



PUBLIC SAFETY RETIREMENT SYSTEM
CITY OF SURPRISE LOCAL BOARD – POLICE
Minutes, Wednesday, July 10, 2019
16000 North Civic Center Plaza, Surprise, Arizona 85374

The following are the minutes from the PSPRS City of Surprise Local Board – Police Meeting held at 10:00 a.m. Wednesday, July 10, 2019. The meeting was held in City Hall, 1st floor lobby conference room.

Call To Order:

Acting Chair Jeffrey called the meeting to order at 10:13 a.m.

A. Roll Call: Scott Gwaltney, Chairperson & Citizen Board Member – Absent excused
Don Jeffrey, Citizen Board Member – Present
Jim Conner, Citizen Board Member – Present
Ian Murton, Employee Board Member – Police Dept. – Absent
Severin Hall, Employee Board Member- Police Dept. – Present

In attendance: Chanda Washington, Board Administrator
Donna Meuse, Human Resources
Kelly Pedersen, Human Resources
Cynthia Kelley, Board Attorney
Glenn Cannon, Applicant (attended agenda items #1 & #2)
Jennifer Cannon, Spouse of Applicant Mr. Cannon (attended agenda items #1 & #2)
Rachael Tidd, Applicant (attended agenda item #3 only)
Edyta Tabor-Dakowicz, Co-Worker of Applicant Ms. Tidd (attended agenda item #3 only)

B. Pledge of Allegiance: completed

C. Current Events Reports: None

D. Staff Reports: Ms. Washington introduced newly elected board member Severin Hall to his first board meeting. Ms. Washington advised the board the need for postponement for providing information to the subcommittee for review of the disability cases until at least December to give her additional time to get the information to the subcommittee to review for a recommendation to the board.

The board agreed to grant the extension of time needed for Ms. Washington to gather information for the subcommittee to review.

Board Attorney Kelley provided the board with clarification about the re-examination of the disability cases.

Mr. Hall commented on Ms. Kelley's clarification to ensure he had the correct understand of the information provided.

Mr. Conner commented on the reason why the board choose the two elected members to be part of the subcommittee.



Call to the Public: None

Consent Agenda:

#1. Discussion and action pertaining to approval of PSPRS Local Board - Police June 12, 2019 Meeting Minutes. **-Approved**

Motion: Conner
Second: Jeffrey
Opposed: None

Scott Gwaltney- absent
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- absent
Severin Hall- abstain

Regular Agenda:

#2. Consideration and action pertaining to further review of the Accidental Disability application of Glenn Cannon. The commission may further consider and take action to appoint an independent medical examination (IME) for Glenn Cannon to be conducted by the following IME professionals: MMRO as primary, MCN as secondary and Integrated Medical Evaluations Inc. as tertiary (third) choice. – **Approved**

Ms. Washington advised the board that Mr. Cannon did not sign off on the waiver of confidentiality so the board cannot discuss any medical information regarding his application during an open meeting session and the board would have to go into executive session to discuss his medical information. Ms. Washington informed the board she had previously sent out the medical records for Mr. Cannon to the board to review and Mr. Cannon and his wife also provided a timeline of events to assist with the review of the records and that information was also provided to the board to review prior to the meeting.

Mr. Jeffrey had medical related questions for Mr. Cannon and was advised by Ms. Washington that the board would need make a motion to go into executive session to discuss Mr. Cannon's medical information.

Mr. Jeffrey made a motion at 10:23 a.m. to go into modified executive session with Mr. Cannon, his spouse Jennifer Cannon and his attorney Kathryn Baillie present.

Motion: Jeffrey
Second: Hall
Opposed: None



Scott Gwaltney- absent
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- absent
Severin Hall- voted yes

Mr. Conner made a motion at 10:29 a.m. to end executive session and reconvene to regular session.

A motion was made to accept for further review of the Accidental Disability Retirement Application for Glenn Cannon.

Motion: Conner
Second: Hall
Opposed: None

Scott Gwaltney- absent
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- absent
Severin Hall- voted yes

A subsequent motion was made to appointment an independent medical examination (IME) for the Accidental Disability Retirement application for Glenn Cannon to be conducted by the following IME professionals: MMRO as primary, MCN as secondary and Integrated Medical Evaluations Inc. as tertiary (third) choice.

Motion: Jeffrey
Second: Hall
Opposed: None

Scott Gwaltney- absent
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- absent
Severin Hall- voted yes

#3. Consideration and action pertaining to the Accidental Disability Retirement application and IME summary for Rachael Tidd.

A short break was taken so Ms. Tidd to allow Ms. Tidd to be present in the meeting room for agenda item #3.

Ms. Washington explained to the board that Ms. Tidd did not sign off on the waiver of confidentiality so the board cannot discuss any medical information regarding her



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application during an open session and in order to discuss her medical information while she is in the room the board would have to go into executive session. Ms. Washington advised she did send a copy of the IME results to the board prior to the meeting, but a copy is also provided in the board members meeting notebooks. Ms. Washington advised the board Ms. Tidd was present along with her attorney Ms. Baillie should the board have any questions to address to her.

