

**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, August 4, 2020 at 10:00 a.m., Conference Room 109, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

Board Members Present in Conference Room 109: Kevin Kluge

Board Member Present by Conference Call: Jason Hathcock; Jennifer Fish; Mark Smalley; Scott Mabery

Board Member Absent:

Also Present in Conference Room 109: Vanessa Haney, Board Secretary; Alicia Bocardo, Recorder (conference call); Blanca Moreno, Recorder; Jason Jimenez, Applicant #20-02 (conference call)

Call to Order:

Approval of the Minutes:

July 7, 2020 – Public Meeting Minutes

MOTION: A motion to approve the public minutes of the June 2, 2020 meeting was made by Mark Smalley. The motion was seconded and passed; minutes stand approved. **CORP 2020-41**

Disability Application #20-01 – IME Decision

The Board received Application #20-02 for Ordinary Disability benefits from Jason Jimenez on June 29, 2020.

The applicant is a Maricopa County Juvenile Detention Officer with 5.027 years of credited service with CORP.

The applicant identified the disabling conditions as: “stroke and four heart attacks”.

The applicant’s physical exam dated May 16, 2018 is provided. The exam report lists the following pre-existing conditions: 8/17: CVA with no residual problems. Takes medication.

The applicant was notified via certified letter that the Board would consider the application at this meeting and of the applicant’s right to attend.

The applicant initialed the Waiver of Confidentiality provision, to allow discussion of the medical condition in open public meeting.

The applicant provided medical reports of findings and treatment with the application. The application and medical reports were provided to the Board.

The criteria for Ordinary Disability benefits per A.R.S. §38.886.01 are: “Ordinary disability” means a physical condition that the local board determines will prevent an employee from totally and permanently performing a reasonable range of duties within the employee's department or a mental condition that the local board determines will prevent an employee from totally and permanently engaging in any substantial gainful activity.”

A copy of A.R.S. §38-886.01 governing Local Board consideration of applications for Ordinary Disability was included for reference purposes.

The Chair acknowledged Mr. Jimenez was present via conference call.

Board member Jason Hathcock inquired why Mr. Jimenez’s form C11D reflected 2.198 years of service instead of the 5.027 described in the meeting material.

The Chair responded that the Local Board Secretary still had time to correct the time of service since the benefit would not be approved at this meeting. The Local Board Secretary replied that she would investigate the calculation generated on the form.

The Chair asked applicant #20-02 if he had any questions, comments, or statement to direct to the Board. Mr. Jimenez only responded that he had prior CORP service via Coconino Department of Corrections which might have caused the discrepancy in years of service.

Board member Jason Hathcock stated that it was apparent that Mr. Jimenez filed his application in an adequate amount of time and that the medical records and documentation provided justifies an Independent Medical Evaluation.

MOTION: A motion to refer Applicant #20-02 for an Independent Medical Evaluation for Ordinary Disability was made by Jason Hathcock. The motion was seconded and passed. CORP 2020-42

Approval of Normal Retirement Benefits:

There were two applications for Normal Retirement benefits submitted for the Board’s approval pursuant to A.R.S. § 38-893 (D).

MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amounts effective August 1, 2020 unless otherwise noted was made by Scott Mabery. The motion was seconded and passed unanimously. CORP 2020-43

Teri Abrams	\$2,464.09
Hugo Esquivel	\$2,579.31; Reverse DROP Estimate: \$33,699.41

Decision on Notice of Retiree Return to Work: Hugo Esquivel

The Board received a Notice of Retiree Return to Work from Yuma County for Hugo Esquivel. The form indicated that Mr. Esquivel retired from Yuma County Adult Probation effective July 10, 2020. Mr. Esquivel returned to work for the Yuma County Adult Probation Department on July 27, 2020 as a Sentencing Report Analyst, which is a Non-CORP designated position.

A copy of A.R.S. §38-884.N-O. was provided to the Board as well as a copy of Mr. Esquivel's current job description.

