



The Fourword

Volume 42 Number 6

June 2014

Update on the Retiree Health Care Subsidy Case

The following events have transpired since Judge Finifter of the Baltimore County Circuit Court issued a Show Cause Order on April 14, 2014.

- The Court ordered that Baltimore County, Kevin Kamenetz, Keith Dorsey, and Fred Homan shall each appear before the court on June 26, 2014 for a hearing on the Petition for Contempt and show cause why the Court should not hold each in contempt and/or impose sanctions, including incarceration.
- Baltimore County filed a Motion to Quash the Show Cause Order, in part, and to strike the individuals, Kevin Kamenetz, Keith Dorsey, and Fred Homan.
- Baltimore County Fraternal Order of Police Lodge #4 responded to the court with an opposition to the Motion to Quash the Show Cause Order.
- On May 28, 2014 the Court denied the motion filed by Baltimore County.
- On May 30, 2014 Baltimore County filed a Certificate of Compliance with the Court's prior orders. The order certified that the health care subsidy rates for the FOP retirees were reset for each affected retiree to those rates in place at the time of his or her retirement. ***This will appear in the June 2014 retirement payment.**
- Baltimore County issued a check on May 30, 2014 in the amount of \$1,696,403.98 made payable to the Baltimore County Fraternal Order of Police, Lodge #4. The FOP reviewed the calculations for the payment to ensure they were complete and accurate. The FOP discovered the County missed additional months of subsidy payments, as well as interest that was owed to the retirees. On June 5, 2014 Baltimore County issued a check for \$84,866.00, and on June 10, 2014 Baltimore County issued a check for \$20,209.56.
- ***These checks in total, \$1,801,479.54, were deposited in an account established solely for the purpose of secure retention and disbursement to the retirees.**

Restoring the rates and issuing the checks for the overcharged subsidy plus interest has satisfied the Circuit Court Order, so the show cause order has been dismissed. Baltimore County filed three appeals to the Maryland Court of Special Appeals concerning the rulings by the Circuit Court. First, on the November 5, 2013 order to restore the subsidy, second, on the March 6, 2014 decision awarding reimbursement to be paid to the over-charged retirees, and third, on the April 17, 2014 decision awarding interest on the money owed to the retirees. All of these appeals have been consolidated into one motion.

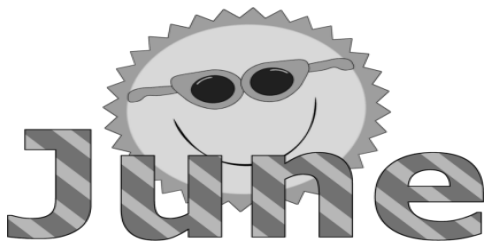
The FOP is not able to distribute the reimbursement for over charged health care subsidies until the appeals have been exhausted or withdrawn.

The FOP does not think these appeals have merit and that the November 19, 2012 decision by the Maryland Court of Appeals should have signified an end to this case. We will continue to communicate that to the County Executive and other elected officials in an attempt to stop this waste of tax payer dollars and bring this case to an end.



Representing the Professional Police Officers of Baltimore County





MEETING MINUTES May 2014

- The May, 2014 General Business meeting was held on May 19, 2014 at FOP Lodge 4. President Weston called the meeting to order at 7:30 p.m. Sister Kraemer gave the invocation. President Weston led the Pledge of Allegiance.

ROLL CALL OF OFFICERS

- Chaplain Merkle, Vice-Chair DiCara, Brother Massey and Brother Rommel were excused. All other elected officers and Board members were present. Legal advisor Mike Marshall was also in attendance.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

- A motion was made by Brother Grumbach to accept the minutes of the March, 2014 General Membership Meeting. A second was made by Brother King. There was no discussion. The motion passed.

REPORTS OF OFFICERS

~ PRESIDENT WESTON ~

- April 28 Attended the County Council Work session.
- April 30 Addressed the In-Service training class.
- May 1 Met with the FOP Lodge 4 lobbyist concerning the legislative session, and attended a fundraiser for Delegate Shirley

Nathan-Pulliam who is running for the Senate seat in the new 44th legislative district.

- May 2 Attended the Dulaney Valley Memorial Gardens Fallen Heroes Ceremony.
- May 5 Participated in the Jason Schneider Memorial Golf Tournament.
- May 6 Attended the Retired Officers Association meeting.
- May 7 Addressed the In-Service training class, met with Ericka Schneider, and attended a fundraiser for Delegate Dana Stein of the 11th legislative district.
- May 8 Attended the bi-monthly meeting with Chief Johnson, his bureau chiefs and the FOP Executive Board of Directors.
- May 9 Attended the Baltimore County Police Department Memorial Service and the reception hosted by FOP Lodge #4.
- May 11 Placed memorial plaques at the National Police Officers Memorial in recognition of the nine officers we have lost in the line of duty.
- May 15 Attended the National Police Officers Memorial Service.
- May 19 Attended the Executive Board of Directors meeting and chaired the General Membership meeting.

