

RESOLUTION NO. 11-7702

**RESOLUTION OF THE BOARD OF SUPERVISORS OF COUNTY OF PLUMAS
TO APPROVE INDUSTRIAL DISABILITY RETIREMENT OF
MR. KENNETH NELSON
(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, an application for industrial disability retirement for Mr. Kenneth Nelson who was employed by this Agency in the position of Sheriff Sergeant until he retired under service retirement on March 27, 2011, pending industrial disability retirement; and

WHEREAS, the Board of Supervisors after review of the medical information and other evidence relevant to such alleged disability and have now come to their determination.

NOW, THEREFORE BE IT RESOLVED:

That the Board of Supervisors find and determine and it does hereby find and determine that Mr. Kenneth Nelson is incapacitated within the meaning of the Public Employees' Retirement Law for performance of this duties in the position of Sheriff Sergeant; and

BE IT FURTHER RESOLVED THAT, the Board of Supervisors find and determine that such disability is a result of injury or disease arising out of and in the course of employment.

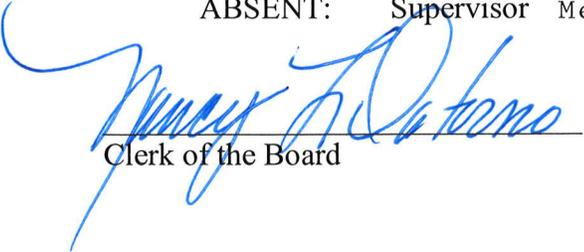
Neither said Mr. Kenneth Nelson nor the County of Plumas has applied to the Workers' Compensation Appeals Board for a determination pursuant to Section 21166 whether such disability is industrial.

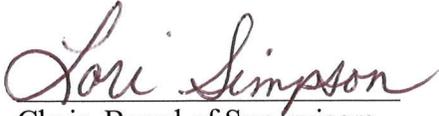
The forgoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the 14th day of June 2011, by the following vote:

AYES: Supervisors Swofford, Thrall, Kennedy, Simpson

NOES: Supervisors None

ABSENT: Supervisor Meacher


Clerk of the Board


Chair, Board of Supervisors