

**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 8, 2007, at 9:00 a.m., in Conference Room 345B, Arizona Supreme Court, 1501 West Washington, Phoenix, Arizona.

Present at the meeting were the following individuals:

Jim Bruner, Chair	Lu McLendon, Board Secretary
Phil Hanley, Board Member	Michael Anthony, Attorney
Kevin Kluge, Board Member	

Administrative Office of the Courts (AOC) Staff Present:

Dave Byers	Mike Baumstark	David Withey
Rob Lubitz	Kathy Waters	Niki O'Keeffe
Fred Santesteban		

Guests Present:

Jim Hacking	Lu Ebratt
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Call To Order

Local Board Chair, Jim Bruner, called the meeting to order at 9:00 a.m. Thursday, February 8, 2007.

Appointment of Board Secretary – Dave Byers provided the Board with a brief introduction and summary of experience for Lu McLendon, CORP Retirement Specialist for the AOC and recommended that she be appointed as secretary to the board.

MOTION: To approve the appointment of Lu McLendon to the position of board secretary was made by Phil Hanley. Motioned was seconded and passed unanimously. CORP 2007-01.

Duties of Local Board and Investments – Jim Hacking, Administrator, Public Safety Personnel Retirement System (CORP), discussed the functions of the Local Board as set forth by section 38-893, explaining that the primary responsibilities of the Local Board is to determine eligibility for participation in the plan and the eligibility and amount of benefits such as Normal Retirement, Disability, and Survivor benefits for the members. He explained that a centralized administrative headquarters audits the work of the Local Board and keeps track of board activities. In reference to investments, Jim stated this function is handled by the Fund Manager, the governing board for the Plan, and that the Local Board does not have any investment responsibilities for the Plan or any responsibility for setting the rate of contributions for the employer or employee. As a result, the fiduciary responsibilities for the board are limited. Due to the fact that the board has some fiduciary responsibility, Jim Bruner agreed

that a training session should take place after the election of the remaining board members to explain these responsibilities.

Recap of January 31st Meeting – Dave Byers provided a brief summary of the meeting held January 31st regarding events leading to the signing of the Joinder Agreement. At this meeting the transfer date and mechanism for the officers was discussed. Although there are several pay cycles within the counties, July 1st was the agreed upon date for the transfer, with the first contributions being forwarded to CORP the first pay check in July. County chiefs and directors will be responsible for gathering the member enrollment and Opt-out waiver forms by June 30th and forwarding to the Local Board office by the first week of July. The board will meet to vote to transfer members into CORP once the transfer is complete.

Appointment of Legal Counsel

David Withey, Legal Counsel for the AOC, briefed the Board on the decision of the AOC to contract with Michael Anthony for legal services during the implementation of the CORP program. David advised the Board that Mr. Anthony comes highly recommended and was selected because of his knowledge and expertise of retirement laws and the establishment of Local Boards. With the recommendation that Mr. Anthony be retained as legal representative for the Local Board, the Board agreed to retain the services of Mr. Anthony for the duration of his current contract with AOC until the expiration date of that contract (March 30, 2007). After that date, with the assistance of the AOC, the Board will formally select legal representation through the use of the procurement process.

MOTION: To temporarily appoint Michael Anthony as Legal Counsel for the Board pending the formal selection of an attorney through the required procurement process. Motion was seconded and passed unanimously. CORP 2007-02.

Opt-in/Opt-out Timetable

Procedures for the Opt-in/Opt-out process was reviewed and agreed on by the Local Board. Copies of these forms will be posted to the CORP website and hard copies will be sent to each employer. Chiefs and Directors will be responsible for gathering the forms and ensuring all eligible staff have submitted one or the other of the forms and forward them to the Local Board office by June 30th.

MOTION: To approve the Opt-in/Opt-out timetable process was made by Kevin Kluge. Motion was seconded and passed unanimously. CORP 2007-03.