~ 1st V. P. COMEGNA ~

- May 8 Attended the bi-monthly meeting between Chief Johnson and the Executive Board of Directors.
- May 9 Attended the annual Baltimore County Police Department Memorial Service and the reception that followed.
- May 10 Composed and formatted our Campaign Finance Re-

LODGE 4 OFFICE

9304 Harford Road
Baltimore, Maryland 21234
Phone (410) 668-0004
FAX (410) 668-8126
Toll Free (888) 313-3501
www.foplodge4.org

ELECTED OFFICERS

Cole B. Weston
President
(443) 956-2679

Steven G. Comegna 1st Vice President <i>PC4</i> (410) 409-0293	David M. Rose 2nd Vice President <i>F.O.P. Lodge 4</i> (443) 956-2643
David J. Folderauer, Sr. Lodge Secretary <i>RATT</i> (410) 382-2075	Robert W. Caskey Treasurer <i>CID-Robbery</i> (443) 956-2615
W. Donald Patterson State Trustee <i>PC12</i>	Ryan Massey Sergeant at Arms <i>CID - Homicide</i>
Paul A. Merkle Chaplain <i>Retired</i>	L. Timothy Caslin Past President <i>Retired</i>

EXECUTIVE BOARD of DIRECTORS

Kenneth F. Schubert Chairman <i>Retired</i> (410) 404-2788	Mike DiCara Vice Chairman <i>PC 4</i>
Thomas G. Scally <i>CID - Arson</i>	Lou Lagna <i>Retired</i>
Donna Patterson <i>PC12</i>	Patrick Zito <i>Retired</i>
James P. Rommel, Jr. <i>PC11</i>	Ryan Franks <i>CID - Gun Squad</i>
Joe Caskey <i>CID - Homicide</i>	Kathy Kraemer <i>PC 6</i>

LODGE STAFF

Juanita Bouthner—Administrative Assistant
Nancy Skinner—Administrative Assistant

LEGAL ADVISORS

Schlachman, Belsky & Weiner, P.A.
Phone (410) 685-2022
IAS Cases Michael Marshall

The Fourword is the official monthly publication of Baltimore County Fraternal Order of Police Lodge 4.

Fourword Editor
Kathryn Greenbeck
Precinct 8

port that was due on May 27.

- May 19 Completed, transmitted and filed our Pre-Primary #1 Campaign Finance Report.

~2nd V.P. ROSE~

- April 29 Attended the County Council work session.
- May 1 Met with our lobbyist John Stierhoff.
- May 2 Attended the Healing Hearts reception and Fallen Heroes Ceremony at Dulaney Valley.
- May 5 Participated in the Jason Schneider Memorial Golf Tournament.
- May 8 Attended the Executive Board of Directors' meeting with Chief Johnson.
- May 9 Attended the Baltimore County Police Department Memorial Service and FOP Reception.
- May 12 Met with a member to discuss retirement issues.
- May 13 Attended the Pension Board of Trustees meeting and

County Council Budget hearing for the Police Department.

- May 14 Addressed in-service training.
- May 15 Attended County Council Budget hearing for retirement and insurance.
- May 19 Attended the Executive Board of Directors and General Membership meetings.

~TREASURER CASKEY~

- May 2, 7, 18 Worked at the lodge.
- May 19 Worked at the lodge and attended a PAC meeting, the Executive Board of Directors meeting, and the General Membership meeting, where I reported on the financial status of the lodge.

SECRETARY FOLDERAUER

- May 9 Attended the annual Baltimore County Police Department Memorial Service and the reception that followed.
- May 19 Attended meetings of

Bereavements

**Antonia Lee
Mother of
Brother Dercyk Lee**

**William P. Miller
Father of Brother
Brian Miller**

**Michaelene Powell
Mother of Brother
Brian Powell**

**Patricia Cornman
Mother of Brother
Craig Cornman**

**Brandon "Ty" Williams
Son of Brother
Christopher Williams**

**Robert S. Garber
Father of Retired Brother
Robert E. Garber**



Laying of the FOP Lodge 4 wreath at the Baltimore County Memorial Service

the Political Action Committee, Executive Board of Directors and General Membership.

STATE TRUSTEE

~Don Patterson~

- May 9 Assisted with Memorial Reception at Heritage Gardens.
- May 5 Participated in the Jason Schneider Memorial Golf Tournament at Hayfields Country Club.
- May 15 Attended National Law Enforcement Memorial in DC.



**25th ANNUAL
GOLF TOURNAMENT**

**Piney Branch Golf Club
Trenton Mill Road,
Hampstead, MD 21074
Thursday, August 7, 2014**

Registration: 8:00 a.m.

Shotgun start: 9:00 a.m.

Contact Sharon Smith

410-848-4124,

410-876-2422 or

ssmith@arccarroll.com

- May 19 Attended Lodge 4 EBOD and General Membership meetings.

