

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 May 26, 2011. The following members, staff and observers participated:

Members Present: Robert Brackenbury, representing State Treasurer
Douglas Drake, Retiree Member
George Elworth, representing the Attorney General
Matthew Fedorchuk, Employee Member
John Gnodtke, representing State Personnel Director
Douglas Johnson, Retiree Member
Craig Murray, representing the Deputy Auditor General

Staff Present: Phil Stoddard, Executive Secretary
Chanda Donnan, Recording Secretary

Others Present: Alan Sonnanstine from Gabriel Roeder Smith and Company, Patrick Fitzgerald and Brian LaVictoire of the Office of Attorney General to the Board; Laurie Hill, Tim McCormick, and Sara Hoppes from the Office of Retirement Services; June Morse from State Employee Retirees Association, Rob Witham

Call to Order

Chair Douglas Drake called the meeting to order at 1:32 p.m.

Excusing Absent Members

Douglas Johnson moved, Craig Murray supported, to excuse the absence of Randall Gregg. The motion carried unanimously.

Approval of Agenda

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

Approval of Minutes

Douglas Johnson moved, Robert Brackenbury supported, to approve the regular session meeting minutes of April 27, 2011, with the addition of the action statement "The motion carried unanimously." on page 612, at the end of Docket 2010-44854. The motion carried unanimously.

Disability Retirement Applications

Non-Duty Disability Retirement Applications

Craig Murray moved, George Elworth supported, to approve non-duty disability applications 2, 5, 6, 7, and 8 as presented in the Supplemental Information to the Agenda, 7A. The motion carried unanimously.

George Elworth moved, Robert Brackenbury supported, to approve non-duty disability applications 1, 3, 4, and 9 as presented in the Supplemental Information to the Agenda, 7A with the provision of a two-year re-exam. The motion carried unanimously.

Applications for Good Cause

Kac-7956

John Gnodtke recused himself from participation in discussion and voting on this application.

George Elworth moved, Douglas Johnson supported, to grant the applicant's request to extend the time limit for filing a disability retirement application, since the applicant presented sufficient evidence of extenuating circumstances, and to have the State Employees' Retirement System consider the application on the merits. The motion carried with John Gnodtke abstaining.

Law-3216

Douglas Johnson moved, Craig Murray supported, to grant the applicant's request to extend the time limit for filing a disability retirement application, since the applicant presented sufficient evidence of extenuating circumstances, and to have the State Employees' Retirement System consider the application on the merits. The motion carried unanimously.

Administrative Hearings

Proposal for Decision – Docket 2010-44861 SERS

The Board considered the case materials. Craig Murray moved, Douglas Johnson supported, that the Board adopt as its own the recommendations of Presiding Officer Dennis W. Mack in the January 4, 2011 PFD, including the proposed Findings of Fact and Conclusions of Law, and deny the Petitioner's request for duty disability retirement benefits under Section 21 of the State Employees' Retirement Act. The motion carried unanimously.

Proposal for Decision – Docket 2010-44831 SERS

The Board considered the case materials. Douglas Johnson moved, Craig Murray supported, that the Board adopt as its own the recommendations of the Presiding Officer in the February 15, 2011 PFD, including the proposed Findings of Fact and Conclusions of Law, and deny Petitioner's application for duty and non-duty disability retirement benefits under Sections 21 and 24 of the State Employees' Retirement Act. The motion carried unanimously.

Proposal for Decision – Docket 2010-44850 SERS

The Board considered the case materials. Craig Murray moved, Douglas Johnson supported, that the Board adopt as its own the recommendations of the Presiding Officer in the February 17, 2011 PFD, including the proposed Findings of Fact and Conclusions of Law, except for the modifications proposed by Respondent, and deny Petitioner's application for duty and non-duty disability benefits under Sections 21 and 24 of the State Employees Retirement Act, using the form of decision and order offered by the Respondent. The motion carried unanimously.

Proposal for Decision – Docket 2010-33324 SERS

The Board considered the case materials. John Gnodtke moved, Craig Murray supported, that the Board adopt as its own the recommendations of the Presiding Officer William D. Bond in the December 14, 2010 PFD, including the proposed Findings of Fact and Conclusions of Law with the following modifications to the Proposal for Decision: 1) item 4 under Findings of Fact - insert the word 'creditable' to the second sentence prior to the word service, 2) replace State of Michigan with State Employees' Retirement System (page 3 of 22), and deny Petitioner's request for non-duty disability retirement benefits under Section 24 of the State Employees' Retirement Act. The motion carried unanimously.

