

**ARIZONA FIRE & MEDICAL AUTHORITY
LOCAL PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM
BOARD MEETING**

Tuesday, January 31, 2023

MINUTES

1. CALL TO ORDER / ROLL CALL OF BOARD MEMBERS / AFFIRMATION OF QUORUM

Board Chairman Gueltzow called the meeting to order on Tuesday, January 31, 2023, at 13:00 a.m. at the Arizona Fire & Medical Authority Administrative Office, 18818 N. Spanish Garden Drive, Sun City West, Arizona. The meeting was held in person and telephonically.

Members Present: Board Chairman Karen Gueltzow, Board Members, Sharon Hettick, Diane Price and Shawn Holcomb and Jared Randall (via teleconference).

Members Absent: None

Staff Present: Human Resources Director Shauna Fisher, Human Resources Specialist Yvonne Lopez.

Legal Counsel: Nicolas J. Cornelius, Esq. (via teleconference).

Guests: Andrew Craker, (via teleconference).

2. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

3. CONSENT AGENDA

A. Approve Public Safety Personnel Retirement System (PSPRS) Local Board Public Session Meeting Minutes of January 3, 2023.

Board Member Price moved that the Local Board approve the minutes of the Pension Board Meeting of January 3, 2023. Board Member Hettick seconded the motion.

No further discussion. Vote conducted. **MOTION CARRIED.**

AYES: Gueltzow, Hettick, Holcomb, Price, Randall,

NAYS: None

ABSENT: None

B. Approve Public Safety Personnel Retirement System (PSPRS) Local Board Public Executive Session Meeting Minutes of January 3, 2023.

Board Member Price moved that the Local Board approve the Executive Session

minutes of the Pension Board Meeting of January 3, 2023. Board Member Hettick seconded the motion.

No further discussion. Vote conducted. **MOTION CARRIED.**

AYES: Gueltzow, Hettick, Holcomb, Price, Randall,
NAYS: None
ABSENT: None

4. CURRENT EVENTS SUMMARIES AND REPORTS

- A.** Secretary updates – reports any updates, actions, confirmations, or correspondences in which the board should be aware.

The Board Secretary stated for the record, notification of meeting was given within the required time to Andrew Craker and Joshua Kratzer via email, First Class Mail, and certified mail.

The Board Secretary also restated that the request to enter the DROP from Keith Derr, John Casey, John Teixeira, and Kirk McEnaney and Carl Markoff, Chief Biscoe requested to exit the DROP.

- B.** Buckeye Valley Fire District JPA updates – reports any updates, actions, confirmations, or correspondences in which the board should be aware regarding BVFD.

HR Director Shauna Fisher stated that the JPA meeting are underway and the meeting for the MOU discussions are taking place within the next couple weeks as well as meeting monthly with the subcommittees to update on any recommended items as we work towards the effective dates of July 1, 2023.

Member Hettick asked if HR has had a chance to investigate the personnel files prior to the merger to ensure the personnel files have all the documents needed. Will AFMA have to opportunity to ask for additional documents in case the files are not complete. HR Director Fisher stated that records management was a weakness that was identified in the HR portion on the SWAT analysis. BVFD does not have an electronic records system similar to ours at this point. So, we will not know to what extent what items are missing. This year our HR Generalist, Andrea Vasquez went through every single employees' personnel, medical, and payroll file and reorganized and made sure the appropriate items were there if we had them. So, she believes we will run into some of the same issues and some items we will not have access to. Specifically, for the PSPRS board, the pre-employment physicals. Some of preemployment requirements were different at BVFD, obviously, they had minimum required by statue for their annual physicals, but they were not engaging in the psychological evaluations. So that will be something new for new hires moving forward.

5. REGULAR BUSINESS

- A. Discussion and Possible Action regarding personnel matters pursuant to A.R.S. §38-431.03 (A)(1) pursuant to the PSPRS Decision letter results and Accidental Disability Application submitted by Andrew Craker.

Attorney Nicolas Cornelius advised the Board that it would be best to enter into executive session to address the concerns of PSPRS, discuss the new doctor’s note and determine the status and resolving these issues.

6. **POSSIBLE VOTE TO GO INTO EXECUTIVE SESSION**

- A. Discussion and legal advice regarding personnel matters pursuant to A.R.S. §38-431.03 (A)(1); for review of records exempt from public inspection pursuant to the PSPRS Decision letter results; and Accidental Disability Application submitted by Andrew Craker.

