

Champaign Police Pension Fund  
Special Meeting  
July 15, 2021

Minutes

Meeting held at CPPF office, 10 Henson Pl, Ste 2, Champaign, IL 61820  
Meeting scheduled for 1:30pm

Meeting called to order at 1:30pm by Vice President Ackerman. An opening roll call of Trustees present: Mike Murphy and Anthony Ackerman. Attending by phone: Patrick Simons (out of town for training).

Purpose of Special Meeting: To amend the Board's June 18, 2021 decision, granting Amber Oberheim, surviving spouse of Christopher Oberheim, a survivor pension benefit of 100% of salary attached to rank held by the deceased police officer on the "last day of service" pursuant to 3-112(e), in order to reserve the Board's jurisdiction to consider whether or not said survivor pension must be reduced by reason of corresponding survivor benefits received by the surviving spouse pursuant to worker's compensation, as may be required by 40 ILCS 5/3-114.5 of the Police Pension Code.

Applicant was provided notice of this meeting. (Attached)

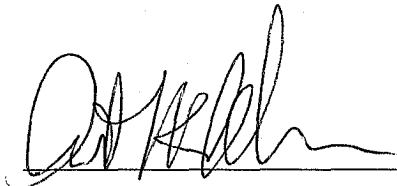
Others present: David Gordon, Clerk of the Fund, Joan Keeler, Office Manager.

A Motion was made by Patrick Simons to Amend the Board's Order of June 18, 2021 [granting a survivor pension to Amber Oberheim pursuant to 40 ILCS 4/3-112(e)], in order that the Board retain jurisdiction to consider application of 40 ILCS 3-114.5 of the Illinois Pension Code. Motion was seconded by Mike Murphy.

Roll Call vote: Mike Murphy, yes; Patrick Simons, yes; Anthony Ackerman, yes. Motion passed.

A Motion was made by Patrick Simons to adopt and enter the Board's Order as presented, reserving jurisdiction herein. Motion was seconded by Mike Murphy. Roll Call vote: Mike Murphy, yes; Patrick Simons, yes; Anthony Ackerman, yes. Motion passed.

A motion was made by Patrick Simons to adjourn. All voted yes, motion passed. Meeting adjourned at 1:35pm.



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**Atwell & Atwell**  
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Charles H. Atwell, Sr.  
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July 12, 2021

Via e-mail (aoberheim76@gmail.com)

Mrs. Amber Oberheim  


Re: Board of Trustees of the Champaign Police  
Pension Fund – Survivor Benefits of  
Amber Oberheim, Surviving Spouse of  
Christopher Oberheim

Mrs. Oberheim:

Please be advised that I represent the Board of Trustees of the Champaign Police Pension Fund. Initially, I express my sincere condolences for the loss of your husband, Christopher Oberheim, on May 19, 2021. He was one of the many men and women who risk their lives every day in order to serve and protect the public. We hold all in the highest regard!

It has come to my attention that on or about June 18, 2021, the Pension Board expedited this matter in order to provide you with a “100% of salary attached to rank” surviving spouse pension benefit, pursuant to 40 ILCS 5/3-112(e) of the Illinois Police Pension Code.

Section 3-114.5 of the Police Pension Code entitled, “Reduction of disability and survivor's benefits for corresponding benefits payable under Workers' Compensation or Workers' Occupational Diseases Acts” requires that pension benefits shall be reduced under the circumstances as provided in said Statute. The “Notice of Hearing” provided to your attention for July 15, 2021 at 1:30 p.m., #10 Henson Place, Suite 2, Champaign, IL 61820, is merely advising you that the Board will, on said date, reserve its jurisdiction to later consider whether or not Section 3-114.5 of the Police Pension Code may apply to reduce any survivor pension benefits. Thus, on July 15, 2021, the Board will not make any determination as to whether or not Section 3-114.5 may apply, or whether any pension benefits shall be reduced accordingly. The intent of the meeting on July 15, 2021, is merely to reserve the Board's jurisdiction to later consider any said action.


Obviously, the Board will provide to your attention timely notice of any further hearing or meeting of the Board respecting this matter. Please also note that you have the right to be

Mrs. Amber Oberheim  
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represented by counsel and to present evidence in any proceedings before the Board. In the event you are represented by counsel, I request that you provide to my attention, the name of your counsel and necessary contact information. Once I am advised that you are represented by counsel, any and all further correspondence will be provided to his/her attention.

