

**MINUTES OF THE REGULAR MEETING
PUBLIC SAFETY RETIREMENT BOARD
TOWN OF CHINO VALLEY**

**JULY 13, 2021
1:00 P.M.**

**CHINO VALLEY COUNCIL CHAMBERS
202 N. STATE ROUTE 89, CHINO VALLEY, AZ**

Present: Jack Miller, Chair; Amy Chamberlin, Board Member; Dean Keller, Board Member;
Cheri Romley, Board Member

Staff Present: Laura Kyriakakis (minutes keeping), Human Resources Director; Deanna Winn,
Sergeant

Attendees: William (Bill) Whittington, Legal Advice, Gary Bruso, Public Attendee

1) CALL TO ORDER

Mayor Miller called the meeting to order at 1:03 p.m.

2) ROLL CALL

3) APPROVAL OF MINUTES

- a)** Consideration and possible action to approve the October 5, 2020, regular meeting minutes.

MOVED by Board Member Cheri Romley, seconded by Board Member Dean Keller to approve the October 5, 2020, regular meeting minutes.

AYE: Chair Jack Miller, Board Member Amy Chamberlin, Board Member Dean Keller, Board Member Cheri Romley

4 - 0 PASSED - Unanimously

- b)** Consideration and possible action to approve the October 5, 2020, executive session minutes.

MOVED by Board Member Cheri Romley, seconded by Board Member Amy Chamberlin to approve the October 5, 2020, executive session minutes.

AYE: Chair Jack Miller, Board Member Amy Chamberlin, Board Member Dean Keller, Board Member Cheri Romley

4 - 0 PASSED - Unanimously

4) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Board concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 15 minutes per meeting. Board action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

5) OLD BUSINESS

6) NEW BUSINESS

- a) Discussion of the PSPRS third quarter 2021 newsletter.

Laura Kyriakakis presented the following:

- The newsletter was included in the agenda packet for review.
- One of the items in the newsletter mentioned training that would be available for staff and Board Members.
- It was discussed Ms. Kyriakakis would obtain more information about the specifics of the training and get back to Board Members to possibly move forward.

- b) Consideration, discussion, and possible action regarding the removal of Michael Pereda from the Board.

MOVED by Board Member Amy Chamberlin, seconded by Board Member Cheri Romley to remove Michael Pereda from the Board.

AYE: Chair Jack Miller, Board Member Amy Chamberlin, Board Member Dean Keller, Board Member Cheri Romley

4 - 0 PASSED - Unanimously

- c) Consideration, discussion, and possible action to remove Michael Pereda from PSPRS due to his voluntary resignation dated February 18, 2021.

MOVED by Board Member Cheri Romley, seconded by Board Member Dean Keller to remove Michael Pereda from PSPRS due to his voluntary resignation dated February 18, 2021.

AYE: Chair Jack Miller, Board Member Amy Chamberlin, Board Member Dean Keller, Board Member Cheri Romley

4 - 0 PASSED - Unanimously

- d) Consideration, discussion, and possible recommendation to Town Council to approve adding Sgt. Deanna Winn to the Board.

Laura Kyriakakis mentioned that Ms. Winn was on the Consent Agenda for the Town Council meeting later that night to officially have her sworn in as a Board Member.

MOVED by Board Member Amy Chamberlin, seconded by Board Member Cheri Romley to forward a recommendation to Town Council to approve adding Sgt. Deanna Winn to the Board.

AYE: Chair Jack Miller, Board Member Amy Chamberlin, Board Member Dean Keller, Board Member Cheri Romley

4 - 0 PASSED - Unanimously

7) **EXECUTIVE SESSION**

The Board may vote to recess the Regular Meeting and hold an Executive Session , which will not be open to the public, for the following purposes:

- a) Executive session for legal advice pursuant to A.R.S. §38-431.03(A)(3); for personnel matters pursuant to A.R.S. § 38-431.03(A)(1) and pursuant to A.R.S. Section38-431.03(A)(2) for discussion and consideration of records exempt by law from public inspection regarding Gary Brusos disability application.

MOVED by Board Member Cheri Romley, seconded by Board Member Amy Chamberlin to go into executive session at 1:08 p.m.

AYE: Chair Jack Miller, Board Member Amy Chamberlin, Board Member Dean Keller, Board Member Cheri Romley

4 - 0 PASSED - Unanimously

Deana Winn and Gary Brusos were asked to leave the room at that time.

8) **NEW BUSINESS RESUMED**

After the Executive Session, the Board will reconvene the Regular Meeting.

The regular meeting reconvened at 1:51 p.m.

- a) Consideration, discussion, and possible action regarding Gary Brusos application for disability.

Gary Brusco, and Deana Winn were invited back into the room for discussion.

Form P5-EE, application for disability, was presented and signed by Gary Brusco which included a waiver consenting the discussion of all evidence in regard to physical or mental condition, or medical history in an open public session.

