

# VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

## BOARD OF RETIREMENT

### DISABILITY MEETING

December 1, 2014

### MINUTES

**DIRECTORS** Tracy Towner, Chair, Safety Employee Member  
**PRESENT:** William W. Wilson, Vice Chair, Public Member  
Peter C. Foy, Public Member  
Mike Sedell, Public Member  
Joseph Henderson, Public Member  
Deanna McCormick, General Employee Member  
Arthur E. Goulet, Retiree Member  
Will Hoag, Alternate Retiree Member  
Chris Johnston, Alternate Safety Employee Member

**DIRECTORS** Steven Hintz, Treasurer-Tax Collector  
**ABSENT:** Vacant, 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

**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**

Chair Towner called the Disability Meeting of December 1, 2014, to order at 9:00 a.m.

**II. APPROVAL OF AGENDA**

MOTION: Approve the Agenda.

Moved by Wilson, seconded by McCormick.

Vote: Motion carried

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

No: -

Absent: Hintz, Foy

**III. APPROVAL OF MINUTES**

A. Business Meeting of November 17, 2014.

Mr. Sedell requested for more detail be added to the minutes from the business meeting of November 17, 2014, under item VIII.A. PEPR Compensation Resolution, and for the revised minutes to be considered by the Board at the next meeting.

MOTION: Continue this item at the business meeting of December 15, 2014.

Moved by Wilson, seconded by Sedell.

Vote: Motion carried

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

No: -

Absent: Hintz, Foy

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

MOTION: Receive and file the report.

Moved by Wilson, seconded by Johnston.

Vote: Motion carried

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

No: -

Absent: Hintz, Foy

**V. APPLICATIONS FOR DISABILITY RETIREMENT**

A. Application for Service Connected Disability Retirement, Kostiuhenko, Yevhen (Eugene); Case No. 14-021.

1. Application for Service Connected Disability Retirement and Supporting Documentation.
2. Hearing Notice Served on November 18, 2014.

Paul Hilbun was present on behalf of the County of Ventura Risk Management. Assistant Sheriff Steve DeCesari of the Ventura County Sheriff's Office appeared on behalf of the applicant.

Both parties declined to make a statement.

The following motion was made:

MOTION: Grant the applicant, Yevhen (Eugene) Kostiuhenko, a service connected disability retirement.

Moved by Sedell, seconded by Henderson.

Vote: Motion carried

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

No: -

Absent: Hintz, Foy

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

Mr. Goulet expressed his condolences for the loss of Deputy Kostiuhenko.

- B. Application for Service Connected Disability Retirement, Hookstra, Maureen; Case No. 12-004.

1. Application for Service Connected Disability Retirement and Supporting Documentation.
2. Hearing Notice Served on October 23, 2014.

Paul Hilbun and Derek Straatsma, Attorney at Law, were present on behalf of County of Ventura Risk Management. The applicant, Maureen Hookstra, was also present.

Both parties declined to make a statement.

Mr. Goulet questioned the absence of written documentation in the record regarding reasonable accommodation and specific job duties.

Mr. Foy entered the meeting at 9:08 a.m.

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

MOTION: Grant the applicant, Maureen Hookstra, a service connected disability retirement.

Moved by Sedell, seconded by Johnston.

Vote: Motion carried

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

No: Goulet

Absent: Hintz

Abstain: Foy

Mr. Goulet stated that his vote against the motion was not related to the applicant.

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

- C. Application for Non-Service Connected Disability Retirement, Moten, Urissa; Case No. 13-026.
  - 1. Summary of Evidence, Suggested Findings of Fact and Conclusions of Law, and Recommendation, Submitted by Hearing Officer Deborah Z. Wissley, Dated October 15, 2014.
  - 2. Hearing Notice Served on October 22, 2014.

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

Mr. Gilman stated that Risk Management had no objection to the adoption of the hearing officer's recommendation. The applicant declined to make a statement.

The following motion was made:

MOTION: Adopt the Hearing Officer's Recommendation and grant the applicant, Urissa Moten, a non-service connected disability retirement.

Moved by McCormick, seconded by Johnston.

Vote: Motion carried

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

**VI. OLD BUSINESS**

A. Decision on Whether to File Amicus Brief in SDCERA v. County of San Diego.

1. Copy of Complaint for Declaratory Relief.

After discussion, the Board agreed that its intention is to hire outside counsel to file an amicus brief in SDCERA v. County of San Diego, provided the cost is reasonable.

The following motion was made:

MOTION: Authorize Chair to seek an estimate of the cost of hiring outside counsel to file an amicus brief in SDCERA v. County of San Diego, and return to the Board with the estimate for approval.

Moved by Goulet, seconded by Wilson.

Vote: Motion carried

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

No: -

Absent: Hintz

B. Approval of Timeline for VCERIS Project.

Chair Towner informed the Board that the Timeline for VCERIS Project was developed for the Board's approval in lieu of the Memorandum of Understanding that was proposed at the business meeting of November 17, 2014.

After discussion by the Board, the following motion was made:

MOTION: Approve.

Moved by Sedell, seconded by Henderson.

Vote: Motion carried

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

No: -

Absent: Hintz

Mr. Goulet commended Chair Towner for his time and effort on this item.

**VII. NEW BUSINESS**

- A. Appointment of 2015 Board Chair and Vice Chair.

MOTION: Appoint Mr. Towner as Chair.

Moved by Wilson, seconded by Henderson.

Vote: Motion carried

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

No: -

Absent: Hintz

MOTION: Appoint Mr. Wilson as Vice Chair.

Moved by Henderson, seconded by Sedell.

Vote: Motion carried

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

No: -

Absent: Hintz

Chair Towner stated that VCERA's new retirement administrator, Ms. Linda Webb, is scheduled to attend the Board of Retirement meetings of December 15, 2014 and January 5, 2015.

**VIII. INFORMATIONAL**

- A. PIMCO Institute, January 14 – 15, 2015, Newport Beach, CA.
- B. Opal Financial Group- Public Funds Summit 2015, January 12 – 14, 2015, Scottsdale, AZ.
- C. NEPC 2015 Public Fund Workshop, January 12 – 13, 2015, Phoenix, AZ.

**IX. PUBLIC COMMENT**

None.

**X. STAFF COMMENT**

None.

XI. BOARD MEMBER COMMENT

Ms. McCormick commented on delayed disability cases on the status report, and the Board discussed several aspects of the disability retirement application process that can lead to delays.

Mr. Johnston expressed interest in acquiring more efficient technology for the distribution and access of board packet materials. Several Board members reported experiencing similar impediments with the software currently in use.

XII. ADJOURNMENT

The meeting was adjourned at 10:00 a.m.

Respectfully submitted,



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TIM THONIS, Interim Retirement Administrator

Approved,



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TRACY TOWNER, Chairman