MARIPOSA COUNTY RESOLUTION NO. 89-358

REGARDING THE DISABILITY RETIREMENT
OF WALTER BUTLER
FROM THE COUNTY OF MARIPOSA
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

WHEREAS, the County of Mariposa (hereinafter referred to
as "AGENCY") is a contracting agency of the Public Employees' Retirement System, and

WHEREAS, the Public Employees' 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 Public Employees' Retirement Law
and whether such disability is "industrial" within the meaning of
such Law, and

WHEREAS, an application for disability retirement of WALTER
BUTLER employed by "AGENCY" in the position of Jail/Lieutenant
been filed with the Public Employees' Retirement System, and

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

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mariposa County Board of Supervisors, finds
and determines and it does hereby find and determine that WALTER
BUTLER is incapacitated within the meaning of the Public
Employees' Retirement Law for performance of his duties in the
position of Jail/Lieutenant, and that his condition was
determined to be permanent and stationary as of April 20, 1989,
and

2. BE IT FURTHER RESOLVED THAT THE Mariposa County 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; and further
determines that such disability did not result from an injury
which is the direct consequence of a violent act perpetrated upon
the member or did not occur during the performance of those
portions of the member's duties which are particularly hazardous
and dangerous, and neither said WALTER BUTLER nor the agency,
County of Mariposa, has applied to the Workers' Compensation
Appeals Board for a determination pursuant to Section 21026
whether such disability is industrial.
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PASSED AND ADOPTED by the Mariposa County Board of Supervisors the 11th day of July 1989 by the following Vote:

AYES: BAGGETT, PUNTE, ERICKSON, RADANOVICH, TABER

NOES: NONE

ABSENT: NONE

ABSTAINED: NONE

Gertrude R. Tabor
GERTRUDE R. TABER, Chairman
Mariposa County Board of Supervisors

ATTEST:

MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY G. GREEN, County Counsel