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 November 1, 2007. The following members, staff and observers participated:

Members Present: David Dekker, Employee Member
Douglas Drake, Retiree Member
George Elworth representing the Attorney General
Craig Murray, representing the Deputy Auditor General
Harry Posner, Employee Member
John Schoonmaker, representing the Commissioner of the Office of Financial and Insurance Services

Staff Present: Phil Stoddard, Executive Secretary
Kathy Ciaramella, Recording Secretary

Others Present: Thomas Schimpf of the Attorney General's Office; Janet Ketchum, of the Retirement Coordinating Council; Al Trierweiler, of the State Employee Retirement Association; Joy Angel, of the Department of Transportation; David Angel, of the Department of Corrections.

Call to Order

Chair Douglas Drake called the meeting to order at 1:33 p.m.

Excusing of Absent Members

Harry Posner moved, Craig Murray supported, to excuse the absences of Calvin Frappier, Vernon Johnson, and Daniel McLellan. The motion carried unanimously.

Approval of Agenda

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

Approval of Minutes

John Schoonmaker moved, Craig Murray supported, to approve the meeting minutes of September 20, 2007, as presented. The motion carried unanimously.

Disability Retirement Applications

Non-Duty Disability Retirement Applications

Craig Murray moved, Harry Posner supported, to approve the non-duty disability applications 1, 2, 4 – 11, 13 – 17, 19 and 20, as presented in the Supplemental Information to the Agenda, 7A, except applications 3, 12 and 18. The motion carried unanimously.

Following discussion, David Dekker moved, George Elworth supported, to table application 3, allowing for staff to provide the Board additional information. The motion carried unanimously.

Following discussion, David Dekker moved, Craig Murray supported, to approve the non-duty disability application 12, as presented in the Supplemental Information to the Agenda, 7A. The motion carried unanimously.

Following discussion, David Dekker moved, John Schoonmaker supported, to table application 18 allowing for staff to provide the Board additional information. The motion carried with one opposing vote.

Duty Disability Retirement Applications

George Elworth moved, Craig Murray supported, to approve the duty disability applications 1- 4, as presented in the Supplemental Information to the Agenda, 7B. The motion carried unanimously.

Administrative Hearings

Proposal for Decision – Docket 2006-AH078

The Board considered the case materials. Craig Murray moved, David Dekker supported, that the Board adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated July 17, 2007, including the proposed Findings of Fact and Conclusions of Law, and grant non-duty disability retirement benefits to Petitioner. The motion carried unanimously.

Proposal for Decision – Docket 2007-2-SERS

The Board considered the case materials. George Elworth moved, Craig Murray supported, to deny Petitioner's request to re-open the record to add the Matrix Surgery and Pain Center records. The motion carried unanimously.

Craig Murray moved, George Elworth supported, that the Board adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated July 20, 2007, including the proposed Findings of Fact and Conclusions of Law, and deny Petitioner's request for non-duty disability retirement benefits, and to amend the PFD to correct the date on page 3, paragraph 3, line 3; and striking the sentences on page 6, paragraph 3, "That determination, which was not challenged, is binding in this case. Therefore, I find, as a Matter of Fact, the Petitioner was not entitled to a non-duty disability between August 23, 2003 and December 10, 2004. As a result, to prevail the Petitioner must demonstrate

that between December of 2004 and the close of the record in May 2007, she became totally and permanently disabled." The motion carried unanimously.

Proposal for Decision – Docket 2006-AH089

The Board considered the case materials. Craig Murray moved, George Elworth supported, that the Board adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated August 15, 2007, including the proposed Findings of Fact and Conclusions of Law except for the changes requested by Respondent, and grant Petitioner non-duty disability retirement benefits, using the form of decision and order offered by Respondent. The motion carried with one opposing vote.

Legislative Report

Counsel Thomas Schimpf commented on HB 4800 – Act 95.

Board Comment

No comments were made.

Public Comment

No comments were received.

Adjournment

George Elworth moved, David Dekker supported, to adjourn the meeting at 2:17 p.m. The motion carried unanimously.

OFFICIAL MINUTES

Chair

Executive Secretary