

**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 Wednesday, June 6, 2012, at 10:00 a.m., Conference Room 109, Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

**Members Present:**

Kevin Kluge, Chair; Mark Smalley; Jason Hathcock; Rob Lubitz

**Members Absent:**

Phil Hanley

**Also Present:**

Annette Corallo, Board Secretary; Leticia Chavez, Recorder

**Call to Order**

**Approval of the Minutes**

- a. May 9, 2012, Public Meeting Minutes

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

**MOTION: A motion to approve the May 9, 2012, Public Meeting Minutes was made by M. Smalley.** Motion was seconded and passed unanimously; minutes stand approved. **CORP 2012-28**

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

- a. #12-01 – IME Decision

The Local Board Office received application #12-01 for Ordinary Disability on May 29, 2012 and presented it to the Board for review. The Board Secretary advised the Board that the applicant provided an evaluation from an orthopedic doctor dated February 29, 2012 (among other reports) and that the applicant's physical exam dated May 21, 2007, did not indicate pre-existing conditions related to the disabling condition in question. The Board Secretary also reported that the applicant may still be working in their current position. The Board Secretary sought guidance from the Board's Attorney as to the Board's initial consideration of the application. The Board Attorney felt the application was premature, in that the evidence submitted by the applicant from February 29, 2012, states the applicant should be considered "temporarily" disabled until their next appointment. The applicant has applied for an Ordinary Disability Retirement which

means “a physical condition that the local board determines will totally and permanently prevent an employee from performing a reasonable range of duties within the employee's department or a mental condition that the local board determines will totally and permanently prevent an employee from engaging in any substantial gainful activity.”

The Board Attorney felt the Board should request further information from the applicant such as current employment status and more recent medical reports regarding treatment and findings since February 29, 2012.

**MOTION: A motion to seek more information from applicant #12-01 with respect to current employment status, reports of medical treatment since February 29, 2012, and reports of medical findings since February 29, 2012, was made by M. Smalley. Motion was seconded and passed unanimously. CORP 2012-29**

### **Notice of Retiree Return to Work**

- a. Karen Hoffman, Yuma County

The Board received a Notice of Retiree Return to Work from Yuma County for Karen Hoffman, Adult Probation Deputy Chief. The form indicates that Ms. Hoffman retired on November 1, 2007, and returned to work on February 8, 2010, in a CORP designated position. The Board noted for the record that Ms. Hoffman is eligible to continue to receive a pension based on A.R.S. 38-884.K., which states that 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. However, Ms. Hoffman's employer is responsible for paying an alternate contribution rate (ACR) on her behalf. The Board requested the Board Secretary notify Ms. Hoffman's employer of the ACR that will apply retroactively to July 20, 2011. The Board also requested a letter be sent to Ms. Hoffman advising her that her monthly pension will continue.

**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. Cesar Castillo
- b. Joan C. Kircher
- c. Timothy MacLeod
- d. John O'Connor
- e. Paula Soelle
- f. Richard Savko
- g. Khameelah Shabazz
- h. Jeffrey L. Trollinger

**MOTION: A motion to approve the payment of Normal Retirement benefits to applicants (a) through (h) was made by J. Hathcock. Motion was seconded and passed unanimously. CORP 2012-30**

**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.	Ayon, Veronica	Pima	2/27/2012
b.	Baker, Robert	Maricopa	4/30/2012
c.	Brodhagen, Ajay	Pima	4/23/2012
d.	Brown, Terence	Maricopa	4/30/2012
e.	Clark, Chad	Maricopa	4/30/2012
f.	Cotto, Henry	Maricopa	4/30/2012
g.	Espinoza, Alejandro	Maricopa	3/12/2012
h.	Feinberg, Benjamin	Pima	4/16/2012
i.	Gomez, Sarah	Maricopa	4/30/2012
j.	Jauregui, Denise	Maricopa	4/30/2012
k.	Johnson, Dione	Pima	3/5/2012
l.	Lancaster, Nathan	Pima	4/16/2012
m.	Lopez, Israel	Pima	4/16/2012
n.	Maples, Neal	Mohave	3/26/2012
o.	Nunez, Eric	Pima	2/27/2012
p.	Pino, Lindsay	Pima	4/23/2012
q.	Young, Elisa	Maricopa	4/30/2012

For the record, the Board noted new members Veronica Ayon, Chad Clark, Dione Johnson, Neal Maples, Eric Nunez, Lindsay Pino and Elisa Young have pre-existing conditions. To comply with the new procedures, these members will be sent a pre-existing condition letter.

**MOTION: A motion to approve the seventeen (17) named employees requesting membership into CORP was made by R. Lubitz.** Motion was seconded and passed unanimously. **CORP 2012-31**

## **VII. General Discussion**

### a. Legislative Update

The Board Secretary attended the PSPRS Legislative Update on May 16, 2012. Highlights of the few legislative changes affecting CORP during the past session that the Board and members should be aware of:

- A local board is required to provide the board with a copy of all documents submitted for the determination of benefits upon the claim of a member, including any reports of a medical board.
- A local board is allowed, when making a ruling, determination or calculation, to rely on information furnished by a medical board in addition to an employer, the board of trustees, independent legal counsel or the actuary.
- The board is prohibited from making a retroactive payment of a pension more than 90 days before the date of the member's application for benefits.

- Death benefits may be paid to a successor beneficiary not designated by the member. The board has authority to make payment of death benefits to next of kin upon written submission of an application.

Also, the Financial Report presented at the May 16 Update states member contribution rate will remain at 8.41% and the ACR at 6.0% for FY2013.

The Chair requested the changes to the Death Benefit be placed on the next meeting agenda for further discussion. Board member Jason Hathcock also requested these changes be listed on the CORP website and an update distributed to those who have signed up for CORP updates via email.

b. Status Update: Retiree Return to Work – Opt-Out Waiver

The Board agreed at the May 9, 2012, meeting to ask for direction from PSPRS as to whether members who opted-out of CORP and stayed in ASRS at the time of the joinder agreement, and later become employed in a CORP designated position after retirement under ASRS, would be allowed to participate in CORP. A letter was sent to the Fund on May 15, 2012, however no response has been received to date.

**Call to Public**

No members of the public addressed the Board.

Transcribed June 6, 2012