

VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

BOARD OF RETIREMENT

DISABILITY MEETING

October 7, 2013

MINUTES

DIRECTORS
PRESENT: William W. Wilson, Chair, Public Member
Steven Hintz, Treasurer-Tax Collector
Mike Sedell, Public Member
Tom Johnston, General Employee Member
Arthur E. Goulet, Retiree Member
Will Hoag, Alternate Retiree Member

DIRECTORS
ABSENT: Tracy Towner, Vice Chair, Safety Employee Member
Peter C. Foy, Public Member
Joseph Henderson, Public Member
Deanna McCormick, General Employee Member
Chris Johnston, Alternate Safety Employee Member

STAFF
PRESENT: Donald C. Kendig, Retirement Administrator
Lori Nemiroff, Assistant County Counsel
Glenda Jackson, Program Assistant
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. INTRODUCTION OF MEETING

Chairman Wilson called the Disability Meeting of October 7, 2013, to order at 9:00 a.m.

II. APPROVAL OF AGENDA

MOTION: Approve the agenda as modified to move Item VII.E. Appointment of Ad Hoc Effectiveness Committee for Organizational Effectiveness Project to front of agenda.

Moved by Goulet, seconded by T. Johnston.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

VII. NEW BUSINESS

E. Appointment of Ad Hoc Effectiveness Committee for Organizational Effectiveness Project.

MOTION: Appoint Members of the Personnel Committee to the Ad Hoc Effectiveness Committee.

Moved by Goulet, seconded by T. Johnston.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

III. APPROVAL OF MINUTES

A. Business Meeting of September 16, 2013.

MOTION: Approve the Minutes.

Moved by T. Johnston, seconded by Hintz.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

B. Investment Retreat of September 26, 2013.

MOTION: Approve the Minutes.

Moved by Goulet, seconded by Hintz.

Vote: Motion failed

Yes: Goulet, Henderson, Hintz, McCormick, Sedell, Wilson

No: -

Abstention: T. Johnston

IV. PENDING DISABILITY APPLICATION STATUS REPORT

MOTION: Receive and file the Pending Disability Application Status Report.

Moved by Hintz, seconded by T. Johnston.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

V. APPLICATIONS FOR DISABILITY RETIREMENT

- A. Application for Service Connected Disability Retirement; James B. Bulger, Case No. 12-026.

Paul Hilbun was present representing the County of Ventura Risk Management. Michael Treger, Attorney at Law, was present representing the applicant. The applicant, James B. Bulger, was present.

Both parties agreed to accept into the record the application for service connected disability retirement and Risk Management's report including attachments on Master Page Numbers 59 – 253 of the Agenda.

Both parties declined to make comments.

After Board and Board Counsel comment, the following motion was made:

MOTION: Grant the application for service connected disability retirement.

Moved by T. Johnston, seconded by Hintz.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

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

- B. Application for Non-Service Connected Disability Retirement; Catherine M. Carone, Case No. 13-014.

Paul Hilbun was present representing the County of Ventura Risk Management. The applicant's brother, Michael Carone, was present representing the applicant. The applicant, Catherine M. Carone, was present.

Both parties agreed to accept into the record the application for non-service connected disability retirement and Risk Management's report including attachments on Master Page Numbers 254 – 317 of the Agenda.

Both parties declined to make comments.

MOTION: Grant the application for non-service connected disability retirement.

Moved by Goulet, seconded by Hintz.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

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

- C. Application for Service Connected Disability Retirement; John L. Glueckert, Case No. 09-031.

Paul Hilbun was present representing the County of Ventura Risk Management. Larry Grossman, Attorney at Law, was present representing the applicant. The applicant, John L. Glueckert, was present.

Both parties agreed to accept into the record the application for service connected disability retirement and Risk Management's report including attachments on Master Page Numbers 318 - 522 of the Agenda.

Both parties declined to make comments.

MOTION: Grant the application for service connected disability retirement.

Moved by T. Johnston, seconded by Hintz.

Vote: Motion carried

Yes: Hintz, T. Johnston, Sedell, Wilson

No: Goulet

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

- D. Application for Non-Service Connected Disability Retirement; Pamela S. Waldron, Case No. 12-040.

Paul Hilbun was present representing the County of Ventura Risk Management. The applicant, Pamela S. Waldron, was present with her husband, James Waldron.

Both parties agreed to accept into the record the application for service connected disability retirement and Risk Management's report including attachments on Master Page Numbers 523 - 632 of the Agenda.

Both parties declined to make comments.

MOTION: Grant the application for non-service connected disability retirement.