Board member Jeffrey posed a series of non-related medical questions for Ms. Tidd. Ms. Tidd answered his questions.

Ms. Baillie made arguments on behalf of Ms. Tidd that she should be considered on duty due to receiving on call pay.

Mr. Jeffrey commented on the information the physician addressed.

Ms. Kelley stated to the board the differences between what is considered on duty versus not on duty.

Ms. Kelley stated to the board the difference between motorcycle officers being considered on duty versus police officers.

Mr. Conner commented regarding the law.

Ms. Baillie made arguments for Ms. Tidd that the on call pay should have been considered on duty in order for the IME physician to respond differently to question#4 in the questionnaire.

Ms. Meuse asked a series of questions about standby pay that no one on the board was to comment on.

Ms. Baillie made arguments for Ms. Tidd regarding her understanding of how on call/standby works for the City of Surprise.

Ms. Tidd commented to the board that she received a copy of her timesheet showing she received standby pay.

Ms. Meuse commented to the board that she would need to look into Ms. Tidd's payroll records and asked the board if they wanted to discuss this further to review the policy.

Mr. Hall posed a series of non-medical related questions to Ms. Tidd. Ms. Tidd answered his questions.



A motion was made by Mr. Conner to approve the Accidental Disability Retirement application and IME summary for Rachael Tidd.

Motion: Conner
Second: Jeffrey
Opposed: None

Scott Gwaltney- absent
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- absent
Severin Hall - voted yes

Mr. Jeffrey asked the board if they needed to go over the questionnaire checklist.

Ms. Kelley advised the board they can vote on the agenda item and then go over the questionnaire checklist.

Ms. Baillie made a request on behalf of Ms. Tidd for the motion to address question #4 in the questionnaire from the IME physician.

The board had further discussion regarding the motion previously made.

Mr. Conner withdrew the motion he previously made. A new motion was made by Mr. Conner stating after discussing the IME and physician's statement regarding question #4, that it was not a job related duty that the additional information indicates that the applicant was on call status and should be granted a disability at this time.

Motion: Conner
Second: Hall
Opposed: None

Scott Gwaltney- absent
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- absent
Severin Hall - voted yes

Ms. Washington read the accidental questionnaire to the board to answer. They responded to the following questions:

1. Did the employee file the application after the disabling incident, or within one year of ceasing to be an employee? **yes**
2. Did (or will) the employee terminate by a reason of disability? **yes**
3. Did employment terminate based on a disciplinary issue? **no**



4. If the member's period of DROP has ended, if applicable, did (or will) the employee terminate by a reason of disability? **not applicable**
5. Is the employee still working a position within their job classification that the Local Board considers a reasonable range of duties position? **no**
6. Has the employee refused a position within their job classification that the Local Board considered a reasonable range of duties? **no**
7. Did the injury or condition occur prior to the current PSPRS membership date? **no**
8. Was the injury or condition the results of an event incurred during the performance of the employee's duty? **yes**

Ms. Washington commented the motion reflects question #4 that was answered by the doctor.

#4. Consideration and action pertaining to placing items on future agenda.

Ms. Washington stated there are no agenda items for August and Mr. Cannon's IME results will not be back in time for August so the next meeting will occur on Wednesday, September 11th at 10 a.m.

Ms. Washington advised the board to let her know if they are unable to attend the next meeting so she can ensure there is a quorum.

Ms. Washington also asked the board members to check the board meeting materials that are sent within a few days of them being issued so she can make sure everyone has access to the information. She stated if the information cannot be received electronically it can be burned onto a CD.

#5. Executive Session: Consideration and action to enter into Executive Session pursuant to A.R.S. 38-431.03 (A) (2) and (3) for consideration or discussion of material deemed confidential by law and/or discussion or consultation for legal advice with the board attorney regarding the local board procedures.

The board went into modified executive session for agenda item #2 with Mr. Cannon, his spouse Jennifer Cannon and his Attorney Kathryn Baillie present

Adjournment:

Mr. Conner made a motion to adjourn the meeting at 10:47 a.m. – **Approved**


Motion: Conner
Second: Jeffrey
Opposed: None

Scott Gwaltney- absent

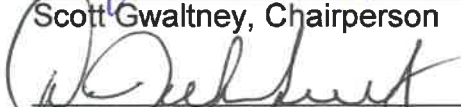


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Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- absent
Severin Hall- voted yes



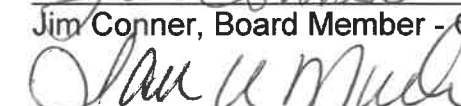
Scott Gwaltney, Chairperson



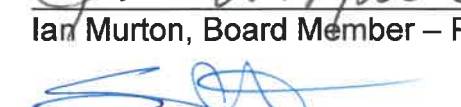
Donald Jeffrey – Board Member - Citizen



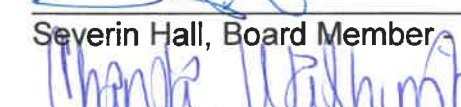
Jim Conner, Board Member - Citizen



Ian Murton, Board Member – Police Dept.



Severin Hall, Board Member, Police Dept.



Chanda Washington, Board Secretary