

**MINUTES OF PUBLIC MEETING  
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD  
FOR THE JUDICIARY**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Judiciary was convened Tuesday, November 5, 2024, at 10:00 a.m., via Zoom, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

**Board Members Present by Conference/Video Call:** Kevin Kluge (Chair); Jason Hathcock; Scott Mabery; Jennifer Fish; Mark Smalley

**Board Members Absent:** None

**Also Present by Conference/Video Call:** Kayla Adkins, Board Secretary; Alexi Papalossi, Recorder; Nicholas Cornelius, Board Attorney; Karina Taylor, Applicant #24-01

**Call to Order:**

**Approval of Minutes:**

October 1, 2024 – Public Meeting Minutes

**MOTION: Scott Mabery moved to approve the public meeting minutes of the October 1, 2024, meeting.** The motion was seconded by Jennifer Fish and passed unanimously. The minutes stand approved. **CORP 2024-44**

**IME Review and Decision on Benefits – Karina Taylor**

The Board received Application #24-01 for Accidental Disability benefits from Karina Taylor on August 9, 2024.

- The applicant was a Maricopa County Adult Probation Officer with 1.851 years of credited service. The applicant’s last day of employment with Maricopa County was on June 20, 2024.
- The applicant identified the disabling condition as continued pain: “Tear of the metacarpophalangeal joint ulnar collateral ligament on the right thumb.”
- Ms. Taylor was notified via certified letter that the Board would consider her application at the meeting and of her right to attend.
- The applicant initialed the Waiver of Confidentiality provision, to allow discussion of the medical condition in an open public meeting.
- A copy of the IME report conducted on October 3, 2024, by Dr. George Gendy, MD, was provided for the Board to review.
- The criteria for Accidental Disability benefits per A.R.S. §38-881.01 are:

- "Accidental disability" means a physical or mental condition that the local board finds totally and permanently prevents an employee from performing a reasonable range of duties within the employee's department and was incurred in the performance of the employee's duties.
- A copy of A.R.S. §38-886.01 governing Local Board consideration of applications for Accidental Disability was included for reference purposes.

#### IME Report:

Dr. Gendy performed an Independent Medical Examination (IME) of the applicant on October 3, 2024. A copy of Dr. Gendy's IME report was provided to the Board. See pages 1-33 of the report for Dr. Gendy's discussion of findings and his responses to the Board's questions.

The Local Board will need to determine eligibility based on the IME. Any motion to approve or disapprove the application should include a reference to the IME upon which the determination is based. The Board can consider any medical evidence that the applicant may want to provide; however, the statutes are clear that a determination of disability shall be based on the IME. Material conflicts in medical evidence must be resolved by the findings of the Board. Disability determinations by the State Comp Fund or other workers' compensation bodies are not binding on the Local Board.

#### **Discussion:**

The Chair requested confirmation that the incident occurred while on duty. The Board Secretary presented the Employer's Report of Industrial Injury, which was completed by Maricopa County at the time of the work-related injury incident. Ms. Fish confirmed that Maricopa County would have relied on this report as the official documentation of the incident. Mr. Cornelius suggested that the Board obtain confirmation from Ms. Taylor regarding whether the incident indeed occurred at work. Ms. Taylor affirmed for the record that the incident took place while she was on the job.

The Board discussed the Guidelines for Reevaluation to determine how often Ms. Taylor's condition should be reevaluated. Mr. Hathcock noted that the IME reported a low likelihood of improvement in Ms. Taylor's condition. Because improvement was low and not impossible, Mr. Cornelius recommended that the Board consider a reevaluation in three years. Mr. Mabery commented on question three in the IME, noting that the answer was vague and lacked an explanation regarding the determination of recovery. Ms. Fish agreed and suggested this should influence the timeline for the three-year evaluation. Mr. Hathcock stated that he reviewed the provided information and found no discrepancies, confirming that Ms. Taylor is unable to fulfill the job duties of a Probation Officer and is therefore considered disabled.

Mr. Hathcock expressed concern regarding the estimated dollar amount that would be awarded to the applicant upon the Board's approval of Accidental Disability. The Board Secretary informed the Board that the estimate was provided by the Public Safety Personnel Retirement System (PSPRS) and that the final dollar amount could not be determined until the Board's approval was granted. Ms. Taylor commented that she had attempted to contact PSPRS regarding the dollar

amount and had been referred back to the CORP Local Board and had remained unable to find answers. The Chair and Mr. Hathcock suggested that the applicant contact PSPRS directly to confirm the final dollar amount to be awarded after receiving approval from the Board.

