

**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, August 19 2010, at 10:00 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 | Mark Smalley, Board Member | Lu McLendon, Secretary |
| Kevin Kluge, Board Member | Michael Anthony, Attorney | Leticia Chavez, Recorder |
| Jason Hathcock, Board Member | Hannah Auckland, Attorney | Court Reporter (AZTranz) |

Absent:

Phil Hanley, Board Member

Also Present:

Thomas Griffin
Applicant #09-03

Call to Order

Local Board Chair, Jim Bruner, called the meeting to order at 10:00 a.m. Thursday, August 19, 2010 at the Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

Approval of the Minutes

- a. July 22, 2010 Public Meeting Summary

The Chair called for any corrections or additions to the minutes. Board Member Jason Hathcock noted a correction to the county listed for a new hire on page three. The county is to be changed from Maricopa to Yavapai.

MOTION: A motion for approval of the July 22, 2010 Public Meeting Summary with corrections was made by K. Kluge. Motion was seconded and passed unanimously, minutes stand approved. **CORP 2010-41**

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

- a. #09-03 – Re-hearing

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 10:34 am

Public Meeting Summary

August 19, 2010

Page two

The Local Board office received a letter dated July 22, 2010 from the Public Safety Personnel Retirement System (PSPRS) requesting a rehearing of #09-03's application for Accidental Disability benefits which was approved at the May 27, 2010 Board meeting. The request asked the Board to address the following. Did the April 7, 2009 injury cause the applicant to become disabled and if so is the injury permanent. In response to the request the Local Board office requested and received an addendum from Dr. Tseng dated August 2, 2010, to the Independent Medical Evaluation (IME) performed on April 28, 2010 by Dr. Tseng. The addendum states that the circumstances surrounding the April 7, 2010 injury caused the applicants disabled condition. It also states, the applicant should not be in a position where they may have actual violent strenuous physical contact with clients. After reviewing the addendum and previous IME's from Dr. Tseng, the Board feels the April 7, 2009 injury was a substantial factor is the applicants disabling condition. Also, due to the fact the applicant was terminated for not being able to perform a reasonable range of duties within their department the Board deemed the injury permanent.

MOTION: A motion was made by M. Smalley to affirm the Boards May 27, 2010 decision to approve disability application #09-03 with annual reviews. Motion was seconded and passed unanimously **CORP 2010-42**

Physical Exam Required by A.R.S. 3884 – The Local Board may vote to go into Executive Session for discussion and to receive legal advice pursuant to A.R.S. 38-341 (A) (2&3)

At the July 22, 2010 meeting the Board discussed the date requirements of the physical exam; the Boards concern was when an individual transfers from one county to another should a new physical exam be required. Also, may the Board refuse to accept a physical exam that is not completed within the established timeframe. The Board Attorney consulted with the Board of Trustees, the response was that the Local Board Office notify employees that receipt of any and all potential disability benefits provided by CORP are contingent on the member's completion of the physical exam and any member who fails to submit to the physical exam might not receive disability benefits should they be injured in the course of employment. The Board of Trustees also clarified that it does not treat a transferring member with no break in service as a new hire therefore there is no requirement to complete a new physical exam. However, the Board learned at the July 22, 2010 meeting there are no transfers within the counties and employees are terminated out of the system resulting in a break in service. The Board requested further clarification from the Board of Trustees regarding "transfers" and timeframes for a "break in service" so the Board can develop a written policy regarding the physical exam requirements as it relates to new hires, rehires and possibly transfers.

Public Meeting Summary
August 19, 2010
Page three

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

- a. George W. Baum Jr
- b. Karla S. Bower
- c. Albert O. Browning
- d. Jesse Lee Jr.
- e. Laurie Walsh

MOTION: A motion to approve payment of benefits, for applications (a-e) for Normal Retirement was made by J. Hathcock. Motion was seconded and passed unanimously. **CORP 2010-43**

Approval of Membership – The Local Board may consider and vote on the approval of the following (3) requests for membership or defer decision to a later date.

- a. Danielle Young 07/19/10 (Mohave)
- b. Juan Ortiz 07/26/2010 (Yuma)
- c. Joshua Martin 08/02/10 (Mohave)

MOTION: A motion was made by K. Kluge to approve the (3) employees requesting membership into CORP. Motion was seconded and passed unanimously. **CORP 2010-44**

General Discussion

Board Member Kevin Kluge requested the agenda for the Boards next scheduled meeting include discussion on what services the Local Board Office provides to the public.

The Board also adjusted the following meetings to begin at 9:00 am:

October 28, 2010

December 16, 2010

Call to Public

Summary Transcribed August 19, 2010