

TAB 5



516 8th Avenue West  
P.O. Box 1209  
Palmetto, Florida 34220-1209  
Phone (941) 723-4570  
Fax: (941) 723-4576  
Suncom: 516-0829  
E-mail: [chgeneral@palmettofl.org](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

February 12, 2009

Deborah Kocsis  
Salem Trust  
4890 West Kennedy Blvd., Suite 160  
Tampa, Florida 33609

Sent via fax: (813) 301-1295

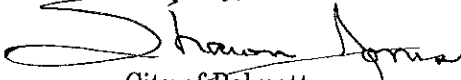
Regarding Jeri Lynn Struve Beneficiary of G. Douglas Struve  
SS# 377-54-1802 S.S.# 281-38-2100

Dear Debbie,

Please stop immediately the monthly benefit being paid to Jeri Lynn Struve beneficiary of G. Douglas Struve. Mr. Struve made a choice of a monthly benefit payable commencing on PRD (Postponed Retirement Date) for life with 120 guaranteed payments. Enclosed please find the signed Election of Benefits for City of Palmetto Police Officers' Retirement Plan and the Postponed Retirement Benefit Calculation for G. Douglas Struve. Mr. Struve retired January 14, 1997 and passed away on April 4, 1999. The last payment for Mrs. Struve should have been made in January 2007.

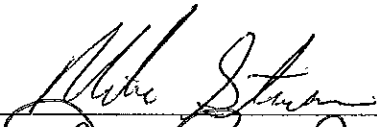
If any additional information is required, please contact me at (941) 723-4570.

Cordially,



City of Palmetto

Sharon Jones,  
Human Resources Director  
Enclosures

Authorized signer for the Board  Date 2/13/09

Authorized signer for the Board  Date 2/14/09

Law Offices

**Christiansen & Dehner, P.A.**

63 Sarasota Center Blvd, Suite 107 Sarasota, Florida 34240 • 941-377-2200 • Fax 941-377-4848

March 30, 2009

RECEIVED

APR 01 2009

CITY HALL

Mrs. Jeri Lynn Struve  
4623 34th Avenue East  
Bradenton, Florida 34208

Re: City of Palmetto Police Officers' Retirement Plan- Overpayment of Retirement Benefits

Dear Mrs. Struve:

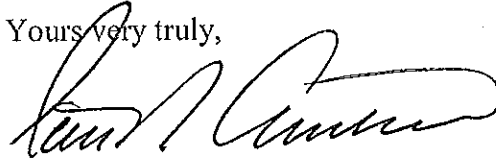
I represent the Board of Trustees of the City of Palmetto Police Officers' Retirement Plan. This letter is written in connection with an overpayment of pension benefits which you have received from the pension plan.

As you are aware, your husband, G. Douglas Struve, retired from the City of Palmetto and, upon retirement, elected a benefit option which would provide a monthly benefit payable to him for life, but with 120 payments guaranteed in any event. Upon his death in 1999, the benefits continued to you as his beneficiary, however the benefits were to cease once the pension plan made the required 120 payments. The 120th payment was made on January 1, 2007. Unfortunately, the payments were not discontinued until after the payment on February 1, 2009. You received a total of 24 monthly payments to which you were not entitled. Therefore, you have been overpaid benefits amounting to \$18,518.64. This overpayment will have to be repaid to the City of Palmetto Police Officers' Retirement Plan.

While we truly regret this error, the Board of Trustees has a fiduciary responsibility to recover payments which are improperly paid. Accordingly, I have been asked to contact you to request a refund of the overpayment. Unfortunately, because of the fiduciary responsibility that the Board of Trustees has to the pension plan and the members of the pension plan, the Board is not permitted to simply ignore this overpayment and not request a refund from you. If you would like to contact me and suggest a reasonable repayment schedule, I would be happy to provide your suggestions to the Board of Trustees in order to make repayment of this money as convenient and painless as possible.

Your prompt attention to this matter would be greatly appreciated and I look forward to hearing from you.

Yours very truly,

A handwritten signature in black ink, appearing to read "Scott R. Christiansen". The signature is fluid and cursive, with a large initial "S" and "C".

Scott R. Christiansen

SRC/dm

cc: Sharon Jones  
Diane Ponder ✓

April 24, 2009

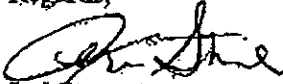
Christiansen & Dehner, P.A.  
63 Sarasota Center Blvd.  
Suite 104  
Sarasota, FL 34240

Re: Letter pertaining to payment of death benefits/retirement of G. Douglas Struve.