Respectfully,



Charles H. Atwell


pjs

cc: Board of Trustees of the Champaign  
Police Pension Fund

**BOARD OF TRUSTEES OF THE  
CHAMPAIGN POLICE PENSION FUND**

IN THE MATTER OF THE SURVIVOR )  
BENEFITS OF: )  
 )  
**AMBER OBERHEIM, Surviving** )  
**Spouse of Christopher Oberheim,** )  
 )  
Applicant. )

**NOTICE OF HEARING**

To: Mrs. Amber Oberheim  



**YOU ARE HEREBY NOTIFIED** that on the *15<sup>th</sup> day of July 2021 at 1:30 p.m.*, at #10 *Henson Place, Suite #2, Champaign, Illinois 61820*, the Board of Trustees of the Champaign Police Pension Fund shall convene a public meeting/hearing, at which time and place the Board will take action to reserve the Board's jurisdiction to consider, at a later date, whether the "line of duty" (death) surviving spouse pension provided to Amber Oberheim (pursuant to 40 ILCS 5/3-112(e)) must be reduced by reason of any corresponding worker's compensation survivor benefits payable to the surviving spouse as provided for under 40 ILCS 5/3-114.5 (Police Pension Code).

The action to be taken on this date of hearing, shall serve to only amend any decision previously entered by the Board in this matter, by reserving jurisdiction to later consider any set-off provided for pursuant to 40 ILCS 5/3-114.5 of the Police Pension Code.

You have a right to be present before the Board.

The Applicant is entitled to be represented by legal counsel, to present any evidence and witnesses, and to respond to any evidence before the Board.

**BOARD OF TRUSTEES OF THE CHAMPAIGN  
POLICE PENSION FUND**

  
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Charles H. Atwell, Attorney for the Board  
Atwell & Atwell Law Offices  
70 S. Constitution Drive, Suite 100  
Aurora, IL 60506  
(630) 892-4341  
charles@atwellandatwelllaw.com

**PROOF OF SERVICE**

I, Charles H. Atwell, under penalties as provided by law pursuant to 735 ILCS 5/1-109, certify that a copy of the foregoing "Notice of Hearing", was served upon the parties to whom it is directed via e-mail ([aoberheim76@gmail.com](mailto:aoberheim76@gmail.com)) on the 14<sup>th</sup> day of July, 2021.

  
\_\_\_\_\_  
Charles H. Atwell

**BOARD OF TRUSTEES OF THE  
CHAMPAIGN POLICE PENSION FUND**

IN THE MATTER OF THE SURVIVOR )  
BENEFITS OF: )  
 )  
**AMBER OBERHEIM, Surviving** )  
**Spouse of Christopher Oberheim,** )  
 )  
Applicant. )

**ORDER**

**THIS MATTER** coming on for hearing on motion of the **BOARD OF TRUSTEES OF THE CHAMPAIGN PENSION FUND** (hereinafter referred to as “Board”), to amend its decision of June 18, 2021 granting **AMBER OBERHEIM** (hereinafter referred to as “Applicant”) a surviving spouse pension pursuant to 40 ILCS 5/3-112(e), and to incorporate in said decision a reservation of the Board’s jurisdiction to hereinafter consider whether Applicant’s said pension must be reduced as the result of her receipt of corresponding worker’s compensation benefits as provided in 40 ILCS 5/3-114.5 (Police Pension Code) and the Board being fully advised,

**FINDS**, as follows:

1. On May 19, 2021, Decedent died as the result of injuries sustained while assigned to duty for the Champaign Police Department.
2. On June 17, 2021, Applicant filed with the Board, her Application for survivor pension benefits, pursuant to 40 ILCS 5/3-112(e).
3. On June 18, 2021, the Board granted Applicant a surviving spouse pension, pursuant to 40 ILCS 3-112(e) of the Police Pension Code, the same constituting 100% of salary attached to Decedent’s rank.
4. Section 3-114.5 (Reduction of disability and survivor's benefits for corresponding benefits payable under Workers' Compensation and Workers' Occupational Diseases Acts) of the Police Pension Code, provides, “(a) Whenever a person is entitled to a disability or survivor's benefit under this Article and to benefits under the Workers' Compensation Act or the Workers' Occupational Diseases Act for the

same injury or disease, the benefits payable under this Article shall be reduced by an amount computed in accordance with subsection (b) of this Section....” 40 ILCS 5/3-114.5.

