

**SONOMA COUNTY EMPLOYEES' RETIREMENT BOARD
DISABILITY COMMITTEE MINUTES**

Thursday, May 23, 2024
8:32 a.m.

Presiding: Chair Brian Williams.

Present: Trustees Joe Tambe and Bob Williamson; Alternate Retiree Trustee Neil Baker; Chief Executive Officer Julie Wyne; Assistant Chief Executive Officer/Chief Legal Counsel Cristina Hess; Member Services Manager Jackie Purter; and Retirement Analyst Rebecca Gay.

Absent: Trustees Travis Balzarini.

Public comments were solicited prior to the meeting by emailing Jackie.Purter@sonoma-county.org. Members of the public who joined the Zoom meeting via the Zoom app or by calling in, were able to provide live public comment for each agenda item, after the Board and staff provided their comments.

I. MINUTES APPROVAL

Approval of the April 18, 2024 Minutes.

Motion was made by Trustee Williamson, seconded by Trustee Baker to approve the April 18, 2024 Disability Committee Meeting Minutes. The motion carried 4-0-0-1 with voting as follows:

Mr. Baker	Aye
Mr. Balzarini	Absent
Mr. Tambe	Aye
Mr. Williams	Aye
Mr. Williamson	Aye

The Disability Committee moved into Executive Session and closed the meeting to all attendees who were not necessary for the determination of a disability retirement. While the meeting was closed, the attendees were locked out. Those still present were re-connected to the meeting once the Board returned to open session.

II. EXECUTIVE SESSION

The Committee met in closed session pursuant to Government Code section 54957(b) to consider the employment status and evaluation of performance of SCERA members as concerns eligibility for disability retirement and reinstatement to active membership.

A. Applications for Committee Action:

1. JAMIE PERCY, Sergeant filed 07/20/23 for a service connected disability retirement.

Motion was made by Trustee Williams and seconded by Trustee Tambe to recommend that Mr. Percy be granted a service connected disability retirement. The motion carried 4-0-0-1 with voting as follows:

Mr. Baker	Aye
Mr. Balzarini	Absent
Mr. Tambe	Aye
Mr. Williams	Aye
Mr. Williamson	Aye

2. MICHAEL DIETRICK, Deputy Sheriff II filed 09/14/23 for a service connected disability retirement.

Motion was made by Trustee Tambe to recommend that Mr. Dietrick be granted a service connected disability retirement. The motion failed for lack of a second.

Motion was made by Trustee Baker and seconded by Trustee Williamson to recommend that Mr. Dietrick be denied a service connected disability retirement. The motion carried 3-1-0-1 with voting as follows:

Mr. Baker	Aye
Mr. Balzarini	Absent
Mr. Tambe	Nay
Mr. Williams	Aye
Mr. Williamson	Aye

II. EXECUTIVE SESSION, continued

A. Applications for Committee Action, continued:

3. JUSTIN FOSTER, Animal Control Officer II filed 01/03/24 for a non-service connected disability retirement.

Motion was made by Trustee Baker and seconded by Trustee Williamson to recommend that Mr. Foster be granted a non-service connected disability retirement. The motion carried 4-0-0-1 with voting as follows:

Mr. Baker	Aye
Mr. Balzarini	Absent
Mr. Tambe	Aye
Mr. Williams	Aye
Mr. Williamson	Aye

B. Proposed Decision:

CHRISTOPHER HERMAN, Park Ranger I filed 12/02/22 for a service connected disability retirement. Consideration under Government Code Section 31724 (date allowance becomes effective) and 31725.65 (reemployment plan) is requested. On 06/22/23, the Retirement Board denied the application for a service connected disability retirement.

Motion was made by Trustee Tambe and seconded by Trustee Baker pursuant to Government Code section 31534 to recommend adopting the Administrative Law Judge's proposed decision and grant Mr. Herman a service connected disability application. Government Code Section 31725.65 was reviewed and the recommendation is to grant the reemployment plan request.

Government Code Section 31724 was reviewed and the recommendation is to deny the request as there was no administrative oversight or inability to ascertain the permanency of the member's incapacity.

The motion carried 4-0-0-1 with voting as follows:

Mr. Balzarini	Absent
Mr. Tambe	Aye
Mr. Tuscany	Aye
Mr. Williams	Aye
Mr. Williamson	Aye

C. Discussion:

Reviewed the May 2024 Disability Report.

The Disability Committee moved out of Executive Session and reopened the meeting to all Zoom attendees who were locked out of the meeting during the closed session period.

III. EXECUTIVE SESSION REPORT OUT – OPEN SESSION

Committee Chair Brian Williams reported out in open session that the Committee voted unanimously to recommend granting a service connected disability retirement to Sergeant James Percy and a non-service connected disability retirement to Animal Control Officer Justin Foster. A motion to recommend granting Deputy Sheriff II Michael Dietrick a service connected disability retirement failed for a lack of a second. The Committee voted 3-1-0-1 to recommend denying Deputy Sheriff II Michael Dietrick a service connected disability retirement. The Committee voted unanimously to recommend adopting the Hearing Officer's Proposed Decision to grant Park Ranger I Christopher Herman a service connected disability retirement. The Committee unanimously voted to recommend granting his request for Government Code Section 31725.65 and to deny his request for Government Code Section 31724.

IV. GENERAL DISCUSSION MATTERS

There were no general discussion matters.

V. PUBLIC COMMENT

There was no public comment.

VI. NEXT MEETING

Scheduled for Thursday, June 20, 2024 at 8:30 a.m. in the SCERA Board Room located at 433 Aviation Boulevard, Suite 100 in Santa Rosa, CA.

VII. ADJOURNMENT

With no further business to conduct, the meeting was adjourned at 9:15 a.m.

VIII. APPROVAL

The above minutes for the Disability Committee meeting on May 23, 2024 were approved at the Disability Committee meeting on June 20, 2024.

BRIAN WILLIAMS, CHAIR