Scott Christiansen:

I am requesting a copy of the benefit option signed for by Doug upon his retirement.  
Also, I would like a copy of the supposed overpayment amounts with dates of benefits  
that were direct deposited in my behalf.

Regards,



Jeri Struve  
4623 34<sup>th</sup> Avenue East  
Bradenton, FL 34243-6929  
Fax 941-758-5965



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P.O. Box 1209  
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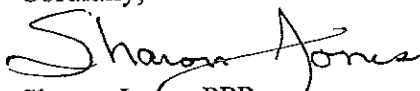
April 27, 2009

Jeri L. Struve  
4623 34<sup>th</sup> Ave. E.  
Bradenton, FL 34243-6929

Dear Ms. Struve:

Enclosed please find the requested benefit option signed for by Doug upon his retirement, and copies of all payments made to Doug and to you since his retirement. The first payment was made on February 28, 1997 and included 17 prorated days for January and all of February. The initial gross payment was \$771.61. In October 1998 the board authorized an increase for all members. At that time your gross went to \$802.47. Then in October of 2006 another increase was approved by the board and your gross went to \$882.72 and remained the same through January 2009. Then the payments were stopped.

Cordially,

  
Sharon Jones, PPP  
Human Resources Director  
Benefits Administrator

CC; Scott Christiansen, Police Officers Pension Board Attorney  
Police Officers Pension Board

# Election of Benefits for City of Palmetto Police Officers' Retirement Plan

I hereby elect payment of benefits based upon the following method of settlement pursuant to the relevant Retirement Plan Document, Internal Revenue Code Section 72 and 1 CFR 72-6(d)(6):

                     NORMAL FORM A

Payable for life of participant with 50% of retirement income amount continued to spouse upon participant's death.

                     NORMAL FORM B

Payable for life of participant only.

                     OPTIONAL FORM

Subject to approval of Board

771.61 MONTHLY BENEFIT PAYABLE COMMENCING ON PRD FOR LIFE WITH  
120 GUARANTEED PAYMENTS

*G. Douglas Strout*  
Signature of Employee

02/25/97  
Date

Address for Mailing Checks 4623 34th Avenue E.  
Bradenton, FL. 34208

*Mary Jean Ferrello*  
Signature of Witness

## Required attachments:

I.R.S. Form W4-P

Birth Certificate of Contingent Beneficiary (If Form A)

polck2

**CITY OF PALMETTO**  
**POLICE OFFICERS' RETIREMENT PLAN**  
**POSTPONED RETIREMENT BENEFIT CALCULATION**

**FOR**

**G. DOUGLAS STRUVE**

**I. Summary of Data**

1. Date of Birth	December 29, 1941
2. Spouse's Date of Birth	July 6, 1952
3. Date of Employment	November 19, 1986
4. Date of Termination	January 14, 1997
5. Postponed Retirement Date (PRD)	February 1, 1997
6. Normal Retirement Date (NRD)	January 1, 1997
7. Service at January 1, 1995	8 2/12 Years
8. Service after January 1, 1995	2 1/12 Years
9. Earnings used in calculations:	
1996 - \$35,191.69	1993 - \$30,266.72
1995 - 30,849.12	1992 - 29,138.83
1994 - 30,391.30	

**II. Benefit Calculation**

1. Average Monthly Earnings (Highest 5 consecutive years of last 10) / 60	\$ 2,597.29
2. Total Monthly Accrued Benefit at PRD [(II.1.) x [(0.03)x(1.7.) + (.025)(1.8.)]]	\$ 771.61
3. Monthly Benefit Payable Commencing on PRD for Life with 120 guaranteed payments <i>see attached Election of Benefits</i> [(II.2.)]	\$ 771.61
4. Monthly Benefit Payable Commencing on PRD as a Life Annuity [(II.3.) x 1.031265]	\$ 795.73
5. Monthly Benefit Payable Commencing on PRD as a 50% Contingent Annuitant Option [(II.4.) x .906]	\$ 720.93
6. Monthly Benefit Payable Commencing on PRD as a 75% Contingent Annuitant Option [(II.4.) x .866]	\$ 689.10
7. Monthly Benefit Payable Commencing on PRD as a 100% Contingent Annuitant Option [(II.4.) x .829]	\$ 659.66