Board Member Price moved that the Local Board move into executive session to review personnel matters pursuant to A.R.S. §38-431.03 (A)(1); for review of records exempt from public inspection pursuant to A.R.S. §38-431.03 (A)(2); and for legal advice pursuant to A.R.S. §38-431.03(A)(3) re: Accidental Disability Application submitted by Andrew Craker pursuant to A.R.S. § 38-844 (E). Board Member Hettick seconded the motion.

Vote conducted. **MOTION CARRIED.**

AYES: Gueltzow, Hettick, Holcomb, Price, Randall
NAYS: None
ABSENT: None

Andrew Craker and Dusty Christopherson exited the Executive Session Meeting at 1:15 p.m.

The Local Board convened in Executive Session at 1:15 p.m.

Chief Mary Dalton entered the Executive Session Meeting at 1:45 p.m.

Andrew Craker and Dusty Christopherson entered the Executive Session Meeting at 1:54 p.m.

The Regular Meeting reconvened at 1:55 p.m., with all members present.

7. **RECONVENE INTO PUBLIC SESSION**

- A. Discussion and Possible Action regarding Accidental Disability Retirement Application submitted by Andrew Craker; Independent Medical Examination regarding same; possible decision on the Craker application for accidental disability; possible approval of Board Resolution related to same or instructions to legal counsel and/or staff related to same.

After careful consideration and legal advice, the board has determined that there was sufficient information in the most recent medical notes from Dr. Dara Rampersand that Mr. Craker should not return to work; that is the basis for the board’s decision now that this is a permanent disability that is not completely work related. Mr. Craker left work by reason

of his disability, but the Board finds that based upon the IME report, the preexisting PTSD condition was the basis of the claimed disability. The Board further found that there were conflicts in the report provided by the IME Dr. Parker and in Mr. Craker’s provider notes. The Board resolved the conflicts based upon the IME report allegation that there was a pre-existing condition, and that Mr. Craker could not identify a specific triggering factor during his interview, and Mr. Craker’s provider note stating that he should NOT return to the Fire service.

Board Member Price moved that the Local Board award Mr. Craker an ordinary disability subject to annual review. Board member Hettick seconded the motion.

Vote conducted. **MOTION CARRIED.**

AYES: Gueltzow, Hettick, Holcomb, Price, Randall
NAYS: None
ABSENT: None

- B. Discussion and Possible Action Regarding acceptance of the review of medical examination and the acceptance of one (1) new firefighter (recruit) with a preexisting condition: Kratzer, Joshua from Emergency Medical Technician (EMT) to Firefighter into the PSPRS pursuant to A.R.S. § 38-859.

Board Member Price moved to approve Tier 3 Firefighter recruit Joshua Kratzer into the PSPRS system WITH preexisting conditions. Board member Holcomb seconded the motion.

Vote conducted. **MOTION CARRIED.**

AYES: Gueltzow, Hettick, Holcomb, Price, Randall
NAYS: None
ABSENT: None

- C. Discussion and Possible executive session for Legal advice on the consolidation of Buckeye Valley PSPRS Board.

Board Member Price moved that the Local Board move into executive session to Discussion and Possible executive session for Legal advice on the consolidation of Buckeye Valley PSPRS Board. Member Randall seconded the motion.

Vote conducted. **MOTION CARRIED.**

AYES: Gueltzow, Hettick, Holcomb, Price, Randall
NAYS: None
ABSENT: None

The Local Board entered the Executive Session for legal advice at 2:06 p.m.

Andrew Craker exited the Executive Session Meeting at 2:06 p.m.

Board Member Price moved that the Local Board move into executive session to Discussion and Possible executive session for Legal advice on the consolidation of Buckeye Valley PSPRS Board. Member Holcomb seconded the motion.

Vote conducted. **MOTION CARRIED.**

AYES: Gueltzow, Hettick, Holcomb, Price,
NAYS: None
No vote: Randall

The Regular Meeting reconvened at 2:38 p.m., with all members present.

Board Member Price instructed staff regarding the BVFD PSPRS Board along with the Harquahala contract and to request an extension with the AFMA Governing Board to extend the PSPRS Board members terms until after the merger with BVFD.

8. SUGGESTED ITEMS FOR FUTURE PSPRS LOCAL BOARD MEETING AGENDAS

- A. Discussion and annual review of previously accepted disability pension list with medical status from providers.
- B. Overview of AFMA’s resiliency program.
- C. Buckeye Valley Fire District JPA Updates
- D. Approval of updated member roster
- E. Approval of actuarial valuation
- F. Approval of new Fire Recruit
- G. PSPRS Board member PSPRS Training on March 1 Training cited and posted for possible quorum.

ADJOURNMENT

The meeting was adjourned at 2:45 p.m.



Yvonne Lopez, Secretary