund, and to notify the custodian, in writing, of approved benefit payments and other expenditures arising through operation of the system and fund. (8) To have performed actuarial studies and valuations, at least as often as required by law, and make recommendations regarding any and all changes in the provisions of the system. (9) To perform such other duties as are required to prudently administer the system. (g) Claims procedures. (1) The board shall establish administrative claims procedures to be utilized in processing written requests ("claims"), on matters which affect the substantial rights of any person ("claimant"), including members, retirees, beneficiaries, or any person affected by a decision of the board. 82 Item 6.3

*Ordinance Number 24-30: Police Pension Trustee Terms*

**Exhibit A [redlined version]**

**Sec 70-115. Board of Trustees.**

(a) The sole and exclusive administration of and responsibility for the proper operation of the system and for making effective the provisions of this ordinance is hereby vested in a board of trustees defined elsewhere herein as the board. The board is hereby designated as the plan administrator, provided that it may delegate plan administration duties to a third-party plan administrator in its discretion.

(b) The membership of the board shall consist of five members ~~serving in numbered seats. Seats 1 and 2, two of whom, unless otherwise prohibited by law, must~~ be legal residents of the city and must be appointed by the Eustis City Commission ~~for two (2) year terms. Seat 1 shall be appointed in November of each year ending in an odd number and Seat 2 shall be appointed in November of each year ending in an even number. Seats 3 and 4, and two of whom must be held by full-time police officers defined in F.S. § 185.02(16) who are elected by a majority of the active police officers who are members of such plan for two (2) year terms. Seat 3 shall be elected in November of each year ending in an odd number and Seat 4 shall be elected in November of each year ending in an even number. Seat 5~~ The fifth member shall be chosen by a majority of the previous four members as provided herein, and such person's name shall be submitted to ~~the~~ Eustis City Commission. Upon receipt of the fifth person's name, the Eustis City Commission shall, as a ministerial duty, appoint such person to the board. The ~~member holding Seat 5~~ fifth member shall have the same rights as each of the other four members, and shall serve as trustee for a period of two @ years, and may succeed himself or herself in office. Each resident member shall serve as trustee for a period of ~~two (2) years, unless sooner replaced by the governing body at whose pleasure he or she serves, and may succeed himself or herself as a trustee. Each police officer member shall serve as trustee for a period of two (2) years, unless he or she sooner leaves the employment of the municipality as a police officer, whereupon a successor shall be chosen in the same manner as an original appointment. Each police officer may succeed himself or herself in office. Each member may succeed himself or herself as a trustee so long as the member otherwise meets the requirements of that seat. In the event that any seat becomes vacant, a successor member who meets the requirements of that seat shall be appointed or elected in the manner required for that seat and shall serve for the remaining term of that seat.~~ The board shall establish and administer the nominating and election procedures for each election. The board shall meet at least quarterly each year. The board shall be a legal entity with, in addition to other powers and responsibilities contained herein, the power to bring and defend lawsuits of every kind, nature, and description.

(c) The trustees shall, by a majority vote, elect a chairman and a secretary. ~~If the board has not appointed an administrator, the~~ secretary of the board shall keep a complete minute book of the actions, proceedings, or hearings of the board. The Ordinance Number 24-30: Police Pension Trustee Terms

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trustees shall not receive any compensation as such, but may receive expenses and per diem as provided by law.

(d) Each trustee shall be entitled to one vote on the board. Three affirmative votes shall be necessary for any decision by the trustees at any meeting of the board. A trustee shall abstain from voting as the result of a conflict of interest and shall comply with the provisions of F.S. § 112.3143.

(e) The board shall engage such actuarial, accounting, legal, and other services as shall be required to transact the business of the system. The compensation of all persons engaged by the board and all other expenses of the board necessary for the operation of the system shall be paid from the fund at such rates and in such amounts as the board shall agree. In the event the board chooses to use the city's legal counsel, actuary or other professional, technical or other advisors, it shall do so only under terms and conditions acceptable to the board.

(f) The duties and responsibilities of the board shall include, but not necessarily be limited to, the following:

(1) To construe the provisions of the system and determine all questions arising thereunder.

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As of 02/06/2024; 05/27/2025; 8/1/2025

- (2) To determine all questions relating to eligibility and membership.
- (3) To determine and certify the amount of all retirement allowances or other benefits hereunder.
- (4) To establish uniform rules and procedures to be followed for administrative purposes, benefit applications and all matters required to administer the system.
- (5) To distribute to members, at regular intervals, information concerning the system.
- (6) To receive and process all applications for benefits.
- (7) To authorize all payments whatsoever from the fund, and to notify the custodian, in writing, of approved benefit payments and other expenditures arising through operation of the system and fund.
- (8) To have performed actuarial studies and valuations, at least as often as required by law, and make recommendations regarding any and all changes in the provisions of the system.
- (9) To perform such other duties as are required to prudently administer the system.

Ordinance Number 24-30: Police Pension Trustee Terms

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*(g) Claims procedures.*

- (1) The board shall establish administrative claims procedures to be utilized in processing written requests {"claims"}, on matters which affect the substantial rights of any person {"claimant"}, including members, retirees, beneficiaries, or any person affected by a decision of the board.
- (2) The board shall have the power to subpoena and require the attendance of witnesses and the production of documents for discovery prior to and at any proceedings provided for in the board's claims procedures. The claimant may request in writing the issuance of subpoenas by the board. A reasonable fee may be charged for the issuance of any subpoenas not to exceed the fees set forth in Florida Statutes.

Ordinance Number 24-30: Police Pension Trustee Terms

**History... OLD  
EPPB**

**Sec. 70-115. - Board of trustees.**

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- (7) To authorize all payments whatsoever from the fund, and to notify the custodian, in writing, of approved benefit payments and other expenditures arising through operation of the system and fund.
- (8) To have performed actuarial studies and valuations, at least as often as required by law, and make recommendations regarding any and all changes in the provisions of the system.
- (9) To perform such other duties as are required to prudently administer the system.

(Ord. No. [18-15](#), § 1, 10-18-2018)