

VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

BOARD OF RETIREMENT

DISABILITY MEETING

December 2, 2013

MINUTES

DIRECTORS William W. Wilson, Chair, Public Member
PRESENT: Tracy Towner, Vice Chair, Safety Employee Member
Steven Hintz, Treasurer-Tax Collector
Peter C. Foy, Public Member
Joseph Henderson, Public Member
Mike Sedell, Public Member
Tom Johnston, General Employee Member
Deanna McCormick, General Employee Member
Arthur E. Goulet, Retiree Member
Chris Johnston, Alternate Safety Employee Member

DIRECTORS Will Hoag, Alternate Retiree Member

ABSENT:

STAFF Donald C. Kendig, Retirement Administrator
PRESENT: Henry Solis, Chief Financial Officer
Lori Nemiroff, Assistant County Counsel
Glenda Jackson, Clerk of the Board
Angie Tolentino, Retirement Benefits Specialist

PLACE: Ventura County Employees' Retirement Association
Second Floor Boardroom
1190 South Victoria Avenue
Ventura, CA 93003

TIME: 9:00 a.m.

ITEM:

I. **CALL TO ORDER**

Chairman Wilson called the Disability Meeting of December 2, 2013, to order at 9:01 a.m. and dedicated the meeting to the memory of Ruth Tabarez, VCERA Benefits Manager, who passed away November 26, 2013.

II. APPROVAL OF MINUTES

A. Disability Meeting of December 2, 2013.

MOTION: Approve the Minutes.

Moved by Goulet, seconded by Henderson.

Vote: Motion carried

Yes: Goulet, Henderson, Hintz, T. Johnston, McCormick, Towner, Wilson

No: -

Absent: Foy, Hoag, Sedell

III. RECEIVE AND FILE PENDING DISABILITY APPLICATION STATUS REPORT

Trustees Foy and Sedell arrived at 9:02 a.m.

MOTION: Receive and file the Report.

Moved by Henderson, seconded by T. Johnston.

Vote: Motion carried

Yes: Foy, Goulet, Henderson, Hintz, T. Johnston, McCormick, Sedell, Towner,
Wilson

No: -

Absent: Hoag

IV. APPLICATIONS FOR DISABILITY RETIREMENT

A. Consider Application for Service Connected Disability Retirement; Michael S. Brodie; Case No. 11-029.

Stephen D. Roberson and Wanda Tuttle were present representing the County of Ventura Risk Management. David G. Schumaker, Attorney at Law, was present representing the applicant. The applicant, Michael S. Brodie, was present.

Both parties declined to make statements.

The following Motion was made:

MOTION: Adopt the recommendation of the hearing officer and grant the application for service connected disability retirement.

Moved by Goulet, seconded by T. Johnston.

Vote: Motion carried

Yes: Foy, Goulet, Henderson, Hintz, T. Johnston, McCormick, Sedell,
Towner, Wilson

No: -

Absent: Hoag

- B. Consider Application for Service Connected Disability Retirement; Esther V. Diaz; Case No. 12-002.

John Gilman and Wanda Tuttle were present representing the County of Ventura Risk Management. The applicant, Esther Diaz, was present.

After statements by both parties, and Board discussion, the following Motion was made:

MOTION: Refer the matter back to the Hearing Officer for clarification and explain thoroughly which medical evidence he relied on to draw his conclusion since there is medical evidence that applicant is able to return to work.

Moved by Henderson, seconded by T. Johnston.

Vote: Motion carried

Yes: Foy, Goulet, Henderson, Hintz, T. Johnston, McCormick, Sedell,
Towner, Wilson

No: -

Absent: Hoag

- C. Consider Application for Service Connected Disability Retirement; Donald G. Hillberg; Case No. 10-028.

Derek Straatsma and Wanda Tuttle were present representing the County of Ventura Risk Management. Laurence Grossman, Attorney at Law, and the applicant, Donald G. Hillberg, were present.

After statements by both parties, and Board discussion, the following Motion was made:

MOTION: Send request for job analysis to Human Resources Ventura County Sheriff's Department.

