



Minutes
Queen Creek Public Safety Retirement Board
22358 S. Ellsworth Rd., Queen Creek, AZ
Municipal Services Building – Saguaro Conference Room
July 9, 2013
8:00am

1. Call To Order and Roll Call

The meeting was called to order at 8:00a.m.

Board Members present: Kross; Gale; Skowron; Gray and Chair Barney.

Others present: Workforce & Technology Director Gardner; Board Secretary Robinson; Board Attorney Justin Pierce and Assistant Fire Chief Knight.

Dr. Gary Prince, M.D. (Psychiatry)
Eric Dendinger, applicant and family were also present.

2. Public Comment: Members of the public may address the Board on items not on the printed agenda. Please observe a time limit of three minutes. Note that pursuant to the Arizona Open Meeting Law, members of the Board may not discuss matters raised under this public comment portion of the meeting.

None.

3. Executive Session

Pursuant to A.R.S. Section 38-431.03(A) the Queen Creek Public Safety Retirement Board may vote to convene in Executive Session to discuss or consider confidential records exempt by law from public inspection concerning matters on the agenda and/or consult with the Board's attorney for legal advice concerning any item on the agenda.

Motion to adjourn to Executive Session at 8:01a.m.

1st: Kross

2nd: Skowron

VOTE: Unanimous

All attendees left the room except the Board, Board Attorney and Mr. Gardner.

The meeting reconvened at 8:21a.m. and others returned to the meeting room.

4. Items for Discussion and Possible Action

A. Consideration and possible approval of the May 28, 2013 Minutes.

Motion to approve the May 28, 2013 minutes.

1st: Skowron

2nd: Gale

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VOTE: Unanimous

B. Discussion and consideration of the Accidental Disability Retirement Application of Eric Dendinger, Fire Captain.

Dr. Prince reviewed the process of the independent medical examination and a summary of his findings for Mr. Dendinger. Dr. Prince stated that Mr. Dendinger was exposed to many situations prior to 2008 and a cascade of emotional experiences increased with intensity after August 2009 and with the progression of PTSD, Mr. Dendinger started therapy with counselors and doctors in early 2013.

The Board asked the following questions:

1) Why is Mr. Dendinger's condition not pre-existing? Dr. Prince explained that while Eric was exposed earlier, his condition had not peaked. Dr. Prince also said that during the multiple sessions with counselors/care providers and doctors, many experiences had been identified including the death of Captain Eric Tinkham.

2) Was the use of medications work related? Dr. Prince responded no, but the use did add to Eric's current condition.

3) Is there a possibility of overcoming the disability? Dr. Prince responded that progress varies with the individual but PTSD can be brought under control with proper treatment.

Dr. Prince disconnected from the meeting at 8:33a.m.

The Board discussed the process and findings requirements for approving a disability application. Board Attorney Pierce recommended two motions in considering the application; those being whether the disability occurred prior to 2008 and the preponderance of evidence.

1. Did Mr. Dendinger's condition occur prior to January 1, 2008?

Motion: Evidence provided in the IME doesn't support PTSD existed prior to January 1, 2008:

1st: Gray

2nd: Kross

VOTE: Unanimous

2. Was the condition the result of an event incurred during the performance of the employee's duty?

Motion: The preponderance of evidence supports Mr. Dendinger's condition was incurred during the performance of his duties.

1st: Kross

2nd: Gray

VOTE: 4- aye

1- nay (Gale)

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MOTION PASSED.

Mr. Dendinger thanked the Board for their consideration and approval, reading a statement on his mental and emotional condition and his 24-year career in fire service.

5. Announcements

None.

6. Adjournment

The meeting adjourned at 8:50a.m.

Gail Barney, Chairman

Attest:

Jennifer F. Robinson, Board Secretary

I, Jennifer F. Robinson, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the July 9, 2013 Queen Creek Public Safety Retirement Board. I further certify that the meeting was duly called and that a quorum was present.

Jennifer F. Robinson, Board Secretary

Passed and approved on September 8, 2014.