

**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, January 4, 2022 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; Jennifer Fish; Mark Smalley; Jason Hathcock; Scott Mabery

Board Members Absent: None.

Also Present: Alicia Bocardo, Local Board Secretary (video call); Yvonne Wong, AOC Human Resources Officer (video call); Lesli Sorensen, Board Attorney (video call); Erika Muhammad, Applicant #21-03 (conference call)

Call to Order:

Approval of the Minutes:

December 1, 2021 – Public Meeting Minutes

MOTION: A motion to approve the public minutes of the December 1, 2021 meeting was made by Mark Smalley. The motion was seconded and passed unanimously; minutes stand approved. **CORP 2022-01**

Consideration of Disability Benefits: Independent Medical Evaluation (IME) Benefit Decision

The Board received Application #21-03 for Accidental Disability benefits from Erika Muhammad on August 25, 2021 identifying a disabling condition of: “Work related PTSD, Anxiety and Depression”.

The applicant is a Maricopa County Probation Officer with 7.143 years of service.

Ms. Muhammad was notified via certified letter that the Board would consider her application at this meeting and of her right to attend.

The applicant initialed the Waiver of Confidentiality provision, to allow discussion of the medical condition in open public meeting.

A copy of A.R.S. §38-886 governing Local Board consideration of applications for Accidental Disability was included for reference purposes.

The applicant provided medical reports of findings and treatment with the application. The application and medical reports were provided for the Board. The criteria for Accidental Disability benefits per A.R.S. §38-886 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.

Dr. John Tsanadis (psychology) performed an Independent Medical Examination of the applicant on November 16, 2021. A copy of Dr. Tsanadis's IME report was provided to the Board.

Dr. Farida Rassiwalla (psychiatry) performed an Independent Medical Examination of the applicant on December 02, 2021. A copy of Dr. Rassiwalla's IME report was provided to the Board.

The Local Board will need to determine eligibility based on the Independent Medical Evaluations. Any motion to approve or disapprove the application should include a reference to the Independent Medical Evaluation 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 findings of the Board. Disability determinations by the State Comp Fund or other workers' compensation bodies are not binding on the Local Board.

The Chair noted some discrepancies between the two IMEs presented to the Board. He noted that both reports had three areas of conflicting information: reporting of a disability, whether it was on the job, and a lack of clear determination from either of whether the member can do her job duties and responsibilities as opposed to being able to have gainful employment.

Applicant #21-03 joined via conference call at 10:08 a.m.

MOTION: A motion to enter Executive Session to receive legal advice was made by Scott Mabery at 10:12 a.m. Motion was seconded and passed unanimously. **CORP 2022-02**

Public exited the open session at: 10:12 a.m.

MOTION: A motion to return to open session was made by Mark Smalley at 10:22 a.m. Motion was seconded and passed unanimously. **CORP 2022-03**

Applicant #21-03 rejoined via conference call at 10:23 a.m.

The Chair asked the Board members if they would like to approve, deny, or table the application.

Board member Jason Hathcock stated that he would be in favor of tabling the application for the February 1, 2022 meeting so that staff can gather more information from the Psychiatrist Medical Doctor Farida Rassiwalla MD.

The Chair agreed and instructed the Board Attorney to draft some questions for staff to forward to Dr. Rassiwalla MD.

The Chair tabled the matter for the February 1, 2022 Meeting.

Approval of Normal Retirement Benefits:

There were 21 applications for Normal Retirement benefits submitted for the Board’s approval pursuant to A.R.S. § 38-893 (D).

MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amounts effective January 1, 2022 was made by Jennifer Fish. The motion was seconded and passed unanimously. CORP 2022-04

Celena Angstead	\$3,816.82
Karla Armenta	\$2,180.98
Jess Beckenhauer	\$2,780.13
Jeffrey Bell	\$4,855.70; Reverse DROP Lump Sum Estimate: \$300,893.91
Daniel Brown	\$3,552.14; Reverse DROP Lump Sum Estimate: \$220,112.45
Carlos Colindres	\$2,263.79
Connie Delgado-Garcia	\$2,782.26
Andrew Gongora	\$2,239.29
Elena Hernandez	\$3,392.09
Ricardo Hernandez	\$2,930.01
Dale Herren	\$2,306.11
Kapri Kennard	\$3,946.97; Reverse DROP Lump Sum Estimate: \$95,459.90
Albert Kin	\$2,672.26
Eva Lessing	\$4,246.08; Reverse DROP Lump Sum Estimate: \$17,023.85
Margaret McCarthy	\$3,349.97
Dora Nevarez-Gomez	\$4,001.14; Reverse DROP Lump Sum Estimate: \$48,257.45
Dalia Ramos	\$3,304.11
Amy Sarvela	\$3,018.76
Jill Spadafora	\$4,948.64
Thomas Weiss	\$4,533.29
Michelette Younker	\$4,590.55; Reverse DROP Lump Sum Estimate: \$13,798.31

Decision on Notice of Retiree Return to Work I:

The Board received a Notice of Retiree Return to Work from the Maricopa County Superior Court for Wes Shipley. The form indicated that Mr. Shipley retired from the Maricopa County Probation Department effective November 12, 2021. Mr. Shipley returned to work for Maricopa County on November 29, 2021 as a Professional Conduct and Special Projects Manager, which is not a CORP designated position.

