



**PUBLIC SAFETY RETIREMENT SYSTEM  
CITY OF SURPRISE LOCAL BOARD – POLICE**  
Minutes, Wednesday, February 10, 2021  
16000 N. Civic Center Plaza, Surprise, Arizona 85374

The following are the minutes from the City of Surprise Public Safety Retirement Commission – Police Meeting held at 10:00 a.m. Wednesday, February 10, 2021. The meeting was held in City Hall, Council Chambers. Due to COVID-19, the public was able to stream the meeting live.

**A. Call To Order**

Chair Hall called meeting to order at 10:00 a.m.

**B. Roll Call:** Skip Hall, Chairperson – Present  
Chandler Brown, Citizen Board Member – Present  
James Conner, Citizen Board Member - Present  
Severin Hall, Police Department – Present  
Ian Murton, Police Department – Present

**In attendance:** Paige Gearhart, Human Resources Manager  
Cynthia Kelley, Board Attorney  
Michelle Reardon, Sr. HR Specialist  
Ariana Reyna, Board Secretary

**C. Pledge of Allegiance – Completed**

**D. Current Events Reports - None**

**E. Staff Reports – None**

**F. Call to the Public – None**

**Consent Agenda:**

- 1. Considerations and action pertaining to the review and approval of the January 20, 2021 Public Safety Retirement Commission – Police Executive Session Meeting Minutes– APPROVED**

**Motion to Approve:** Ian Murton

**Second:** Severin Hall

**Opposed:** None

- 2. Considerations and action pertaining to the review and approval of the January 20, 2021 Public Safety Retirement Commission – Police Meeting Minutes – APPROVED**



**Motion to Approve:** Chandler Brown  
**Second:** Ian Murton  
**Opposed:** None

**Regular Agenda:**

**3. Review and discussion of FY 2020-2021 legal counsel fees – INFORMATION ONLY**

No questions nor comments from Board Members.

**4. Considerations and possible action to enter Executive Session and make a determination on return to work eligibility for former Police Officer Anna Anderson in compliance with A.R.S. § 38-844 (E) – APPROVED**

**Motion:** Ian Murton  
**Second:** Chandler Brown  
**Opposed:** None

Ian Murton made a motion to approve Anna Anderson's request as the Board had reviewed the additional documentation presented by Mrs. Anderson and has determined that there was sufficient medical evidence presented to confirm her return to work eligibility. Ariana Reyna mentioned that since motion passed, the Board needed to answer the questions found in Form P5-LB-O.

Ariana Reyna read these aloud and documented the following responses from the Public Safety Retirement Commission – Police:

- Is the employee eligible for normal retirement? (If yes, the employee is not eligible for an Ordinary disability.)  
**Board's Response: YES**
- Did the employee file the application after the disabling incident, or within one year of ceasing to be an employee?  
**Board's Response: YES**
- Did (or will) the employee terminate by a reason of disability?  
**Board's Response: NO**
- Did employment terminate based on a disciplinary issue?  
**Board's Response: NO**
- In regard to the physical injury, is the employee still working a PSPRS covered position that the Local Board considers a reasonable range of duties position within the employee's department? In regard to the mental condition, is the employee still working a position that the Local Board considers

substantial gainful activity?

**Board's Response: NO**

- In regard to the physical injury, has the employee refused a PSPRS covered position that the Local Board considered a reasonable range of duties within the employee's department? In regard to the mental condition, has the employee refused a position that the Local Board determined will prevent the employee from engaging in any substantial gainful activity?

**Board's Response: NO**

- Did the injury or condition occur prior to the current PSPRS membership date?

**Board's Response: NO**

**5. Discussion and possible action to enter Executive Session and review medical records exempt from public inspection regarding the disability application for Police Officer Edyta Tabor-Dakowicz – APPROVED FOR IME**

**Motion to ENTER Executive Session:** Ian Murton

**Second:** James Conner

**Opposed:** None

DISCUSSION ENSUED DURING EXECUTIVE SESSION, WHICH TOOK PLACE FROM 10:07 A.M. – 10:46 A.M.

**Motion:** Chandler Brown

**Second:** James Conner

**Opposed:** None

Kathryn Baillie, legal representation for Edyta Tabor–Dakowicz introduced herself to the Board Members and asked if there were any questions she could answer on behalf of her client. Kathryn asked if the Board had all the documents they needed. Chair asked a question about the means on how one of the evaluations by a particular doctor was conducted to which Kathryn confirmed that it was done telephonically due to COVID-19. Ian Murton addressed Kathryn and conveyed that additional documentation was requested specifically to testing conducted that led to diagnosis but the Board was only given a summary. Ian Murton also referenced that some of the test summaries that were provided were conducted after the date of filing of disability application. Kathryn talked about testing integrity and how one of her client's provider was unable to provide the full testing due to copyright. Additional discussion ensued on testing, dates performed, and use of test material in relation to copyright claim.

Chandler Brown made a motion to move forward with ordering an IME for Edyta Tabor-Dakowicz and Severin Hall provided a second.



**Motion passed 3-2. Voice Vote from Members as follows:**

- Chandler Brown – YES
- Severin Hall – YES
- Skip Hall – YES
- Ian Murton – NO
- James Conner – NO

Ariana Reyna confirmed that she would coordinate IME logistics for Edyta Tabor-Dakowicz and communicate these with her accordingly.

**G. Other Business and Future Agenda Items – None**

**H. Executive Session – None**

**I. Adjournment**

Motion to adjourn at 10:55 a.m. – **APPROVED**

- Motion:** James Conner
- Second:** Chandler Brown
- Opposed:** None

**Meeting Minutes Approval:**

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Skip Hall, Chair  
Public Safety Retirement Commission - Police

**CERTIFICATION:**

I, Ariana Reyna, Board Secretary and Sr. Human Resources Analyst – ADA & Leaves for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are true and correct minutes of the Public Safety Retirement Commission – Police Meeting of **Wednesday, February 10, 2021.**

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Ariana Reyna, Board Secretary  
Public Safety Retirement Commission - Police