



**CITY OF MESA, ARIZONA  
ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM  
LOCAL PENSION BOARD MEETING – FIRE/POLICE  
SEPTEMBER 16, 2010**

A meeting of the Public Safety Local Fire and Police Pension Boards of Mesa, Arizona, was held in Conference Room 170 West, 20 E. Main, 1<sup>st</sup> Floor, on September 16, 2010 at 11:02 a.m.

**MEMBERS PRESENT**

Marty Whalen, Chairman  
Chris Brady, City Manager  
Charlie Cluff (Fire)  
Ty Perkins (Fire)  
Bryan Raines, Citizen Member  
Floyd Smith (Police)

**MEMBERS ABSENT**

Kevin Kazmaier (Police)

**STAFF PRESENT**

Lisa Angiano, Sr. HR Specialist  
Linda Crocker, City Clerk  
Jim Frye, Battalion Chief  
Dee Ann Mickelsen, Sr. Program Asst.  
Dan Stubbs, Asst Fire Chief  
Christy Trevino, Sr. HR Analyst

**OTHERS PRESENT**

Michael Anthony  
Jaime Castaneda  
Michael Galloway  
Christopher Hoerchler, Applicant  
David Niederdeppe

Chairman Whalen excused Boardmember Brady from the beginning of the meeting. Boardmember Brady arrived at 11:20 a.m. Boardmember Brady was excused from the meeting at 12:05 p.m.

1. Approval of the minutes of the Public Safety Local Fire and Police Pension Boards meeting of July 15, 2010.

It was moved by Boardmember Raines, seconded by Boardmember Smith, that the minutes of the Public Safety Local Fire and Police Pension Boards meeting of July 15, 2010 be approved.

Chairman Whalen declared the motion carried unanimously by those present.

**FIRE PENSION BOARD**

2. Certification of full-time Firefighters pursuant to A.R.S. §§38-842.14(A) and 38-847(D)1.

Subsequent to a review of all medical reports, Local Boardmembers requested that the record reflect that the following applicants have pre-existing medical conditions: Travis Hyde and Emmanuel Martinez.

It was moved by Boardmember Perkins, seconded by Boardmember Cluff, that the following two (2) firefighter applicants, Travis Hyde and Emmanuel Martinez, be certified, subject to the pre-existing medical conditions as noted.

Chairman Whalen declared the motion carried unanimously by those present.

3. Discuss and consider the re-hiring of Ward Fleger.

It was moved by Boardmember Raines, seconded by Boardmember Cluff, that this item be continued to the October 21, 2010 meeting.

Carried unanimously.

4. Discuss and consider re-hire rules and determinations.

This item was continued to the October 21, 2010 meeting.

Without objection, the meeting of the Local Fire Pension Board adjourned at 11:34 a.m.

### **POLICE PENSION BOARD**

5. Approval of the minutes of the Public Safety Local Police Pension Board meeting of July 26, 2010.

It was moved by Boardmember Brady, seconded by Boardmember Smith, that the minutes of the Public Safety Local Police Pension Board meeting of July 26, 2010 be approved.

Chairman Whalen declared the motion carried unanimously by those present.

6. Approval of the minutes of the Public Safety Local Police Pension Board meeting of August 4, 2010.

It was moved by Boardmember Brady, seconded by Boardmember Smith, that the minutes of the Public Safety Local Police Pension Board meeting of August 4, 2010 be approved.

Chairman Whalen declared the motion carried unanimously by those present.

7. Approval of the minutes of the Public Safety Local Police Pension Board meeting of August 19, 2010.

It was moved by Boardmember Brady, seconded by Boardmember Smith, that the minutes of the Public Safety Local Police Pension Board meeting of August 19, 2010 be approved.

Chairman Whalen declared the motion carried unanimously by those present.

8. Discuss and consider the election of Police Sergeant Roger Holappa to terminate his participation in the DROP program and apply for Normal Retirement.

It was moved by Boardmember Raines, seconded by Boardmember Smith, that the election of Police Sergeant Roger Holappa to terminate his participation in the DROP Program and apply for Normal Retirement be approved.

Chairman Whalen declared the motion carried unanimously by those present.

9. Discuss, consider and take action on issues in connection with Police Officer Kevin Wildes return to work.

It was moved by Boardmember Raines, seconded by Boardmember Smith, that the local board acknowledge the City Manager's decision for the return to work of Police Officer Kevin Wildes and that the record reflect there is no break in service.

Chairman Whalen declared the motion carried unanimously by those present.

10. Discuss and consider the Accidental Disability Retirement application of Police Officer Christopher Hoerchler.

Boardmember Smith indicated for the record, that he served as peer support contact for Police Officer Christopher Hoerchler but did not discuss this case with Officer Hoerchler after he made application.

Chairman Whalen welcomed Police Officer Christopher Hoerchler, his attorney, Mr. Michael Anthony, and witnesses, Michael Galloway and Jaime Castaneda to the meeting. Chairman Whalen advised Officer Hoerchler that the members of the Local Board have reviewed his application and medical records. Chairman Whalen outlined the process that would be followed by the Board and encouraged the members to pose any questions they may have regarding Officer Hoerchler's pending Accidental Disability application.

Michael Anthony distributed additional documentation and provided an overview outlining Officer Hoerchler's on the job injury and subsequent treatments. He added that IME physician, Dr. James Nauman wrote, "in my opinion it is reasonable to conclude that Mr. Hoerchler's activities as a police officer significantly aggravated the degenerative arthritis of the knee over time, especially since 2005. In my opinion it is reasonable to conclude that Mr. Hoerchler's bilateral knee arthritis preclude him from continuing to perform the usual duties as a police officer...more likely than not, this was significantly aggravated by the individual's employment duties."

Michael Galloway, retired Mesa Police Officer explained that at the time he served as a Mesa officer, departmental policy stated that if an off-duty officer takes life saving action, that officer is automatically considered on-duty. Boardmember Floyd Smith confirmed that this policy is still in effect. Police Officer Jaime Castaneda outlined several police situations that he responded to with Officer Hoerchler, in which Officer Hoerchler sustained additional injury to his knees.

Chairman Whalen stated that in view of the absence of questions from the Board, he would entertain a motion relative to this case.

It was moved by Boardmember Smith, seconded by Boardmember Raines, that the Accidental Disability Retirement application of Police Officer Christopher Hoerchler be approved, based on the fact that Officer Hoerchler has a physical condition which totally and permanently prevents him from performing a reasonable range of duties within his job classification of Police Officer and which was incurred during the performance of his duties.

Chairman Whalen declared the motion carried unanimously by those present.

Chairman Whalen thanked Officer Hoerchler for his service to the City.

11. Adjournment.

Without objection, the meeting of the Local Police Pension Board adjourned at 12:16 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Public Safety Local Fire and Police Pension Boards meeting of Mesa, Arizona, held on the 16<sup>th</sup> day of September, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

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LINDA CROCKER, CITY CLERK

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