

IN THE MATTER OF:
ELAINE COLLINS
7933 Wynbrook Road
Baltimore, MD 21224

RE: ERS APPEAL

* BEFORE THE
* BOARD OF APPEALS
* OF BALTIMORE COUNTY
* CASE NO.: CBA-11-009

* * * * *

ORDER OF DISMISSAL

This matter having come before this Board on appeal dated November 23, 2010 from a decision of the Baltimore County Employee's Retirement System's Board of Trustees dated November 12, 2010, granting service retirement in lieu of disability retirement;

WHEREAS, the Board received notification from the ERS on December 22, 2010 that the ERS was going to re-consider the application of Ms. Collins for disability retirement; and

WHEREAS, the Board is in receipt of a letter dated March 15, 2011 from Suzanne Berger, Assistant County Attorney, indicating that the ERS Board granted Ordinary Disability Retirement to Ms. Collins at their meeting of February 8, 2011 and requesting that Ms. Collins withdrawal her appeal that was pending before this Board; and

WHEREAS, by letter dated June 7, 2011, the Board of Appeals notified the Appellant that the above-entitled matter would be dismissed for lack of prosecution after a period of 30 days; and

WHEREAS, there has been no request made for hearing in this matter, nor objection made to said dismissal;

IT IS THEREFORE ORDERED, this 9th day of August, 2011 by the Board of Appeals for Baltimore County that the above-referenced appeal in Case No.: CBA-11-009, be and is hereby **DISMISSED FOR LACK OF PROSECUTION**.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence S. Wescott, Chairman



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

June 7, 2011

Elaine Collins
7933 Wynbrook Road
Baltimore, MD 21224

RE: Elaine C. Collins –Applicant /Appellant
7933 Wynbrook Road, Baltimore, MD 21224
Case No.: CBA-11-009

Dear Ms. Collins:

A review of the subject file indicates that on March 15, 2011 a letter was received from Ms. Berger stating that the appeal before the Board was moot and requesting that you withdraw your appeal. To date, this office has not received your withdrawal request.

Pursuant to the above intent regarding inactive cases, the purpose of this letter is to advise you that an Order of Dismissal for lack of prosecution will be entered in the above-captioned matter after the expiration of 30 days from the date of this Notice. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Very truly yours,

A handwritten signature in cursive script that reads "Theresa R. Shelton".

Theresa R. Shelton
Administrator

c: Suzanne Berger, Assistant County Attorney
Kimberly Vazquez, Retirement Benefits Administrator
Michael Field, County Attorney
Dr. Joe Hairston, Superintendent, Board of Education



KEVIN KAMENETZ
County Executive

KEITH DORSEY, *Director*
Office of Budget and Finance

March 15, 2011

Theresa Shelton, Administrator
County Board of Appeals of Baltimore County
105 W. Chesapeake Avenue, Room 203
Towson, Maryland 21204

Re: *In the Matter of Elaine Collins*
CBA-11-009

Dear Ms. Shelton:

Enclosed please find a copy of the minutes of the February 8, 2011 meeting of the ERS Board of Trustees.

Please note that Elaine Collins was granted an Ordinary Disability Retirement at this meeting. This decision should render appeal pending before the Board of Appeals, moot.

By copy of this letter to Ms. Collins, I am requesting that she withdraw her appeal by written request to the Board of Appeals so the file may be closed.

Thank you.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Suzanne T. Berger".

SUZANNE T. BERGER
Assistant County Attorney

STB/kam

cc: Elaine Collins (w/o enc.)

RECEIVED
MAR 15 2011

BALTIMORE COUNTY
BOARD OF APPEALS

MINUTES OF
THE MEETING OF
THE BOARD OF TRUSTEES OF
THE EMPLOYEES' RETIREMENT SYSTEM

February 8, 2011

Members Present:

Ed Adams
Mike Day
Keith Dorsey
George Gay
Fred Homan
Chief Johnson
Cole Weston
Joe Zerhusen

Others Present:

Suzanne Berger
Robert Burros
Dawn Kile
Kim Vazquez

The meeting was called to order at 10:02 a.m.

APPROVAL OF MINUTES OF PREVIOUS MEETING

Motion was made by Cole Weston and seconded by Mike Day to approve the minutes of the January 11, 2011 meeting. Motion carried.

SERVICE RETIREMENTS

Motion was made by Cole Weston and seconded by Mike Day to approve the service, including disability that was eligible for a service retirement, vested, early retirement, discontinued service, DROP, lump-sum death benefit, accidental death in service and ordinary death in service retirements. Motion carried.

DISABILITY RETIREMENTS

[REDACTED] - It was the Board's decision to approve an ordinary disability retirement with a date of July 1, 2010.

Elaine Collins – Building Service Worker – Board of Education - It was the Board's decision to approve an ordinary disability retirement with a date of November 20, 2010.

[REDACTED] - It was the Board's decision to approve an ordinary disability retirement with a date of February 9, 2011.

[REDACTED] - It was the Board's decision to approve an accidental disability retirement with a date of February 1, 2011.

[REDACTED] - The Medical Board found the employee is not mentally or physically incapacitated for the further performance of duty and that such incapacity is not likely to be permanent. In accordance with the County Code, no action was taken by the Board of Trustees.