

**YUMA POLICE DEPARTMENT
LOCAL RETIREMENT BOARD
MINUTES OF THE MEETING HELD ON OCTOBER 18, 2023**

A meeting of the Yuma Police Department Local Retirement Board for the Public Safety Personnel Retirement System was held on October 18, 2023 at 11:00 a.m. in Conference Room B at the Yuma Police Department.

MEMBERS PRESENT

Morgan Patterson, Board Secretary
Nickolas Davis
William Craft
Councilmember Carol Smith

OTHERS PRESENT

Autumn Morgia, Recorder
Lesli Sorenson, Board Attorney

MEMBERS ABSENT

Jillian Attaway

1. The meeting was called to order at 11:03 a.m. by Board Secretary Morgan Patterson.
2. Welcome of guests
There were no guests at the moment, but it was mentioned by Board Attorney Lesli Sorenson that Carol Pilch, attorney for Mr. Bobby Faulkner, would be joining the meeting for item number five (5).
- 3a. The minutes of the August 16, 2023 meeting were presented for approval there were no changes.

William Craft moved;
Nickolas Davis seconded,

To approve the minutes of the August 16, 2023 meeting as presented.

The motion carried unanimously by all Board members.

- 3b. Board Secretary Patterson discussed that Police Officers Michael Orozco, Ryan Levesque, and Juan Saenz left employment on 9/5/2023, 9/28/2023, and 10/13/2023, respectively.
- 3c. Board member Nickolas Davis discussed that Cynthia Kelley, former Board Attorney, is no longer with Ryan Rapp Pacheco & Kelley PLC and that the local Board will now be represented by Lesli Sorenson of the same firm.
4. Board Secretary Patterson presented five (5) New Membership applications for approval.
 - a. Larry Sparks – Effective 8/21/2023 (Police Officer Cadet)
 - b. Don Harris – Effective 9/5/2023 (Police Officer Cadet)
 - c. Benjamin Hilburg – Effective 9/5/2023 (Police Officer Cadet)
 - d. Ramiro Ortiz – Effective 9/5/2023 (Police Officer Cadet)
 - e. Claire Valdez – Effective 9/5/2023 (Police Officer Cadet)

Nickolas Davis moved;
Carol Smith seconded,

To approve the New Membership Applications with regular membership for Larry Sparks, Don Harris, and Claire Valdez ONLY.

The motion carried unanimously by all Board members.

Nickolas Davis moved;
Carol Smith seconded,

To conditionally accept Benjamin Hilburg and Ramiro Ortiz pending receipt of additional documentation regarding medical issues.

The motion carried unanimously by all Board members.

5. Board Secretary Patterson presented the consideration for Accidental Medical Retirement of Bobby Faulkner. At this time, Carol Pilch, attorney for Mr. Faulkner, joined the board meeting as a guest.

Nickolas Davis moved;
William Craft seconded,

To deny Mr. Faulkner's application for Accidental Medical Retirement.

The motion carried unanimously by all Board members.

The following questions from the Form P5-LB-A, Accidental Disability Questionnaire were read aloud, and the Board verbally answered them for the record:

1. Did the employee file the application after the disabling incident, or within one year of ceasing to be an employee? **YES, HE DID**
2. Did (or will) the employee terminate by reason of a disability? **NO, HE DID NOT**
3. Did employment terminate based on a disciplinary issue? **NO, IT DID NOT**
4. (Not read aloud) If the member's period of DROP has ended, if applicable, did (or will) the employee terminate by a reason of disability? **I DON'T BELIEVE THE MEMBER WAS IN DROP**
5. Is the employee still working a position within their job classification that the Local Board considers a reasonable range of duties position? **NO, HE IS NOT EMPLOYED AT THE YUMA POLICE DEPARTMENT**
6. Has the employee refused a position within their job classification that the Local Board considered a reasonable range of duties? **NO, HE HAS NOT**
7. Did the injury or condition occur prior to the current PSPRS membership date? **NO, IT WAS NOT PRIOR TO THE MEMBERSHIP DATE**
8. Was the injury or condition the result of an event incurred during the performance of the employee's duty? **WE DON'T KNOW OF A SPECIFIC INJURY THAT IS DISABLING HIM. Lesli Sorenson: SO, I WOULD MARK THAT AS A NO. BOARD: MARK WITH A NO, WE ALL AGREE NO.**

6. Board Secretary Patterson presented the consideration for Accidental Medical Retirement of Thomas Salviejo.

Nickolas Davis moved;
Carol Smith seconded,

To deny Mr. Salviejo's application for Accidental Medical Retirement due to the applicant not being terminated due to an injury, and instead being terminated due to the end of D.R.O.P., not having enough records to suggest there's a permanently disabling condition, and a lack of treatment.

The motion carried unanimously by all Board members.

The following questions from the Form P5-LB-A, Accidental Disability Questionnaire were read aloud, and the Board verbally answered them for the record:

1. Did the employee file the application after the disabling incident, or within one year of ceasing to be an employee? **WITHIN ONE YEAR OF CEASING TO BE AN EMPLOYEE, YES**
2. Did (or will) the employee terminate by reason of a disability? **NO**
3. Did employment terminate based on a disciplinary issue? **NO**
4. If the member's period of DROP has ended, if applicable, did (or will) the employee terminate by a reason of disability? **NO**
5. Is the employee still working a position within their job classification that the Local Board considers a reasonable range of duties position? **NO**
6. Has the employee refused a position within their job classification that the Local Board considered a reasonable range of duties? **NO**
7. Did the injury or condition occur prior to the current PSPRS membership date? **NO**
8. Was the injury or condition the result of an event incurred during the performance of the employee's duty? **NO**

7. Scheduling and Announcements

There is no knowledge of upcoming D.R.O.P. entrances. Nick Davis mentioned that the Board would like to adopt more formal guidelines and bylaws with the guidance of Board Attorney Lesli Sorenson. Lesli Sorenson recommended having a joint meeting with the Fire Board for a joint adoption of procedures. Board Secretary Patterson asked about any conflicts in their calendar for scheduling the next meeting. He announced the next meeting would be in the 2nd week of December.

8. Call to Public

There were no public speakers

9a. Board Secretary Patterson stated that he would entertain a motion to move into Executive Session for the following:

- a. Review of Medical Evaluations of five (5) new Police Employees

William Craft moved;
Nick Davis seconded,

To move into Executive Session.

The motion carried unanimously by all Board members. The Board entered into Executive Session at 11:06am. The Board exited Executive Session at 11:20am and returned to Regular Session at 11:21am.

9b. Board Secretary Patterson stated he would entertain a motion to return to Executive Session for the following:

- a. Reconsideration of Accidental Medical Retirement for Bobby Faulkner

Nick Davis moved;
William Craft seconded,

To move into Executive Session.

The Board re-entered Executive Session at 11:27am. The Board exited Executive Session at 11:47am and returned to Regular Session at 11:47am.

Board Secretary Patterson stated he would entertain a motion to return to Executive Session for the following:

- a. Consideration of Accidental Medical Retirement for Thomas Salviejo


Nick Davis moved;
Carol Smith seconded,

To move into Executive Session.

The Board re-entered Executive Session at 11:52am. The Board exited Executive Session at 12:06pm and returned to Regular Session at 12:06pm.

10. Adjournment

The meeting was adjourned at 12:12 p.m.



Sergeant Morgan Patterson
Board Secretary