Board Members, Laura, and Gary Brusco discussed the following:

- Results of the Independent Medical Exam (IME) were reviewed with Mr. Brusco.
- The doctor stated Mr. Brusco did have a mental condition that would permanently prevent him from performing a reasonable range of job duties, and the condition was a result that had occurred during the performance of his duties.
- The Board questioned a conflict on the IME. One of the questions asked on the report was, during the exam of all evidence presented, were there any pre-existing injuries that contributed to claiming disability? The answer was no. Question #6 asked if there were any conflicts in the medical evidence, and the answer was yes.
- The Board explained they would be asking Mr. Brusco questions about the answers on the report. It was asked if he had any questions for them before they begin. Mr. Brusco stated he did not.
- Board Members understood he was the go-to person at the department for PTSD and had been to classes in regard to that. They had asked with him being the PTSD person if that might have affected his decision to apply for disability.
- Mr. Brusco stated he feels the experience helped open his eyes to his own PTSD.
- It was noted that Mr. Brusco did not come forward with that information until after he resigned.
- He stated that he had called his wife to let her know he felt he needed help, and at that time he was still on the force. He also stated after he was reprimanded and demoted for falling asleep on the job, he did say to Lieutenant Schaan he needed help.
- The Board said they recalled he resigned, and then chief told him not to, and he went out on FMLA, and when his time was up is when he applied for disability. Mr. Brusco stated he did not remember exactly how it all went, but he agreed with their timeline.
- The report also showed Mr. Brusco had childhood trauma. He stated he had not ever been Diagnosed as a child, as he had never gone to the doctor in regard to that.
- Mr. Brusco was asked if he was going through his divorce at the time he resigned. He stated yes.
- On the report, provider Caitlin Flaum stated he indicated he had irritability and cop dreams and did not want to address any of his prior traumatic episodes. Mr. Brusco stated that was incorrect. He had discussed every traumatic episode in detail with her that had gone on in his life, and while on duty.
- The most recent IME reflected that Mr. Brusco mentioned he had problems sleeping, Loss of interest, crying spells, anger problems, irritability, suicidal ideations etc. however, his social media showed otherwise with the happiness in his new marriage. Mr. Brusco said that was because he only posts the good stuff.
- Mr. Brusco stated he still doesn't sleep well, and has the cop dreams where the gun goes click and the gun did not work while he was trying to protect himself. This was a re-occurring dream for him. He still saw the counselor and had also started seeing a Naturopath.
- It was asked if he takes medication for anything. He stated he takes Paxil for depression and PTSD, and melatonin for sleep.
- The Board questioned the doctor's answers at the end of the IME stating there were some conflict in the evidence in regard to the PTSD, and did not determine whether it was mild or severe.
- Mr. Brusco said he did acknowledge that was on the form, and doesn't know why it says that.
- It was questioned if he had PTSD prior to joining the force, and if it just got worse as the job went on. He said that if he had it prior, he was not aware, and he was never diagnosed.

- The Board reviewed previous medical records with reports stating the counselor thought he might have mild to severe features of PTSD, and he was prescribed Paxil. It was also stated he had depressive moods, lack of interest, crying spells, irritability, temper, sleep problems, lack of concentration, anger, paranoia, suspiciousness, and marital problems. He had seen a counselor in relation to the marital issues.
- Records stated the PTSD came from his job, and indicated several traumatic incidents such as witnessing an innocent man die from a fatal head on car accident, had to relive a situation where he was support for an insurance case, and pictured a woman with black X's over eyes, and a child abuse case where a baby was shaken and thrown. The shaken baby case had continued to haunt him. Records also showed he had childhood trauma.
- The details of the shaken baby case was reviewed. Mr. Brusio stated he was on the call, but did not actually see the baby get shaken. The baby was fine. He went to the house the next day to interview the parents. He stated they reenacted the incident with a doll, and it triggered him. He went back to the car and lost it. This had occurred during the first year he was on the force.
- He was asked about the specifics of his childhood trauma. He stated he thought he had a pretty normal life. However, he had a friend that jumped off Hells Canyon Bridge. He was supposed to call him that day, and he did not. He feels guilty from that situation.
- The Board went through, discussed, and answered questions on the P5 form together.
- It was noted that when he went out on FMLA it was offered to him, he did not ask for it.
- The purpose of the FMLA was due to psychological reasons. The department knew there were problems prior to him resigning.
- Mr. Brusio was asked if he resigned because he was demoted. He said no, and that he could have gone back to patrol. He decided it wasn't good for him to do that with the traumatic situations he had to deal with in the past.
- The Board determined they wanted him to do another IME with a new, and impartial doctor through PAX.
- Decision was made to react to the P5 form instead of accepting or denying it due to this determination.

MOVED by Chair Jack Miller, seconded by Board Member Amy Chamberlin to direct staff to contact PAX and set up another Independent Medical Exam with a new doctor.

AYE: Chair Jack Miller, Board Member Amy Chamberlin, Board Member Dean Keller, Board Member Cheri Romley

4 - 0 PASSED - Unanimously

9) **ADJOURNMENT**

MOVED by Chair Jack Miller, to adjourn the meeting at 2:17 p.m.

AYE: Chair Jack Miller, Board Member Amy Chamberlin, Board Member Dean Keller, Board Member Cheri Romley

4 - 0 PASSED - Unanimously

Submitted: July 27, 2021.

By: *Traci Lavelle, Deputy Town Clerk*

Approved: January 25, 2022.