



City of Goodyear

See meeting location
below

Meeting Minutes

Fire Public Safety Personnel Retirement Board

Thursday, June 22, 2017

8:15 AM

Goodyear City Hall, Room 126
190 N. Litchfield Rd.
Goodyear, AZ 85338

1. CALL TO ORDER

Chairman Stipp called the meeting to order at 8:20 a.m.

2. ROLL CALL

Staff Present: City Clerk Maureen Scott and Total Compensation Administrator Jeanni Ruddy

Legal Counsel Present: Cindy Kelley with Ryan, Rapp and Underwood

Others Present: Christina Yohe

3. APPROVE MINUTES

[MINUTES](#)
[47-2017](#)

Approve draft minutes of the Fire Public Safety Personnel Retirement Board
Meeting held on May 24, 2017.

**MOTION by Boardmember Mathias, SECONDED by Boardmember Doyle, to
APPROVE the May 24, 2017 minutes. The motion carried by the following vote:**

Ayes: 4 - Chairman Stipp, Boardmember Doyle, Boardmember Stewart and
Boardmember Mathias

Excused: 1 - Boardmember Hernandez

4. CITIZENS COMMENTS/ APPEARANCES FROM THE FLOOR

None.

5. BUSINESS

BOARD, UPON ROLL CALL VOTE, MAY CONVENE AN EXECUTIVE SESSION AS POSTED FOR THE FOLLOWING:

Pursuant to A.R.S. §38-431.03(2),(3) and (4) the Fire Pension Board may vote to convene by law from public inspection, and/or to consult with the Board's Attorney for legal advice and to consider the Board's position and to instruct the Board's attorney regarding its position in contemplated litigation regarding item 5.3. The Board will take action on this item in open session.

Christina Yohe stated that she was waiving her right to go into Executive Session to discuss her medical information.

Chairman Stipp stated that he still wanted to go into Executive Session to seek advice from the attorney.

MOTION by Boardmember Stewart, SECONDED by Boardmember Mathias, to CONVENE into Executive Session for legal advice. The motion carried by the following vote:

Ayes: 4 - Chairman Stipp, Boardmember Doyle, Boardmember Stewart and Boardmember Mathias

Excused: 1 - Boardmember Hernandez

5.1 Adjournment of Executive Session

Chairman Stipp adjourned the Executive Session at 8:25 a.m.

5.2 Reconvening of Fire Board Meeting

Chairman Stipp reconvened the Fire Board Meeting at 8:25 a.m.

5.3 Fire Board will consider accepting an Accidental Disability Application for Christina Yohe.

Boardmember Doyle noted that Christina's last name was Emerson when she was hired with the city in 2005. The December 15, 2005 minutes stated that Christina didn't have any pre-existing conditions.

Chairman Stipp said there was conflicting information in the medical documentation where none of the doctor's names matched in the August 2016 Independent Medical Exam from Dr. Maxwell. Dr. McLean was listed in the documentation, however, Ms. Yohe stated she never saw Dr. McLean. She saw Physician Assistant Roseman. Chairman Stipp said he wants to

make sure there is consistent medical history.

In April 2017 an Independent Medical Exam was done by Copperpoint. Yohe had gone back to physical therapy and it stated Ms. Yohe was not improving. Other than the disectomy, she deferred all injections and epidurals at that time.

Ms. Kelly stated there is an issue if it is a reasonable procedure to have done which is one thing, but if it is back surgery then it may not be reasonable to do and could be risky.

Yohe stated that she chose not to do the injections because given what her work entails, she didn't want to mask the pain and further injure herself. After reviewing the pros and cons of the injections, she chose not to go that route.

Boardmember Doyle stated that the physical therapy and further treatments seemed to make her condition worse.

Chairman Stipp said a herniated disk could shrink with injections but we don't know. Have we done everything we can to get back to work? He isn't 100% sure that we have done everything.

Boardmember Doyle said that there is another issue of the umbilical hernia that occurred during this time. In his experience, a back injury is related to abdominal injuries. This plays a role in the scenario since the June 25, 2015 injury. Ms. Yohe said this wasn't treated through Worker's Compensation for the umbilical hernia.

Chairman Stipp said there are three options.

- *To accept the disability application and send for an Independent Medical Exam

- *To deny the disability application

- *To table the disability application

MOTION by Boardmember Doyle, SECONDED by Boardmember Mathias, to ACCEPT the Disability Application for Christina Yohe and send her for an Independent Medical Exam to include questions for the IME doctor. The motion carried by the following vote:

Ayes: 4 - Chairman Stipp, Boardmember Doyle, Boardmember Stewart and Boardmember Mathias

Excused: 1 - Boardmember Hernandez

6. INFORMATION ITEMS

None.

7. ADJOURNMENT

There being no further business to discuss, Chairman Stipp adjourned the meeting at 8:53 a.m.

Maureen Scott

Date: _____

Bill Stipp, Chairman

CERTIFICATION OF MINUTES

I hereby certify that the minutes are a true and correct copy of the minutes of the Board Meeting of the Fire Public Safety Personnel Retirement Board of the City of Goodyear, Arizona, held on 06/22/2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____ 2017