

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 September 17, 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
Daniel McLellan, representing the Director of Civil Service
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, and Cara Frappier.

Call to Order

Chair Douglas Drake called the meeting to order at 1:35 p.m.

Approval of Agenda

John Schoonmaker moved, Daniel McLellan supported, to approve the agenda as presented. The motion carried unanimously.

Approval of Minutes

David Dekker moved, Vernon Johnson supported, to approve the regular session meeting minutes of July 30, 2009. The motion carried unanimously.

Disability Retirement Applications

Non-Duty Disability Retirement Applications

Vernon Johnson moved, David Dekker supported, to approve non-duty disability applications 1, 3-12, and 14-15 as presented in the Supplemental Information to the Agenda, 7A. The motion carried unanimously.

Daniel McLellan moved to deny non-duty disability application #2. The motion was not supported. Following discussion, George Elworth moved, Daniel McLellan supported, to remand non-duty application #2 back to staff for additional research as to the potential for applicant to work in other occupations. The motion carried unanimously.

Following discussion, David Dekker moved, George Elworth supported, to remand non-duty application #13 back to staff for additional research and clarification on the status and possible results of anticipated medical procedures. The motion carried unanimously.

Following discussion, David Dekker moved, Craig Murray supported, to approve non-duty disability application #16 as presented in the Supplemental Information to the Agenda, 7A. The motion carried unanimously.

Administrative Hearings

Proposal for Decision – Docket 2009-12406 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. John Schoonmaker moved, Daniel McLellan supported, that the Board deny Petitioner's Motion to Disqualify. The motion carried unanimously.

Daniel McLellan moved, David Dekker supported that the Board adopt as its own the recommendations of the Presiding Officer in the Proposal for Decision dated June 18, 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 2008-31097 SERS

The Board considered the case materials. Daniel McLellan moved, Vernon Johnson supported, that the Board adopt as its own the recommendations of the Presiding Officer in the Proposal for Decision dated June 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 2008-22390 SERS

The Board considered the case materials. Daniel McLellan moved, Vernon Johnson supported, that the Board adopt the recommendations of the Presiding Officer in the Proposal for Decision dated June 6, 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 2008-15364 SERS

Daniel McLellan moved, David Dekker supported that the Board adopt as its own the recommendations of the Presiding Officer in the Proposal for Decision dated July 10, 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 (with the addition of Petitioner's spouse as a witness on page 1 of the decision and order). The motion carried unanimously.

New Business

Iron County Circuit No. 08-003849, Docket No. 2006-AH075.

The Board considered the case materials. Daniel McLellan moved, Calvin Frappier supported, that the Board direct staff to prepare a supplemental decision and order that considers the new medical information and upholds the Board's decision of January 24, 2008, denying Petitioner's request for duty disability retirement benefits, and return the decision and order to the Board for consideration at the next scheduled meeting. The motion carried unanimously.

Legislative Report

A report was provided for the Board's information.

Board Comments

David Dekker requested that a resolution be drafted for Harry Posner.

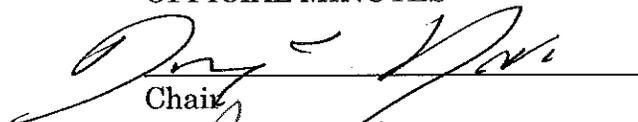
Public Comment

No comments were received.

Adjournment

Vernon Johnson moved, John Schoonmaker supported that the meeting be adjourned. The motion carried unanimously. The Chair adjourned the meeting at 2:04 p.m.

OFFICIAL MINUTES


Chair


Executive Secretary