**MOTION: Jason Hathcock moved to (1) Approve the application for Accidental Disability Retirement benefits from Applicant #24-01, Karina Taylor, based on the findings of the Independent Medical Examination conducted by Dr. Gendy M.D., as set forth in the report dated October 3, 2024, and the form C5-LB-O dated October 3, 2024; (2) Approve an Accidental Disability Benefit for Karina Taylor in about the amount of \$1,737.30 pending PSPRS final calculation; (3) To review this matter again in three years.** The motion was seconded by Mark Smalley and passed unanimously. **CORP 2024-45**

#### **Notice of Retiree Return to Work – Laura Thomas**

The Board received a Notice of Retiree Return to Work from the Maricopa County Judicial Branch for Laura Thomas, indicating that Ms. Thomas retired from the Maricopa County Judicial Branch Adult Probation Department on September 15, 2023, with an effective CORP retirement date of October 1, 2023. She had since accepted an employment offer with the Maricopa County Judicial Branch and returned to work on September 30, 2024, in a CORP-designated position as an Adult Probation Officer.

Copies of A.R.S. § 38-884.N-O. and Ms. Thomas' current position description were provided to the Board.

The Board Secretary noted that Ms. Thomas returned to work in a CORP-designated position (Adult Probation Officer) more than six months after retirement, so it appears she may continue receiving her CORP pension. Additionally, her employer is responsible for paying the CORP alternate contribution rate on her behalf because she returned to work in a CORP-designated position.

**MOTION: Mark Smalley moved that the Board received a Notice of Retiree Return to Work for Laura Thomas and found that (1) Ms. Thomas is eligible to continue receiving a CORP pension; (2) Ms. Thomas' employer, Maricopa County Judicial Branch, is responsible for paying the CORP alternate contribution rate on her behalf because she returned to work in a CORP-designated position.** The motion was seconded by Jennifer Fish and passed unanimously. **CORP 2024-46**

#### **Notice of Retiree Return to Work – Karie Strauss**

The Board received a Notice of Retiree Return to Work from the Maricopa County Judicial Branch for Karie Strauss, indicating that Ms. Strauss retired from the Maricopa County Judicial Branch Adult Probation Department on October 13, 2023, with an effective CORP retirement date of November 1, 2023. She had since accepted an employment offer with the Maricopa County Judicial Branch and returned to work on October 7, 2024, in a non-CORP-designated position as a Court Probate Investigator.

Copies of A.R.S. § 38-884.N-O. and Ms. Strauss' current position description were provided to the Board.

The Board Secretary noted that Ms. Strauss appeared eligible to continue receiving a CORP pension because she returned to work in a non-CORP-designated position after retirement.

Mr. Hathcock pointed out a mistake with the termination date on the Retiree Return to Work Form. The Board Secretary would request an updated form from the county.

**MOTION: Scott Mabery moved that the Board received a Notice of Retiree Return to Work for Karie Strauss and found that (1) Ms. Strauss is eligible to continue receiving a CORP pension; (2) Ms. Strauss' employer, Maricopa County Judicial Branch, is not responsible for paying the CORP alternate contribution rate on her behalf because she returned to work in a non-CORP-designated position.** The motion was seconded by Jason Hathcock and passed unanimously. CORP 2024-47

#### **Notice of Retiree Return to Work – Tomas Gabriel**

The Board received a Notice of Retiree Return to Work from the Maricopa County Judicial Branch for Tomas Gabriel, indicating that Mr. Gabriel retired from the Maricopa County Sheriff's Office on August 2, 2024, with an effective CORP retirement date of September 1, 2024. He had since accepted an employment offer with the Maricopa County Judicial Branch and returned to work on September 30, 2024, in a non-CORP-designated position as a Security Officer.

Copies of A.R.S. § 38-884.N-O. and Mr. Gabriel's current position description were provided to the Board.

The Board Secretary noted that Mr. Gabriel appeared eligible to continue receiving a CORP pension because he returned to work in a non-CORP-designated position after retirement.

**MOTION: Jennifer Fish moved that the Board received a Notice of Retiree Return to Work for Tomas Gabriel and found that (1) Mr. Gabriel is eligible to continue receiving a CORP pension; (2) Mr. Gabriel's employer, Maricopa County Judicial Branch, is not responsible for paying the CORP alternate contribution rate on his behalf because he returned to work in a non-CORP-designated position.** The motion was seconded by Mark Smalley and passed unanimously. CORP 2024-48

#### **Notice of Retiree Return to Work – Patrick Rain**

The Board received a Notice of Retiree Return to Work from the Maricopa County Judicial Branch for Patrick Rain, indicating that Mr. Rain retired from the Maricopa County Sheriff's Office on August 3, 2024, with an effective CORP retirement date of September 1, 2024. He had since accepted an employment offer with the Maricopa County Judicial Branch and returned to work on September 30, 2024, in a non-CORP-designated position as a Security Officer.

Copies of A.R.S. § 38-884.N-O. and Mr. Rain’s current position description were provided to the Board.

The Board Secretary noted that Mr. Rain appeared eligible to continue receiving a CORP pension because he returned to work in a non-CORP-designated position after retirement.

