

**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, Tuesday, June 7, 2011, at 10:00 a.m., Conference Room 230, Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

Present at the meeting were the following individuals:

Jim Bruner, Chair	Jason Hathcock, Board Member	Hannah Auckland, Attorney
Kevin Kluge, Board Member	Mark Smalley, Board Member	Lu McLendon, Secretary
Phil Hanley, Board Member	Michael Anthony, Attorney	Leticia Chavez, Recorder

Also Present:

Niki O’Keeffe

Call to Order

Local Board Chair, Jim Bruner, called the meeting to order at 10:00 a.m. Tuesday, June 7, 2011 at the Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

Before discussion of the agenda items Administrative Services Director Niki O’Keeffe presented Local Board Chair Jim Bruner with a letter and Certificate of Appreciate from Chief Justice Berch thanking him for his service as Chair of the Local Board from February 8, 2007 through July 1, 2011.

Approval of the Minutes

- a. May 5, 2011, Public Meeting Minutes (AVTranz)
- b. May 5, 2011, Public Meeting Minutes

The Chair called for any corrections or additions to the minutes.

10:05 a.m. Arrival of Board Members Phil Hanley and Mark Smalley

MOTION: A motion for approval of the May 5, 2011 Public Meeting Minutes and Summary and was made by K. Kluge. Motion was seconded and passed unanimously minutes stand approved. **CORP 2011-22**

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. Kathleen Deignan
- b. Eric Fast
- c. Rene Grenz
- d. Arthur Quijada
- f. Robert Robles
- g. Augustine Saucedo

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MOTION: A motion to approve payment of benefits, for applications (a-g) for Normal Retirement was made by P. Hanley. Motion was seconded and passed unanimously. **CORP 2011-23**

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.

- a. Tony Florez (05/12/2011) - Pima
- b. Seth Lofgren (03/28/2011) - Coconino
- c. Matthew Anderson (05/23/2011) – Pima

MOTION: A motion to approve the (3) employees requesting membership into CORP was made by M. Smalley. Motion was seconded and passed unanimously. **CORP 2011-24**

General Discussion

- a. CORP Election Nomination process – Voting Ballots

The Board Secretary advised the Board that all voting ballots have been mailed and are due back June 8, 2011. A count of the voting ballots will be done June 13, 2011 and results will be announced soon after.

Taken out of order:

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

- a. #11-01- Ordinary Disability Retirement

During its April 7, 2011 meeting, the Board expressed concerns regarding the Independent Medical Evaluation (IME) letter that was sent to Dr. Don. To obtain clarification of the applicant's not only mental but physical condition; the Board requested the IME doctor be sent specific questions, as developed by the Board's Attorney. The Local Board office received the clarification response from Dr. Don dated May 2, 2011 and presented it to the Board for review. After reviewing the response from Dr. Don the board was still unclear as to the permanency of the applicants' condition and requested the IME doctor be called for further clarification. Dr. Don was placed on speaker phone; and Mr. Anthony proceeded to question Dr. Don regarding her opinion as to whether the applicants' condition was the result of a physical or mental condition and if the condition is permanent. Dr. Don responded and verified that the applicants' condition is in fact a physical condition. With regards to the condition being permanent, Dr. Don stated that occasionally someone who suffers from an incident such as the applicants will show improvement 12 to 24 months after the incident. However the applicant has not shown improvement in almost 24 months, therefore, Dr. Don feels the applicants' current condition would prevent her performing a reasonable range of duties within her department for more than a year after termination.

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After discussion with Dr. Don, the Board feels the applicants' condition is the result of a physical condition and is permanent; therefore, it meets the statutory requirement for an Ordinary Disability. Additionally, the board determined that the applicants' condition should be re-evaluated one year from the date of approval.

MOTION: A motion to approve applicant #11-01 an Ordinary Disability benefit as a result a physical condition with an annual review from the date of approval, June 7, 2011, was made by P. Hanley. Motion was seconded and passed unanimously. CORP 2011-25

Call to Public

Transcribed June 7, 2011