

Fire Public Safety Personnel Retirement Board

Goodyear City Hall - La Jolla Vista Conference Room (2nd floor)

1900 N. Civic Square

Goodyear, AZ 85395



Thursday, April 25, 2024

Immediately following the
Police PSPRB
that began at 8:00 a.m.

Meeting Minutes

CALL TO ORDER

Chair Kaino called the Fire Public Safety Personnel Retirement Board meeting to order at 8:09 a.m.

ROLL CALL

Present: Chair Laura Kaino; Vice Chair Michael Stewart; Boardmember Michael Gugel; Boardmember Patrick Doyle; Boardmember Jay Mathias

Staff Board Secretary Darcie McCracken; Board Attorney Lesli Sorensen

Present:

Attendees: Kathryn Baillie, Attorney for Applicant; Kenneth Heng, Applicant, via Teams; Danielle Griffin, Griffin Group International; Chanda Washington, Benefits Analyst

PUBLIC COMMENTS

There were no public comments.

BUSINESS

1. APPROVAL OF MINUTES

Approve the December 21, 2023 Fire Public Safety Personnel Retirement Board Meeting draft minutes.

MOTION BY Boardmember Patrick Doyle, **SECONDED BY** Boardmember Jay Mathias to APPROVE the draft minutes of the December 21, 2023 Fire Public Safety Personnel Retirement Board meeting. The motion carried as follows:

AYE: Chair Laura Kaino, Vice Chair Michael Stewart, Boardmember Michael Gugel, Boardmember Patrick Doyle, Boardmember Jay Mathias

Passed - Unanimously

2. Rehearing: review, consideration and possible action on the application and medical records for Disability - Kenneth Heng. (last heard on December 21, 2023)

The Board moved into Executive Session at 8:12 a.m.

Chair Kaino reconvened the Fire Public Safety Personnel Retirement Board meeting at 10:00 a.m.

MOTION BY Boardmember Jay Mathias, **SECONDED BY** Vice Chair Michael Stewart to UPHOLD THE BOARD'S PREVIOUS DENIAL. The Board considered the document prepared by Dr. Steingart on behalf of Mr. Heng, however, the Board notes that it is a self-serving document, commissioned by Mr. Heng, and not the product of its own Medical Board. Additionally, in making its determination that Mr. Heng's disabling condition was not incurred in the performance of his duty, the Board relied upon its Medical Board, pursuant to A.R.S. § 38-859(C). The Board is not permitted to substitute its own understanding for that of a medical expert, and a finding of accidental disability must be based on its Medical Board's opinion. The Board's Medical Board was unequivocal in its opinion, even after being asked for two additional clarifications at the applicant's request, that Mr. Heng's disabling condition was not incurred in the performance of his duties as a firefighter. The Board does not find that there are any material conflicts in the medical evidence that it needs to resolve, and that its reliance on the expert opinion of its Medical Board is required. The motion carried as follows:

AYE: Chair Laura Kaino, Vice Chair Michael Stewart, Boardmember Michael Gugel,
Boardmember Patrick Doyle, Boardmember Jay Mathias

Passed - Unanimously

EXECUTIVE SESSION

Per ARS §38-431.03, upon a public majority vote of the members constituting a quorum, the Goodyear Fire Public Safety Personnel Retirement Board may hold an executive session for any item on the agenda.

MOTION BY Boardmember Jay Mathias, **SECONDED BY** Boardmember Patrick Doyle to CONVENE an Executive Session. The motion carried as follows:

AYE: Chair Laura Kaino, Vice Chair Michael Stewart, Boardmember Michael Gugel,
Boardmember Patrick Doyle, Boardmember Jay Mathias

Passed - Unanimously

[See times noted under Item #2.]

SEPARATIONS

The Board acknowledged the separations of Demetrius Newton on 2/12/2024 and Andres Moreno on 4/8/2024.

INFORMATION ITEMS

There were no information items reported.

NEXT MEETING

The next meeting of the Fire Public Safety Personnel Retirement Board is tentatively scheduled for May 23, 2024 at 8:00 a.m.

ADJOURNMENT

There being no further business to discuss, Chairman Kaino adjourned the meeting at 10:05 a.m.

Respectfully Submitted by:

Darcie McCracken, Board Secretary

Laura Kaino, Chairman

Date: _____