Minutes
Tempe Police Public Safety Personnel Retirement System Board Meeting
September 6, 2012

Minutes of the Tempe Police Public Safety Personnel Retirement System Board meeting, held on Thursday, September 6, 2012, 3:00 p.m., Tempe City Hall, third floor conference room, 31 E. 5th Street, Tempe, Arizona.

Board Members Present:
Mark W. Mitchell, Mayor
Joe Brosius
Chris McCormick
Jeff McHenry

Board Members Absent:
Penny Higginbottom

City Staff Present:
Brigitta Kuiper, City Clerk
Lynna Soller, Human Resources representative
Tim Mattix, Assistant City Clerk

Guests Present:
David Niederdeppe, Legal Counsel
Cynthia Kelley, Legal Counsel

Chair Mitchell called the meeting to order at 3:07 p.m.

ITEM I – Consideration of Meeting Minutes
Motion by Joe Brosius to approve the executive session minutes of August 2, 2012 and the regular meeting minutes of August 2, 2012; second by Chris McCormick. Motion passed unanimously on a voice vote 4-0.

ITEM II – Public Appearances
Clarence Matherson, Jr., Assistant City Attorney, City of Tempe, addressed the Board regarding agenda item number V. The City of Tempe filed a request for rehearing on the Dan Masters disability application. The attorney for Mr. Masters filed a request to have the item continued. The City does not object to the continuance; however, at the time that the Board considers the request, the City would like to have a moment to speak on the issue.

ITEM III – Motion to Adjourn to Executive Session, if necessary, pursuant to A.R.S. §§ 38-431.03(A)(2), 38-431.03(A)(3), and 38-431.03(A)(4)
Motion by Joe Brosius to adjourn to Executive Session; second by Jeff McHenry. Motion passed unanimously on a voice vote 4-0. The Board convened into Executive Session at 3:08 p.m.; the Board Meeting was called back to order at 3:27 p.m.

ITEM IV – New Members
There were no new applications.

ITEM V – City of Tempe Request Regarding the Accidental Disability Retirement Application of Dan Masters
Chair Mitchell opened the item for discussion.

Boardmember McHenry stated that the statute reads that the only two parties that may request a rehearing are the claimant and the State Board of Trustees. That decision has already been made by the State Legislature. The Board does not have the authority to hold a rehearing based on a request by the City of Tempe.

Motion by Joe Brosius to deny the City of Tempe's request regarding a rehearing on the accidental disability application of Dan Masters; second by Chris McCormick. Motion passed unanimously on a voice vote 4-0.

ITEM VI – Status Update on Pending Disability Applications (Informational Only; No Action will be Taken)
Boardmember McHenry provided an update on the accidental disability application of Kristin Erickson, who has been scheduled for an Independent Medical Examination (IME) on September 24, 2012.

Boardmember McHenry provided an update on the ordinary disability application of Joseph Jaen, who has been scheduled for an IME on September 7, 2012.

Boardmember McHenry stated that in regards to the accidental disability application of James Quill, the IME has been performed and the City has received the report. It was not placed on today's agenda because Mr. Quill is out of the country; there are statutory timeframes for processing miscellaneous forms following Board action. The item will be placed on the next agenda (October 4, 2012).

ITEM VII – Discussion Regarding Local Board Procedures: Meeting Dates and Times
Boardmember Brosius recommended moving the meetings to 2:00 p.m. on the first Thursday of the month. The Board agreed that the time is acceptable. Boardmember McHenry stated that it would not be a problem to move the meetings to a different day, if necessary. Chair Mitchell asked Legal Counsel if the time is acceptable; Legal Counsel stated that the time is acceptable.

ITEM VIII – Future Agenda Items
None.

Adjournment
Motion by Joe Brosius to adjourn; second by Chris McCormick. Motion passed unanimously on a voice vote 4-0. The meeting adjourned at 3:30 p.m.

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Brigitta M. Kuiper
Local Board Secretary