

**NOTICE OF A REGULAR MEETING OF THE
PUBLIC SAFETY PERSONNEL RETIREMENT BOARD OF THE
TOWN OF CLARKDALE**

Wednesday, January 29, 2014 at 4:30 P.M.

Administration Conference Room, 39 N. 9th Street, Clarkdale, Arizona

In accordance with Resolution #215 of the Town of Clarkdale, and Section §38-431.002 of the Arizona Revised Statutes,

NOTICE IS HEREBY GIVEN that the Public Safety Personnel Retirement Board of the Town of Clarkdale will hold a Regular Organizational Meeting on Wednesday, January 29, 2014 at 4:30 p.m. in the Town of Clarkdale Administration Conference Room, 39 N. 9th Street, Clarkdale, Arizona. Members of the Clarkdale Local Public Safety Retirement Board will attend either in person or by telephone, video or internet conferencing. Pursuant to A.R.S. §38-431.03, the Board may vote to recess the meeting and move into Executive Session on any item, which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda.

Supporting documentation and staff reports furnished to the Board with this agenda are available for review on the Town website at www.clarkdale.az.gov and the Town Clerk's Office.

The undersigned hereby certifies that a copy of this notice was duly posted on the Community Development Building bulletin board, located at 890 Main Street, Clarkdale, Arizona on January 22, 2014 at 1:00 p.m.

Dated this 22nd day of January, 2014

<p><i>As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time to minimize disruption to this meeting.</i></p>

All members of the public are invited to attend.

TOWN OF CLARKDALE

By

Mary Ellen Dunn

MARY ELLEN DUNN

DEPUTY TOWN CLERK

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR DISCUSSION AND POSSIBLE ACTION, UNLESS OTHERWISE NOTED.

1. **CALL TO ORDER.**
2. **PUBLIC COMMENT.** The Local Board of the Public Safety Personnel Retirement System for the Town of Clarkdale invites the public to provide comments at this time.

Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(G), action taken as a result of public comment shall be limited to directing staff to study the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Board Secretary during the meeting. Each speaker is asked to limit their comments to five minutes.

3. **CONSENT AGENDA** – The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Board. All items are approved with one motion. Any items may be removed for discussion at the request of any Board Member.

- A. **APPROVAL OF MINUTES OF THE LOCAL BOARD.** Approval of the Minutes of the Regular Meeting held September 11, 2013.

OLD BUSINESS

4. **ADDITION TO “NEW HIRE NOTIFICATION” AS OPPOSED TO BY-LAWS ADDITION.** Discussion and consideration regarding language added to “new hire notification” in orientation packets rather than previous intent to amend by-laws.

NEW BUSINESS

5. **ACCEPT NEW OFFICER.** New officer has one pre-existing condition. Has been notified by certified mail and has given no response.
6. **RESIGNATION OF OFFICER/MEMBER ROBERT CHURCH.** Announcement of resignation of Officer Church from Clarkdale Police Department and Local Board.
7. **SECRET BALLOT.** Announcement of Officer Larry Church as new Officer/Member of Local Board of PSPRS by secret ballot election.
8. **POLICE ACADEMY GRADUATION ANNOUNCEMENT.** Caleb Rundlett has graduated from Police Academy (December 4, 2013) and has previously been accepted into system pending this graduation.
9. **FUTURE AGENDA ITEMS** – Listing of items to be placed on a future Board agenda.
10. **ADJOURNMENT.**

Reasonable accommodations may be requested by contacting Town Hall at (928) 639-2453 at least 72 hours in advance of the meeting.

**MINUTES of a REGULAR MEETING OF THE PUBLIC SAFETY
PERSONNEL RETIREMENT BOARD OF THE
TOWN OF CLARKDALE,
HELD AT 4:30 P.M. ON WEDNESDAY, SEPTEMBER 11, 2013 IN THE ADMINISTRATION
CONFERENCE ROOM, TOWN HALL, 39 N. 9TH ST., CLARKDALE, ARIZONA**

CALL TO ORDER – Meeting was called to order at 4:30 p.m. by Mayor Von Gausig.

Board Members: President Doug Von Gausig
 Citizens Amy Bayless, Vice Chair
 Members Tommy Nester
 Robert Church

Staff Members: Mary Ellen Dunn, Board Secretary

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR DISCUSSION AND POSSIBLE ACTION, UNLESS OTHERWISE NOTED.

PUBLIC COMMENT. The Local Board of the Public Safety Personnel Retirement System for the Town of Clarkdale invites the public to provide comments at this time. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(G), action taken as a result of public comment shall be limited to directing staff to study the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Board Secretary during the meeting. Each speaker is asked to limit their comments to five minutes.

There was no public comment.

NEW BUSINESS

APPROVAL OF MINUTES OF THE LOCAL BOARD. Approval of the Minutes of the Regular Meeting held May 8, 2013.

Vice Chair Bayless moved to approve the minutes of the Local Board of the Regular Meeting held May 8, 2013. Officer Church seconded the motion. The motion was passed unanimously.

SECRET BALLOT. Announcement of results of secret ballot election.

The Board Secretary distributed ballots to members of the Town of Clarkdale Police Department for the purpose of electing a member to fill the position that will expire September 30, 2013. Officer Tommy Nester was re-elected by secret ballot to fill this position and his new term will expire September 30, 2015.

Discussion only. No Board action is required.

NEW CITIZEN APPOINTMENT. There is a Board position vacancy which may be filled by a Clarkdale citizen. An Application was submitted by Ida-Meri deBlanc and an interview for the Board opening was held on September 5, 2013 with Councilmember Curtiss Bohall, Vice Chair Amy Bayless and Local Board Secretary Mary Ellen Dunn. The members of the interview team recommend this application go forward to the Town Council for approval.