5. The Board desires to amend its decision granting Applicant 40 ILCS 5/3-112(e) surviving spouse pension benefits, in order to secure the Board’s retention of its jurisdiction to hereinafter consider whether said pension should be reduced by reason of Applicant’s receipt of corresponding benefits payable under Workers’ Compensation, pursuant to the provisions of 40 ILCS 5/3-114.5 (Police Pension Code).

**NOW, THEREFORE IT IS ORDERED:**

1. The Board reserves its jurisdiction in this matter to consider, at a later date, whether the Applicant’s surviving spouse pension benefit should be adjusted or reduced by reason of her receipt of corresponding benefits under the Workers’ Compensation Act, as may be provided for in 40 ILCS 3-114.5 (Police Pension Code).

2. The Board’s decision granting benefits to the Applicant on June 18, 2021, is hereby amended in accordance with this Order.

3. This matter shall be continued to a mutually convenient date for hearing with timely notice to be provided to Applicant.

ENTERED this 15<sup>th</sup> day of July, 2021.

**BOARD OF TRUSTEES OF THE CHAMPAIGN  
POLICE PENSION FUND**

*[Signature]*  
Vice President

*[Signature]*  
asst. Secretary

**BOARD OF TRUSTEES OF THE  
CHAMPAIGN POLICE PENSION FUND**

IN THE MATTER OF THE SURVIVOR )  
BENEFITS OF: )  
)  
**AMBER OBERHEIM, Surviving** )  
**Spouse of Christopher Oberheim,** )  
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Applicant. )

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**FINDS**, as follows:

1. On May 19, 2021, Decedent died as the result of injuries sustained while assigned to duty for the Champaign Police Department.
2. On June 17, 2021, Applicant filed with the Board, her Application for survivor pension benefits, pursuant to 40 ILCS 5/3-112(e).
3. On June 18, 2021, the Board granted Applicant a surviving spouse pension, pursuant to 40 ILCS 3-112(e) of the Police Pension Code, the same constituting 100% of salary attached to Decedent’s rank.
4. Section 3-114.5 (Reduction of disability and survivor's benefits for corresponding benefits payable under Workers' Compensation1 and Workers' Occupational Diseases Acts) of the Police Pension Code, provides, “(a) Whenever a person is entitled to a disability or survivor's benefit under this Article and to benefits under the Workers' Compensation Act or the Workers' Occupational Diseases Act for the



same injury or disease, the benefits payable under this Article shall be reduced by an amount computed in accordance with subsection (b) of this Section....” 40 ILCS 5/3-114.5.

5. The Board desires to amend its decision granting Applicant 40 ILCS 5/3-112(e) surviving spouse pension benefits, in order to secure the Board’s retention of its jurisdiction to hereinafter consider whether said pension should be reduced by reason of Applicant’s receipt of corresponding benefits payable under Workers’ Compensation, pursuant to the provisions of 40 ILCS 5/3-114.5 (Police Pension Code).

**NOW, THEREFORE IT IS ORDERED:**

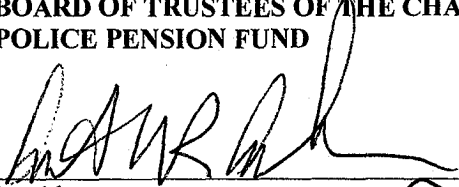
1. The Board reserves its jurisdiction in this matter to consider, at a later date, whether the Applicant’s surviving spouse pension benefit should be adjusted or reduced by reason of her receipt of corresponding benefits under the Workers’ Compensation Act, as may be provided for in 40 ILCS 3-114.5 (Police Pension Code).

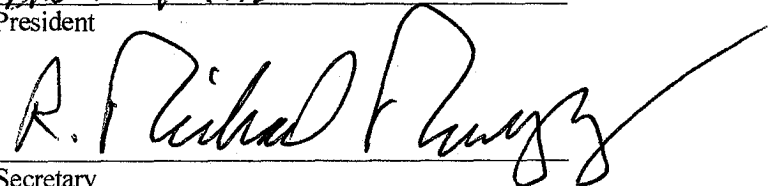
2. The Board’s decision granting benefits to the Applicant on June 18, 2021, is hereby amended in accordance with this Order.

3. This matter shall be continued to a mutually convenient date for hearing with timely notice to be provided to Applicant.

ENTERED this 15<sup>th</sup> day of July, 2021.

**BOARD OF TRUSTEES OF THE CHAMPAIGN  
POLICE PENSION FUND**

  
Vice President

asst.   
Secretary