

**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, July 19, 2007, at 2:30 p.m., in Conference Room 228, 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	

Call To Order

Local Board Chair, Jim Bruner, called the meeting to order at 2:30 p.m., Thursday, July 19, 2007, at the Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

Approval of Minutes

The Chair called for any corrections or additions to the Public Session Meeting minutes of the May 10, 2007, Local Board meeting. There were no corrections or additions. Minutes stand approved.

Eligible Job Classifications

The Local Board reviewed a list of job classifications submitted by Chiefs/Director's of Yavapai, Navajo and Graham county probation departments, for consideration as CORP eligible positions. The Board determined that these job classifications did not meet the requirements stated under the Joinder Agreement and CORP Statutes. The Chair directed that a letter of explanation be drafted by the attorney and forwarded to each county employer regarding the Board's action.

MOTION: A motion was made by Phil Hanley that the attorney notify each county supervisor that the following positions did not meet eligibility requirements and will not be considered for participation in CORP according to the Joinder Agreement and CORP Statutes. Motion was seconded and passed unanimously. CORP 2007-13

Public Meeting Minutes, July 19, 2007

Page two

Yavapai County Juvenile Probation:

1. Community Restitution Coordinator (Community Service Coord.)
2. Community Restitution Specialist (Community Service Spec.)

Yavapai County Adult Probation:

1. Community Restitution Coordinator
2. Case Worker

Navajo County Adult Probation:

1. Pre-Sentence Screener I

Graham County Probation:

1. Juvenile Detention Case Manager
2. Supervising Nurse for Detention
3. Licensed Practical Nurse
4. Senior Education Specialist for Juvenile Detention
5. Education Specialist for Juvenile Detention
6. Instructional Assistant

Employee Letter/Participate in CORP

The Board reviewed an employee's request from Apache County regarding eligibility to participate in CORP. The employee is currently employed as a Probation Specialist in the Apache County Juvenile Probation Department, a position that is not covered under the Joinder Agreement or CORP Statutes. However, the employee asserts that the previous performance of duties as a Probation/Surveillance officer should qualify him for membership in CORP. The Board noted that the employee is not currently, and never has been, a badge carrying probation officer. Additionally, the employee, has been informed by his supervisor that his position does not qualify for participation in CORP. Based on the documentation submitted by the employee, the Board determined that the employee's current position, Probation Specialist, does not meet the statutory requirements for participation in CORP. As a result, the Chair recommended denying the request and requested the attorney to provide the employee with written notification of the Board's action.

MOTION: A motion was made by Phil Hanley that the attorney send a letter notifying the employee that the Local Board has determined that his current job position is not in an eligible category and not eligible for membership in CORP. Motion was seconded and passed unanimously. CORP 2007-14.

Election Process

The Board reviewed and approved a revised nomination ballot along with a tentative action plan for the completion of the nomination process. Members agreed that the nomination phase of the election would include mailing out ballots to CORP members. The top 10 nominees will be selected for each of the terms and the names placed on a voting ballot which will be mailed to CORP members to vote for the individual of their choice. Depending upon when the ballots will be received from the printer, the tentative date for distribution is August 17, 2007. An announcement of the election will be placed on the CORP Website and sent to all county Chiefs and Directors. At the recommendation of the attorney, Board members agreed to adopt July 1, 2007, the date of transfer of membership, as the start date of the term of office for the newly elected Board members as well as the appointed members. This will ensure that the Board is in compliance with statutory requirements for appointments and election of CORP board members. It was discussed that the Board Secretary develop a procedure for re-electing members and submit for further discussion.

MOTION: A motion was made by Kevin Kluge that nomination ballot be approved with a pre-printed number on each ballot and with the condition that the terms, with the effective dates, be clearly stated. Motion was seconded and passed unanimously. CORP 2007-15.

Waiver of Physical Exam

The Board Secretary reported that there have been inquiries from employees regarding the necessity of completing a CORP physical. Due to the fact that the statutes (A.S.R 38-884 (B) states in part "any employee who fails or refuses to submit to the medical examination prescribed in this section is deemed to waive all rights to disability benefits under CORP" the Board secretary recommended that the Board adopt a process whereby employees are notified of possible consequences of not complying with the statutory requirement to complete the CORP physical exam. Phil Hanley suggested that a public notice be placed on the CORP website. Discussion surrounded placing a public notice on the CORP website and notification by letter. The

Public Meeting Minutes, July 19, 2007

Page four

attorney recommended that a letter be sent to employees who have not completed a physical exam informing them that affirmative action must be taken on their behalf to resolve the matter. Phil Handley recommended that a copy of the letter be placed in the employee's file as evidence of an attempt to correct the concern. The Board agreed upon this action and the Chair called for a motion.

MOTION: A motion was made by Phil Hanley to notify employees who have not completed a physical exam by letter and place a copy of this letter in the employee's file. Motion was seconded and passed unanimously. CORP 2007-16.

General Discussion

CORP Membership Applications/Opt-out waivers – As of July 1, 2007, the transfer date, the office of the Local Board processed 2290 membership forms for employees opting to participate in CORP and 905 waivers, opting to remain in ASRS. This information has been provided to ASRS and is currently being compared with ASRS records. When the final count of members has been determined, the Local Board will meet and vote on the admission of members to the Plan. Additionally, the Board will formally approve the final number of waivers for employees requesting to remain in ASRS.

Terminated Employee Pending Appeal

Phil Hanley brought before the Board for discussion an issue involving an employee who was terminated from a designated position and is in the process of appealing the termination. As a result, this employee was not included in the initial group transferring July 1, 2007. Depending upon the outcome of the appeal, the Local Board could be asked to take action regarding this employee's participation in CORP. Due to the fact that the employee has not submitted a formal request for a determination by the Board, the Chair recommended that no action be taken on this matter.

Discussion was held and members agreed to adopt the following schedule of dates and times for future meeting:

Thursday, August 9, 2007 - 9:00 a.m.
Thursday, September 6, 2007 - 9:00 a.m.
Thursday, October 11, 2007 - 9:00 a.m.

Public Meeting Minutes, July 19, 2007

Page five

Thursday, November 8, 2007 - 9:00 a.m.
Thursday, December 13, 2007 - 9:00 a.m.

Call to the Public

Meeting adjourned

Transcribed this 15th day of August 2007.

Lu McLendon
Local Board Secretary