

**MINUTES OF THE PUBLIC MEETING  
PUBLIC SAFETY RETIREMENT BOARD  
TOWN OF CHINO VALLEY**

**THURSDAY, MARCH 8, 2018  
4:00 P.M.**

The Public Safety Retirement Board of the Town of Chino Valley met for a Public Meeting in the Conference Room, located at 202 N. State Route 89, Chino Valley, Arizona, on Thursday, March 8, 2018.

**1) CALL TO ORDER**

Chair Jack Miller called the meeting to order at 4:02 p.m.

**2) ROLL CALL**

Present: Chair Jack Miller; Board Member Vince Schaan; Board Member Dean Keller; Board Member Cheri Romley

Staff Present: Brent Giuliani, Police Officer; Tiffany Resendez, Human Resource Analyst; Laura Kyriakakis, Human Resource Director; William Whittington, Legal Counsel

**3) APPROVAL OF MINUTES**

- a) Discussion and possible action to ratify action taken on October 25, 2017 to accept the April 17, 2017 public meeting minutes.

MOVED by Board Member Cheri Romley, seconded by Board Member Vince Schaan to ratify action taken on October 25, 2017 to accept the April 17, 2017 public meeting minutes.

**Vote:** 4 - 0 PASSED - Unanimously

- b) Discussion and possible action to accept the October 25, 2017 public meeting minutes.

MOVED by Board Member Dean Keller, seconded by Board Member Vince Schaan to accept the October 25, 2017 meeting minutes.

**Vote:** 4 - 0 PASSED - Unanimously

**4) CALL TO THE PUBLIC**

*Call to the Public is an opportunity for the public to address the Board concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 15 minutes per meeting. Board action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.*

**5) NEW BUSINESS**

- a) Discussion and possible action to hire William R. Whittington of the law firm Boyle, Pecharich, Cline, Whittington & Stallings, PLLC to represent the Town of Chino Valley Public Safety Retirement Board.

Mr. Whittington introduced himself and provided the Board with details about his experience with pension boards and public entities around the state. He explained that his role would include representation at the Public Safety Retirement Board hearings. Mr. Whittington also advised that the proposed resolution would allow Board Members to have access to Mr. Whittington for legal advice and questions when needed. He also advised that the Resolution provided budget oversight by requiring Board Members to notify the Chair regarding any contact with Mr. Whittington. Mr. Whittington's services would include:

- Provide guidance on roles of the Board
- Answer Board questions
- Legal advice during Executive Sessions

MOVED by Board Member Vince Schaan, seconded by Chair Jack Miller to assign the Resolution No. 18-001 and approve the resolution to hire William R. Whittington of the law firm Boyle, Pecharich, Cline, Whittington & Stallings, PLLC, to represent the Board

**Vote:** 4 - 0 PASSED - Unanimously

**6) OLD BUSINESS**

- a) Ratify action taken on October 25, 2017 to select Dean Keller as Vice Chair for the Board.

Chair Miller advised that the old business consisted of Board action items from the October 25, 2017 meeting that needed to be ratified because of a lack of quorum at the last meeting.

MOVED by Board Member Vince Schaan, seconded by Board Member Cheri Romley to ratify the action taken on October 25, 2017 to select Dean Keller as Vice Chair for the Board.

**Vote:** 4 - 0 PASSED - Unanimously

- b) Ratify review and discussion held on October 25, 2017 regarding Resolution No. 12-997, formally establishing a Public Safety Retirement Board.

Director Kyriakakis provided an overview of the resolution that created the Board and explained that the Board had reviewed and discussed the resolution at the last meeting but made no changes.

MOVED by Board Member Cheri Romley, seconded by Board Member Dean Keller that Resolution No. 12-997 was discussed and the board ratify it, formally establishing a Public Safety Retirement Board.

**Vote:** 4 - 0 PASSED - Unanimously

- c) Ratify review and discussion held on October 25, 2017 regarding an update on the Hall-Parker Contribution and Interest Refunds.

Director Kyriakakis provided an overview of the Hall Parker Contribution and Interest Refunds that were provided to eligible employees last year.

Board Member Schaan explained that the reason for the reimbursements was due to an over charge of the employee contribution percentage rate that had been previously set statutorily but had gradually increased over the years. The Town was also overcharged but elected to roll it into the unfunded portion.

MOVED by Board Member Vince Schaan, seconded by Board Member Dean Keller to ratify the discussion held on October 25, 2017, regarding the Hall Parker Contribution and Interest Refunds.