Moved by Towner, seconded by T. Johnston.

Vote: Motion carried

Yes: Foy, Goulet, Henderson, Hintz, T. Johnston, McCormick, Sedell,
Towner, Wilson

No: -
Absent: Hoag

- D. Consider Application for Service Connected Disability Retirement; Kristina Lee-Bailey; Case No. 12-015.

Stephen D. Roberson and Wanda Tuttle were present representing the County of Ventura Risk Management. Thomas J. Wicke, Attorney at Law, was present on behalf of the applicant. The applicant, Kristina Lee-Bailey, was not present.

After statements by both parties and Board discussion, the following Motion was made:

MOTION: Adopt the recommendation of the hearing officer and deny the application for service connected disability retirement.

Moved by Foy, seconded by Hintz.

Vote: Motion carried
Yes: Foy, Goulet, Henderson, Hintz, T. Johnston, McCormick, Sedell, Wilson
No: -
Absent: Hoag
Recused: Towner

- E. Consider Application for Service Connected and Non-Service Connected Disability Retirement; Celia Montoya; Case No. 11-013.

Marshall Graves and Wanda Tuttle were present representing the County of Ventura Risk Management. The applicant, Celia Montoya, was not present.

After statements by both parties, and Board discussion, the following Motion was made:

MOTION: Adopt the recommendation of the hearing officer and deny the application for service connected disability retirement.

Moved by Goulet, seconded by Henderson.

Vote: Motion carried
Yes: Foy, Goulet, Henderson, Hintz, T. Johnston, McCormick, Sedell, Towner, Wilson
No: -
Absent: Hoag

V. STANDING ITEM

- A. Review Monthly PAS (VCERIS) Report for October 2013.
RECOMMENDED ACTION: Receive and File.

MOTION: Receive and file the Report.

Moved by Henderson, seconded by McCormick.

Vote: Motion carried

Yes: Foy, Goulet, Henderson, Hintz, T. Johnston, McCormick, Sedell,
Towner, Wilson

No: -

Absent: Hoag

- B. Review Staff Response to Quarterly VCERIS Report Questions Asked at the November 18, 2013 Board Meeting. **RECOMMENDED ACTION: Receive and File.**

After discussion by the Board and staff, the following Motion was made:

MOTION: Receive and file the Report.

Moved by Henderson, seconded by T. Johnston.

Vote: Motion carried

Yes: Foy, Goulet, Henderson, Hintz, T. Johnston, McCormick, Sedell,
Towner, Wilson

No: -

Absent: Hoag

Trustee Goulet commented on the Change Order and staff was instructed to have Brian Colker available for questions at the next monthly PAS Report scheduled for January 6, 2014 meeting.

VI. NEW BUSINESS

- A. Appoint Chair and Vice Chair for 2014.

The Chair called for nominations and after Board discussion, the following Motion was made:

MOTION: Appoint Tracy Towner as Chair and William Wilson as Vice Chair.

Moved by Henderson, seconded by Foy.

The Chair asked for further nominations and receiving none, the Motion carried.

Yes: Foy, Goulet, Henderson, Hintz, T. Johnston, McCormick, Sedell, Towner, Wilson

No: -

Absent: Hoag

- B. Consider Authorization to Attend Opal Financial Group Public Funds Summit, January 7-9, 2014, Scottsdale, Arizona – Trustee Chris Johnston.

Trustee Johnston cancelled his request to attend.

VII. CLOSED SESSION

It is the Intention of the Board of Retirement to Meet in Closed Session, pursuant to Government Code Section 54957(b)(1), to Discuss the Following Item.

- A. Public Employee Appointment/Employment/Evaluation of Performance/Release.
Title: Retirement Administrator.

No reportable action taken.

VIII. PUBLIC COMMENT

None.

IX. STAFF COMMENT

None.

X. BOARD MEMBER COMMENT

None.

XI. ADJOURNMENT

The meeting was adjourned at 11:41 a.m.

Respectfully submitted,



DONALD C. KENDIG, Retirement Administrator

Approved,



WILLIAM W. WILSON, Chairman