

APPROVED

PIMA COUNTY PUBLIC SAFETY PERSONNEL RETIREMENT BOARD

THE PUBLIC SAFETY RETIREMENT BOARD OF PIMA COUNTY, ARIZONA MET IN SESSION ON THE 1ST FLOOR CONFERENCE ROOM, 130 W. CONGRESS, TUCSON, ARIZONA AT 8:30 A.M. FEBRUARY 7TH, 2018

VOTING MEMEBERS PRESENT:

Mr. Keith Bagwell
Ms. Georgia Brousseau
Sgt. Nick Copelin
Mr. Leo Duffner

VOTING MEMBERS ABSENT:

Deputy Manuel Van Santen

OTHERS PRESENT:

Attorney: David McEvoy
Secretary: Robin Bengé

Mr. Duffner, acting chairman for the board convened the meeting at 8:32 am.

Item 1 on the agenda was a Roll Call as listed above with Mr. Bagwell joining the meeting at 8:33 am.

Item 2 on the agenda was the Pledge of Allegiance.

Item 3 on the agenda was approval of the minutes from the board meeting 01/03/18. Ms. Brousseau moved to approve the minutes as submitted. Sgt. Copelin seconded the motion. Motion passed unanimously.

Item 4 on the agenda was the Applications for Membership for Jesse Applegate, Sean Berube Jr, Antonio Buster, Vincent Duarte, Ryan Dusz, Manuel Espinoza Jr, Mark Florance, Nicholas Foster, Gitzell Gallegos, John Granger, Amy Grijalva, Matthew Haslag, Jarrod Joe, Rodrigo Lopez, Omar Lorta, Derek Metz, Oscar Montano II, Leah Montgomery-Mann, Joshua Nash, Jason Ponza, Benjamin Reyes, Kyle Sharp, Alyssa Sotelo, Dennis Void Jr and Caleb Yankovich with an effective date of 02/01/18. The secretary informed the board that Mr. Berube, Mr. Buster, Mr. Duarte, Mr. Dusz, Mr. Florance, Mr. Foster, Mr. Granger, Mr. Haslag, Mr. Joe, Mr. Lopez, Mr. Lorta, Mr. Metz, Ms. Montgomery-Mann, Mr. Ponza, Mr. Reyes, Mr. Sharpe, Ms. Sotelo, Mr. Void and Mr. Ynakovich all have preexisting conditions. Mr. Duffner moved to approve the applications, seconded by Ms. Brousseau. Motion passed unanimously.

Item 5 on the agenda was the Application for Termination and Retirement at the end of the DROP period for Michael Ying with an effective date of 02/01/18. Mr. Duffner moved to approve the application, seconded by Sgt. Copelin. Motion passed unanimously.

Item 6 on the agenda was the Application for Deferred Retirement Option (DROP) for Karl Woolridge with 26.332 years of credited service effective 02/01/18. Sgt. Copelin moved to approve the application, seconded by Ms. Brousseau. Motion passed unanimously.

Item 7 on the agenda was the discussion and possible action regarding the Application for Disability Retirement for Mark Bustamante. Dr. Raymond Schumacher performed an independent medical evaluation on Mr. Bustamante on January 22nd, 2018.

There followed a discussion of the doctor's 3 page report. Based upon the doctor's report the following findings of fact were established:

1. "This man experiences loss of the left eye. If the employing law enforcement agency considers field duty an essential part of the law enforcement occupation, then Mr. Mark Bustamante has a physical condition which totally and permanently prevents him from performing a reasonable range of duties with the Pima County Sheriff's Department, on the basis of excessive risk related to loss of a significant fraction of the visual field and consequent inability to perceive hazards on the left side, specifically in situations such as those compellingly described by Mr. Bustamante today. I will further comment that, although it is not my place to determine which duties are "essential" in this occupation, it is difficult from my perspective as a concerned citizen to imagine that availability for field duty would constitute other than an utterly integral portion of this occupation."
2. "This examiner finds that the 04/26/94 medical examination report previously cited in this report conclusively establishes this man's physical condition pre-existing membership in the PSPRS. That document describes uncorrected near and far vision of 20/20 in the left eye. It is therefore conclusively established that the physical condition reference in response to question above did not pre-exist membership in the PSPRS."
3. "Documents provided for today's evaluation conclusively document a left eye injury incurred in the performance of this man's employment as a Deputy Sheriff as the direct cause of medical necessity for removal of the left eye."

Ms. Brousseau moved to adopt the findings of fact set forth in paragraphs 1, 2 and 3 above. Mr. Duffner seconded the motion. Motion passed unanimously.

Based upon the findings of facts just adopted, Ms. Brousseau moved that Mr. Bustamante's Accidental Disability Application be granted and approved with an effective date of 11/01/17. Mr. Duffner seconded the motion. Motion passed unanimously.

Item 8 on the agenda was the Application to Transfer Service Credits Between PSPRS Employers for Josefina Sabori. Sgt. Copelin moved to approve the application, seconded by Mr. Duffner. Motion passed unanimously.

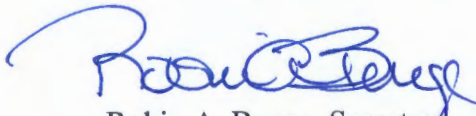
Item 9 on the agenda was the Application for Separation Refund for Bryce Nielsen. Mr. Duffner moved to approve the application, seconded by Sgt. Copelin. Motion passed unanimously.

Item 10 was on the agenda was the discussion and possible action regarding the board meeting scheduled to be held on July 4th 2018. After discussion by the board the meeting has been rescheduled to July 6th at 8:30 am.

Item 11 was the review of Correspondence from the System and other board business. Informed the board that we received letters from PSPRS that our actions regarding the reemployment of Mr. Leonardi, Mr. Gustafson and Mr. Montoya were appropriate. There was also a brief discussion regarding on how to reply to emails sent by the secretary in order to comply with the open meeting law.

Item 12 was the call to the public. There was none.

Ms. Brousseau moved to adjourn the meeting, seconded by Mr. Duffner. Motion passed unanimously. The meeting was adjourned at 8:49 a.m.



Robin A. Bengé, Secretary