

NOTICE OF DECISION

Notice of the City of Prescott Public Safety Personnel Retirement System – Fire Board decision, dated May 22, 2014, regarding:

Ashcraft PSPRS Membership Claim Hearing

At the conclusion of one and half days of witness testimony and arguments presented by the applicant and the City of Prescott the first motion made at the hearing:

BOARD MEMBER VILARDO MOVED TO CONTINUE THE HEARING TO THE 4th OF JUNE, 2014, AT 10:00 A.M., IN A LOCATION TO BE DETERMINED; SECONDED BY BOARD MEMBER PERRY

Discussion:

Board Member Vilardo said that due to the large amount of information that the Board has been given and the short period of time that they have had to examine it he would like to have the hearing continued

Board Member Kriwer said he appreciated the motion and appreciated all the testimony from the City and from the applicant. He felt he was prepared to give a judgment on the requirements for the PSPRS membership and therefore it was his personal feelings that he had received enough information to move forward with a vote.

Board Member Ward said it was an overwhelming amount of information and a very difficult situation for him personally, as well as for everyone. He felt like the information that was given was sufficient enough for him to make a decision. Although he was ready to move forward with a decision, he believed that because they were all operating as a board and with others feeling like they could not make a decision because they might need more information or more time to digest the information, that it would be unfair for him to not allow them to do that.

Board Member Ward said he assumed everyone wanted them to make the most educated decision that they can possibly make. He had personally heard enough, and been through enough. He believed that both sides had done their very best to explain Andrew Ashcraft's position, not only in the system and what was intended, on Andrew Ashcraft's side, the department's side, and the City's side. He said he would go along with what the board feels they need to do to make the right decision, but he was ready to move forward.

Roll Call Vote on the motion to continue the hearing to the 4th of June, 2014, at 10:00 a.m., in a location to be determined.

Mr. Kriwer:	No
Chair Kuykendall:	Yes
Mr. Vilardo:	No
Mr. Ward:	No
Mr. Perry:	Yes

MOTION FAILED 2-3 (BOARD MEMBERS KRIWER, VILARDO, AND WARD DISSENTING).

The second motion made at the hearing:

BOARD MEMBER KRIWER MOVED TO APPROVE ANDREW ASHCRAFT'S FAMILY FOR PSPRS MEMBERSHIP AND SURVIVOR BENEFITS AFTER HE GAVE ALL TO THE FIRE SERVICE AND TO THE CITY OF PRESCOTT; SECONDED BY BOARD MEMBER VILARDO

Discussion:

Chair Kuykendall said that he spend over 50 years in Prescott. He said the most rewarding experiences in his life were to be involved in the areas of government that he has been in. He said it is a learning process and everyday he learns something new from the challenges that are in this community. He said several months ago they went through the greatest challenge that he thinks he will ever see in his life, and it has built continuously. He did not know if there ever would be a complete healing, especially for those involved.

Chair Kuykendall said that learning was also a lifetime experience. He had asked for a transcript of the proceedings because he was not able to digest all the facts and all of the issues that were presented to the Board. He had hoped that the Board would continue the hearing as part of the learning process. He said that there was no doubt in his mind that after having time to understand the issues and determine what was fact and what was policy he would be able to make a decision. He did not have the advantage of being in the Fire Department for a number of years, and knowing their terms and things that they understand. He was at a point that he would vote, no, today. The reason was that as an individual he needed an opportunity to learn more about what they have been listening to for a day and a half.

Board Member Vilardo said he found that Firefighter Ashcraft met all of the requirements. He explained his vote by saying that Andrew Ashcraft was a firefighter, he was with a group of firefighters, and there were 19 of them, six covered under pension plans, and 13 under a different plan. He found that despicable. Board Member Vilardo stated that his career was in the army. There were professional soldiers, members of the regular army, members of the army reserve, members of the National Guard, and for quite a while there were the draftees. Some of the soldiers were full time members of the regular army, some were there for a stated period of time and they were considered temporary, however they all got the same benefits. He said that Andrew Ashcraft was a firefighter and he voted, yes.

Board Member Ward said it was a very difficult situation. He said this is a small town that has never been through anything like this before. Everything that they have gone through is

unprecedented. It is difficult for the City, the families, the firefighters, and for all of those people that we do not even know were affected. Board Member Ward said as a member of the board he had taken the opportunity to go to the PSPRS training in Flagstaff, and he hosted as well. He learned as much as he could. He said there was never any training for this. He said they are asked by both parties to consider the facts, and he liked facts. He said the facts in this case, in his opinion, were that Andrew Ashcraft deserves what they are asking. He said his vote was yes.

Board Member Perry said that it had been difficult for him. He had been on the board for two years and had never had to make a decision like this. Both sides made good cases, and he was impressed with everything that was said. He thought about this a lot and said that his vote was yes.

Board Member Kriwer said that he could not articulate any better than Board Member Ward. He said when he read the names of the gentlemen that night at that school, there was no delineation. He knew it was difficult for the City because they entered into something that they did not know what they had gotten into. No City had ever entered into this environment, but the City of Prescott did. He voted, yes to the statutory requirements of Andrew Ashcraft for PSPRS membership and the survivor benefits for this family.

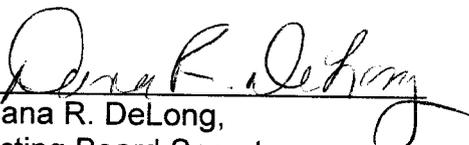
Roll Call Vote on the motion to approve Andrew Ashcraft's family for PSPRS membership and survivor benefits.

Mr. Kriwer:	Yes
Chair Kuykendall:	No
Mr. Vilardo:	Yes
Mr. Ward:	Yes
Mr. Perry:	Yes

MOTION PASSED 4-1 (CHAIR KUYKENDALL DISSENTING).


Marlin D. Kuykendall, Chair

ATTEST:


Dana R. DeLong,
Acting Board Secretary