

PIMA COUNTY PUBLIC SAFETY PERSONNEL RETIREMENT BOARD

THE PUBLIC SAFETY RETIREMENT BOARD OF PIMA COUNTY, ARIZONA MET IN SESSION ON THE 1<sup>ST</sup> FLOOR CONFERENCE ROOM, 130 W. CONGRESS, TUCSON, ARIZONA AT 8:30 A.M JANUARY 8th, 2014.

VOTING MEMEBERS PRESENT:

Mr. Benny Gomez  
Ms. Georgia Brousseau  
Mr. Leo Duffner  
Lt. Gary Anderson  
Sgt. Pat McGhee

VOTING MEMBERS ABSENT:

OTHERS PRESENT:

Attorney: David McEvoy  
Secretary: Robin Bengé  
Others: Robert Kimmins

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

Item 1 on the agenda was a Roll Call. Attendance as listed above with.

Item 2 on the agenda was the Pledge of Allegiance.

Item 3 on the agenda was approval of the minutes from the board meeting on 12/04/13. Ms. Brousseau waived the reading of the minutes and moved to approve the minutes as submitted, Lt. Anderson seconded the motion. Motion passed unanimously.

Item 4 on the agenda was the discussion and possible action regarding the Application for Accidental Disability Retirement for Robert Kimmins. The secretary updated the board as to the status of the application. Agenda item to be continued to the next meeting.

Item 5 on the agenda was the Application for Normal Retirement for Ramon De La Torre with 24.682 years of credited service effective 01/01/14. Lt. Anderson moved to approve the application, seconded by Sgt. McGhee. Motion passed unanimously.

Item 6 on the agenda were the Applications for Deferred Retirement Option Plan (DROP) for Marcia Durns with 25.110 years of credited service and Mark Milam with 25.052 years of credited service with an effective date of 01/01/104 for both. Lt. Anderson made the motion to accept the applications, seconded by Ms. Brousseau. Motion passed unanimously.

Item 7 on the agenda was the Application for Separation Refund for Sean Cottini. Ms. Brousseau made the motion to accept the application, seconded by Sgt. McGhee. Motion passed unanimously.

Item 8 on the agenda was the termination of Survivor Benefits for Frances E Keller effective 12/31/13 as read into the record.

Item 9 on the agenda was the discussion regarding the status of the re-exam of Retiree Donald Doyle. The secretary informed the board that Mr. Doyle had received the letter regarding the scheduling of an appointment with Dr. Ball and that he would do so in the month of January.

Item 10 on the agenda was the discussion and action regarding the disability retirement re-examination of Mr. Joel Pesce. Dr. Schumacher performed a re-exam of Mr. Pesce on December 16, 2013 and the 3 page report to the board.

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

“When I examined Mr. Pesce in September of 2008, I expressed the opinion that he suffered from a physical condition which would make him a poor candidate for on-foot pursuit, for walking or running on uneven surfaces, and for potential hand-to-hand combat with criminal suspects. I also thought he was a poor candidate for heavy lifting. Nothing about today's examination causes me to change that opinion at this time. It is again my opinion that if the employing law enforcement agency cannot reasonably accommodate restrictions of the type just listed, then Mr. Pesce cannot be considered capable of performing a reasonable range of duties in that occupation. There is no specific reason at the present time to believe that the disabling condition pre-existed this man's employment as a Pima County Deputy Sheriff, and it appears to be well-established that the disabling condition was caused by an injury in that occupation.”

Ms. Brousseau moved to adopt the findings of fact set forth in the paragraph above. Sgt. McGhee moved to approve them. Motion passed unanimously.

Based upon the findings of fact just adopted, Sgt. McGhee moved to continue the disability retirement for Mr. Pesce. Lt. Anderson seconded the motion. Motion passed unanimously.

Item 11 on the agenda was the name change from Elisha Delao to Elisha Caywood as read into the record.

Item 12 on the agenda was the change of beneficiary for Elisha Caywood, William Farmer and Jason Habkirk as set forth in their respective designations and as read into the record.

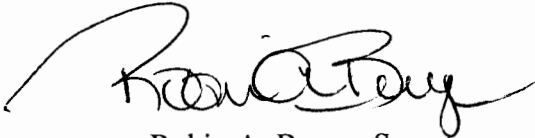
Item 13 on the agenda was the discussion and possible action regarding compensation for the board secretary. There followed a brief discussion regarding compensation for the secretary as all board members were present. Mr. Duffner moved to increase the secretary's monthly compensation by \$100 effective 11/1/13. Sgt. McGhee seconded the motion. Motion passed unanimously.

Item 14 was the review of pending legislation and discussion as needed. There was nothing to discuss.

Item 15 was the review of correspondence from the system and other board business. There was a brief discussion of the notice to members regarding files that were taken when Mr. Orlich resigned from PSPRS.

Item 16 was the call to the public. None responded.

Mr. Duffner moved to adjourn the meeting, seconded by Sgt. McGhee. Motion passed unanimously. The meeting was adjourned at 8:57 a.m.

A handwritten signature in cursive script, appearing to read "Robin A. Bengé". The signature is written in black ink and is positioned above the printed name.

Robin A. Bengé, Secretary