

# VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

## BOARD OF RETIREMENT

### DISABILITY MEETING

March 7, 2016

### MINUTES

**DIRECTORS** Tracy Towner, Chair, Alternate Safety Employee Member  
**PRESENT:** William W. Wilson, Vice Chair, Public Member  
Steven Hintz, Treasurer-Tax Collector  
Joseph Henderson, Public Member  
Deanna McCormick, General Employee Member  
Craig Winter, General Employee Member  
Chris Johnston, Safety Employee Member  
Arthur E. Goulet, Retiree Member  
Will Hoag, Alternate Retiree Member

**DIRECTORS** Peter C. Foy, Public Member  
**ABSENT:** Mike Sedell, Public Member

**STAFF** Lori Nemiroff, Assistant County Counsel  
**PRESENT:** Dan Gallagher, Chief Investment Officer  
Julie Stallings, Chief Operations Officer  
Donna Edwards, Retirement Benefits Specialist  
Chantell Garcia, Retirement Benefits Specialist  
Nancy Jensen, Office Assistant  
Stephanie Caiazza, Program Assistant

**PLACE:** Ventura County Government Center  
Hall of Administration- 3<sup>rd</sup> Floor Multipurpose Room  
800 S. Victoria Ave.  
Ventura, CA 93009

**TIME:** 9:00 a.m.

### **ITEM:**

#### **I. CALL TO ORDER**

Chair Towner called the Disability Meeting of March 7, 2016, to order at 9:00 a.m.

**II. APPROVAL OF AGENDA**

MOTION: Approve.

Moved by Henderson, seconded by Johnston.

Vote: Motion carried

Yes: Goulet, Hintz, Henderson, Johnston, Winter, McCormick

No: -

Absent: Foy, Sedell, Wilson

**III. APPROVAL OF MINUTES**

A. Business Meeting of February 22, 2016.

MOTION: Approve.

Moved by Henderson, seconded by Goulet.

Vote: Motion carried

Yes: Goulet, Hintz, Henderson, Johnston, Winter, McCormick

No: -

Absent: Foy, Sedell, Wilson

**IV. RECEIVE AND FILE PENDING DISABILITY APPLICATION STATUS REPORT**

MOTION: Approve.

Moved by Goulet, seconded by Henderson.

Vote: Motion carried

Yes: Goulet, Hintz, Henderson, Johnston, Winter, McCormick

No: -

Absent: Foy, Sedell, Wilson

**V. APPLICATIONS FOR DISABILITY RETIREMENT**

A. Application for Service Connected Disability Retirement,  
Nadon, David J.; Case No. 11-008

1. Memo from County Counsel, dated March 7, 2016

2. Ruling on Petition for Writ of Mandate

3. Notice of Entry of Judgement-Granting Peremptory Writ of Mandamus

4. Minute Order-Attorney's fees
5. Hearing Notice served on February 4, 2016

Stephen D. Roberson, Attorney at Law, was present on behalf of County of Ventura Risk Management. Anthony Strauss, Attorney at Law, was present on behalf of the applicant.

Trustee Wilson entered the meeting at 9:04 a.m.

Both parties declined to make statements.

The following motion was made:

MOTION: 1.) Set aside the Board's decision of February 3, 2014, denying David Nadon's Application for a service connected disability retirement, and make a new decision granting Mr. Nadon's application for service connected disability retirement, based on the court ruling dated October 27, 2015.

2.) Direct staff to pay Mr. Nadon's attorney fees in the amount of \$28,800.

Moved by Winter, seconded by McCormick.

Vote: Motion carried

Yes: Hintz, Henderson, Johnston, Winter, McCormick, Wilson

No: Goulet

Absent: Foy, Sedell

**B. Application for Service Connected Disability Retirement,  
Zaslove, Scott; Case No. 14-022**

1. Application for Service Connected Disability Retirement
2. Medical Analysis and Recommendation by County of Ventura, Risk Management, to grant Application for Service Connected Disability Retirement and supporting documentation
3. Hearing Notice served on February 5, 2016

Paul Hilbun was present on behalf of County of Ventura Risk Management. Thomas Wicke, Attorney at Law, was present on behalf of the applicant. The applicant, Scott Zaslove, was also present.

Both parties declined to make statements.

The following motion was made:

MOTION: Grant the applicant, Scott Zaslove, a service connected disability retirement.

Moved by Johnston, seconded by Winter.

