

**RESOLUTION NO. 16-8180**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF COUNTY OF PLUMAS  
DENYING INDUSTRIAL DISABILITY RETIREMENT FOR  
MR. MICHAEL R. SMITH  
(Section 21156, Government Code)**

**WHEREAS**, the County of Plumas (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/she is classified as 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**, Mr. Michael R. Smith who was employed by the Plumas County Sheriff's Department in the position of Sheriff Investigator, has filed an application for industrial disability retirement with the California Public Employees Retirement System (hereinafter referred to as (CalPERS)); and

**WHEREAS**, Mr. Michael R. Smith retired under Service Retirement prior to applying for his industrial disability retirement.

**NOW, THEREFORE BE IT RESOLVED:**

That the Board of Supervisors of the County of Plumas hereby find and determine that Mr. Michael R. Smith is not incapacitated within the meaning of the Public Employees' Retirement Law for performance of his duties in the position of Sheriff Investigator; and

**BE IT FURTHER RESOLVED THAT**, the Board of Supervisors determined that Mr. Michael R. Smith is not eligible for Industrial Disability Retirement under the meaning of the Law through the course of his employment.

The forgoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the 20<sup>th</sup> day of September 2016, by the following vote:

AYES:	Supervisors	GOSS, ENGEL, SIMPSON, SWOFFORD, THRALL
NOES:	Supervisors	NONE
ABSENT:	Supervisors	NONE

  
Clerk of the Board

  
Chair, Board of Supervisors