

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

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Superior Court was convened, Thursday, February 21, 2008, at 9:00 a.m., in Conference Room 332, Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

**Present at the meeting were the following individuals:**

Jim Bruner, Chair	Lu McLendon, Secretary
Kevin Kluge, Board Member	Michael Anthony, Attorney
Jason Hathcock, Board Member	Leticia Chavez, Recorder

**Guests Present:** Katie Proctor, AOC Legislation Liaison; Susanne Dobel, ASRS

**Call to Order**

Local Board Chair, Jim Bruner, called the meeting to order at 9:02 a.m. Thursday, February 21, 2008, at the Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

- a. Legislative Update – AOC Legislation Liaison, Katie Proctor, provided a current update on House Bill (HB) 2118 which specifically relates to several training positions in the Education Services Division of the AOC which are planned to be filled by trained probation officers. If enacted into law, this bill would authorize approximately seven training positions, within the Education Services Division, to be designated as CORP eligible positions. This would allow the Education Services Division to recruit from trained probation officers to fill vacant training positions and remain in CORP. Without the passage of HB 2118, it would be difficult to recruit and fill these positions with trained probation officers due to the fact that these positions are currently under ASRS and CORP members recruited to fill these positions would be required to change retirement systems and contribute to ASRS.

**Approval of Minutes**

- a. January 24, 2008, Public Meeting Minutes. The Chair called for any corrections or additions. There were no corrections or additions.

**MOTION: A motion for approval of the January 24, 2007 Public Meeting Minutes was made by K. Kluge.** Motion was seconded and passed unanimously minutes stand approved. **CORP 2008-32**

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#### **Re-Retirement Request**

- a. Roger Weissman – On December 20, 2007, the Local Board denied Mr. Weissman's application for Normal Retirement benefits based on the fact that he was a returned to work retiree under ASRS and should not have been transferred to CORP. As a result, Mr. Weissman contacted ASRS requesting that he be allowed to change his retirement election and resume membership in ASRS. As a member of ASRS he would then be allowed to re-retire for that system. ASRS representative, Susan Dobel, appears before the Local Board today requesting that the Local Board rescind Mr. Weissman's election to participate in CORP and allow him to resume his membership in ASRS. From information received from Mr. Weissman, ASRS believes that he made the election to transfer to CORP based on incomplete or inaccurate information. After consideration of the documentation presented by ASRS, on Mr. Weissman's behalf, the Local Board concurs with ASRS and determined that Mr. Weissman is ineligible to participate in CORP and that his membership should be returned to ASRS. The Local Board will make a request that any contributions made to CORP for Mr. Weissman be returned to the employer.

**MOTION: A motion was made by K. Kluge to rescind the membership of Mr. Roger Weissman and transfer him back to ASRS.** Motion was seconded and passed unanimously. **CORP 2008-33**

#### **Retired Return to Work Members**

ASRS representative, Susan Dobel, was present at the meeting to discuss the issue of four employees who elected CORP membership as of July 1, 2007, who may not have been eligible to participate. According to ASRS records these members are retired return to work employees who are, currently, receiving a pension from ASRS. Susan presented the board with information, received from these members that they elected to make the transfer to CORP based on information they received informing them that they did not have an option to choose to remain in ASRS and were not advised that election, for membership in CORP, would result in a suspension of their ASRS benefits. Based on this information, ASRS is requesting that the Local Board rescind the election for membership in CORP for these members and allow them to return to ASRS and continue to receive a pension. After further review of the information presented by ASRS, the Local Board agrees that these employees were ineligible to elect to participate in CORP at the time of the transfer, and that membership, in CORP, should be rescinded for Patricia Ballejos, Apache County, Natalio Sabal, Cochise County, John Michael Hodge and Stephen J. Knox both from Maricopa County. Additionally, advised that any and all CORP contributions withheld be returned to the respective employers.

**9:20 a.m. – Arrival of Board Member Paul Cunningham**

**MOTION: A motion was made by J. Hathcock to rescind the election for membership in CORP of the four stated members due to ineligibility and grant them permission to return to ASRS.** Motion was seconded and passed unanimously. **CORP 2008-34**

**Approval of Normal Retirements** – The Local Board may consider and vote on the following applications **(a-f)** for Normal Retirement Benefits in public meeting or defer decision to a later date.

- a. Richard L. Brown
- b. Michael A. D’Apice
- c. Robert S. Druckenbrod
- d. Douglas A. Jilg
- e. Anthony F. Perez
- f. Kelly S. Trombley

**MOTION: A motion was made by K. Kluge to approve applications (a-f) for Normal Retirement benefits.** Motion was seconded and passed unanimously. **CORP 2008-35**

**Admission of Members (CORP)** - The Local Board may consider and vote on the admission of new members in public meeting or defer decision to a later date.

According to CORP statues all new hires requesting membership into CORP must be voted in and approved by the Local Board. This month the Board received 15 requests from new hires requesting membership in CORP.

**MOTION: A motion was made by J. Hathcock to approve the 15 employees requesting membership into CORP.** Motion was seconded and passed unanimously. **CORP 2008-36**

**General Discussion**

- a. Administrative Order No. 2007-16 – Appointed members’ terms of office – On February 8, 2007, in compliance with CORP statues, Chief Justice Ruth V. McGregor appointed three individuals to terms of office ranging from two to four years, with the effective date of February 8, 2007 for each individual. The statute also, requires that two members be elected by the membership of CORP. The election of these two members was completed in November 2007 with the effective dates of their terms of office beginning July 1, 2007. As a result, the beginning dates for the terms of office for both the appointed and elected

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members are different. As a result, the statutory requirement for bi-annual appointments and elections could not be fulfilled. To comply with statues, the Local Board Attorney recommended that the terms of office be amended to reflect a beginning date of July 1, 2007 for the appointed members. On February 13, 2008 Administrative Order No. 2008-14 was signed by Chief Justice McGregor establishing the beginning dates of the terms of office for the three appointed members as July 1, 2007. The appointed members are as follows:

Kevin Kluge – Two years

Phil Hanley – Four years

Jim Bruner – Four years (Chair)

- b. Budget Update – Board Member Kevin Kluge provided the Local Board with a budget update stating that for this Fiscal Year budget cuts for CORP will amount to \$46,300. Kevin stated, even with this significant cut in funds, that the Local Board will continue to be able to meet both current and potential expenses for the upcoming year.

**Call to the Public** - The chair made a call to the public

Meeting adjourned 9:45 a.m.

Transcribed this 22<sup>nd</sup> day of February 2008

Lu Mc Lendon

Local Board Secretary