

**MINUTES OF PUBLIC MEETING  
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD  
FOR THE JUDICIARY**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Judiciary was convened Tuesday, December 5, 2023, at 10:00 a.m., via Zoom, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

**Board Members Present by Conference/Video Call:** Kevin Kluge (Chair); Jason Hathcock; Mark Smalley; Scott Mabery; Jennifer Fish

**Board Members Absent:**

**Also Present:** Christopher Lemke, Local Board Secretary (video call); Kayla Adkins, Recorder (video call); Nicolas Cornelius, Board Attorney (video call); Yvonne Wong (video call)

**Call to Order:**

**Approval of Minutes:**

November 7, 2023 – Public Meeting Minutes

**MOTION: Mark Smalley moved to approve the public meeting minutes of the November 7, 2023, meeting.** The motion was seconded by Jason Hathcock and passed 3-0-2. Ms. Fish and Mr. Mabery abstained from voting due to their absence at the November 7, 2023, meeting. The minutes stand approved. **CORP 2023-56**

**Proposal of Rules Change**

The Board was provided with the full text of proposed changes to the Rules of Local Board Procedure for review and discussion. As requested by the Chair in the November 7, 2023, meeting, Nicolas Cornelius, Board Attorney, was in attendance to answer questions presented by the Board.

Regarding the proposed changes to Section D. Pre-Membership Physical, Mr. Cornelius emphasized that if a Member is no longer employed in a CORP-designated position and has stopped making plan contributions, they are considered a former employee of an employer participating in the CORP plan, regardless of whether funds remain in their plan account. Consequently, if an employee is rehired in a CORP-designated position, new membership dates are established, and a new physical examination should be completed, irrespective of past plan membership.

Additionally, Mr. Cornelius explained that if a Member transitions from a juvenile detention department to an adult probation department, or vice versa, while retaining employment in a CORP-designated position with the same county employer, a termination would not occur. Mr. Cornelius clarified that in such situations, the Member remains compensated by the same

participating employer and continues to submit plan contributions through payroll deductions; therefore, the Member does not experience a break in service.

**MOTION: Scott Mabery moved to approve that the Board adopt the proposed Rules of Local Board Procedure for the CORP Local Board for the Judiciary pursuant to the Board's authority under A.R.S. § 38-893.F.** The motion was seconded by Mark Smalley and passed unanimously. **CORP 2023-57**

### **Notice of Retiree Return to Work – Tiffany Whittier**

The Board received a Notice of Retiree Return to Work from the Maricopa County Judicial Branch for Tiffany Whittier, indicating that Ms. Whittier retired from the Pinal County Adult Probation Department on March 13, 2020, with an effective CORP retirement date of April 1, 2020. She had since accepted an employment offer with the Maricopa County Superior Court and returned to work on October 30, 2023, in a non-CORP-designated position as a Community Resources Coordinator.

Copies of A.R.S. § 38-884.N-O. and Ms. Whittier's current position description were provided to the Board.

The Board Secretary noted that Ms. Whittier appeared eligible to continue to receive a CORP pension because she returned to work in a non-CORP-designated position after retirement.

**MOTION: Jason Hathcock motioned that the Board received a Notice of Retiree Return to Work for Tiffany Whittier and found that (1) Ms. Whittier is eligible to receive a CORP pension. (2) Ms. Whittier's employer, Maricopa County Judicial Branch, is not responsible for paying the CORP alternate contribution rate on her behalf since she returned to work in a non-CORP-designated position.** The motion was seconded by Jennifer Fish and passed unanimously. **CORP 2023-58**

### **Review of Position – Apache County**

The Board reviewed the position description for Kyle Mayer, hired on September 10, 2023, by the Apache County Probation Services Department during the Board's November 7, 2023, meeting to determine if Mr. Mayer's position met the criteria for CORP-designated specification. The Board tabled the matter and directed the Board Secretary to seek answers from Paul Hancock, Apache County Director of Juvenile Court Services, for the following questions:

- Is the position a Juvenile Detention Officer Supervisor or a Juvenile Probation Officer Supervisor?
  - The position is a Juvenile Probation Officer.
- Does this position supervise other Juvenile Detention Officers or Juvenile Probation Officers?
  - The position supervises Juvenile Probation Officers (Intake Officers).
- Are the Teen Centers and Legacy Teen Programs specified in the position description considered Apache County's juvenile detention facilities?
  - The Teen Centers and Legacy Teen Programs are Apache County's juvenile

detention facilities.

