

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. APRIL 6<sup>th</sup>, 2016.

VOTING MEMEBERS PRESENT:

Ms. Jennifer Cabrera  
Ms. Georgia Brousseau  
Mr. Leo Duffner  
Lt. Gary Anderson  
Sgt. Nick Copelin

VOTING MEMBERS ABSENT:

None

OTHERS PRESENT:

Attorney: David McEvoy  
Secretary: Robin Bengé  
Other: Steve Bosse, Attorney for Mr. B. Gagnepain

Ms. Cabrera, chairman for the board convened the meeting at 8:31 am.

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

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 03/02/16. Ms. Brousseau moved to approve the minutes as submitted. Lt. Anderson seconded the motion. Motion passed unanimously.

Item 4 on the agenda was the Executive Session regarding the return to work of Mr. Bradley Gagnepain. Mr. Duffner moved that the board meet in executive session, seconded by Sgt. Copelin. Motion passed unanimously.

Meeting recessed for executive session at 8:39 a.m.

Meeting reconvened at 9:39 a.m.

Item 5 on the agenda was the Non-Executive Session of discussion and possible action regarding the return to work of Mr. Bradley Gagnepain. Mr. Bosse addressed the board regarding the anonymous letter requesting a review of the return to work status of Mr. B. Gagnepain. He also spoke to the board regarding the appropriateness and merit of the request. There followed a discussion by the board regarding the facts of the case and the documents provided by the secretary.

Ms. Brousseau proposed the following findings of fact:

1. In the letter dated March 3, 2016, from Mr. Bosse to Mr. McEvoy, Mr. Bosse cites A.R.S. 12-541 and that the board is barred by the one-year statute of limitations. The board does not believe that there would be a liability created if the board were to take action in this matter and, therefore, that statute does not apply in this situation and that the board does have jurisdiction to make a decision regarding the return to work of Mr. Gagnepain.
2. In the letters dated March 14, 2016, and March 15, 2016, to Ms. Bengé from Captain Janes, it is stated that Mr. Gagnepain was hired as advisor and did not supervise any employees.
3. In the letter dated March 9, 2016, to Ms. Bengé from Mr. Bulzmoi, it is stated that Mr. Gagnepain was hired through the open and competitive process and the position was identified as a non-supervisory position.
4. Based on the documents submitted to the board, Mr. Gagnepain's position was entry level when he was re-hired by Pima County
5. Mr. Gagnepain's retirement date was September 1, 2014. He was rehired by the Pima County Sheriff's Department on December 7, 2014. A reorganization by the Pima County Sheriff's Department on September 6, 2015 resulted in Mr. Gagnepain assuming supervisory duties. Since a full year had elapsed after his retirement date, the first portion of A.R.S. 38-849.E does not apply.

Ms. Brousseau moved to adopt the findings of fact as set for in paragraphs 1 through 5 above. Ms. Cabrera seconded the motion. A roll call vote was taken. Ms. Georgia Brousseau, Lt. Anderson, Sgt. Copelin, Mr. Leo Duffner and Ms. Jennifer Cabrera all voted aye. The motion passed unanimously.

Based upon the findings of fact just adopted, Mr. Duffner moved that Mr. Gagnepain continue to receive his pension as he met the requirements as set forth in A.R.S. 38-849.E(2)(a). Ms. Brousseau seconded the motion. The motion passed unanimously.

Item 6 on the agenda was the Application for Termination and Retirement from DROP for James Berry with an effective date of 04/01/16. Lt. Anderson moved to approve the applications, seconded by Sgt. Copelin. Motion passed unanimously.

Item 7 on the agenda was the Applications for Separation Refund or Deffered Annuity for Guillermo Altamirano and John McClendon. Sgt. Copelin moved to approve the applications, seconded by Mr. Duffner. Motion passed unanimously.

Item 8 on the agenda was the Applications to Transfer or Redeem Service Credits Between Arizona Retirement Plans for Cody Alvarez, Geoffrey Barber, Jared Ernest, Ryan Inglett and Joseph Philpott. Lt. Anderson moved to approve the applications, seconded Sgt. Copelin. Motion passed unanimously.

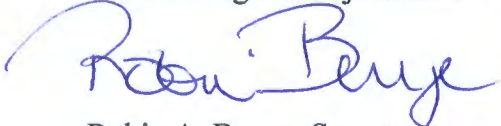
Item 9 on the agenda was the Termination of Retiree benefits for Robert J. Gibson effective 03/31/16 as read into the record.

Item 10 on the agenda was the Application for Surviving Spouse Benefits for Lee Gibson with an effective date of 04/01/16. Mr. Duffner moved to approve the application, seconded by Sgt. Copelin. Motion passed unanimously.

Item 11 on the agenda was the review of Correspondence from the PSPR System and other board business. Informed the board that Mr. C Garcia and Ms. S Titone-Jones redeemed prior service. The board then discussed the meeting dates and times for May 2016 and June 2016. The board agreed to move the meeting from May 4<sup>th</sup> 2016 at 8:30 am to May 5<sup>th</sup> 2016 at 8:30 am and June 1<sup>st</sup> at 8:30 am to June 3<sup>rd</sup> at 8:30 am.

Item 12 was the call to the public. None responded

Ms. Brousseau moved to adjourn the meeting, seconded by Mr. Duffner. Motion passed unanimously. The meeting was adjourned at 9:57 a.m.

A handwritten signature in blue ink, appearing to read "Robin Bengé". The signature is fluid and cursive, with a large initial "R" and "B".

Robin A. Bengé, Secretary