

**MINUTES 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, October 4, 2012, at 10:00 a.m., Conference Room 109, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

**Members Present:**

Kevin Kluge, Chair; Mark Smalley; Rob Lubitz; Jason Hathcock (via conference call)

**Also Present:**

Annette Corallo, Board Secretary; Leticia Chavez, Recorder; Michael Anthony, Board Attorney; Hannah Auckland, Board Attorney; Court Reporter, Ottmar & Associates; Applicant #12-01 (via conference call)

**Absent:**

Phil Hanley

**Call to Order**

**Approval of the Minutes:**

- a. September 5, 2012, Public Meeting Minutes
- b. September 5, 2012, Executive Session Minutes
- c. September 5, 2012, Transcript of Proceedings – Open Session
- d. September 5, 2012, Transcript of Proceedings – Executive Session

The Chair noted a correction to page four of the verbatim transcripts. The word duration should be consideration. There were no further corrections to the minutes.

**MOTION: A motion to approve the September 5, 2012, Public and Executive Meeting Minutes and Transcripts was made by R. Lubitz.** Motion was seconded and passed unanimously; minutes stand approved. **CORP 2012-53**

**Consideration of Disability Application**

The Local Board may vote to go into Executive Session to discuss medical documentation and receive legal advice for the following disability application pursuant to A.R.S. 38-431.03 (A)(2 & 3):

- a. #12-01 – IME Decision

The Board received application #12-01 for Ordinary Disability on May 29, 2012.

At the June 6, 2012 meeting, the Board approved a motion to seek more information from Applicant #12-01 with respect to current employment status, and reports of medical treatments and findings since February 26, 2012. The Board Secretary sent a certified letter to Applicant #12-01 advising of the Board action at the June 6, 2012 meeting.

On June 28, 2012, the Board received records of medical treatment and findings since February 29, 2012. At its meeting on July 9, 2012, the Board voted to hold Application #12-01 until further medical documentation is obtained and the employment status of Applicant #12-01 could be clarified. Applicant #12-01 was advised to keep the Board updated on his medical and employment status.

On September 14, 2012, the Board received from Applicant #12-01 a copy of a letter addressed to the applicant from Yuma County Juvenile Court Director Tim Hardy that stated the applicant would be separated without prejudice from employment if the applicant did not return to work with a full medical release beginning September 6, 2012. Applicant #12-01 advised the Board Secretary by telephone that he did not return to work on September 6, 2012 and was subsequently terminated. The Board Secretary reminded Applicant #12-01 that the Board was waiting for additional records of medical treatment and findings pursuant to its vote at the July 9, 2012 meeting.

No additional medical records were provided by Applicant #12-01 before today's meeting.

The Chair called for a motion to go into Executive Session to discuss medical documentation and receive legal advice pursuant to A.R.S. 38-431.03 (A)(2 & 3) because Applicant #12-01 did not sign the waiver of confidentiality.

**MOTION: A motion to go into executive session to discuss medical documentation and receive legal advice was made by R. Lubitz. Motion was seconded and passed unanimously. CORP 2012-54**

**MOTION: A motion to return to public session was made by M. Smalley. Motion was seconded and passed unanimously. CORP 2012-55**

The Chair noted, for the record, that Applicant #12-01 had rejoined the meeting by conference call.

The Board discussed whether it should require additional medical documentation from Applicant #12-01 before referring the applicant for an IME.

Applicant #12-01 left the conference call at 10:27 a.m. due to medical reasons.

**MOTION: A motion to refer Applicant #12-01 for an IME to be scheduled by the Board Secretary after Board receipt of all medical documentation dating from June 2012 through October 2012 (to include the findings of the examination scheduled for October 10, 2012) was made by J. Hathcock. Motion was seconded and passed unanimously. CORP 2012-56**

The Chair requested the applicant be notified via certified letter of the Board's decision.

**Notice of Retiree Return to Work**

a. Ronald J. Gauna, Pima County

The Board received a Notice of Retiree Return to Work from Pima County for Ronald J. Gauna, Juvenile Detention Officer. The form indicates Mr. Gauna retired on April 1, 2011 and returned to work on September 4, 2012 in a CORP designated position. Pursuant to A.R.S. 38-884.K., a retired member may become employed by an employer in a designated position and continue to receive a pension if the employment occurs at least twelve months after retirement. The Board noted for the record that Mr. Gauna's employer (Pima County) is responsible for paying an alternate contribution rate (ACR) on his behalf.

**MOTION: A motion to continue the pension benefit for Mr. Ronald J. Gauna and notify Pima County of their responsibility to pay an ACR on behalf of Mr. Gauna was made by R. Lubitz. Motion was seconded and passed unanimously. CORP 2012-57**

b. Steven G. Kenner, Maricopa County

The Board received a Notice of Retiree Return to Work from Maricopa County for Steven G. Kenner, Surveillance Officer. Since Mr. Kenner retired from the Maricopa County Sheriff's Office, the AOC CORP Board cannot make a pension determination. This must be done by the employee's retiring Local Board. However, the Board noted for the record that Mr. Kenner's new employer (Maricopa County) is responsible for paying an alternate contribution rate (ACR) on his behalf effective July 21, 2011. The Board also requested that staff notify Mr. Kenner's retiring Board that he has returned to work.

c. Therese A. Wagner, Maricopa County

The Board received a Notice of Retiree Return to Work from Maricopa County for Therese A. Wagner, Deputy Chief Adult Probation Officer. The form indicates Ms. Wagner retired on September 1, 2009 and returned to work on September 7, 2010, in a CORP designated position. Pursuant to A.R.S. 38-884.K., a retired member may become employed by an employer in a designated position and continue to receive a pension if the employment occurs at least twelve months after retirement. The Board noted for the record that Ms. Wagner's employer (Maricopa County) is responsible for paying an alternate contribution rate (ACR) on her behalf effective July 21, 2011.

