

OFR73006

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: MINUTES

CITY DEPARTMENT: ADMINISTRATIVE SERVICES

YEAR: 1973

MINUTES  
FIREMEN'S PENSION BOARD

June 25, 1973

The Grand Junction Firemen's Pension Board met at 9:00 A.M.

June 25, 1973 at City Hall. City Manager Harvey Rose presided. Board members present were: City Clerk Neva B. Lockhart, City Treasurer Victor Vance, Firemen Cecil Campbell and Eldon Avery. Fireman Clarence Cooper arrived at the meeting during the discussion. Also present were City Attorney Gerald J. Ashby, Ed. White, Administrative Assistant, Pat Bittle, Personnel Assistant. The meeting was called to order by City Manager Harvey M. Rose. He stated the item of business of this meeting was to consider the request of Fireman Edward B. Billings for a disability pension. Fireman Ed. Billings was present together with his counsel, Mr. Richard W. Arnold of the firm of Traylor, Harshman, Palo and Cowan, Attorneys at Law.

The following letter from Mr. Ed. Billings was read by Mr. Rose:

"June 20, 1973

"Board of Trustees,  
Firemen's Pension Fund  
Grand Junction Fire Department  
Grand Junction, Colorado 81501

"Gentlemen:

"Fire Chief Frank Kreps requested me to obtain a physical examination from Dr. Paul D. Wubben on May 30, 1973. Dr. Wubben advised me following the examination that he did not recommend I continue my duties as a fire fighter with the Fire Department because of the condition of my heart and lungs. I gave this information to both Chief Kreps and Lt. Cecil Campbell, and Lt. Campbell told me the Fire Department would carry me on sick leave until the Chief received a copy of Dr. Wubben's report. That report has recently been received by Chief Kreps.

"Upon advice of Chief Kreps, I write you today to apply for a disability pension under the provisions of Colorado Revised Statutes (1963) Chapter 139-50-7, as amended. I understand Dr. Wubben's report to declare me physically disabled whereby I am unable to perform my regular Fire Department duties. The statute cited above indicates that I am entitled to a disability pension in these circumstances.

"It is not my plan to remain a disabled fireman, and I hope to obtain treatment for my heart and lungs and general physical condition so

that I can resume my position in the Fire Department at the earliest possible time. I will be most willing to be examined or re-examined by a physician of the Board's choice, whenever the Board finds it appropriate. I do not look forward to being on a disabled status, especially since my health is involved. I intend to overcome this disability as soon as possible.

"I will appreciate your consideration in this matter. Please advise me at the earliest time when you wish me to meet with you and whether I can provide you with any additional information or assistance.

"Respectfully submitted,

/Signed/ Edward A. Billings"

The following letter from Dr. Paul D. Wubben was read by members of the Board:

"PAUL D. WUBBEN, M. D.  
601 Center  
Grand Junction, Colorado  
81501

June 8, 1973

"TO WHOM IT MAY CONCERN:  
RE: BILLINGS, Mr. Edward

"I examined Edward Billings on 30 May 73 at the request of Fire Chief Kreps, the purpose being to determine his physical fitness for fire fighting.

"Mr. Billings said he was short of breath with exercise, that he smoked two to three packs of cigarettes a day, that he didn't think he could pass the athletic skill tests now that he took when first hired.

"He stated that he had had "three beers" since noon (on the day of the examination), that he drank quite a bit of alcohol; he wouldn't exactly specify how much. He said that he never drank on the job and that he didn't think what he drank affected his driving a fire engine. He said he has taken tranquilizers prescribed by Dr. Prescott that haven't helped. He says he has not had the "d.t.s" or "shakes".

"On physical exam he had a heart rate of 110 per minute, blood pressure of 130/90 and later 140/100. His weight was 208 lbs. and height 5' 10". He had a florid facies and his speech and responses to question were somewhat slow but rational and appropriate. There was no significant tremor. His breath sounds were clear; there were no rales

or wheezes or prolonged expiration. His breath had the odor of ethanol. There was a regular sinus rhythm of 110, and there was no murmur or apparent enlargement. The abdomen was obese; there were no apparent liver enlargement or tenderness. Neurological exam was normal. There were no other pertinent physical findings.

"The pertinent laboratory findings were as follows:

Hb 16.8 grams, hematocrit 50  
SMA-12: SGOT 67 (normal 10-50)  
LDH 210 (Normal 90-200)  
Blood Sugar 130 (normal 80-120)  
The rest were within normal limits.

Ventilation studies "suggest a diffuse airways obstructive disorder, not aided by use of a bronchodilator."

KG: "abnormal resting EKG with aggravation of abnormality after exercise. May be criteria for coronary insufficiency as ST segments are concerned." The resting heart rate was 100/minute (sinus tachycardia)."

"Summary of the lab tests:

"The elevated Hb and hematocrit and abnormal ventilation tests probably are related to cigarette smoking and other (unknown) environmental influences. His complaint of shortness of breath with exercise is significant and borne out by these tests. The resting and exercise EKG results indicate he represents a significant risk when called on to do prolonged, exhausting work. The blood sugar is slightly elevated and is of unknown significance. The SGOT and LDH tests are sensitive liver function tests and probably were elevated because of his recent alcohol intake. The SMA-12 tests do not indicate permanent or extensive liver damage or dysfunction.

"In summary, Mr. Billings heart and lung findings and general physical condition are not adequate for further employment as a fire fighter. I suggest, also, that his chronic over use of alcohol would significantly add to his physical dysfunction and that his judgement in times of emergency might not be the most acute.

"Yours truly,

/Signed/ Paul Wubben"  
M.D.

PDW/dm"

Mr. Rose stated that under state law when a fireman becomes disabled as a result of injury on his job, he is entitled to some form of pension. It is the doctor's recommendation, or feeling, that Ed is not currently in good enough condition to continue as a fireman. It would seem that there are 3 options open to the Board.

1. Not to act on his request and return him to work.
2. Determine if this disabling was a result of off-the-job causes.
3. Acknowledge the fact of his disability as a result of his work.

Fireman Avery stated that it was up to Mr. Billings to show that his disability was job orientated as he claims.

City Attorney Ashby stated that any applicant for a pension who is unable to perform his duties by reason of heart disease or any disease of the lungs or respiratory tract shall submit competent evidence substantiating his claim.

Mr. Ashby stated that he had talked to Mr. Rose and to Mr. Arnold, and it was agreed that while Dr. Wubben is fine in his field of medicine as a general practitioner, it would be well to have Mr. Billings examined by a specialist, trying, if possible, to have the specialist orient himself to the questions that have to be answered by the Board. Then Mr. Billings will have to determine which way he is going to go.

It was moved by Fireman Campbell that Mr. Billings be examined by a competent specialist. Motion was seconded by Victor Vance and carried unanimously.

Mr. Rose told Mr. Billings that Personnel Assistant Pat Bittle would contact a specialist and she would then contact him as to time and place of the examination and when the Board will again meet to act on the recommendations of the Specialist.

The meeting was adjourned.

Secretary

*Victor A. Vance*