

VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

BOARD OF RETIREMENT

DISABILITY MEETING

September 8, 2014

MINUTES

DIRECTORS William W. Wilson, Vice Chair, Public Member
PRESENT: 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 Tracy Towner, Chair, Safety Employee Member
ABSENT: Peter C. Foy, Public Member
Vacant, General Employee Member

STAFF Henry Solis, Chief Financial Officer
PRESENT: 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**

Vice Chair Wilson called the Disability Meeting of September 8, 2014, to order at 9:04 a.m.

II. APPROVAL OF AGENDA

MOTION: Approve the Agenda.

Moved by Henderson, seconded by McCormick.

Vote: Motion carried

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

No: -

Absent: Foy, Hintz, Towner

III. APPROVAL OF MINUTES

A. Business Meeting of July 21, 2014.

Mr. Sedell requested a revision to the minutes on the motion under Item VIII.A. on Master Page 8, replacing the phrase “recommend any requisite changes” with “approve any requisite changes”.

MOTION: Approve the Minutes, with correction.

Moved by Henderson, seconded by Goulet.

Vote: Motion carried

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

No: -

Absent: Foy, Hintz, Towner

IV. RECEIVE AND FILE PENDING DISABILITY APPLICATION STATUS REPORT

MOTION: Receive and file the report.

Moved by Henderson, seconded by Johnston.

Vote: Motion carried

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

No: -

Absent: Foy, Hintz, Towner

V. APPLICATIONS FOR DISABILITY RETIREMENT

A. Application for Service Connected Disability Retirement, Ester V. Diaz; Case No. 12-012.

Paul Hilbun and John I. Gilman, Attorney at Law, were present on behalf of the County of Ventura Risk Management. The applicant, Ester V. Diaz, was

also present.

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

MOTION: Deny the Petition for Reconsideration.

Moved by Goulet, seconded by Sedell.

Vote: Motion carried

Yes: Goulet, Henderson, Sedell, McCormick, Wilson

No: Johnston

Absent: Foy, Hintz, Towner

- B. Application for Non-Service Connected Disability Retirement; Phillip Nazario; Case No. 11-025.

Paul Hilbun and B. Derek Straatsma, Attorney at Law, were present on behalf of the County of Ventura Risk Management. The applicant, Phillip Nazario, was also present.

A written statement from the applicant was distributed to the Board. Risk Management declined to make a statement.

After discussion between the Board and Risk Management, the following motion was made:

MOTION: Grant the applicant, Phillip Nazario, a non-service connected disability retirement.

Moved by Johnston, seconded by McCormick.

Vote: Motion carried

Yes: Henderson, Sedell, McCormick, Johnston, Wilson

No: Goulet

Absent: Foy, Hintz, Towner

Mr. Goulet stated for the record that he voted against the motion because he believed the documentation was deficient.

The parties agreed to waive preparations of Findings of Fact and Conclusions of Law.

- C. Application for Service Connected & Non-Service Connected Disability Retirement; David Tennessen; Case No. 13-007.

Judge Hintz entered the meeting at 9:33 a.m.

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

Risk Management declined to make a statement.

After a statement from Mr. Singer and discussion by the Board and both parties, the following motion was made:

MOTION: Grant the applicant, David Tennesen, a Service Connected Disability Retirement.

Moved by Johnston, seconded by McCormick.

Vote: Motion failed
Yes: McCormick, Johnston, Wilson
No: Goulet, Sedell, Henderson
Abstain: Hintz
Absent: Foy, Towner

Mr. Goulet and Mr. Sedell stated that they voted no on this motion because they found Risk Management's record to be incomplete.

After further discussion, the following motion was made:

MOTION: Direct Risk Management to submit additional documentation in support of their recommendation, to be reviewed and considered at a future disability meeting.

Moved by Hintz, seconded by Sedell.

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

- D. Application for Service Connected Disability Retirement, Mary K. Stanistreet; Case No. 12-020.

Paul Hilbun and Stephen D. Roberson, Attorney at Law, were present on behalf of the County of Ventura Risk Management. David G. Schumaker was present on behalf of the applicant.

Both parties declined to make statements.

MOTION: Adopt the Hearing Officer's recommendation and deny the applicant, Mary K. Stanistreet, a service connected disability retirement.

Moved by Goulet, seconded by Henderson.

