

MARIPOSA COUNTY RESOLUTION No. 82-160

INDUSTRIAL DISABILITY RETIREMENT OF
SAFETY MEMBER HOWARD C. HARBULAK
PURSUANT TO GOVERNMENT CODE 21025

WHEREAS, Mariposa County 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 an 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;

WHEREAS, an application for disability retirement of HOWARD C. HARBULAK employed by Mariposa County in the position of Deputy Sheriff/Sergeant, Assistant Coroner has been filed with the Public Employees' Retirement System; and

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

NOW THEREFORE, it is resolved by the Board of Supervisors of Mariposa County that it is hereby found and determined that HOWARD C. HARBULAK is incapacitated within the meaning of the Public Employees' Retirement Law for performance of his duties in the position of Deputy Sheriff/Sergeant, Assistant Coroner.

RESOLVED FURTHER that the Board of Supervisors of Mariposa County finds and determines that such disability is a result of injury or disease arising in part out of and in the course of employment and neither said employee HOWARD C. HARBULAK nor the Agency of Mariposa County has applied to the Worker's Compensation Appeals Board for a determination pursuant to Section 21026


1 whether such disability is industrial; and

2 RESOLVED FURTHER that the member was or will be separated
3 from his employment in the position of Deputy Sheriff/Sergeant,
4 Assistant Coroner after expiration of his leave rights under Sec-
5 tion 21025.4 of the Government Code, effective August 24, 1982,
6 and that no dispute as to the expiration of such leave rights is
7 pending; and

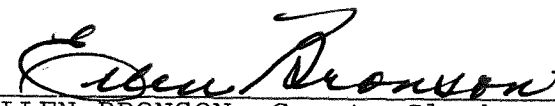
8 RESOLVED FURTHER that there is no known possibility of third-
9 party liability present nor was the member's disability caused by
10 the negligence or intentional act of parties outside the employ-
11 ment relationship.

12 PASSED AND ADOPTED this 4th day of August, 1982, by the
13 Board of Supervisors of Mariposa County, by the following vote:

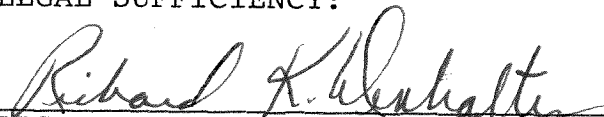
14 AYES: Barrick, Dalton, Erickson, Moffitt, Taber
15 NOES: None
16 ABSENT: None
17 ABSTAINED: None

18 
19 WILLIAM H. MOFFITT, Chairman
Board of Supervisors

20 ATTEST:

21 
22 ELLEN BRONSON, County Clerk and
Ex Officio Clerk of the Board

23 APPROVED AS TO FORM AND
24 LEGAL SUFFICIENCY:

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26 RICHARD K. DENHALTER, County Counsel

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