



## MINUTES

### Queen Creek Local Public Safety

### Personnel Retirement System Fire Board

Municipal Service Building, San Tan Conference Room

22358 S. Ellsworth Road, Queen Creek, AZ 85142

July 18, 2022 | 8:00 AM

#### **BOARD MEMBERS**

Jeff Brown, Chair

John Kross, Board Member

Brandon Athey, Board Member

Ryan Denning, Board Member

Jennifer Robinson, Board Member

#### **STAFF PRESENT**

Bruce Gardner, HR Liaison

Maria Gonzalez, Board Secretary

Cynthia Kelly, Attorney (*via telephone*)

Vance Gray, Fire Chief

#### **1. CALL TO ORDER & ROLL CALL.**

The meeting was called to order at 8:06 AM

- 2. PUBLIC COMMENT.** *Members of the public may address the Board on items not on the 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.*

There were no public comments.

- 3. EXECUTIVE SESSION.** *Pursuant to A.R.S. Section 38-431.03(A)(2) & (3) the Queen Creek Public Safety Retirement Board may vote to convene into 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.*

None.

#### **4. ITEMS FOR DISCUSSION AND POSSIBLE ACTION.**

- A. Discussion and possible approval of the December 9, 2021 Minutes.

John Kross moved to approve the December 9, 2021 Minutes.

Jennifer Robinson seconded the motion. The motion carried unanimously.

- B. Discussion and possible adoption of the Revised Model Uniform Rules of Local Board Procedure created pursuant to A.R.S. § 38-847(F).

Ms. Gonzalez indicated per statute, local boards are required to codify the Local Board Procedures. After evaluating the surrounding municipalities, staff developed a set of procedures incorporating the Revised Model Uniform Rules for the Board's adoption regarding resolution of system claims and issues.

John Kross moved to approve the December 9, 2021 Minutes.

Jennifer Robinson seconded the motion. The motion carried unanimously.

C. Discussion and possible action on the selection of an Independent Medical Examiner (IME).

Bruce Gardner introduced this item as it relates to Item D. The Board is required to send the medical information to an IME. Staff recently learned the IME is required to be an M.D. Based on feedback from the City of Mesa, staff would like to recommend the Dr. Lisa Jones, M.D. as an IME for the Town's local Fire Board.

Attorney Kelly noted that Dr. Jones is known to do a thorough/good job.

Ryan Denning moved to approve the selection of Dr. Lisa Jones, M.D. as the IME.

John Kross seconded the motion. The motion carried unanimously.

D. Discussion and possible action on the Accidental Disability Retirement application of Fire Engineer Jeffery Clark.

Attorney Kelly reviewed the procedure for accepting a disability application. She noted that the Board receives the medical records for review to determine if they have sufficient records to sent the applicant to an IME. She indicated that the Board may want to ask the applicant a few questions such as:

1. What was he doing for treatment between end of 2019 and March 2022? It appears that in 2019 he was done with treatment and possibly returned to active duty.
2. Maybe 3 sessions, are there more records? Is there an M.D. that corroborates his claim for PTSD.

Chairman Brown asked the applicant if he had additional records, to which he replied no.

Chairman Brown asked counsel if there was a time-frame to act on the application. Attorney Kelly indicated that the Board has 90-days to set a hearing, which technically has been met. She then advised that the Board could table this item for a few months to gather more information and/or to allow the applicant to receive additional treatment.

Chairman Brown then asked the last time he sought treatment and the applicant replied May and April just before that.

Board Member Athey asked if the decision was to move forward for the applicant to meet with Dr. Jones. Bruce replied that Dr. Jones would receive all medical records thus and she will evaluate the records and indicate to the Board whether she supports the diagnosis or not. In some situations, if the Board does not feel there is enough information, perhaps asking the applicant a few questions would be helpful.

Chairman Brown asked if there was a diagnosis of PTSD; the applicant indicated he was unclear as he was not familiar with reading the medical records.

Mr. Gardner indicated the records were received and the Board could recommend that the HR and attorney staff review the documents and if the diagnosis was lacking then staff will ask the applicant to return to his doctor for the diagnosis before getting sent out to an IME.

Attorney Kelly noted that if there were any Workmen's Comp records, they should also be included.

John Kross moved to recommend that Human Resources department and any other affiliated staff/medical professionals to review the application as submitted by Mr. Jeffery Clark for deficiencies for additional information as necessary to complete the medical review. Jeff Brown seconded the motion. The motion carried unanimously.

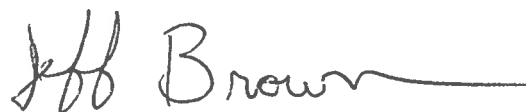
**5. ANNOUNCEMENTS.**

Maria announced the appointment of Jennifer Robinson approved by the Town Council on June 1, 2022 and the election of Brandon Athey by his peers. Both will serve a four-year term ending on May 31, 2026.

**6. ADJOURNMENT.**

The meeting adjourned at 8:21 AM

TOWN OF QUEEN CREEK



Jeff Brown, Chair

ATTEST:



Maria E. Gonzalez, Board Secretary

I, Maria E. Gonzalez, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Regular Session of the July 18, 2022 Queen Creek Personnel Retirement System Fire Board. I further certify that the meeting was duly called and that a quorum was present.

Passed and approved on October 24, 2022