



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

Call To Order:

Chair Gwaltney called the meeting to order at 1:15 p.m.

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

In attendance: Chanda Washington, Board Administrator
Kelly Pedersen, Human Resources Admin.
David Niederdeppe, Board Attorney
Cynthia Kelley, Board Attorney
Donna Meuse, Human Resources
Mindy (Melinda) Bird, Deputy City Attorney
Philip Johnson, Police Commander
Rachael Tidd, Applicant (attended agenda item #6 only)
Kathryn Baillie, Attorney for Applicants Richard Yost and Rachael Tidd (attended agenda item #5 and #6)
Edyta Tabor-Dakowicz, Co-Worker of Ms. Tidd (attended agenda item #6 only)
Irene Hill, Mother of Applicant (attended agenda item #6 only)
Thomas (Tommy) Hale, Sergeant and former supervisor of Ms. Tidd (attended agenda item #6 only)
John Vance, Sergeant and supervisor during standby pay for Ms. Tidd (attended agenda item #6 only)
Austin Samuel Tidd, Son of Applicant Ms. Tidd (attended agenda item #6 only)
Chris Preest, PSPRS Fire Board member (attended at 3:27pm during agenda item #6)

B. Pledge of Allegiance: completed

C. Current Events Reports: None

D. Staff Reports: Ms. Washington explained to the board that the agenda item for Mr. Glenn Cannon was pulled due to no IME results received and the agenda item would be rescheduled for the next meeting in October.

Call to the Public: None

Consent Agenda:

- #1.** Discussion and action pertaining to approval of PSPRS Local Board - Police July 10, 2019 Meeting Minutes. -**Approved**

Motion: Jeffrey
Second: Conner
Opposed: None

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

Regular Agenda:

- #2.** Consideration and action pertaining to the acceptance of one (1) new Police Officer into the PSPRS System. – **Approved**

Motion made to approve the acceptance of one (1) new Police Officer into the PSPRS System as follows:

Jarrot J. Tevault, effective 8/5/2019 with pre-existing condition

Motion: Murton
Second: Hall
Opposed: None

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

- #3.** Consideration and action pertaining to the acceptance of Michael J. Forbrook into the Deferred Retirement Option Plan (DROP) effective August 25, 2019. – **Approved**

Motion: Jeffrey
Second: Murton
Opposed: None

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

#4. Consideration and action pertaining to the Application for a Survivor Benefit of Steven Reppert. – Approved

A motion was made to approve surviving spouse Terry Vernon Reppert's Application for Survivor Benefit of Steven Reppert.

Motion: Conner
Second: Hall
Opposed: None

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

#5. Consideration and action pertaining to further review of the Accidental Disability application for Richard Yost. The commission may further consider and take action to appoint an independent medical examination (IME) for Richard Yost. –Tabled

Mr. Gwaltney made a motion at 1:25pm to go into executive session for legal advice.

Motion: Gwaltney
Second: Murton
Opposed: None

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

Mr. Conner made a motion at 1:50 p.m. to end executive session and reconvene to regular session.

A motion was made to defer action on the accidental disability retirement until staff provides the board with additional information.

Motion: Conner
Second: Murton
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes



Ian Murton- voted yes
Severin Hall - voted yes

#6. Consideration and action pertaining to the rehearing of the Accidental Disability Retirement application and IME summary for Rachael Tidd. - **Approved**

Mr. Gwaltney made a motion at 1:53 p.m. to go into executive session for legal advice.

Motion: Gwaltney
Second: Conner
Opposed: None

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

Mr. Gwaltney made a motion at 2:19 p.m. to end executive session and reconvene to regular session.

There was extended discussion and presentation of evidence from various individuals during the rehearing concerning Ms. Tidd's duty status at the time of her accident, including her testimony, the testimony of her supervisors, and presentation and discussion of City Policies concerning work time and canine care. It was noted at the outset that the medical board's conclusions about Ms. Tidd's on/off duty status had been based on her comments to the examining physician at the time of the independent medical exam.

Mr. Murton made a motion at 4:27 p.m. to go into executive session for legal advice.

Motion: Murton
Second: Gwaltney
Opposed: None

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

Mr. Murton made a motion at 4:54 p.m. to end executive session and reconvene to regular session.

At the conclusion of all of the evidence being presented to the board, the board members voted on Ms. Tidd’s application with each individual board member voicing their rationale for reaching the conclusion that even if no policy directly addressed the transportation of the service animal with Ms. Tidd, the City’s K-9 policy should apply, and under that policy, time spent in the transportation of the animal at the time of the accident would constitute duty time. Board members also concluded that, given the unique circumstances surrounding Ms. Tidd’s previous workday, which lasted well into the morning in question, and given the testimony of her on-call supervisor, Sgt. Vance, Ms. Tidd should be considered on duty at the time of the accident in continuation of her previous day’s investigation while proceeding to the work place to pick up the materials needed to continue that investigation.

Motion to Approve Accidental Disability: Murton
Second: Conner
Opposed: None

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

#7. Other Business and Future Agenda Items- None

#8. Executive Session- The board went into executive session for agenda items #5 and #6.

Adjournment:

Mr. Murton made a motion to adjourn the meeting at 5:01 p.m. – **Approved**

Motion: Murton
Second: Gwaltney
Opposed: None

Scott Gwaltney- voted yes
Don Jeffrey- voted yes
Jim Conner- voted yes
Ian Murton- voted yes
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

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