Discussion only. No Board action required.

BY-LAWS ADDITION. Review, discussion and action required of addition to by-laws regarding officer trainee coverage.

An addition to the By-Laws is required to define procedures of trainees' admission to the system. After discussion with the System's State Trustee office, it was discovered that the Town would have liability for disability payments for any trainee attending the Academy who is injured during training/attendance. If the disability is permanent, the Town would have on-going responsibility for disability payments for the remainder of the life of the trainee.

The State informed Staff that while some municipalities accept trainees into the system regardless of this liability, many elect to place the trainee on the regular Arizona State Retirement System until completion of the training.

Chairperson/Mayor Von Gausig and Board directed Board Secretary to draft this By-Laws amendment with guidance from the State and other Local Boards. It was also discussed that the Police Chief should be notified of the amendment for notification of future applicants.

Discussion only. No Board action taken.

ANNUAL FINANCIAL AND ACTUARIAL REPORTS. Review and acceptance of new rates.

The State Board of Trustees requires that each year the Local Board review the most current annual financial report and annual actuarial report and formally accept the new rates.

Vice Chair Bayless noted that, after review of the reports, she found the System had diversified their funds on a small scale, but they are not as diversified as they should be and some of the funds are in unsafe investments that are not making the money the system needs to pay out the pensions.

Chairman/Mayor Von Gausig stated that the Arizona League of Cities and Towns is currently looking at these issues closely and the PSPRS funds is one of their primary focuses.

Officer Church moved to accept the annual financial and actuarial reports for PSPRS and new rates determined by the System. Officer Nester seconded the motion. The motion was approved unanimously.

ACCEPTANCE OF OFFICER PRE-EMPLOYMENT PHYSICAL. Pre-employment physicals for all current Town of Clarkdale Police Officers must be accepted by the Board. Any pre-existing conditions will be referenced generally without specific confidential information.

The State Board of Trustees requires that each officer have a pre-employment physical. The physician’s report must be reviewed for findings of pre-existing conditions. In this review, any pre-existing conditions must be noted for the record and procedures required by the Board By-Laws and Arizona statutes followed. The Board elected to appoint two (2) representatives to review the Pre-Employment Medical Reports for each officer for pre-existing conditions.

The representatives have now reviewed the most recent report and note for the Board that the officer has been notified of the review.

Vice Chair Bayless moved to formally accept the new officer to the system with notice of the single pre-existing condition and that this acceptance is effective upon successful graduation from the Academy. Officer Nester seconded the motion. The motion was approved unanimously.

FUTURE AGENDA ITEMS – Listing of items to be placed on a future Board agenda.

ADJOURNMENT: With no further business before the Board, Mayor Von Gausig adjourned the meeting at 4:55 p.m.

Submitted by:

Approved by:

Mary Ellen Dunn, Secretary

Doug Von Gausig, President

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the meeting of the local board of the Public Safety Personnel Retirement System of the Town of Clarkdale, Arizona held on the 11th day of September, 2013.

Dated this 29th day of January, 2014.

Mary Ellen Dunn, Board Secretary



Staff Report

Agenda Item: **ADDITION TO “NEW HIRE NOTIFICATION” AS OPPOSED TO BY-LAWS ADDITION.** Discussion regarding language added to “new hire notification” rather than previous intent to amend by-laws.

Meeting Date: January 29, 2014

Prepared By: Mary Ellen Dunn, Local Board Secretary

Background: An addition to the By-Laws is required to define procedures of trainees’ admission to the system. After discussion with the System’s State Trustee office, it was discovered that the Town would have liability for disability payments for any trainee attending the Academy who is injured during training/attendance. If the disability is permanent, the Town would have on-going responsibility for disability payments for the remainder of the life of the trainee.

The State informed Staff that while some municipalities accept trainees into the system regardless of this liability, many elect to place the trainee on the regular Arizona State Retirement System until completion of the training.

It was discussed previously that an addition to the by-laws would be needed adding this procedure, however after further conversation with the State office, it was concluded by Staff and the Town of Clarkdale Human Resources Director that rather than making these specific changes to the By-laws, the following policy and procedure could be added to the orientation packet for new hires:

“All new hires with Arizona POST certification will be enrolled in the Public Safety Personnel Retirement System (PSPRS). All new hires that must first complete the Police Academy or pass Arizona POST certification will be enrolled in the Arizona State Retirement System. Upon graduation and POST certification the employee will be enrolled in the PSPRS.”

Recommendation: Staff recommends that the Board approve the addition of the clause *“All new hires with Arizona POST certification will be enrolled in the Public Safety Personnel Retirement System (PSPRS). All new hires that must first complete the Police Academy or pass Arizona POST certification will be enrolled in the Arizona State Retirement System. Upon graduation and POST certification the employee will be enrolled in the PSPRS”* be added to the orientation packet for new hires rather than a specific amendment to the organizational by-laws.



Staff Report

Agenda Item: **ACCEPTANCE OF OFFICER PRE-EMPLOYMENT PHYSICALS** – Acceptance of current officer pre-employment physical.

Meeting Date: January 29, 2014

Prepared By: Mary Ellen Dunn, Secretary

Background: The State Board of Trustees requires that each officer have a pre-employment physical. The physician's report must be reviewed for findings of pre-existing conditions. In this review, any pre-existing conditions must be noted for the record and procedures required by the Board By-Laws and Arizona statutes followed. The Board elected to appoint two (2) representatives to review the Pre-Employment Medical Reports for each officer for pre-existing conditions.

The representatives have now reviewed the most recent report and note for the Board that the officer had a pre-existing condition which was noted and the officer has been notified. No response has been received.

Recommendation: It is recommended that the Board formally accept new officer to the system with notice of the single pre-existing condition.