RESOLUTION - ACTION REQUESTED 2017-197

MEETING: April 11, 2017

TO: The Board of Supervisors

FROM: Steve Johnson, Human Resources Director - Risk Manager

RE: Approval of Industrial Disability Retirement for Jeffery M Ransom

RECOMMENDATION AND JUSTIFICATION:
Adopt a Resolution certifying the Industrial Disability Retirement of Sheriff's Deputy Jeffery M. Ransom effective April 30, 2016. Deputy Ransom's separation date was April 29, 2016. A determination has been made that Deputy Ransom is incapacitated within the meaning of CalPERS law for the performance of his duties in the position of Sheriff’s Deputy. It has been further determined that the disability arises out of and in the scope of his employment. As a safety employee, CalPERS requires that the governing board, i.e., the Board of Supervisors, adopt a Resolution relative to the approval or denial of an industrial disability retirement.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board has previously adopted similar Resolutions relative to industrial disability retirements for safety employees.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
An alternative action would be to determine that Deputy Ransom is not entitled to an industrial disability retirement, however, this determination would not be supported by the medical evidence.

FINANCIAL IMPACT:
None on this action.

ATTACHMENTS:
Ransom Industrial Disability Retirement Res  (DOC)

CAO RECOMMENDATION
Requested Action Recommended

Dallin Kimble
Dallin Kimble, Interim CAO  4/5/2017
RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Kevin Cann, District IV Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF MARIPOSA
Government Code Section 21156

RESOLUTION NO. 17-197

WHEREAS, the County of Mariposa (hereinafter referred to as Agency) is a contracting agency of the California Public Employees’ Retirement System; and

WHEREAS, the California Public Employee’s Retirement Law requires that a contracting agency determine whether an employee of such agency in employment in which he is classified as a local safety member is disabled for purposes of the California Public Employees’ Retirement Law and whether such disability is “industrial” within the meaning of such Law; and

WHEREAS, an application for industrial disability retirement of Jeffery M. Ransom employed by the Agency in the position of Sheriff’s Deputy has been filed with the California Public Employees’ Retirement System; and

WHEREAS, the Board of Supervisors has reviewed the medical and other evidence relevant to such alleged disability; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors finds and determines and it does hereby find and determine that Jeffery M. Ransom is incapacitated within the meaning of the California Public Employees’ Retirement Law from performance of his duties in the position of Sheriff’s Deputy; and

BE IT FURTHER RESOLVED that the Board of Supervisors finds and determines and it does hereby find and determine that such disability is a result of injury or disease arising out of and in the course of employment. Neither said Jeffery M. Ransom nor the County of Mariposa has applied to the Workers’ Compensation Appeals Board for a determination pursuant to Section 21166 whether such disability is industrial.

BE IT FURTHER RESOLVED that the member was separated from his employment in the position of Sheriff’s Deputy, after expiration of his leave rights under Government Code Section 21164, effective April 29, 2016 and that no dispute as to the expiration of such leave rights is pending. His last day on pay status was April 29, 2016. His first date of retirement was April 30, 2016.

There is not a possibility of third party liability.

Advanced Disability Pension payments will not be made.

The primary disabling condition is orthopedic injury to his left mid-foot.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 11th day of April, 2017 by the following vote:

AYES:   Smallcombe, Jones, Long, Cann, Menetrey

NOES:   None

ABSENT: None

ABSTAINED: None

Marshall Long, Chair
Mariposa County Board of Supervisors

ATTEST:

René LaRoche, Clerk of the Board

APPROVED AS TO FORM:

Steven W. Dahlem, County Counsel