Proposal for Decision – Docket 2010-36587 SERS

The Board considered the case materials. Douglas Johnson moved, Craig Murray supported, that the Board adopt as its own the recommendations of the Presiding Officer in the December 22, 2010 PFD, including the proposed Findings of Fact and Conclusions of Law, with the following modifications to the Proposal for Decision: 1) page 10 of 14, strike the full second paragraph, 2) item 1 under Matter of Fact add 'Supervisor' after the second use of Resident Care Aide, 3) item 2 under Matter of Fact change he to she, 4) item 4 under Matter of Fact add a second sentence that reads "The IMA reports, however, do not find that the medical evidence shows that all of Petitioner's injuries occurred as the natural and approximate result of the performance of her duties." 5) item 8 under Matter of Fact strike the full second sentence, 6) under Conclusions of Law, item 8, strike 'both a duty disability retirement benefit under MCL 31.21 and,' 7) strike 'either MCL 38.21 or' from the Recommended Decision; and grant Petitioner's request for non-duty disability retirement benefits under Section 24 of the State Employees' Retirement Act. The motion carried unanimously.

Proposal for Decision – Docket 2010-44863 SERS

The Board considered the case materials. Douglas Johnson moved that the Board adopt as its own the recommendations of the Presiding Officer in the January 27, 2011 PFD, including the proposed Findings of Fact and Conclusions of Law, and deny Petitioner's request for duty and non-duty disability retirement benefits under Sections 21 and 24 of the State Employees' Retirement Act. The motion died due to lack of support.

John Gnodtke moved, Matthew Fedorchuk supported, that the Board adopt as its own the recommendations of the Presiding Officer in the January 27, 2011 PFD, including the proposed Findings of Fact and Conclusions of Law, except for the modifications proposed by Respondent, and deny Petitioner's application for duty and non-duty disability under Sections 21 and 24 of the State Employees Retirement Act, using the form of decision and order offered by the Respondent. The motion carried unanimously.

Proposal for Decision – Docket 2010-50938 SERS

The Board considered the case materials. Craig Murray moved, Douglas Johnson supported, that the Board adopt as its own the recommendations of Presiding Officer in the December 28, 2010 PFD including the proposed Findings of Fact and Conclusions of Law with the modification to the PFD on page 8 of 10, first paragraph, adding the word 'non' prior to duty, and grant Petitioner's request for non-duty disability retirement on the basis that Petitioner has effectively met all of the requirements for benefits under Section 24 of the State Employees' Retirement Act. The motion carried unanimously.

Proposal for Decision – Docket 2010-44856 SERS

The Board considered the case materials. John Gnodtke moved, Douglas Johnson supported, that the Board deny the Petitioner's motion to disqualify the Attorney General as a member of the Board, from participation in the Board's decision regarding Petitioner's case. The motion carried unanimously.

Craig Murray moved, Douglas Johnson supported, that the Board adopt as its own the recommendation of the Presiding Officer William D. Bond in the December 20, 2010 PFD, including the proposed Findings of Fact and Conclusions of Law, and deny the Petitioner's request for non-duty disability retirement benefits under Section 24 of the State Employees' Retirement Act. The motion carried unanimously.

New Business

Circuit Court Remand – Iosco County Circuit No. 10-5736-AA. Docket 2009-28986 SERS

The Board considered the case materials. Douglas Johnson moved, John Gnodtke supported, that the Board remand the case for a supplemental IMA to be prepared in light of the

disability standard set forth in *Nason* with further instructions that the supplemental IMA, along with the deposition testimony of Drs. LaClair, Rubert, and Adams be considered by a Presiding Officer in preparing a supplemental PFD for the Board's consideration. The motion carried unanimously.

Special Report

Alan Sonnanstine of Gabriel Roeder Smith & Company, presented the Actuarial Pension and Healthcare Valuations for the period ending September 30, 2010, to the Board members and answered questions.

Legislative Report

A report was provided for the Board's information.

Executive Secretary Comments

No comments were received.

Board Comments

No comments were received.

Public Comments

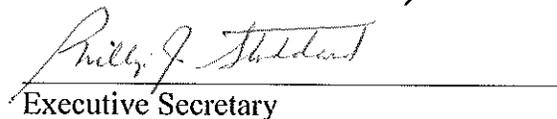
No comments were received.

Adjournment

George Elworth moved, Douglas Johnson supported, that the meeting be adjourned. The motion carried unanimously. The Chair adjourned the meeting at 3:18 p.m.

OFFICIAL MINUTES


Chair


Executive Secretary

