



## **RESOLUTION No.** 16-89

### **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO**

WHEREAS, this amended resolution supercedes our previous submitted resolution No. 361-88, Passed and Adopted by your Board on October 25, 1988;

WHEREAS, the County of El Dorado (hereinafter referred to as Agency) is a contracting agency of the Public Employees' Retirement System;

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

WHEREAS, an application for disability retirement of Stephen Mahnken employed by the Agency in the position of Sheriff Deputy II has been filed with the Public Employees' Retirement System; and;

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

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Supervisors find and determine and it does hereby find and determine that Stephen Mahnken is incapacitated within the meaning of the Public Employees' Retirement Law for performance of his duties in the position of Sheriff Deputy II; and;

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BE IT FURTHER RESOLVED that the member is found to be disabled from his performance of duties in the position of Deputy Sheriff II on an industrial basis.

BE IT FURTHER RESOLVED that the member was or will be separated from his employment in the position of Sheriff's Deputy II after expiration of his leave rights under Section 21025.4, Government Code, effective December 9, 1988 and that no dispute as to the expiration of such leave rights is pending.

WHEREAS, there is not any possibility of third part liability present, with regard to Stephen Mahnken's disability; and;

BE IT FURTHER RESOLVED that the member was offered modified work within the Sheriff's Department of El Dorado County in lieu of a formal rehabilitation plan, and was working in that capacity, until a new injury occurred, and has subsequently been retired. No other rehabilitation plan has been offered.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 17th day of January, 1989,

by the following vote of said Board:

Ayes: Supervisors Robert E. Dorr, Patricia R. Lowe, James R. Sweeney, Michael C. Visman, John N. Cefalu

ATTEST

BILLIE MITCHELL, County Clerk and ex-officio Clerk of the Board of Supervisors

Noes: None

Absent: None

By

*Margaret E. Moody*  
Deputy Clerk

*Robert E. Dorr*  
Chairman, Board of Supervisors

DATE	COPIES SENT TO
1/19/88	Risk Manager
	Sheriff
	PERS