

**VENTURA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**

**BOARD OF RETIREMENT**

**DISABILITY MEETING**

**April 7, 2014**

**MINUTES**

**DIRECTORS** Tracy Towner, Chair, Safety Employee Member  
**PRESENT:** William W. Wilson, Vice Chair, Public Member  
Steven Hintz, Treasurer-Tax Collector  
Mike Sedell, Public Member  
Tom Johnston, General Employee 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:** Joseph Henderson, Public Member

**STAFF** Tim Thonis, Interim Retirement Administrator  
**PRESENT:** Lori Nemiroff, Assistant County Counsel  
Chris Ayala, Office Assistant  
Stephanie Caiazza, Office 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 April 7, 2014, to order at 9:02 a.m.

**II. APPROVAL OF AGENDA**

MOTION: Approve the Agenda.

Moved by Wilson, seconded by T. Johnston.

Vote: Motion carried

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

No: -

Absent: Foy, Henderson

**III. APPROVAL OF MINUTES**

A. Business Meeting of March 17, 2014.

Mr. Goulet requested that the Minutes be corrected on Master Page 2 to reflect whether Mr. Foy was present for the Approval of the Agenda.

MOTION: Approve the Minutes with correction.

Moved by Wilson, seconded by T. Johnston.

Vote: Motion carried

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

No: -

Absent: Foy, Henderson

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

MOTION: Receive and file the Report.

Moved by Goulet, seconded by McCormick.

Vote: Motion carried

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

No: -

Absent: Foy, Henderson

**V. APPLICATIONS FOR DISABILITY RETIREMENT**

A. Consider Application for Non-Service Connected Disability Retirement; Ruth D. Tabarez; Case No. 13-041.

1. Application for Non-Service Connected Disability Retirement and Supporting Documentation.

2. Hearing Notice served on March 12, 2014.

Paul Hilbun was present representing the County of Ventura Risk Management. Applicant's spouse, Steve Tabarez, was present on behalf of the applicant.

After a statement by Mr. Tabarez, the following Motion was made:

MOTION: Grant the applicant, Ruth Tabarez, a non-service connected disability retirement, posthumously.

Moved by Wilson, seconded by T. Johnston.

Vote: Motion carried

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

No: -

Absent: Foy, Henderson

Both parties agreed to waive Preparation of Findings of Fact and Conclusions of Law.

B. Consider Application for Service Connected and Non-Service Connected Disability Retirement; Kathie Schleiderer; Case No. 13-002.

1. Hearing Officer's Proposed Findings of Fact, Conclusions of Law, and Recommendation, submitted by Hearing Officer Kenneth A. Perea, dated February 18, 2014.

2. Hearing Notice served on March 19, 2014.

Paul Hilbun and Derek Straatsma, Attorney at Law, were present representing the County of Ventura Risk Management. The applicant, Kathie Schleiderer, was present.

Both parties declined to make statements.

The following Motion was made:

MOTION: Adopt the Hearing Officer's recommendation and deny the applicant, Kathie Schleiderer, a service connected disability retirement.

Moved by Wilson, seconded by Hintz.

Vote: Motion carried

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

No: -

Absent: Foy, Henderson

- C. Consider Application for Service Connected Disability Retirement; Patsy Hulsey; Case No. 12-039.
1. Summary of Evidence, Findings of Fact, Conclusion, and Recommendation, submitted by Hearing Officer Louis M. Zigman, dated February 25, 2014.
  2. Respondent's Reply to the Hearing Officer's Recommended Decision, submitted by B. Derek Straatsma, Attorney at Law, dated March 4, 2014.
  3. Applicant's Objections to the Hearing Officer's Recommended Decision, submitted by Patsy Hulsey, dated March 12, 2014.
  4. Hearing Notice served on March 19, 2014.

Paul Hilbun and Derek Straatsma, Attorney at Law, were present representing the County of Ventura Risk Management. The applicant, Patsy Hulsey, 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, Patsy Hulsey, a service connected disability retirement.

Moved by Goulet, seconded by Hintz.

Vote: Motion carried

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

No: -

Absent: Foy, Henderson

- D. Consider Application for Non-Service Connected Disability Retirement; Tommy W. Henry; Case No. 12-016.
1. Summary of Evidence, Findings of Fact, Conclusions of Law, and Recommendations, submitted by Hearing Officer John L. Rosenthal, dated February 19, 2014.
  2. Applicant's Objections to the Hearing Officer's Recommended Decision, submitted by Timothy Ehritt, Attorney at Law, dated March 3, 2014.

3. Legal Memorandum in Support of the Hearing Officer's Recommended Decision, submitted by Stephen D. Roberson, Attorney at Law, dated March 5, 2014.
4. Hearing Notice served on March 17, 2014.