A copy of A.R.S. §38-884.N-O. was provided to the Board as well as a copy of Mr. Shipley’s current job description.

Board member Jennifer Fish recused herself from voting on the matter.

MOTION: Mark Smalley moved that: (1) Wes Shipley is eligible to continue to receive a CORP pension; (2) Maricopa County is not responsible for paying an alternate contribution rate on his behalf. The motion was seconded and passed unanimously. CORP 2022-05

Decision on Notice of Retiree Return to Work II:

The Board received a Notice of Retiree Return to Work from Pima Superior Court for Steven Armenta. The form indicated that Mr. Armenta retired from Pima County Probation Department effective November 19, 2021. Mr. Armenta returned to work for Pima County on November 21, 2021 as a Community Restitution Program Specialist, which is not a CORP designated position.

A copy of A.R.S. §38-884.N-O. was provided to the Board. A copy of Mr. Armenta’s current job description was provided to the Board.

MOTION: Scott Mabery moved that: (1) Steven Armenta is eligible to continue to receive a CORP pension; (2) Pima County is not responsible for paying an alternate contribution rate on his behalf. The motion was seconded and passed unanimously. **CORP 2022-06**

Acknowledgement of CORP Physical Exam Final Letters

Physical examination reports have not been received for the members listed below. Certified letters were sent to the members regarding non-receipt of the CORP physical examinations within 60 days of receipt of the membership forms.

<u>Name</u>	<u>Date Letter Sent</u>
Justin Bengard	11-5-2021
Victoria Moore	11-5-2021
Kylee Smith	10-27-2021
Kyleigh Wain	10-27-2021
Kristi Curtis	10-27-2021
Billie Miller	10-27-2021
Justin Kreterfield	10-27-2021

The Chair noted for the record that the physical examinations for Justin Bengard, Victoria Moore, Kylee Smith, Kyleigh Wain, Kristi Curtis, Billie Miller and Justin Kreterfield were not received within 60 days of receipt of their membership applications and that final letters requesting the examinations were sent via certified mail.

Approval of Membership:

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

Bengard, Jordan	Coconino	12/6/2021
Berry, Gregory	Maricopa	11/21/2021
Bethel, Dominic	Coconino	8/9/2021
Carroll, Stephanie	Navajo	11/28/2021
Cuevas, Roman	Mohave	6/27/2021
Curtis, Kristi	Navajo	11/28/2021
Diaz, Carlos	Maricopa	11/7/2021
Dragon, Daniel	Pima	11/27/2021

Dykstra, Joelle	Maricopa	4/4/2021
Gleizier, Richard	Maricopa	11/28/2021
Gonzalez, Debra	Maricopa	4/25/2021
Hicks, Jace	Navajo	11/28/2021
Kreterfield, Justin	Yavapai	8/9/2021
Leon, Andrea	Pima	7/25/2021
Marcano, Jorge	Pima	11/14/2021
Martin, Jayme	Maricopa	4/25/2021
McCabe, Gabrielle	Coconino	11/19/2021
Mendoza, Victoria	Maricopa	11/7/2021
Miller, Billie	Navajo	10/31/2021
Montgomery, Ashley	Pinal	9/12/2021
Moore, Victoria	Coconino	12/6/2021
Nichols, Amy	Yavapai	11/21/2021
Nunez Valdez, Nayeli	Maricopa	11/7/2021
Palmer, Megan	Yuma	11/28/2021
Ruiz, Alexandria	Maricopa	10/10/2021
Sampson, Terry	Maricopa	10/24/2021
Smith, Kylee	Coconino	11/7/2021
Thorpe, Brenton	Maricopa	7/26/2021
Valdez, Claire	Yuma	11/28/2021
Wain, Kyleigh	Coconino	11/21/2021

MOTION: Jason Hathcock moved to approve the 30 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 Roman Cuevas, Victoria Mendoza, Amy Nichols, Megan Palmer and Alexandria Ruiz identified a physical or mental condition or injury that existed or occurred before their dates of membership in the plan. The motion was seconded and passed unanimously. CORP 2022-07

Future Agenda Items:

Staff informed the Board that the follow items will be placed on the February 1, 2022 meeting:

- Follow up questions for the IME doctor regarding disability case #21-03
- Medical two-year reevaluation for disability case #19-02
- 2021 PSPRS Actuarial Valuation Report (information only)

Call to the Public:

No members of the public addressed the Board.

The meeting was adjourned at 10:47 a.m.

Transcribed January 5, 2022.