Moved by T. Johnston, seconded by Hintz.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

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

- E. Application for Service Connected Disability Retirement; Alyson Kaye, Case No. 12-007.

B. Derek Straatsma, Attorney at Law, and Paul Hilburn were present representing the County of Ventura Risk Management. The applicant, Alyson Kaye, was not present.

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

Moved by Goulet, seconded by Sedell.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

- F. Application for Service Connected Disability Retirement; June Marsh, Case No. 08-015.

Stephen D. Roberson was present representing the County of Ventura Risk Management. The applicant, June Marsh, was present.

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

MOTION: Deny the petition for reconsideration.

Moved by Hintz, seconded by Goulet.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

VI. STANDING ITEM

- A. Receive and File Monthly PAS (VCERIS) Report for August 2013.

MOTION: Receive and file the report.

Moved by Goulet, seconded by Hintz.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

VII. NEW BUSINESS

- A. Receive Hanson Bridgett IRS Filing Orientation and Update, and Authorize the Chair to Execute a Power of Attorney for Hanson Bridgett to Represent VCERA.

Received a presentation from Judy Boyette on behalf of Hanson Bridgett.

MOTION: Approve the Power of Attorney and authorize Chair to execute documents.

Moved by Hintz, seconded by T. Johnston.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

- B. Approve First Amendment to the Securities Lending Authorization Agreement with State Street Bank and Trust Company.

MOTION: Continue item to October 21, 2013 Business Meeting.

Moved by Goulet, seconded by T. Johnston.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

- C. Consideration of a Request to the Board of Supervisors to adopt a Spousal Notification Resolution per Government Code Section 31760.3.

1. Resolution: Notice to Spouse of Member's Selection of Benefits or Change of Beneficiary

MOTION: Approve the Resolution as modified by Trustee Goulet for the movement of the last "Whereas" to the second position, and adding to the new last "Whereas" the following, "said section provides" and directed staff to send a request to the Board of Supervisors asking the Board of Supervisors to adopt the spousal notification resolution per Government Code Section 31760.3.

Moved by Goulet, seconded by Hintz.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

After further discussion, the following Motion was made:

MOTION: Direct Board Counsel to draft a resolution to accompany or set forth the request to the Board of Supervisors.

Moved by Goulet. Withdrawn.

- D. Review and Adoption of Compensation Review Policy per Government Code Section 31542.

MOTION: Adopt the proposed compensation review policy as modified for the addition of "written" under 4) d) after "VCERA's" and the deletion of "Administrative" from the heading between paragraphs 5) and 6), and from paragraph 6) and paragraph 6) a).

Moved by Hintz, seconded by Goulet.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

- F. Review and Approval of Investment Industry Service Provider Advisory Letter.

MOTION: Approve the item.

Moved by T. Johnston, seconded by Hintz.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

- G. Receive and File Report on Berkeley Training, July 28-31, 2013.

MOTION: Receive and file the item.

Moved by Hintz, seconded by Goulet.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

- H. Consideration of Western Asset Management's Commingled TRU Bond Fund, as Opposed to Separate Account.

MOTION: Approve the item and in the event review authority has not been delegated, bring the matter back to the Board.

Moved by Sedell, seconded by T. Johnston.

Vote: Motion carried

Yes: Goulet, Hintz, T. Johnston, Sedell, Wilson

No: -

X. BOARD MEMBER COMMENT

Mr. Wilson commented regarding the public members who were absent and expressed the desire to pursue adding one to two alternate public members to the Board. Mr. Goulet commented that it would likely require the passage of legislation and volunteered to draft proposed language.

Mr. Sedell left the meeting at 10:22 am.

IX. PUBLIC COMMENT

Mr. Kendig updated the Board on the Hearing Officer recruitment indicating that a notice was posted on VCERA's website; that there will be advertising in San Francisco and Los Angeles journals; that Ms. Paladino will be forwarding the notice to key contacts; and, that Mr. Kendig sent the notice to SACRS administrators to forward to their Hearing Officers.

Mr. Kendig also recapped action items for staff: determine non-challenge disability case referencing, obtain a clean copy of the IRS tax determination filing, the addition of a Board counsel review for legal sufficiency statement to Board letters reviewed, the use of resolutions for County Board requests, and the addition of budgetary appropriation for contracts carried into the new fiscal year.

XI. ADJOURNMENT

The meeting was adjourned at 10:27 a.m.

Respectfully submitted,



DONALD C. KENDIG, CPA, Retirement Administrator

Approved,



WILLIAM W. WILSON, Chairman