

**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 19, 2009, at 10:00 a.m., in Conference Room 228, Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

Present at the meeting were the following individuals:

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

Call to Order

Local Board Chair, Jim Bruner, called the meeting to order at 10:00 a.m. Thursday, November 19, 2009 at the Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

Approval of Minutes

- a. October 22, 2009 Public Meeting Minutes
- b. October 22, 2009 Executive Session Minutes

The Chair called for any corrections or additions to the minutes. There were no corrections to the contents of the minutes.

MOTION: A motion for approval of the October 22, 2009 Public Meeting Minutes and Executive Session Minutes was made by K. Kluge. Motion was seconded and passed unanimously minutes stand approved. **CORP 2009-91.**

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

- a. Susan Purtill

MOTION: A motion was made by J. Hathcock to approve payment of benefits for application (a) for Normal Retirement. Motion was seconded and passed unanimously. **CORP 2009-92.**

Death Benefit - Noted for Record (**Taken out of order**)

- a. Delores Kirkendall, deceased member - payable to Alma Kirkendall

Board Secretary stated that since a lump sum amount will be paid to the listed beneficiary Board approval is not required.

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. (**Taken out of order**)

Public Meeting Summary, November 19, 2009

Page two

- a. Lee Ann Cecil – 10/13/09 (Mohave)
- b. Angela Krause – 10/13/09 (Mohave)
- c. Francisco Llamas – 10/19/09 (Pima)
- d. Aaron Porzel – Maricopa (retro approval to 07/01/08)
- e. Brian Stephens – 10/13/09 (Mohave)

Board Secretary advised the Board that the retro membership date of July 1, 2008, for Aaron Porzel was due to the membership form being forwarded to PSPRS and not the Local Board Office. The oversight has been corrected and Mr. Porzel should be officially voted in as a member of CORP retro to July 1, 2008.

MOTION: A motion was made by M. Smalley to approve the (5) employees requesting membership into CORP. Motion was seconded and passed unanimously. **CORP 2009-93**

Accidental Disability Benefits – The Local Board may vote to go into Executive Session for discussion of medical documentation pursuant to A.R.S. 38-431 (A) (2 & 3). **(Taken out of order)**

- a. #09-03 – Review for IME determination

The Board Secretary provided the Board with a chronological summary of the medical evidence and medical documentation submitted by the applicant, as well as a disability checklist which states the statutory requirements that must be met in order to approve an Accidental Disability Retirement. After review of all the medical evidence the Board feels that the injury in question does not meet with the requirements of the disability Statues. The industrial injury report does not reflect that the initial injury involved physical contact with inmates nor was incurred as a result of responding to a confrontational situation with inmates or parolees. Additionally, the Board was not provided with any documentation supporting the claim of a re-injury which the claimant alleged involved inmate contact. As a result, the Board determined the claimant does not meet the criteria for an Accidental Disability retirement pursuant to A.R.S. 38-881.

MOTION: A motion was made by J. Hathcock to deny applicant #09-03 an Accidental Disability. Motion was seconded and passed unanimously. **CORP 2009-94**

OPT-OUT Six – The Local Board may vote to go into Executive Session for legal advice and discussion pursuant to A.R.S. 38-431 (A)(2&3)

- a. Legal Settlement

The Board Attorney reviewed with the Board the Settlement Agreement regarding the Opt-Out six; this agreement would allow these members into CORP based on special circumstances as outlined in the agreement. The Attorney also advised the Board that due to a change in position of one of the initial claimants, the original opt-out six is now five. The seventh member of the initial group did not participate in the law suit. However, a written request for inclusion in the vote for membership in CORP was submitted by the seventh member (David Lopez) for consideration by the Board. After review of the Settlement Agreement and Mr. Lopez request

for membership, the Board moved to enter into the agreement along with the Fund Manager for CORP and the following five opt-outs.

Public Meeting Summary, November 19, 2009

Page three

- a. Karla Pacheco-Tena
- b. Andrea Romano
- c. Jessica Shoffner
- d. Roberta Stumper
- e. Achi Yapo

MOTION: A motion was made by P. Hanley to accept the Settlement Agreement and approve membership in CORP for the five opt-outs pursuant to the Settlement Agreement retro to July 1, 2007. Motion was seconded and passed unanimously. **CORP 2009-95**

MOTION: A motion was made by J. Hathcock to accept David Lopez request, for membership in CORP pursuant to the Settlement Agreement. Motion was seconded and passed unanimously. **CORP 2009-96**

The Chair advised that the discussion of selection of a Vice Chair be placed on the next agenda as well as scheduling the Board meetings for the rest of the year. Board Member, Kevin Kluge, also requested that the new CORP contribution rates soon to be effective be added to the next meeting agenda for discussion.

The Board scheduled the next meeting for January 28, 2010 at 10:00 a.m.

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

Summary prepared by: Lu McLendon, CORP Board Secretary