

REGARDING THE DISABILITY RETIREMENT  
OF DAVID A. BEAVERS  
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 DAVID A. BEAVERS employed by "AGENCY" in the position of Deputy Crime Prevention Officer was filed with the Public Employees' Retirement System in May 1986, and

WHEREAS, based upon a recommendation from the County's physician, the County contested the fact that MR. BEAVERS disability arose out of his employment, and

WHEREAS, an evidentiary hearing was held before the Workers' Compensation Board relative to the issue of work related disability, and

WHEREAS, on March 22, 1988 an order was entered declaring the disability of DAVID A. BEAVERS to be work related, and

WHEREAS, the Workers' Compensation Judge further found that as of March 16, 1987 MR. BEAVERS was disabled from returning to his employment as a member of the Mariposa County Sheriff's Department, then

NOW THEREFORE, BE IT HEREBY RESOLVED:

1. That the Mariposa County Board of Supervisors, finds and determines and it does hereby find and determine that DAVID A. BEAVERS is incapacitated as of March 16, 1987 within the meaning of the Public Employees' Retirement Law for performance of his duties in the position of Deputy Crime Prevention Officer, 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.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 5th day of April, 1988, by the following vote:

AYES: BAGGETT, DALTON, ERICKSON, RADANOVICH, TABER  
NOES: NONE  
ABSENT: NONE  
ABSTAINED: NONE

---

ERIC J. ERICKSON, Chairman  
Mariposa County Board of Supervisors

ATTEST:

BY Gertrude P. Taber  
VICE CHAIRMAN

Margie Williams  
MARGIE WILLIAMS  
Clerk of the Board

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

Jeffrey G. Green  
JEFFREY G. GREEN  
County Counsel