Vote: Motion carried

Yes: Goulet, Hintz, Henderson, Johnston, Winter, McCormick, Wilson

No: -

Absent: Foy, Sedell

Both parties agreed to waive preparation of findings of fact and conclusions of law.

C. Application for Non-Service Connected Disability Retirement,  
Mora, Arthur R.; Case No. 15-021

1. Application for Non-Service Connected Disability Retirement
2. Medical Analysis and Recommendation by County of Ventura, Risk Management to grant Application for Non-Service Connected Disability Retirement and supporting documentation
3. Hearing Notice served on February 23, 2016

Paul Hilbun was present on behalf of County of Ventura Risk Management. The applicant, Arthur R. Mora, was also present.

The applicant declined to make a statement.

Mr. Hilbun offered a correction to the last line of the last page of Risk Management's analysis, which incorrectly stated that the applicant's employment with Ventura County "substantially caused or aggravated his incapacity". Mr. Hilbun clarified that Risk Management's recommendation is that the Board grant a non-service connected disability retirement.

MOTION: Grant the applicant, Arthur R. Mora, a non-service connected disability retirement, with approval of the correction to Risk Management's analysis.

Moved by Wilson, seconded by McCormick.

Vote: Motion carried

Yes: Goulet, Hintz, Henderson, Johnston, Winter, McCormick, Wilson

No: -

Absent: Foy, Sedell

Both parties agreed to waive preparation of findings of fact and conclusions of law.

D. Application for Non-Service Connected Disability Retirement, Regalado, Roseann R.; Case No. 15-017

1. Application for Non-Service Connected Disability Retirement
2. Medical Analysis and Recommendation by County of Ventura, Risk Management to grant Application for Non-Service Connected Disability Retirement and supporting documentation
3. Hearing Notice served on February 23, 2016

Paul Hilbun was present on behalf of County of Ventura Risk Management. The applicant, Roseanne R. Regalado, was also present.

The applicant declined to make a statement.

Mr. Hilbun requested that the Board grant the applicant a non-service connected disability retirement.

The following motion was made:

MOTION: Grant the applicant, Roseanne R. Regalado, a non-service connected disability retirement.

Moved by Henderson, seconded by Johnston.

Vote: Motion carried

Yes: Goulet, Hintz, Henderson, Johnston, Winter, McCormick, Wilson

No: -

Absent: Foy, Sedell

Both parties agreed to waive preparation of findings of fact and conclusions of law.

**VI. NEW BUSINESS**

A. SACRS Board of Directors 2016-17 Elections Recommended Ballot

MOTION: Approve.

Moved by McCormick, seconded by Johnston.

Vote: Motion carried  
Yes: Goulet, Hintz, Henderson, Johnston, Winter, McCormick, Wilson  
No: -  
Absent: Foy, Sedell

**VII. OLD BUSINESS**

A. AB 1291 Position Update

Shawn Atin, Assistant County Executive Officer, Human Resources, was present to discuss recent progress on the adoption of the AB 1291 positions. Mr. Atin informed the Board that County HR has amended vendor contracts for health, dental, disability, and other benefits, and that amendments to the Deferred Compensation Plans will be submitted to the Deferred Compensation Committee for approval in March 2016, and then submitted to the Board of Supervisors in April 2016. Regarding the Proposed Memorandum of Agreement, Mr. Atin stated that County HR is ready to meet with VCERA representatives to move forward.

**VIII. INFORMATIONAL**

A. Letter to Court of Appeal, Joining in OCERS' Request for Publication of Astorga v. Board of Retirement of the Santa Barbara County Employees Retirement System; Case No. B263325; Santa Barbara County Superior Court Case No. 1468905

1. Published Opinion

B. Save the Date - NEPC's 21<sup>st</sup> Annual Investment Conference, May 10 – 11, 2016, Boston, MA

**IX. PUBLIC COMMENT**

None.

**X. STAFF COMMENT**

None.

**XI. BOARD MEMBER COMMENT**

Chair Towner informed the Board that he will absent from the March 21, 2016 business meeting.

Trustee Wilson stated that he applied for reappointment to the position of the 4<sup>th</sup> member of the Board of Retirement, pursuant to new appointment procedures put into place by the County CEO's office.

**XII. ADJOURNMENT**

The meeting was adjourned at 9:30 a.m.

Respectfully submitted,



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LINDA WEBB, Retirement Administrator

Approved,



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TRACY TOWNER, Chairman