



PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM
Flagstaff Fire Department #010
Meeting Minutes – February 4, 2013

Flagstaff City Hall
Council Conference Room
211 W. Aspen

- I. The meeting was called to order at 9:05 a.m. Those in attendance were board members: Jim Harvel, Dave VanBoxtaele, Scott Strohmeier, Brett Mierendorf, & Secretary Vivian Fennema. Mayor Nabours was absent. The meeting was also attended by the local board's attorneys Michael Anthony and (via telephone) Hanna Auckland. Representing the City was Assistant City Attorney Anja Wendel. The meeting was recorded by a court reporter from Performance Reporters. Airport personnel present were Paul Dingwell, Joel Barnett and Sean O'Connor.

- I. Motion to approve the minutes of January 18, 2012 by Dave VanBoxtaele, and seconded by Brett Mierendorf; the motion carried.

- II. Paul Dingwell was sworn in by court reporter. Paul clarified job roles and responsibilities he has had since his hire date of 4/15/96. Verified FAA certification was obtained in October 1996. Paul states that within the first two weeks of employment he responded to an aircraft accident at the airport. When asked if airport personnel were required to have any type of medical clearance he stated that they all must have a physical to obtain a class B Commercial Driver's License (CDL). Mr. Dingwell stated that the Pulliam Airport has been FAA certificated since 1973 and in 1989 the City of Flagstaff bought the first pumper truck to be used at the Airport. He stated that part of his job requirements is to respond to HAZMAT and structure fires at the airport. There was an objection from Assistant City Attorney Anja Wendel, who stated she was not aware that we were going to be reviewing the applicant's entire job history and that she has not had a chance to interview them ahead of time. Acting Chair Jim Harvel explained that the board was trying to verify certification dates and responsibilities of the applicant. Attorney Wendel wanted it on the record that the City will oppose retroactive membership status for the ARFF personnel prior to June 11, 2012. She asked Mr. Dingwell if he had ever addressed the issue of membership in PSPRS in the past with his supervisor, and he responded that he was told by then supervisor Bill Menard that "you don't qualify and to go away or you won't work here anymore". Mr. Anthony asked Paul if, in addition to aircraft fires and extractions, did he have any responsibilities for structural fires if they occurred. Paul answered that he had indeed been on a structural fire while working at the airport. Board members determined they would hear all testimony before making a motion.

- III. Joel Barnett was sworn in by court reporter. Mr. Barnett was asked to confirm his employment with the City of Flagstaff by verifying his hire date and that he works 40 hrs per week. His original hire date was 8/12/96 as a Maintenance Worker I at the airport. He was promoted to Airport Service Worker I 7/1/97, and to Airport Service Worker II on 7/2/98. He terminated his fulltime employment on 6/10/99 but continued to work as a temporary seasonal employee doing snow removal every winter until his

rehire date of 8/13/06 as a fulltime Airport Service Worker I. He has remained a fulltime employee since then.(When Joel left in June of 99, he left his retirement money with ASRS.) Mr. Barnett stated that he obtained his FAA certification in October 1996 as well. Joel hired on with his FFI & II and also was an EMT. On his first day of employment he had 4 hrs or new hire orientation at City Hall, then went to airport, was given PPE and told if there is a medical emergency he was to respond since he was an EMT. If there was an aircraft incident he was to respond with the crew and do as told.

- IV. Paul Dingwell was recalled to testify. He confirmed that he has been a fulltime 40 hour employee since his hire date of 4/15/96.
- V. Sean O'Connor was sworn in by court reporter. The board reviewed and confirmed Mr. O'Connor's hire date of 9/4/01, his FAA certification date of September 2001, and that he has been a fulltime 40 hour employee since his hire date. Attorney Wendel asked if Mr. O'Connor had reviewed the copies of his certifications and if they were accurate and complete and he responded "yes".
- VI. **Recess into Executive Session**
Motion was made to recess into Executive Session at 10:02 am; seconded by Brett Mierendorf, motion carried.
 - A. Discussion or Consultation for legal advice with the attorney or attorneys of the public body.
 - 1. City Airport personnel and the PSPRS system.
- VII. Adjournment from Executive Session/Reconvene to Open Session 10:11 am.
 - A. Assistant City Attorney Anja Wendel presented a copy of Joel Barnett's employment history that she obtained from Shannon Anderson, Director of Human Resources. She wanted to clarify the timeframe as to when Joel was a Full-time /Part-time employee. Mr. Barnett was asked to review it for accuracy. He stated that the information was correct and it was entered into the record.
- VIII. Motion was made that based on the evidence heard today; Paul Dingwell received his FAA certification sometime during the month of October 1996. The board is recommending an **effective date in the PSPRS for Mr. Dingwell as 10/15/96**, choosing the middle of the month since we don't have the exact date of completion. Motion made by Scott Strohmeier and seconded by Brett Mierendorf; the motion carries.

- IX. Motion was made that based on the evidence heard today, Joel Barnett received his FAA certification during the month of October 1996; therefore the board is recommending an **effective date in PSPRS for Mr. Barnett as 10/15/96 WITH a notice in the lag in service from 6/10/99 until 8/13/06 when Mr. Barnett was not a fulltime employee for the City of Flagstaff.** Motion made by Dave VanBoxtaele and seconded by Brett Mierendorf; the motion carries.
- X. Motion was made that based on the evidence heard today, Sean O'Connor received his FAA certification 9/22/01; therefore, the Board recommends an **effective date in the PSPRS for Mr. O'Connor as 9/22/01.** Motion made by Brett Mierendorf and seconded by Dave VanBoxtaele; the motion carries.
- XI. The next board meeting is scheduled for February 22, at 9:00am. We will ask Mark Piper, Emily Ross, and Timothy Skinner to attend and be prepared to answer questions and present evidence regarding their job functions and certifications received since they were hired as airport personnel.
- XII. If David Lipinski has left his retirement funds on deposit with ASRS the board will consider his application for membership and ask him to attend the meeting as well. Since he lives out of town, he may attend via telephone if necessary.
- XIII. The meeting adjourned at 10:26 am.

Vivian Fennema

Signature of Board Secretary