MOTION: A motion was made by Jennifer Fish that: (1) Mr. Hugo Esquivel is eligible to continue to receive a CORP pension; (2) Yuma County is not responsible for paying an alternate contribution rate on her behalf since he returned to work in a non-CORP position. The motion was seconded and passed unanimously. **CORP 2020-44**

Acknowledgement of CORP Physical Exam Final Letter

A physical examination report has not been received for the member listed below. A certified letter was sent to the member regarding non-receipt of the CORP physical examinations within 60 days of receipt of the membership form.

<u>Name</u>	<u>Date Letter Sent</u>
Julian Cebrero	June 18, 2020

A.R.S. § 38-884.B provides in part: "Any employee who fails or refuses to submit to the medical examination prescribed in this section is deemed to waive all rights to disability benefits under this article."

The Chair noted for the record that the physical examination Julian Cebrero was not received within 60 days of receipt of their membership applications and that final letters requesting the examinations were sent via certified mail.

Approval of Survivor Benefits:

An application for a survivor benefit was submitted for the Board's approval pursuant to A.R.S. §38-887.

Raul Munoz (Active Member, deceased June 19, 2020)
Benefit Payable to Spouse Patricia Munoz beginning July 31, 2020: \$2,044.36

MOTION: A motion to approve the payment of a survivor benefit to the following applicant in about the following amount was made by Mark Smalley. The motion was seconded and passed unanimously. **CORP 2020-45**

Raul Munoz (Active Member, deceased June 19, 2020)
Benefit Payable to Spouse Patricia Munoz beginning July 31, 2020: \$2,044.36

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:

Bagnall, Joshua	Maricopa	06/21/2020
Barbicne, Jaeda	Pima	06/22/2020
Blosser, Beverlie	Navajo	06/14/2020
Cabrero, Julian	Pima	07/12/2020
Christie, Paul	Maricopa	07/02/2020
Cole, Donald	Maricopa	07/12/2020
Entler, Marissa	Maricopa	07/05/2020
Garcia Rodriguez, Kenya	Yuma	07/05/2020
Leon, Francisca	Pima	07/12/2020
Luna, Zamanta	Pima	07/12/2020
Mapulanga, Cynthia	Maricopa	07/05/2020
McCarty, Shawn	Maricopa	07/05/2020
Nguyen, Phuoong	Maricopa	06/21/2020
Nyrio, Jessica	Maricopa	07/05/2020
Ramondo, Regina	Maricopa	07/12/2020
Rios Duran, Jonathon	Pima	07/12/2020
Sanchez, Marlett	Maricopa	07/05/2020
Scofield, Audralee	Maricopa	06/21/2020
Velazquez, Keisha	Pima	06/22/2020

MOTION: A motion to approve the 19 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 Jaeda Barbicne, Audralee Scofield and Keisha Velazquez identified a physical or mental condition or injury that existed or occurred before their date of membership in the plan, was made by Jason Hathcock. The motion was seconded and passed unanimously. CORP 2020-46

Future Agenda Items:

The Chair informed the Board that the September 8, 2020 meeting will also be held telephonically.

The Local Board Secretary advised the Board that staff has begun the yearly audit; She stated that a report will be included on the September 8, 2020 agenda as well as another new disability case.

The Chair inquired if Ms. Chatman’s, surviving spouse of deceased member Stephen Chatman, appeal will be placed on a future agenda. The Local Board Secretary responded that an appeal did not seem apparent. She also added that Public Safety Personnel System’s site reported a significantly incorrect amount designated as a surviving spouse for Ms. Chatman.

The Local Board Secretary disclosed that PSPRS’s site often reports incorrect amounts resulting in members resending a new signed accurate C12 days after the board has met.

It was suggested by the Board that the Local Board Secretary receive as much additional confirmation from PSPRS about the benefit calculations to avoid having members resign C12s.

The Board also agreed it would be prudent to have a PSPRS representative present at the November 3, 2020 meeting to address legislation changes, membership tool training information, county responsibilities, etc.

Call to the Public:

No members of the public addressed the Board.

The meeting was adjourned at 10:19 a.m.

Transcribed August 4, 2020.

DRAFT