

VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

BOARD OF RETIREMENT

DISABILITY MEETING

July 7, 2014

MINUTES

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

DIRECTORS Peter C. Foy, Public Member
ABSENT: Tom Johnston, General Employee Member

STAFF Tim Thonis, Interim Retirement Administrator
PRESENT: Henry Solis, Chief Financial Officer
Lori Nemiroff, Assistant County Counsel
Stephanie Caiazza, Program Assistant
Donna Edwards, Retirement Benefits Specialist
Chantell Garcia, 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 Towner called the Disability Meeting of July 7, 2014, to order at 9:00 a.m.

II. APPROVAL OF AGENDA

MOTION: Approve the Agenda.

Moved by Henderson, seconded by McCormick.

Vote: Motion carried

Yes: Goulet, Henderson, Sedell, McCormick, Wilson, C. Johnston, Towner

No: -

Absent: Foy, T. Johnston, Hintz

III. APPROVAL OF MINUTES

A. Business Meeting of June 16, 2014.

MOTION: Approve the Minutes.

Moved by C. Johnston, seconded by Goulet.

Vote: Motion carried

Yes: Goulet, Henderson, Sedell, McCormick, Wilson, C. Johnston, Towner

No: -

Absent: Foy, T. Johnston, Hintz

IV. RECEIVE AND FILE PENDING DISABILITY APPLICATION STATUS REPORT

MOTION: Receive and file the Report.

Moved by Goulet, seconded by Wilson.

Vote: Motion carried

Yes: Goulet, Henderson, Sedell, McCormick, Wilson, C. Johnston, Towner

No: -

Absent: Foy, T. Johnston, Hintz

V. APPLICATIONS FOR DISABILITY RETIREMENT

A. Application for Service Connected and Non-Service Connected Disability Retirement; Brixie, Bonnie J.; Case No. 12-006.

Paul Hilbun and John I. Gilman, Attorney at Law, were present on behalf of the County of Ventura Risk Management. The applicant's representative was not present.

Risk Management declined to make a statement.

The following Motion was made:

MOTION: Adopt the Hearing Officer's Recommendation and deny the applicant, Bonnie J. Brixie, a service connected disability retirement.

Moved by Wilson, seconded by Henderson.

Vote: Motion carried

Yes: Goulet, Henderson, Sedell, McCormick, Wilson, C. Johnston, Towner

No: -

Absent: Foy, T. Johnston, Hintz

Mr. Hintz entered the meeting at 9:05 a.m.

David G. Schumaker, Applicant's attorney, arrived at the meeting at 9:10 a.m., after the Board voted on this item. He stated that there was no opposition to the Hearing Officer's Recommendation and he waived any appeal.

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

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

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

MOTION: Deny the Petition for Reconsideration.

Moved by Wilson, seconded by Hintz.

Vote: Motion carried

Yes: Goulet, Henderson, Sedell, Hintz, Wilson, C. Johnston, Towner

No: McCormick

Absent: Foy, T. Johnston

VI. NEW BUSINESS

- A. Update on Retirement Administrator Recruitment, Pam Derby, Cooperative Personnel Services HR Consulting.

Pam Derby, Sr. Executive Recruiter, was present on behalf of Cooperative Personnel Services HR Consulting to update the Board on the Retirement Administrator recruitment process and proposed schedule.

After discussion by the Board and Ms. Derby, the following motion was made:

MOTION: Approve the proposed recruitment schedule.

Moved by Henderson, seconded by McCormick.

Vote: Motion carried

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

No: -

Absent: Foy, T. Johnston

After further discussion, Mr. Towner directed the Personnel Review Committee to continue its involvement in the recruitment process by working with Ms. Derby to finalize the recruitment brochure and by participating in screening applicants.

- B. Litigation- Edward J. Lacey, et. al, vs Mark Lunn, Ventura County Clerk-Recorder/Registrar of Voters, et. al – Ventura County Superior Court Case No. 56-2014-00454309-CU-WM-VTA

Ms. Nemiroff provided the Board with background information and options about the pension initiative ballot measure. Options that were presented to the Board included taking no action at present time, engaging outside counsel to file a joinder to the SDCERA amicus brief, or engaging outside counsel to file an independent amicus brief.

After discussion between members of the Board and Ms. Nemiroff, the following motion was made:

MOTION: Engage Manatt, Phelps, & Phillips, LLP. to file a joinder to the amicus brief to be filed by SDCERA, such joinder to be limited to the argument that the initiative is invalid on the basis that it is inconsistent and vague as to how the board is to fulfill its fiduciary duties to manage and administer the system for current members if the ordinance adopting the County Employees Retirement Law of 1937 is repealed.

Moved by Hintz, seconded by McCormick.

Vote: Motion carried

Yes: Goulet, Hintz, C. Johnston, McCormick, Towner

No: Sedell, Henderson, Wilson

Absent: Foy, T. Johnston

VII. INFORMATIONAL

- A. Letter from Yves Chery, SACRS President- Status of SACRS Approach to Sustaining Public DB Plans.
- B. Investment Trends Summit- Opal Financial Group; September 8-10, 2014, Santa Barbara, CA.

VIII. PUBLIC COMMENT

None.

IX. STAFF COMMENT

Mr. Solis requested for any Board Members interested in attending the Investment Trends Summit held by Opal Financial Group to notify staff so that a request can be included on the Board's agenda for the business meeting of July 21, 2014.

Mr. Solis informed the Board that the Annual Fiduciary Liability Insurance would be presented at the next meeting and reminded the Board of the \$9.09 due from each Trustee for the Waiver of Liability.

X. BOARD MEMBER COMMENT

None.

XI. ADJOURNMENT

The meeting was adjourned at 10:04 a.m.

Respectfully submitted,



TIM THONIS, Interim Retirement Administrator

Approved,



TRACY TOWNER, Chairman