Paul Hilbun and Stephen D. Roberson, Attorney at Law, were present representing the County of Ventura Risk Management. Timothy Ehritt, Attorney at Law, was present representing the applicant.

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

MOTION: Adopt the Hearing Officer's recommendation and deny the applicant, Tommy W. Henry, a non-service disability retirement.

Moved by Wilson, seconded by Hintz.

Vote: Motion carried

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

No: -

Absent: Foy, Henderson

Abstain: McCormick

- E. Consider Application for Service Connected Disability Retirement; Christina A. Valle; Case No. 11-015.
  1. Hearing Officer's Proposed Findings of Fact, Conclusions of Law, and Recommendation, submitted by Hearing Officer Kenneth A. Perea, dated January 30, 2014.
  2. Applicant's Objections to Hearing Officer's Recommended Decision, submitted by Edward L. Faunce, Attorney at Law, dated February 14, 2014.
  3. Legal Memorandum in Support of the Hearing Officer's Recommended Decision, submitted by Stephen D. Roberson, Attorney at Law, dated February 24, 2014.
  4. Applicant's Response to County of Ventura's Legal Memorandum, submitted by Edward L. Faunce, Attorney at Law, dated March 11, 2014.
  5. Hearing Notice served on March 18, 2014.

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

MOTION: Adopt the Hearing Officer's recommendation and deny the applicant, Christina A. Valle, a service connected disability retirement.

Moved by Sedell, seconded by Hintz.

Vote: Motion carried

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

No: -

Absent: Foy, Henderson

- F. Consider Application for Service Connected Disability Retirement; David J. Nadon; Case No. 11-008.
1. Findings of Fact and Conclusions of Law, submitted by Stephen D. Roberson, Attorney at Law, dated February 27, 2014.
  2. Objections to the Proposed Findings of Fact and Conclusions of Law, submitted by Anthony R. Strauss, dated March 7, 2014.
  3. Response to the Objections to the Proposed Findings of Fact and Conclusions of Law, submitted by Stephen D. Roberson, Attorney at Law, dated March 19, 2014.
  4. Hearing Notice served on March 14, 2014.

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

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

MOTION: Adopt the Findings of Fact and Conclusions of Law submitted by County of Ventura Risk Management.

Moved by Goulet, seconded by Sedell.

Vote: Motion carried

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

No: -

Absent: Foy, Henderson

**VI. OLD BUSINESS**

- A. Development of VCERA Investment Return Assumption - GASB 67 & 68.

Paul Angelo was present on behalf of The Segal Company to discuss developing an investment return assumption for use in accounting and financial reporting under GASB Statements 67 and 68.

Staff provided background information and recommended approval of Interim Option B.

After discussion by Paul Angelo, the Board, and Staff, the following Motion was made:

MOTION: Approve recommended Interim Option B.

Moved by Goulet, seconded by Sedell.

Vote: Motion carried

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

No: -

Absent: Foy, Henderson

**VII. NEW BUSINESS**

- A. Appointment of Voting Delegate and Alternate Voting Delegate.

Staff recommended the appointment of a voting delegate and alternate voting delegate to participate at the May 2014 SACRS business meeting.

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

MOTION: Appoint Deanna McCormick as voting delegate and Will Hoag as alternate voting delegate for the May 2014 SACRS conference.

Moved by Goulet, seconded by T. Johnston.

Vote: Motion carried

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

No: -

Absent: Foy, Henderson

**VIII. INFORMATIONAL**

- A. Invitation to Attend International Foundation of Employee Benefit Plans- Public Employee Policy Forum, September 15-16, 2014- Washington D.C.

- B. Invitation to Attend Adams Street Partners Client Conference, June 5, 2014- Chicago, IL.

**IX. PUBLIC COMMENT**

None.

**X. STAFF COMMENT**

The Interim Retirement Administrator reported that the two hearing officers selected by the Board have now entered into contracts with VCERA. He further informed the Board that there are several other candidates whose applications are available for review.

Staff commented that the May 19, 2014 Board Meeting will likely be a long meeting.

**XI. BOARD MEMBER COMMENT**

Mr. Towner requested that members of the Board consider submitting written questions ahead of time so as to expedite discussion at the Business Meeting on May 19, 2014.

Ms. Nemiroff informed the Board of the City of San Jose v. Superior Court, a recent case in which the court ruled that electronic communications sent on personal devices to personal accounts are not subject to the California Public Records Act.

Mr. Hoag provided an update on the ongoing Retirement Administrator recruitment, stating that the Request for Proposal was sent to seventeen executive search firms, with no positive response to date. Mr. Hoag mentioned that there are currently five other counties recruiting for the position of Retirement Administrator.



**XII. ADJOURNMENT**

The meeting was adjourned at 10:37 a.m.

Respectfully submitted,



TIM THONIS, Interim Retirement Administrator

Approved,



TRACY TOWNER, Chairman