**Vote:** 4 - 0 PASSED - Unanimously

**7) EXECUTIVE SESSION**

*The Board may vote to recess the Regular Meeting and hold an Executive Session, which will not be open to the public, for the following purposes:*

- a) Possible vote to go into executive session for legal advice pursuant to A.R.S. § 38-431.03(A)(3); for personnel matters pursuant to A.R.S. § 38-431.03(A)(1) and pursuant to A.R.S. Section 38-431.03(A)(2) for discussion and consideration of records exempt by law from public inspection, with regard to Brent Giuliani.

MOVED by Board Member Cheri Romley, seconded by Board Member Vince Schaan to go into executive session at 4:19 p.m.

**Vote:** 4 - 0 PASSED - Unanimously

- b) Possible vote to go into executive session for legal advice pursuant to A.R.S. §38-431.03(A)(3); for personnel matters pursuant to A.R.S. § 38-431.03(A)(1) and pursuant to A.R.S. 38-431.03(A)(2) for discussion or consideration of records exempt by law from public inspection, regarding Gary Brusos's disability application.

Chair Miller recessed the public meeting to go into executive session at 4:43 p.m. to receive legal advice pursuant to A.R.S. § 38-431.03(A)(3) with regard to Item 7(b) Gary Brusos's medical records.

**8) NEW BUSINESS RESUMED**

*After the Executive Session, the Board will reconvene the Public Meeting.*

Chair Miller reconvened the public meeting at 5:40 p.m.

- a) Board training and discussion regarding disability applications and services provided by William Whittington, Esq, of Boyle, Pecharich, Cline, Whittington and Stallings.

The Board discussed rescheduling the training for the afternoon of March 26, 2018 at 3:00 p.m.

MOVED by Board Member Vince Schaan, seconded by Board Member Cheri Romley to move item to the next scheduled agenda.

**Vote:** 4 - 0 PASSED - Unanimously

- b) Discussion and possible action to remove Dominic Gillo, Police Officer – Voluntary Resignation 11/25/2017.

MOVED by Board Member Vince Schaan, seconded by Board Member Cheri Romley to remove Dominic Gillo, Police Officer – Voluntary Resignation effective 11/25/2017.

**Vote:** 4 - 0 PASSED - Unanimously

- c) Discussion and possible action to remove Gary Brusco, Police Officer – Voluntary Resignation 2/1/2018.

MOVED by Board Member Vince Schaan, seconded by Board Member Cheri Romley to remove Gary Brusco, Police Officer – Voluntary Resignation effective 02/1/2018.

**Vote:** 4 - 0 PASSED - Unanimously

- d) Discussion and possible action to remove Stephen Farmer, Police Officer – Voluntary Resignation 3/1/2018.

MOVED by Board Member Cheri Romley, seconded by Board Member Vince Schaan to remove Stephen Farmer, Police Officer – Voluntary Resignation effective 03/1/2018.

**Vote:** 4 - 0 PASSED - Unanimously

- e) Discuss current Board opening that became vacant due to an Association member's voluntary resignation.

Director Kyriakakis reported that the consent agenda item before Town Council on March 13, 2018 will replace Gary Brusco with Amy Chamberlin. Ms. Chamberlin received the most votes during a secret ballot.

- f) Discussion and possible action to accept Brent Giuliani in the Public Safety Retirement System.

MOVED by Board member Romley and seconded by Vice Chair Keller to accept Brent Giuliani in to the Public Safety Retirement System subject to any pre-existing conditions as reflected in Mr. Giuliani's medical history questionnaire.

**Vote:** 4 - 0 PASSED - Unanimously

MOVED by Board Member Vince Schaan, seconded by Board Member Cheri Romley to make the effective date for Mr. Giuliani's Public Safety Retirement System December 24, 2017.

**Vote:** 4 - 0 PASSED - Unanimously

- g) Discussion and possible action regarding Gary Brusco's application for disability; possible referral for an Independent Medical Examination (IME).

The Board noted that staff should include all doctor reports and any other applicable reports, training records from the Police Department, discipline reports referencing his demotion, Police Department Reports referencing Police contacts that he was involved in and mentioned in doctors' reports, specifically 12C-02793, and the Workers Comp paperwork filed with the Town of Chino Valley.

The Board advised staff to choose physicians, notify the physician of the amount of documentation being included for review in conjunction with the IME, and notify Mr. Brusio of the Board's decision to refer him for an IME.

The Board consented on the list of documents to be included to the IME physician.

MOVED by Board Member Vince Schaan, seconded by Board Member Dean Keller to refer Mr. Brusio to a qualified psychiatrist as determined by staff based on prior usage and availability and to send Gary Brusio for an IME in conjunction with his accidental disability application.

**Vote:** 4 - 0 PASSED - Unanimously

**9) ADJOURNMENT**

The Board adjourned the meeting at 5:56 p.m.

Submitted: April 5, 2018.

By: *Vickie Nipper, Deputy Town Clerk*

Approved: June 27, 2018.