**MOTION: A motion to continue the pension benefit for Ms. Therese A. Wagner and notify Maricopa County of their responsibility to pay an ACR on behalf of Ms. Wagner effective July 21, 2011 was made by J. Hathcock. Motion was seconded and passed unanimously. CORP 2012-58**

**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. Bradley K. Brawley
- b. Karin S. Humiston
- c. Myra M. Lowery
- d. Donald L. Stokes
- e. Frederick A. Willyerd (R-DROP)
- f. Barbara B. Wurzburg

**MOTION: A motion to approve the payment of Normal and Reverse DROP Retirement benefits to the following applicants in about the following amounts was made by J. Hathcock. Motion was seconded and passed unanimously. CORP 2012-59**

Bradley K. Brawley:	\$2,341.17	
Karin S. Humiston:	\$3,933.54	
Myra M. Lowery:	\$1,636.50	
Donald L. Stokes:	\$1,070.62	
Frederick A. Willyerd:	\$3,031.27	(R-DROP Payout of \$45,708.39 estimated)
Barbara B. Wurzburg:	\$2,193.41	

**Approval of Survivor Benefits** - The Local Board may consider and vote on the approval of Survivor Retirement benefits for the following application or defer decision to a later date.

- a. Thomas E. Paulos (Deceased) – Benefits Payable to Sally A. Paulos

The Board Secretary advised the Board that the signed C12 for Ms. Paulos has not yet been received, but she spoke to Ms. Paulos and confirmed she has mailed the signed C12 as of October 4, 2012. Board member Jason Hathcock requested that the text of the C11’s reference to survivor benefits paid to the spouse of a retired member be clarified with PSPRS. The Chair requested the Board Secretary follow up with PSPRS and address at the next scheduled meeting.

**MOTION: A motion to approve Survivor Benefits of about \$1,690.82 per month to Sally A. Paulos was made by M. Smalley. Motion was seconded and passed unanimously. CORP 2012-60**

**CORP Physical Exam Final Letters:**

- a. John Mattingly
- b. Lora Romo
- c. Krislene Wood
- d. Detrick Woods

The Board noted, for the record, that physical examination reports for John Mattingly, Lora Romo, Krislene Wood, and Detrick Woods were not received within 60 days of receipt of their

membership applications and that final letters requesting an examination were sent via certified mail on September 24, 2012.

**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.	Bravo-Valdez, Marleen	Pima	9/10/2012
b.	Coalter, Scott	Pima	8/6/2012
c.	Cooper, William	Maricopa	10/1/2012
d.	Daitre, Dana	Maricopa	7/23/2012
e.	Doty, Cameron	Coconino	8/20/2012
f.	Enriquez, Zarina	Pima	8/27/2012
g.	Frank, Helen	Mohave	8/25/2012
h.	Fudurich, Sarah	Mohave	7/30/2012
i.	Gamez, Tanisha	Navajo	2/1/2010
j.	Gee, Christina	Coconino	8/6/2012
k.	Gorman, Michael	Coconino	8/20/2012
l.	Hicks, Jace	Navajo	7/7/2010
m.	Hunter, Amir	Coconino	8/20/2012
n.	Mattingly, John	Navajo	8/15/2011
o.	Rome, Stanley	Pima	8/16/2012
p.	Romo, Lora	Navajo	10/9/2011
q.	Squire, Jeremy	Pima	8/20/2012
r.	Tassell, Brian	Pima	8/6/2012
s.	Tong, Ian	Coconino	8/20/2012
t.	Winn, Christopher	Yuma	8/6/2012
u.	Wood, Krislene	Navajo	12/4/2011
v.	Woods, Detrick	Navajo	3/11/2012

The Board Secretary advised the Board that on August 24, 2012 staff learned that membership documents for the six Navajo County officers were not submitted to the Local Board office at the time of hire. Instead, Navajo County personnel had sent their membership documents directly to PSPRS. Staff has now obtained copies of these membership documents and advised Navajo County that these members must complete a CORP exam. The Board Secretary also confirmed that their service and contribution history records with PSPRS are intact and accurate.

The Board noted, for the record, that physical examinations for applicants Marleen Bravo-Valdez, Scott Coalter, Dana Daitre, Helen Frank, Sarah Fudurich, Stanley Rome, Brian Tassell, and Christopher Winn identified a physical or mental condition or injury that existed or occurred before the member's date of membership in the plan.

**MOTION: MOTION: A motion to approve the 22 named employees requesting membership into CORP was made by R. Lubitz. Motion was seconded and passed unanimously. CORP 2012-61**

**Call to Public**

No members of the public addressed the Board.

The meeting was adjourned at 10:45 a.m.

Transcribed October 11, 2012