

**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, July 11, 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; Jennifer Fish; Scott Mabery; Mark Smalley

Board Members Absent:

Also Present: Christopher Lemke, Local Board Secretary (video call); Sierra Stowell, Recorder (video call); Nicolas Cornelius, Board Attorney (video call)

Call to Order:

Approval of Minutes:

June 6, 2023 – Public Meeting Minutes
June 6, 2023 – Executive Session Minutes

During the review of the public meeting minutes, Mark Smalley pointed out an error in the second paragraph of page 3, which mistakenly stated, "Mr. Fish" instead of "Ms. Fish."

MOTION: Mark Smalley moved to approve the public meeting minutes and the executive session minutes of the June 6, 2023, meeting. The motion was seconded by Jason Hathcock and passed unanimously. The minutes stand approved. **CORP 2023-35**

Board Attorney Introduction:

During the May 2, 2023, Local Board meeting, the Board voted to contract with the Law Office of Nicolas J. Cornelius, PLLC, beginning July 1, 2023, and ending on June 30, 2026. Mr. Cornelius attended this meeting to introduce himself to the Board.

The Board members proceeded with self-introductions to Mr. Cornelius, followed by his provision of relevant information regarding his professional background. Subsequently, the Chair inquired whether any members had questions for Mr. Cornelius, but no response was received.

Request to Remain in ASRS – Ryan Gilson:

The Board received a request dated June 1, 2023, from Ryan Gilson to remain in the Arizona State Retirement System (ASRS) pursuant to A.R.S. § 38-891.F.

Mr. Gilson was previously employed with Yavapai County Superior Court from April 23, 2018, until June 10, 2023, as a Legal Secretary. He became a full-time Adult Probation Officer (Entry) with Yavapai County Superior Court Adult Probation Department on June 11, 2023. His request indicated that he had 5.083 years of credited service with ASRS.

Copies of A.R.S. § 38-891.F. and Mr. Gilson's current position description were provided to the Board.

The Board Secretary noted that Mr. Gilson appeared to be eligible to remain in ASRS as it appeared Mr. Gilson had met the requirement of a minimum of five years of credited service under ASRS and filed his request with the Local Board within ninety days of accepting a CORP-designated position.

MOTION: Mark Smalley moved to approve the request by Ryan Gilson to remain in the Arizona State Retirement System, as it appeared Mr. Gilson met the requirement of a minimum of five years of service credited under the Arizona State Retirement System and filed his request with the Local Board within ninety days of accepting a CORP-designated position. Upon vacating the position, it will revert to being specified as CORP-designated. The motion was seconded by Jason Hathcock and passed unanimously. CORP 2023-36

Request to Remain in ASRS – Sonia Ortega:

The Board received a request dated June 22, 2023, from Sonia Ortega to remain in the Arizona State Retirement System (ASRS) pursuant to A.R.S. § 38-891.F.

Ms. Ortega was previously employed with Pinal County Superior Court from December 3, 2007, until May 13, 2023, as a Victim Services Coordinator. She became a full-time Adult Probation Officer with Pinal County Superior Court Adult Probation Department on June 26, 2023. Her request indicated that she had 15.493 years of credited service with ASRS.

Copies of A.R.S. § 38-891.F. and Ms. Ortega's current position description were provided to the Board.

The Board Secretary noted that Ms. Ortega appeared to be eligible to remain in ASRS as it appeared Ms. Ortega had met the requirement of a minimum of five years of credited service under ASRS and filed her request with the Local Board within ninety days of accepting a CORP-designated position.

The Chair informed the Board that some Counties opted to waive the bachelor's degree requirement for Probation Officer positions due to difficulties encountered when attempting to fill position vacancies. In this context, the Chair specifically inquired with Ms. Fish about Maricopa County Judicial Branch's stance on removing the education requirement. In response, Ms. Fish stated that such a measure was not presently under consideration.

MOTION: Scott Mabery moved to approve the request by Sonia Ortega to remain in the Arizona State Retirement System, as it appeared Ms. Ortega met the requirement of a minimum of five years of service credited under the Arizona State Retirement System and filed her request with the Local Board within ninety days of accepting a CORP-designated

position. Upon vacating the position, it will revert to being specified as CORP-designated. The motion was seconded by Jennifer Fish and passed unanimously. **CORP 2023-37**

Notice of Retiree Return to Work – Christopher Tapia

The Board received a Notice of Retiree Return to Work from Pinal County Superior Court for Christopher Tapia indicating that Mr. Tapia retired from the Pinal County Juvenile Court under CORP on July 31, 2022, with an effective CORP retirement date of August 1, 2022. He had since accepted an employment offer with the Pinal County Superior Court and returned to work on July 10, 2023, in a non-CORP-designated position as a part-time Juvenile Detention Officer.

Copies of A.R.S. § 38-884.N-O. and Mr. Tapia’s current position description were provided to the Board.

The Board Secretary noted that Mr. Tapia appeared to be eligible to continue receiving a CORP pension because he had returned to work in a non-CORP-designated position after retirement.

Mr. Hathcock commented that the designation of Mr. Tapia’s position as non-CORP was solely due to its part-time nature.