Appointment of Medical Contract

A requirement by Statute is for the Local Board to appoint a medical contractor to provide physical exams for employees opting to participate in CORP. CONCENTRA Medical Clinic is the recommended provider and a Work Order for services is currently being developed. In addition to CONCENTRA, the Board was provided with a list of other medical providers, currently on contract within each county, that employees may use who do not choose CONCENTRA. The Board was asked to approve these providers as well. The Board was advised that money has been set aside to pay for

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these exams if completed by June 30th. It was recommended that the Board adopt a timeframe for completion of the exam for individuals who have not completed the exam by June 30th and also, for new hires after July 1. Dave Byers proposed to the Board that they adopt a completion date of approximately 60 days after July 1.

MOTION: To allow the Board Secretary, to continue to work on medical contractor listed and with the local departments with CONCENTRA being the primary provider for conducting the physical exams was made by Kevin Kluge. Motion was seconded and passed unanimously. CORP 2007-04.

MOTION: To require completion of the physical exams within 60 days after opting into the Plan or 30 days for new employees. Seconded and passed unanimously. CORP 2007-05.

General Discussion

Eligibility of Membership - Language for eligibility provided for in the Joinder Agreement.

Pending Legislation – SB1308 – Transfer of service after joinder on a one-for-one basis with employer paying shortfall. HB2142 – Addresses adding the provision, for CORP members, of a non-work related disability option.

Establish procedures for disability determinations – Michael Anthony, Attorney. The Board was provided draft disability procedures to be reviewed. Since the Board will not be considering disability applications until after July 1, it was recommended that the Board not adopt any procedures at this point, but simply review and discuss to determine if what was presented should be adopted at a future date. He pointed out there are no statutory requirements for the Board to officially adopt a set of rules, however, rules and procedures may be adopted as the Board determines necessary administrative purposes.

Elections of Board Members – Dave Byers discussed with the Board the necessity to develop a process for conducting the election of the remaining two board members. Some issues that the Board may want to consider is the manner and timeframe for the nomination and voting process to take. The Board Secretary will develop a process and submit to the Board for discussion at the next meeting.

Board Meeting Schedule

The Board agreed that meetings should be held once a month and will be held at the AOC. The following meeting time and dates were agreed upon: Thursday, March 1, 2007, at 2:00 p.m.; Thursday, April 5, 2007, at 9:00 a.m. and Thursday, May 3, 2007, at 9:00 a.m. In reference to board meeting scheduling, Michael Anthony posed the questions of training for the members. It was stated that the Chair as well as the other members have received training in board procedures, Open Meeting Law and Ethics. The Chair, recommended after the remaining members are present, the

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board address the issue of appropriate training for members. Dave Byers, suggested that the board also adopt the procedure of allowing a board member to appear by conference call. The Chair requested that board procedures, which included this provision, be put on the agenda for the next meeting.

Call to Public

Lu Ebratt, Arizona Probations Officers Association President, addressed the Board and asked the following questions: (1) How soon after July 1, will an individual be able to retire. The Chair stated that this is not an agenda item and in accordance with the Open Meeting Law, cannot be addressed by the board at this time. (2) Will the Opt-in/Opt-out forms be provided electronically or hard copy? Dave Byers responded stating that the forms will be sent out electronically and if the employer chooses to do so may e-mail them out to the employees. However, due to the fact that the forms will require a signature of the employee, the hard copies are to be assembled at least by 5 PM on June 30th and forwarded to the Local Board Office. Forms may be assembled sooner if the employer chooses to do so.

The Board was in agreement with the recommendation presented by Dave Byers that the Board agenda, for discussion, the issue of establishing an appropriate timeframe for the acceptance of retirement applications, after July 1. Regarding retirement eligibility, Michael Anthony stated that in accordance with the joinder agreement, a member is eligible for retirement on the date of transfer (July 1, 2007). However, the acceptance of applications is an issue for the Board to determine.

Meeting adjourned

Respectfully submitted

Lu Mc Lendon
Local Board Secretary