

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 December 18, 2008. 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 Services

Staff Present: Phil Stoddard, Executive Secretary
 Pam Ward, Acting Recording Secretary

Others Present: Cara Frappier, and Thomas Schimpf of the Office of Attorney General

Call to Order

Chair Douglas Drake called the meeting to order at 1:36 p.m.

Excusing of Absent Members

David Dekker moved, George Elworth supported to excuse the absence of Harry Posner. The motion carried unanimously.

Approval of Agenda

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

Approval of Minutes

Calvin Frappier moved, Vernon Johnson supported, to approve the regular session meeting minutes of October 30, 2008, provided that the record shows that the non-duty retirement applications #2 and #9 were approved with a 2-year re-examination requirement. The motion carried unanimously.

Disability Retirement Applications

Non-Duty Disability Retirement Applications

George Elworth moved, Craig Murray supported, to approve the non-duty disability applications 1-9 and 12-16 as presented in the Supplemental Information to the Agenda, 7A. The motion carried unanimously.

David Dekker moved, Calvin Frappier supported, to table non-duty disability applications 10 and 11 pending additional research and receipt of further information from staff.

Duty Disability Retirement Application

Daniel McLellan moved, Craig Murray supported, to approve the duty disability application 1 as presented in the Supplemental Information to the Agenda 7B. The motion carried unanimously.

Non-Duty Re-Examination Disability Retirement Application

George Elworth moved, Daniel McLellan supported, to approve the non-duty re-examination disability application 1 as presented in the Supplemental Information to the Agenda, 7C. The motion carried unanimously.

Application for Good Cause – Daniel McLellan moved, Calvin Frappier supported to deny applicant's request to extend the time limit for filing a disability retirement application for failing to present sufficient evidence of extenuating circumstances. The motion carried unanimously.

Administrative Hearings

Proposal for Decision – Docket 2008-14534 SERS

The Board considered the case materials. Craig Murray moved, Daniel McLellan supported, that the Board remand the case back to the Presiding Officer to consider the additional medical reports and issue a Supplemental Proposal for Decision following a review of the reports by an Independent Medical Advisor and subsequent issuing of a supplemental IMA report. The motion carried unanimously.

Proposal for Decision – Docket 2007-2983 SERS

The Board considered the case materials. Daniel McLellan moved, David Dekker supported, that the Board adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated September 30, 2008, including the proposed Findings of Fact and Conclusions of Law, and deny Petitioner's request for duty or non-duty disability retirement benefits. The motion carried unanimously.

Proposal for Decision – Docket 2008-7825 SERS

The Board considered the case materials. Daniel McLellan moved, John Schoonmaker supported, that the Board adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated October 6, 2008, including the

proposed Findings of Fact and Conclusions of Law, except for the changes agreed to by Petitioner and Respondent, and deny Petitioner's request for duty or non-duty disability retirement benefits. The motion carried unanimously.

Proposal for Decision – Docket 2008-154 SERS

The Board considered the case materials. Daniel McLellan moved, Vernon Johnson supported, that the Board adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated October 22, 2008, including the proposed Findings of Fact and Conclusions of Law, and deny Petitioner's request for non-duty disability retirement benefits. The motion carried unanimously.

Proposal for Decision – Docket 2007-207 SERS

The Board considered the case materials. Daniel McLellan moved, Craig Murray supported, that the Board adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated September 12, 2008, including the proposed Findings of Fact and Conclusions of Law, except for the changes requested by Respondent, and deny Petitioner's request for non-duty disability retirement benefits, using the form of decision and order offered by Respondent. The motion carried unanimously.

New Business

Request to Depose Independent Medical Advisor – Docket 2008-155 SERS

The Board considered the case materials. Daniel McLellan moved, Vernon Johnson supported to deny Petitioner's request to depose the Independent Medical Advisor prior to an Administrative Hearing on the grounds that it is not impractical or impossible to otherwise obtain the evidence. The motion carried unanimously.

Legislative Report

The report was included in the notebook. Phil Stoddard answered Board member questions.

Nominating Committee

George Elworth and Calvin Frappier were named to the Committee and will be accepting nominations for the positions of Chair and Vice-Chair prior to the January 2009 Board meeting.

Board Comments

Comments were received from Calvin Frappier and John Schoonmaker on the Summary of Court Cases provided to the Board.

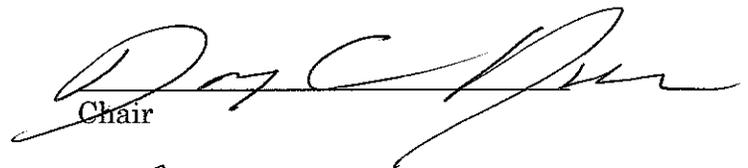
Public Comment

No comments were received.

Adjournment

Vernon Johnson moved, Calvin Frappier supported that the meeting be adjourned. The motion carried unanimously. The Chair adjourned the meeting at 2:40 p.m.

OFFICIAL MINUTES



Chair



Executive Secretary