Vote: Motion carried

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

No:

Absent: Foy, Towner

Mr. Schumaker commented that it would be beneficial to have a detailed job analysis conducted in all disability cases. This would provide more information about the physical requirements of the job than a standard job description. He suggested that the Board address the option with Risk Management.

- E. Application for Service Connected Disability Retirement, Linda M. Escoto; Case No. 13-018.

Paul Hilbun and Stephen D. Roberson, Attorney at Law, were present on behalf of the County of Ventura Risk Management. The applicant, Linda M. Escoto, was also present.

After statements from both parties, following motion was made:

MOTION: Adopt the Hearing Officer's recommendation and deny the applicant, Linda M. Escoto, a service connected disability retirement.

Moved by Henderson, seconded by Sedell.

Vote: Motion carried

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

No:

Absent: Foy, Towner

- F. Application for Service Connected Disability Retirement, Susan M. Lopez; Case No. 12-031.

Paul Hilbun and Stephen D. Roberson, Attorney at Law, were present on behalf of the County of Ventura Risk Management. The applicant was not present.

After a statement from Risk Management, the following Motion was made:

MOTION: Adopt the Hearing Officer's recommendation and deny the

applicant, Susan M. Lopez, a service connected disability retirement.

Moved by Henderson, seconded by McCormick.

Vote: Motion carried

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

No:

Absent: Foy, Towner

VI. OLD BUSINESS

A. Personnel Review Committee – Oral Update.

Will Hoag, Chair of the Personnel Review Committee, provided the Board with an update on the Retirement Administrator recruitment. He stated that there were currently eleven candidates being screened for the position. CPS HR Consulting will reduce that pool of candidates to a smaller number before they are to be interviewed by the Board.

After further discussion, the following motion was made:

MOTION: Authorize the Personnel Review Committee to hold a closed session to reduce the quantity of candidates provided by CPS HR Consulting to fewer than five candidates, who will then be invited to interview with the Board in a closed session.

Moved by Goulet, seconded by Sedell.

Vote: Motion carried

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

No:

Absent: Foy, Towner

Mr. Solis inquired about travel reimbursements for the interviewees. After discussion by the Board, the following motion was made:

MOTION: VCERA will not reimburse the candidates for travel expenses associated with their initial interviews with the Board.

Moved by Goulet, seconded by Sedell.

Vote: Motion carried

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

No:

Absent: Foy, Towner

VII. NEW BUSINESS

- A. Notification and Consideration of Additional Lease Space.

Mr. Solis provided background information on the issue and recommended that the Board amend the existing lease to include the additional office space.

After discussion by the Board, Vice Chair Wilson directed Mr. Solis to begin negotiations for the lease space and return to the Board with a lease amendment at a subsequent meeting for consideration.

VIII. INFORMATIONAL

- A. Trial Court Final Ruling – Lacey vs. Mark Lunn Ventura County Clerk Recorder Registrar of Voters.
- B. Ad Hoc Committee’s Progress Update – Robert Palmer, SACRS Executive Director.
- C. Public Fund Workshop – NEPC, LLC; January 12 – 13, 2015, Tempe, AZ.

Mr. Johnston stated that he had attended this workshop in the past and found it to be educational and worthwhile. Several Board members expressed their interest in attending. Mr. Solis stated that when more information about the event is available, staff will request travel authorization for any Board members who would like to attend.

IV. PUBLIC COMMENT

None.

X. STAFF COMMENT

Mr. Solis informed the Board that VCERA hired two new Retirement Benefits Managers, Shalini Nunna in Disabilities and Vickie Williams in Operations.

Vice Chair Wilson asked whether VCERA planned to hire a new IT Manager. Mr. Solis explained that VCERA is currently utilizing County IT and evaluating the costs and needs of the department relating to IT services.

XI. BOARD MEMBER COMMENT

Mr. Hoag reported that the item regarding the Chief Investment Officer position was removed from the Board of Supervisor's meeting agenda, and he is not certain of when the item will be considered by them.

Mr. Goulet addressed Mr. Schumaker's remark regarding the use of job analyses for all disability cases. He stated that he agreed that it would be helpful to clarify the job duties in many situations, but it was not necessary for every case.

After further discussion, Mr. Johnston stated that the Personnel Review Committee will include the subject of job analyses when they discuss disability procedures at an upcoming meeting.

XII. ADJOURNMENT

The meeting was adjourned at 10:28 a.m.

Respectfully submitted,



HENRY SOLIS, Chief Financial Officer

Approved,



TRACY TOWNER, Chairman