

**SUMMARY 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, November 18, 2010, at 10:00 a.m., Third Floor Law Library, Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

Present at the meeting were the following individuals:

Jim Bruner, Chair	Mark Smalley, Board Member	Leticia Chavez, Recorder
Kevin Kluge, Board Member	Michael Anthony, Attorney	Court Reporter (AVTranz)
Jason Hathcock, Board Member	Lu McLendon, Secretary	

Absent:

Phil Hanley, Board Member

Also Present:

Thomas Griffin, Attorney

Call to Order

Local Board Chair, Jim Bruner, called the meeting to order at 10:00 a.m. Thursday, November 18, 2010 at the Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

Approval of the Minutes

- a. October 28, 2010 Public Meeting Minutes (AVTranz)
- b. October 28, 2010 Executive Session (AVTranz)
- c. October 28, 2010 Public & Executive Session Minutes Summary

The Chair called for any corrections or additions to the minutes.

MOTION: A motion for approval of the October 28, 2010 Public and Executive Meeting Minutes and Public and Executive Meeting Summary was made by K. Kluge. Motion was seconded and passed unanimously minutes stand approved. **CORP 2010-56**

Disability – The Local Board may go into Executive Session for discussion of medical documentation and to receive legal advice for the following Disability pursuant to A.R.S. 38-431 (A) (2 & 3).

- a. #09-03 – Accidental Disability Reopening

Chair called for motion to go into executive session to receive legal advice pursuant to A.R.S.38-431 (A) (2 & 3).

PUBLIC SESSION RESUMED 10:40 a.m.

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This case comes before the Board as a request for a second Independent Medical Evaluation (IME). Before discussion took place the Board Attorney advised the Board that since a request for a rehearing was not presented to the Board, a motion to reopen case 09-03 for further discussion should be made.

MOTION: A motion to reopen case 09-03 for further discussion was made by M. Smalley. Motion was seconded and passed unanimously. **CORP 2010-57**

The Board feels the applicant should be sent to a new IME Doctor for a second IME. However to obtain a more clear response the Board feels a letter drafted by the Board Attorney containing questions designed to provide the examining physician the legal standards that apply when responding to the questions, should be sent to the IME doctor.

MOTION: A motion to refer case 09-03 for a second IME, a new IME doctor and have the letter drafted by the Board Attorney sent to the IME doctor was made by K. Kluge. Motion was seconded and passed unanimously. **CORP 2010-58**

b. #10-02 - Ordinary Disability Application

The Board reviewed Ordinary Disability application 10-02 received by the Local Board office on November 8, 2010. After review of all documentation and medical evidence submitted by the applicant, the Board determined the applicant's condition is pre-existing as it predates the effective CORP Ordinary Disability date of September 26, 2008. According to the CORP physical exam dated November 7, 2008, it shows the condition in question was pre-existing at the time the CORP exam was completed. Also, a letter provided by the applicant from a Dr. Marvin L. Colvin dated November 1, 2010, states the applicant's condition in question was diagnosed in 2003. As a result, the Board determined the applicant does not meet the criteria for an Ordinary Disability retirement pursuant to A.R.S. 38-886.01.

MOTION: A motion to deny case 10-02 was made by K. Kluge. Motion was seconded and passed unanimously. **CORP 2010-59**

Approval of Normal Retirement – The Local Board may consider and vote on the approval of Normal and Reverse DROP Retirement benefits for the following applications or defer decision to a later date.

- a. Charlotte Collins
- b. Joseph Eylicio
- c. Karen Eylicio
- d. Eugene Sweeney (RDrop)

MOTION: A motion to approve payment of benefits, for applications (a-d) for Normal and Reverse DROP Retirement was made by J. Hathcock. Motion was seconded and passed unanimously. **CORP 2010-60**

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Approval of Membership – The Local Board may consider and vote on the approval of the following requests for membership or defer decision to a later date.

- a. Dominice Rice (11/1/10) - Pinal
- b. Gregory Taal (11/1/10) - Pinal

MOTION: A motion to approve the (2) employees requesting membership into CORP was made by M. Smalley. Motion was seconded and passed unanimously. **CORP 2010-61**

General Discussion

- a. Board Attorney Bid Process

The amended contract for Mr. Anthony was set to expire on November 30, 2010; however the Board amended the contract prior to the November 30, 2010 expiration to reflect an expiration date of December 31, 2010 as the Board is still in the process of obtaining bids to comply with procurement regulations. As a result, the Board agreed to extend the contract to December 31, 2010.

MOTION: A motion was made by K. Kluge to extend the Attorney contract to December 31, 2010. Motion was seconded and passed unanimously. **CORP 2010-62**

Call to Public

Summary Transcribed November 18, 2010