**MOTION: Jason Hathcock moved that the Board received a Notice of Retiree Return to Work for Patrick Rain and found that (1) Mr. Rain is eligible to continue receiving a CORP pension; (2) Mr. Rain’s employer, Maricopa County Judicial Branch, is not responsible for paying the CORP alternate contribution rate on his behalf because he returned to work in a non-CORP-designated position.** The motion was seconded by Jennifer Fish and passed unanimously. **CORP 2024-49**

### **Notice of Retiree Return to Work – Megen Cayton**

The Board received a Notice of Retiree Return to Work from the Maricopa County Judicial Branch for Megen Cayton, indicating that Ms. Cayton retired from the Maricopa County Juvenile Probation Department on December 29, 2023, with an effective CORP retirement date of January 1, 2024. She had since accepted an employment offer with the Maricopa County Judicial Branch and returned to work on October 7, 2024, in a non-CORP-designated position as a Community Resources Coordinator.

Copies of A.R.S. § 38-884.N-O. and Ms. Cayton’s current position description were provided to the Board.

The Board Secretary noted that Ms. Cayton appeared eligible to continue receiving a CORP pension because she returned to work in a non-CORP-designated position after retirement.

**MOTION: Jennifer Fish moved that the Board received a Notice of Retiree Return to Work for Megen Cayton and found that (1) Ms. Cayton is eligible to continue receiving a CORP pension; (2) Ms. Cayton’s employer, Maricopa County Judicial Branch, is not responsible for paying the CORP alternate contribution rate on her behalf because she returned to work in a non-CORP-designated position.** The motion was seconded by Jason Hathcock and passed unanimously. **CORP 2024-50**

### **Acknowledgment of CORP Physical Exam Final Letter:**

<b>Name</b>	<b>County</b>	<b>Letter Issue Date</b>
Isabel Contreras	Coconino	9/9/2024
Tyler Montiero	Pima	10/1/2024
Mark Hopkins	Pima	9/18/2024
Luis Lopez	Pima	9/18/2024
Rakan Adahiri	Pinal	9/11/2024

The Chair noted, for the record, that the CORP physical examination report for Isabel Contreras, Tyler Montiero, Mark Hopkins, Luis Lopez, and Rakan Adahiri were not received within 60 days of receiving their membership application and that a final letter requesting the examination report was sent via certified mail.

**Approval of Membership:**

The Board voted on the approval of the following requests for membership:

<b>Name</b>	<b>County</b>	<b>Effective Enrollment Date</b>
Noah Noetzel	Coconino	9/22/2024
Isabel Contreras	Coconino	10/6/2024
Robert Anguiano	Maricopa	10/13/2024
Brenda Mendoza	Maricopa	9/22/2024
Chase Hughes	Maricopa	9/22/2024
Connor MacDougall	Maricopa	9/22/2024
Estefany Hernandez	Maricopa	9/22/2024
Pricilla Carrillo	Maricopa	9/22/2024
Raquel Tran	Maricopa	9/22/2024
Rebecca Gustafson	Maricopa	9/22/2024
Tyslin Chisley	Maricopa	9/22/2024
Ashley Jorquez	Maricopa	9/29/2024
Yariela Villareal Arroyo	Maricopa	9/29/2024
Michael Lindquist	Navajo	10/13/2024
Mark Hopkins	Pima	9/1/2024
Luis Lopez	Pima	9/1/2024
Tyler Montiero	Pima	7/1/2024
Henry Laks	Pima	9/22/2024
Rakan Adahiri	Pinal	6/10/2024
Taryn Jimenez	Pinal	9/22/2024
Megan Dettling	Pinal	10/6/2024
Antonio Alongi	Pinal	9/22/2024
Kristen Porter	Pinal	9/22/2024
Aziz Toure	Yavapai	9/22/2024
Matthew Klenk	Yavapai	10/6/2024
Kevin Chacon	Yuma	9/22/2024
Fransisco Gastelum	Yuma	9/29/2024
Monica Aguilar Acevedo	Yuma	10/6/2024

**MOTION: Jason Hathcock moved to approve the 28 applicants listed on the agenda for this meeting for membership in CORP pursuant to A.R.S. § 38-893.D. and to note for the record that the physical examinations for Robert Anguiano, Chase Hughes, Estefany Hernandez,**

**Rebecca Gustafson, and Yariela Villareal Arroyo identified a physical or mental condition or injury that existed or occurred before their dates of membership in the plan.** The motion was seconded by Scott Mabery and passed unanimously. **CORP 2024-51**

**Approval of 2025 Meeting Dates:**

Meeting dates for 2025 were proposed for the Board's approval. All meetings are scheduled to begin at 10:00 a.m. on Tuesdays.

- January 7th
- February 4th
- March 4th
- April 1st
- May 6th
- June 3rd
- July 1st
- August 5th
- September 2nd
- October 7th
- November 4th
- December 2nd

**MOTION: Mark Smalley moved to approve the proposed Board meeting dates for 2025.** The motion was seconded by Jason Hathcock and passed unanimously. **CORP 2023-52**

**Future Agenda Items:**

- Retiree Return to Work applicants
- Legislative update

Mr. Hathcock inquired about the Board Elections. The Board Secretary assured the Board that a timeline for elections would be provided at the December 2024 meeting.

**Call to the Public:**

The meeting was adjourned at 10:38 a.m.

Transcribed November 6, 2024