

A regular meeting of the Michigan State Employees' Retirement System Board was held at the State Secondary Complex, General Office Building, First Floor, Conference Room A, Lansing, Michigan, on October 29, 2009. The following members, staff and observers participated:

Members Present: David Dekker, Employee Member  
Douglas Drake, Retiree Member  
George Elworth, representing the Attorney General  
Calvin Frappier, Retiree Member  
Vernon Johnson, representing the State Treasurer  
Craig Murray, representing the Deputy Auditor General  
John Schoonmaker, representing the Commissioner of the  
Office of Financial and Insurance Regulation

Staff Present: Phil Stoddard, Executive Secretary  
Terry Rideout, Recording Secretary

Others Present: Thomas Schimpf of the Office of Attorney General, Cara Frappier,  
and Laurie Hill of the Office of Retirement Services.

### **Call to Order**

Chair Douglas Drake called the meeting to order at 1:30 p.m.

### **Excusing Absent Members**

Vernon Johnson moved, George Elworth supported, to excuse the absence of Daniel McLellan. The motion carried unanimously.

### **Approval of Agenda**

George Elworth moved, Craig Murray supported, to approve the agenda as presented. The motion carried unanimously.

### **Approval of Minutes**

John Schoonmaker moved, Vernon Johnson supported, to approve the regular session meeting minutes of September 17, 2009. Following discussion, the motion was amended to include one correction to the minutes. The amended motion to approve the corrected minutes carried unanimously.

## **Disability Retirement Applications**

### Non-Duty Disability Retirement Applications

Vernon Johnson moved, David Dekker supported, to approve non-duty disability applications 1, and 3-13, as presented in the Supplemental Information to the Agenda, 7A. The motion carried unanimously.

Following discussion, Calvin Frappier moved, George Elworth supported, to approve non-duty application #2 as presented in the Supplemental Information to the Agenda, 7A. The motion carried unanimously.

### Non-Duty Re-Examination Disability Retirement Cases

Calvin Frappier moved, Vernon Johnson supported, to approve the non-duty re-examination disability cases 1-2 as presented in the Supplemental Information to the Agenda, 7B. The motion carried unanimously.

### Returning Disability Retirement Application

Calvin Frappier moved, Vernon Johnson supported, to approve the non-duty disability application 1-1 as presented in the Supplemental Information to the Agenda 7C. The motion carried unanimously.

## **Administrative Hearings**

### Proposal for Decision – Docket 2009-12787 SERS

The Board considered the case materials. John Schoonmaker moved, Craig Murray supported, that the Board adopt as its own the recommendations of the Presiding Officer in the Proposal for Decision dated July 16, 2009, including the proposed Findings of Fact and Conclusions of Law, and deny Petitioner's application for additional service credit for the time she worked for the State during 1993-2000. The motion carried unanimously.

### Proposal for Decision – Docket 2009-5287 SERS

The Board considered the case materials. David Dekker moved, John Schoonmaker supported, that the Board adopt the recommendations of the Presiding Officer in the Proposal for Decision dated July 23, 2009, including the proposed Findings of Fact and Conclusions of Law, except for the changes requested by Respondent, and deny Petitioner's application for non-duty disability retirement benefits, using the form of decision and order offered by Respondent. The motion carried unanimously.

Proposal for Decision – Docket 2008-21488 SERS

The Board considered the case materials. George Elworth requested that the record show that as the designated representative of a statutory member of the Board he was declining Petitioner's request that he recuse himself from this case. Craig Murray moved, John Schoonmaker supported, that the Board deny Petitioner's Motion to Disqualify. The motion carried unanimously.

David Dekker moved, Craig Murray supported that the Board adopt as its own the recommendations of the Presiding Officer in the Proposal for Decision dated July 22, 2009, including the proposed Findings of Fact and Conclusions of Law, and deny Petitioner's application for non-duty disability retirement benefits. The motion carried unanimously.

Proposal for Decision – Docket 2009-5107 SERS

The Board considered the case materials. George Elworth requested that the record show that as the designated representative of a statutory member of the Board he was declining Petitioner's request that he recuse himself from this case. Craig Murray moved, Vernon Johnson supported, that the Board deny Petitioner's Motion to Disqualify. The motion carried unanimously.

Calvin Frappier moved, Vernon Johnson supported that the Board adopt as its own the recommendations of the Presiding Officer in the Proposal for Decision dated July 17, 2009, including the proposed Findings of Fact and Conclusions of Law, except for the changes requested by Respondent, and deny Petitioner's application for duty disability retirement benefits, using the form of decision and order offered by Respondent. The motion carried unanimously.

**Unfinished Business**

Supplemental Decision and Order - Iron County Circuit No. 08-003849, Docket No. 2006-AH075.

The Board considered the proposed Supplemental Decision and Order. Craig Murray moved, David Dekker supported, that the Board adopt the Supplemental Decision and Order as presented. The motion carried unanimously.

**New Business**

Resolution for Harry Posner

George Elworth moved, Vernon Johnson supported that the Board approve the resolution as presented. The motion carried unanimously.

**Legislative Report**

A report was provided for the Board's information.

**Board Comments**

No comments were received.

**Executive Secretary Comments**

Phil Stoddard reminded Board members that the Office of Retirement Services is always looking for ways to enhance customer service. New tools now available on the ORS website include pre-retirement webinars and tutorials addressing frequently asked questions.

**Public Comment**

No comments were received.

**Adjournment**

John Schoonmaker moved, Calvin Frappier supported that the meeting be adjourned. The motion carried unanimously. The Chair adjourned the meeting at 2:05 p.m.

**OFFICIAL MINUTES**

  
Chair

  
Executive Secretary