Mr. Hancock also provided the Board Secretary with a revised position description, indicating Mr. Mayer's position is titled Program Coordinator, Intake Supervisor & Juvenile Probation Officer. The updated position description specified that the position incumbent is required to be a badge carrying Probation Officer, supervising high-risk juvenile offenders. Mr. Hancock's attendance at the Board's December 5, 2023, meeting was not requested following his assistance in submitting clarifying information.

The Chair noted for the record that Kyle Mayer's position as a Program Coordinator, Intake Supervisor & Juvenile Probation Officer is a CORP-designated position.

### **Acknowledgment of CORP Physical Exam Letters**

<u>County</u>	<u>Name</u>	<u>Date Letter Sent</u>
Maricopa	Tiara Gamboa	10/13/2023
Navajo	Chris Pino	10/6/2023

The Chair noted for the record that the CORP physical examination reports for Tiara Gamboa and Chris Pino were not received within 60 days of receiving their membership applications and that final letters requesting the examination reports were sent via certified mail.

### **Approval of Membership:**

The Board voted on the approval of the following requests for membership:

Brianna Howard	Maricopa	11/5/2023
Chrystal Lopez	Maricopa	11/5/2023
Clenzell Parks	Maricopa	11/5/2023
David O'Roark	Maricopa	11/5/2023
Ellysa Cortez	Maricopa	10/29/2023
Gilberto Ruiz	Maricopa	11/7/2023
James Salas	Maricopa	11/5/2023
Jessica Teeney	Maricopa	11/5/2023
Karina Chavez Pec	Maricopa	11/5/2023
Kimberly Tarvestad	Maricopa	11/12/2023
Lillian Godinez	Maricopa	11/5/2023
Madison Officer	Maricopa	11/5/2023
Omar Barrow	Maricopa	10/29/2023
Melanie Barker	Mohave	11/10/2023
Alonzo Leyba	Navajo	11/12/2023
Deborah Eischen	Navajo	8/21/2023
Chris Pino	Navajo	11/5/2023
Anthony Chhieu	Pima	11/12/2023

Armando Gallego	Pima	10/29/2023
Brandee Provo	Pima	11/12/2023
Cristina Anzures	Pima	7/31/2023
Izabella Jaramillo	Pima	11/12/2023
Myranda Escobar	Pima	10/29/2023
Paola Valencia	Pima	11/12/2023
Jesse Miyoshi	Pima	10/29/2023
McKayla Miller	Pima	11/12/2023
Andrew Kinne	Pinal	11/5/2023
Vincent Johnson	Pinal	8/7/2023
Alba Mendoza Tapia	Yuma	11/12/2023

**MOTION:** Jennifer Fish moved to approve the 34 applicants listed on the agenda for this meeting for membership in CORP pursuant to A.R.S. § 38-893.D. and noted for the record that the physical examinations for Keith Stein, Ellysa Cortez, Kimberly Tarvestad, Lillian Godinez, Alonzo Leyba, Deborah Eischen, Armando Gallego, Paola Valencia, and Andrew Kinne identified a physical or mental condition or injury that existed or occurred before their dates of membership in the plan. The motion was seconded by Jason Hathcock and passed unanimously. **CORP 2023-59**

**Future Agenda Items:**

The Board Secretary informed the Board that there are currently no proposed agenda items for the upcoming meeting scheduled for January 2, 2024.

**Call to the Public:**

No members of the public addressed the Board.

The meeting was adjourned at 10:37 a.m.

Transcribed December 5, 2023.