**EXECUTIVE BOARD
OF DIRECTORS REPORT**

~ Kenny Schubert~

- An Executive Board of Directors meeting was held on May 19, 2014. The meeting was called to order at 5:00 p.m. Chaplain Merkle, Vice-Chair DiCara, Brother Massey and Brother Rommel were excused. All other elected officers and Board members were present. Legal counsel Mike Marshall was also in attendance.
- Motions that were made, after receiving a proper second, were discussed, voted upon, and appear in this issue under the appropriate committee reports.

REPORTS OF COMMITTEES

ATHLETIC COMMITTEE

~Don Patterson~

- The Lodge 4 Golf Tournament will be held on Friday, August 22, 2014 at Rocky Point Golf Course in Essex. Shotgun start at 0800 hours. The price is \$90.00 and will include greens fees, cart, continental breakfast before play, hotdogs at the turn, beverages during play, lunch following play and prizes. To reserve your foursome, call the lodge at 410 668-0004.

GRIEVANCE COMMITTEE

~Dave Rose~

- There was one grievance filed this month in reference to a question on the Corporal test. Attempts to resolve the dispute with the Administration in lieu of filing a grievance were unsuccessful. We then filed a formal grievance and were successful at step #3. All answers received credit.

**LEGAL ADVISORY
COMMITTEE**

~Dave Rose~

- The County has filed an appeal to the October 23, 2013 Board of Appeals decision in the Brandt Bradford case to the Circuit Court. At this time there is no hearing date.
- We have one (1) trial board pending.
- The County has filed for a Request for a Writ of Certiorari with the Maryland Court of Appeals in the Absence Control Policy case. The court has agreed to hear the case. It was heard on June 4, 2014.

Association of
Baltimore County
Retired Police
Meetings 2014

September 2

November 4

All meetings are held at
Parkville Heritage Gardens
at 7:30 p.m.

MEMORIAL COMMITTEE

~Don Patterson~

- May is over and the memorial services were well attended. The county memorial service was held on May 9, and a reception was held at Heritage Parkville Gardens. Approximately 80 people attended the reception.
- May 15 the lodge sponsored a bus to the National Memorial in DC. On the bus was 20+ active members, 5 city school FOP members, 5 retirees and 8 spouses and children. There was also about 15-20 members who made the trip on their own including Colonel Ward, Capt McGann, Capt Landsman and our Honor Guard.

PENSION COMMITTEE

~Dave Rose~

- At the May Pension Board of Trustees meeting the Board approved 18 total retirements. Six of those were from the police department.

**POLICY REVIEW
COMMITTEE**
~Dave Rose~

- The committee received eight (8) new policies to review this month. There is an issue regarding firearms and suspension. What if a member has a handgun permit? What if a member works a secondary job and is not required to carry a firearm? We are currently in discussions with the Police Department administration to resolve these issues.

**POLITICAL ACTION
COMMITTEE**
~Steve Comegna~

- The Political Action Committee met on May 19, 2014. The committee voted to endorse Shirley Nathan-Pulliam, as well as the sitting judges for Baltimore County and Julie Ensor for clerk of the court.

NEW BUSINESS

- Second Vice President Rose advised members that the message board on www.foplodge4.org is being removed.

GOOD OF THE ORDER

- Chaplain Merkle advised members that the Lodge received a thank you from Concerns of Police Survivors for ongoing support.
- During the month of May, FOP Lodge #4 sent five (5) cards and flower arrangements to bereaving members. One (1) donation was sent in lieu of flowers at the family's request. Two (2) get-well baskets were sent to members. Six (6) thank you cards were received.
- The meeting was adjourned at 7:58 pm.



Congratulations Promotees!



Captain to Major

Woodland M. Wilson III

Sergeant to Lieutenant

Biff H. Benson

Joseph W. Donohue

Corporal to Sergeant

Paul G. Borowski

Robert F. Boudier

Kimberly A. DeFelice

Ryan W. Franks

Izaac D. Hester

Devin J. Rill

Officer to Corporal

Robert Q. Cole

Jameson T. Feelemyer

Mallory J. W. Grantham

Jaime E. Kennedy

Christopher G. Klein

Sean J. Leary

Michael J. McCollum

Daniel P. White

Dear Baltimore County FOP Lodge 4 Members,

Thank you very much for offering me the Fallen Heroes Memorial Scholarship. It means a lot to me that the members of the Baltimore County F.O.P. Lodge are willing to take the time out of their busy lives and talk with me and express how much they care about my future. Receiving this scholarship this year has made such an impact in my life currently and has helped relieve so much stress that follows with paying for college. Being enrolled in college and knowing I am on the right path to a great future allows me to focus on my school work and achieve the best possible grades I can, and with the help of the F.O.P. Fallen Heroes Scholarship I can do just that. I am so thankful for this opportunity to help with furthering and bettering my education. I am truly honored to be given this scholarship and I want each and every member of the F.O.P. Lodge to know I greatly appreciate the guidance they have given me. The Baltimore County Police community has been a part of my life since I was born and now I can personally say they have helped me. So, once again, thank you all so much for your time and willingness to meet with me and my family and offering me the 2014 Fallen Heroes Memorial Scholarship.

Sincerely,
Julianne Palmer

The July

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
July 28, 2014
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road

The August

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
August 25, 2014
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road