MOTION: Jason Hathcock moved that the Board received a Notice of Retiree Return to Work for Christopher Tapia and found that (1) Mr. Tapia is eligible to continue to receive a CORP pension and that (2) Mr. Tapia’s employer, Pinal County Superior Court, is not responsible for paying the CORP alternate contribution rate on his behalf since he returned to work in a non-CORP-designated position. The motion was seconded by Mark Smalley and passed unanimously. **CORP 2023-38**

Approval of Membership:

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

Eric Gullicksen	Apache	6/10/2023
Benedict Viglietta	Coconino	6/4/2023
Molly Hensler	Coconino	6/18/2023
Scott Sheffer	Gila	6/25/2023
Garrett Stanlick	Graham	5/28/2023
Joshua Ibanez Jimenez	Maricopa	5/28/2023
Alexandria Contreras	Maricopa	6/4/2023
Christina Gennaro	Maricopa	6/4/2023
Claudia Abril	Maricopa	6/4/2023
Giselle Galvan Zargoza	Maricopa	6/4/2023
Luz Smith	Maricopa	6/4/2023
Jason Johnson	Maricopa	6/11/2023
Quinton Mixon-Woody	Maricopa	6/18/2023
Kyla Price	Maricopa	6/18/2023
Maribel McAplin	Maricopa	6/18/2023

Tristan Shehorn	Maricopa	6/18/2023
Briana Martin	Maricopa	6/18/2023
Adam Macho	Maricopa	6/25/2023
Jacob Manville	Maricopa	6/25/2023
Jonathan Sardano	Mohave	6/9/2023
Dillon Richhart	Mohave	3/27/2023
Glenn Best	Mohave	6/25/2023
Kay Boxwell-Williams	Mohave	6/26/2023
Colleen Scott	Navajo	3/13/2023
Kiley Boehler	Pima	2/26/2023
Rosa Rodriguez	Pima	5/28/2023
Wayne Ketaily	Pima	5/28/2023
Robert Edwards	Pima	6/11/2023
Celestine Rodriguez	Pima	6/11/2023
Dennise Ayala	Pima	6/24/2023
Bryan Vargas	Pima	6/25/2023
Alexys Jackson	Pima	6/25/2023
Zachary Romfo	Yavapai	6/14/2023
Charlene Flickinger	Yavapai	6/17/2023
Brian Smith	Yuma	6/4/2023
Linda Ramos-Luna	Yuma	6/18/2023
Jeremy Veal	Yuma	6/25/2023

MOTION: Jennifer Fish moved to (1) approve the 37 applicants listed on the agenda for this meeting for membership in CORP pursuant to A.R.S. § 38-893.D. and to note for the record that the physical examinations for Alexandria Contreras, Luz Smith, Jonathan Sardano, Dillon Richhart, Glenn Best, Rosa Rodriguez, Zachary Romfo, Charlene Flickinger, and Brian Smith identified a physical or mental condition or injury that existed or occurred before their dates of membership in the plan and (2) noted for the record that Glenn Best is a pension-collecting PSPRS retiree. The motion was seconded by Scott Mabery and passed unanimously. **CORP 2023-39**

Board Reappointment Confirmation:

The Board Secretary acknowledged that the terms of office for Board Members Jennifer Fish and Scott Mabery expired on June 30, 2023, and the reappointments of Ms. Fish and Mr. Mabery were confirmed by the Chief Justice, effective July 1, 2023, and ending June 30, 2027.

Future Agenda Items:

Staff informed the Board that the following items will likely be placed on the August 1, 2023, meeting agenda:

- CORP 2023 Audit Announcement

The Chair raised a query regarding the potential need to update the election rules during an upcoming meeting. In response, the Board Secretary mentioned that discussions had taken place regarding the possibility of condensing the election timeline but emphasized that such updates could be addressed during the approval of the election action plan, in the December meeting ahead of the next election.

Mr. Smalley recollected that the Board sought to seek guidance from Mr. Cornelius regarding disability retirement cases and encouraging members to seek medical care before proceeding with an independent medical examination (IME). To ensure thorough and current legal guidance, Mr. Hathcock recommended exploring the topic further when the Board reviews its next disability retirement case, to which the Chair and Mr. Mabery concurred.

Mr. Hathcock raised several inquiries to the Board. Firstly, he referred to an email from PSPRS dated June 26, 2023, regarding employers testing a new computer system and whether it would affect this Board. In response, the Board Secretary stated that PSPRS had not contacted him concerning changes to the employer portal and reassured Mr. Hathcock that the matter should not impact the Board.

Next, Mr. Hathcock questioned an email dated June 20, 2023, reminding employers to submit their funding policies to PSPRS for compliance with financial reporting laws. The reminder involved posting the funding policies on agency websites, implementing plan stress testing, and reporting requirements. The Chair clarified that the requirement applied to the Superior Courts, not the Board. The Chair emphasized that the Board's previous attorney, Lesli Sorensen, had confirmed it is the obligation of the Superior Courts to ensure they maintain compliance with PSPRS.

Lastly, Mr. Hathcock addressed an email received on June 30, 2023, stating that all elected and appointed Board members must complete mandatory PSPRS training within 180 days of initiating a member term. Mr. Hathcock asked if the training requirement was also applicable to Board Attorneys. The Board Secretary replied that this requirement did not appear in statute or specified on PSPRS's HB2381 Local Board and Employer Duties webpage. The Chair questioned if the reappointed members of the Board had also received notification of the mandatory training. Ms. Stowell confirmed that the reelected and reappointed Board members, Jason Hathcock, Jennifer Fish, and Scott Mabery, were notified by email. The Board Secretary informed the Chair that Board staff would track training completion and ensure PSPRS is notified within 180 days, starting from July 1, 2023.

Call to the Public:

No members of the public addressed the Board.

The meeting was adjourned at 10:41 a.m.

Transcribed July 12, 2023.