

PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM  
PAYSON POLICE DEPARTMENT LOCAL BOARD  
MINUTES OF THE DECEMBER 14, 2011 MEETING

The duly posted regular meeting was called to order at approximately 11:01 A.M. in the Council Chambers located inside Payson Town Hall.

Meeting Time & Place

**ROLL CALL:** Chairperson Kenny Evans; Members Mathew Van Camp, Walter Gregory and Dean Faust present. Absent: Member Harry Wilson.

Roll Call

**OTHERS PRESENT:** Tomi Huddlestun, Local Board Secretary; Gaye Stidham, Deputy Town Clerk; Cynthia Kelley, Attorney for Local Board; Rebecca Plevel, Attorney for John Michael Heflin.

Others Present

**Item #1 – Approval of minutes of the October 26, 2011 Meeting.** Member Van Camp moved, seconded by Member Gregory; motion carried 4-0.

Approval of Minutes

**Item #2 – Motion to adjourn to Executive Session pursuant to:** A.R.S. §38-431 (A)(2), (3) and/or (4) for purposes of reviewing confidential records, conferring with the Board's attorney, or directing the Board's attorney as to its position in contemplated litigation. Member Van Camp moved, seconded by Member Faust; motion carried 4-0.

Motion to adjourn to Executive Session

**Item #3 – Motion to enter into Regular Session to:** Hear statement by Rebecca Plevel, and testimony by John M. Heflin.

Motion to enter into Regular Session

**Item #4 – Motion to adjourn to Executive Session pursuant to:** A.R.S. §38-431 (A)(2), (3) and/or (4) for purposes of reviewing confidential records, conferring with the Board's attorney, or directing the Board's attorney as to its position in contemplated litigation. Member Van Camp moved; seconded by Member Faust; motion carried 4-0.

Motion to adjourn to Executive Session again

**Item #5 – Motion to adjourn to Regular Session to:** Hear final statement by Rebecca Plevel, Attorney for Mr. Heflin. Ms. Plevel requested that Mr. Heflin's previous application for Ordinary Disability be allowed to be amended to change from Ordinary Disability to Accidental Disability. It was Ms.

Motion to enter into Regular Session again

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Plevel's belief that Mr. Heflin met the definition of Accidental Disability rather than Ordinary Disability. A new application for Accidental Disability was submitted by Rebecca Plevel on behalf of Mr. Heflin and received by Tomi Huddlestun, Local Board Secretary.

**Item #6 – Motion to affirm previous decision to deny Ordinary Disability application of John Michael Heflin, which was amended to change to Accidental Disability.**

Motion to deny application

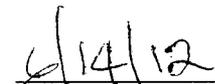
Member Van Camp moved, seconded by Member Gregory; motion carried 3-2, Chairman Evans abstained, Member Wilson was absent.

1. There was a brief discussion among Board Members, which resulted in a denial of application for amended Accidental Disability for reason that termination of the applicant was for cause versus disability based on medical evidence submitted by Dr. Jerry Lemler, M.D., dated July 27, 2011, which determined Mr. Heflin was released to full duty. Following Dr. Lemler's release to full duty, Mr. Heflin committed a policy violation, which resulted in a disciplinary investigation. Mr. Heflin was given the option to resign from his position or be terminated; he chose to resign.

**The meeting was adjourned at approximately 1:00 P.M.**

Adjournment

  
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Mayor Kenny Evans, Chairperson

  
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Date Approved

  
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Tomi Huddlestun, Local Board Secretary