

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. MARCH 2<sup>nd</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

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 above with Ms. Brousseau joining the meeting at 8:35 am.

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 02/03/16. Mr. Duffner waived the reading of the minutes and moved to approve the minutes as submitted. Sgt. Copelin seconded the motion. Motion passed unanimously.

Item 4 on the agenda was the Applications Deferred Retirement Option Plan (DROP) for Scott Gustafson with 20.066 years of credited service and Paul Montano with 25.126 years of credited service both with an effective date of 03/01/16. Lt. Anderson moved to approve the applications, seconded by Sgt. Copelin. Motion passed unanimously.

Item 5 on the agenda was the Applications to Transfer or Redeem Service Credits Between Arizona Retirement Plans for Samuel Chavez and Ramon Hernandez. Sgt. Copelin moved to approve the applications, seconded Lt. Anderson. Motion passed unanimously.

Item 6 on the agenda was the discussion and possible action regarding the return to work determination of Ramon de la Torre. The secretary informed the board that Mr. de la Torre retired from the Sheriff's Department on 12/20/13 as a Sergeant. He was hired by the Public Defender's Office as a Criminal Investigator Specialist on 2/1/16. His new position is an ASRS covered position. The board had a brief discussion about A.R.S. 38-849 and Mr. de la Torre's timeline of retirement and reemployment. Mr.

Duffner made the motion that the board reviewed A.R.S. 38-849 and that Mr. de la Torre met the requirements to be reemployed. Lt. Anderson seconded the motion. Motion passed unanimously.

Item 7 on the agenda was the discussion and possible action regarding the return to work determination of Bradley Gagnepain. The secretary informed the board that Mr. Gagnepain retired from the Sheriff's Department on 8/31/14 as a Bureau Chief. He was rehired by the Sheriff's Department as a Program Coordinator-Sheriff-Unclassified on 12/8/14. His new position is an ASRS covered position. The board attorney discussed with the board A.R.S. 38-849.E & M. There was a lengthy discussion by the board regarding the duties of each position held by Mr. Gagnepain. There was also a lengthy discussion regarding A.R.S. 38-849.E.2.a. Lt. Anderson made the motion that after discussing and comparing both positions held by Mr. Gagnepain it was determined that they were different positions. Ms. Brousseau seconded the motion amending the language to include that the duties and authority are not substantially similar. Lt. Anderson accepted the amended motion. Motion passed unanimously. Ms. Cabrera, chairman of the board directed the secretary to send a letter to the employer asking for clarification as to whether the hiring of Mr. Gagnepain was an open and competitive process into an entry-level nonsupervisory position. Ms. Cabrera also directed the secretary to ask PSPRS for its interpretation of entry level nonsupervisory position. This information is to be obtained by our next meeting.

Item 8 on the agenda was the name change from Shalamar McKenna to Shalamar Titone-Jones as read into the record.

Item 9 on the agenda was the review of Correspondence from the PSPR System and other board business. Reviewed email received regarding Prop 124.

Item 10 was the call to the public. None responded

Mr. Duffner moved to adjourn the meeting, seconded by Ms. Brousseau. Motion passed unanimously. The meeting was adjourned at 9:08 a.m.



Robin A. Bengé, Secretary