

**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 Tuesday, January 7, 2014, 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, Chair; Phil Hanley, Mark Smalley, Jason Hathcock

Board Members Present via Conference Call:

Rob Lubitz

Also Present:

Annette Corallo, Board Secretary; Leticia Chavez, Recorder; Michael Anthony, Board Attorney; Court Reporter, Ottmar & Associates

Call to Order

Approval of the Minutes:

December 4, 2013, Public Meeting Minutes
December 4, 2013, Executive Session Minutes
December 4, 2013, Transcript of Proceedings – Open Session
December 4, 2013, Transcript of Proceedings – Executive Session

The Chair called for any changes or corrections. Board Member Jason Hathcock noted on page 12, line 21 of the open session transcripts it states he said “credit to”. Mr. Hathcock noted that it should state “credited” as he was referring to years of service for a member.

MOTION: A motion to approve the December 4, 2013 Public Meeting and Executive Session Minutes and transcripts was made by M. Smalley. Motion was seconded and passed unanimously; minutes stand approved. **CORP 2014-01**

Consideration of Disability Applications:

A. Disability Application #11-02 – Annual Review Update

The Board approved Application #11-02 for Ordinary Disability benefits on September 7, 2011. This matter is brought to the Board for an annual review pursuant to the Board’s decision at its September 5, 2012 meeting that the applicant’s case should be reviewed in one year.

The applicant was asked to provide medical treatment records since September 1, 2012, to assist the Board in determining whether an independent medical re-evaluation of the applicant’s

condition is necessary. On November 27, 2013, the Board office received medical records from the applicant's doctor. Applicant #11-02 was advised that the Board would hear this matter at this meeting.

Per A.R.S. §38-886.01.D, the Local Board may require a disabled retiree to undergo a periodic reevaluation until a disabled retired member reaches their normal retirement date. Based on the medical records, the Board feels that an annual review of this case is no longer necessary as the applicant does not appear to be improving and is unlikely to improve before her eligible date of retirement (November 28, 2015).

MOTION: A motion to continue the Ordinary Disability benefit for applicant #11-02 and suspend the requirement for an annual review was made by J. Hathcock. Motion was seconded and passed unanimously. **CORP 2014-02**

B. Disability Application #12-03 – Annual Review

The Board approved Application #12-03 for Ordinary Disability benefits on November 6, 2012. This matter is brought before the Board for a yearly review of medical records. The applicant was advised via certified mail that the Board would hear the matter at this meeting.

The applicant was asked to provide medical treatment records since November 1, 2012, to assist the Board in determining whether an independent medical re-evaluation of the applicant's condition is necessary. Current medical records were received from the applicant on November 18, 2013.

Per A.R.S. §38-886.01.D, the Local Board may require a disabled retiree to undergo a periodic reevaluation until a disabled retired member reaches their normal retirement date. Based on the medical records, the Board feels that an annual review of this case is no longer necessary as the applicant does not appear to be improving and is not medically expected to improve before her eligible date of retirement (October 1, 2017).

MOTION: A motion to continue the Ordinary Disability benefit for applicant #12-03 and suspend the requirement for an annual review was made by M. Smalley. Motion was seconded and passed unanimously. **CORP 2014-03**

Approval of Local Board Records Retention Schedule (taken out of order to wait until 10:30 to begin discussion of the pre-existing condition items, so the members could participate by phone if they chose to do so):

The Board Secretary drafted a records retention schedule for Local Board records consistent with all applicable laws and existing records retention policies.

The Board Chair directed that the proposed records retention schedule be placed on the agenda for this meeting so the full Board can review them.

The proposed retention schedule was drafted based on guidance from the Arizona State Library, Archives and Public Records staff. Library and Archives staff advised that local boards should follow any applicable guidance in the Records Retention Schedule for the Public Safety Retirement System (adopted July 12, 2010). They further advised that, to the extent a given type of record is not covered in the Public Safety schedule, the Board should follow the state's "general schedules" that address that type of record or the state-approved guidelines for ASRS records. The proposed schedule for this Board is based on guidance in existing schedules for the following:

- Public Safety Personnel Retirement System
- State of Arizona General Records Retention Schedule for All Public Bodies, Management Records
- State of Arizona General Records Retention Schedule for All Public Bodies, Human Resources/Personnel Records
- Arizona State Retirement System
- Record Retention Schedule for Use by the Administrative Office of the Courts (Administrative Order No. 2010-114)

The State Library and Archives take the position that local PSPRS boards are subject to their oversight. They are going to explore creating a general schedule for local PSPRS boards instead of getting a separate schedule for each board. In the meantime, the Board is asked to approve the attached schedule for internal administrative guidance.

The Board Secretary advised the Board that the Local Board office was storing some records in an electronic format but that system does not meet the standards of the State Library, Archives and Public Records for permanent storage.

After reviewing the retention schedule, the Board agreed to make the following adjustments: (1) Executive Session minutes should be kept on file permanently, instead of 10 years; and (2) Opt-Out Waivers should be kept on file for 50 years, instead of 100 years.

The Chair also requested that minutes pertaining to disability cases be filed in that member's disability file.

MOTION: A motion that the Board adopt the proposed records retention schedule for internal administrative guidance with the above-noted adjustments, until such time as the State Library and Archives may adopt a records retention schedule applicable to all Local Boards, was made by P. Hanley. Motion was seconded and passed unanimously. CORP 2014-04

Review of Pre-Existing Condition Documentation: Taken Out of Order (starting at 10:30)

MOTION: A motion to enter Executive Session to receive legal advice was made by R. Lubitz. Motion was seconded and passed unanimously. CORP 2014-05

MOTION: A motion to return to open session was made by M. Smalley. Motion was seconded and passed unanimously. CORP 2014-06

Board member P. Hanley left the meeting at 10:40 a.m. due to a scheduling conflict.

A. Annette Travis

Member Annette Travis submitted documentation regarding a pre-existing condition noted in her CORP physical exam. She requested reconsideration of the Board's approval of membership with the inclusion of the identified pre-existing condition.

After review of the documentation submitted, the Board agreed to note the discrepancy and direct that the additional medical documentation be filed in Ms. Travis' member file. The Board also requested that the Board Secretary send Ms. Travis a letter to inform her of the Board's decision. The letter should explain that if an application for disability benefits is filed, this condition will be researched further as needed.

MOTION: A motion to note for the record that there may be a discrepancy as to one of the pre-existing conditions listed in Ms. Travis' physical exam, based on the documentation submitted, and to include that documentation in the member's file with her pre-existing condition report, was made by J. Hathcock. Motion was seconded and passed unanimously. CORP 2014-07

B. Rene Youmans

Member Rene Youmans submitted documentation regarding a pre-existing condition noted in her CORP physical exam. She requests that the Board review its approval of her membership with the inclusion of the identified pre-existing condition, which Ms. Youmans contends was incorrectly stated by the doctor who conducted her CORP physical.

After review, the Board feels they need more clarification from the member as to the procedure performed. The procedure stated by the member was not readily apparent in the documentation submitted for the Board to consider and review.

MOTION: A motion to request the member provide further documentation from her treating physician, stating the procedure and diagnosis, was made by M. Smalley. Motion was seconded and passed unanimously. CORP 2014-08

Normal Retirement Benefits:

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:

Shanon M. Brown
Theodore R. Gremmel
Janet M. Kasha
Debra M. Kryza Ryan
Maureen L. LeGeune
Dennis P. Praino

Brenda J. Richey
Dane B. Stewart
Vickie B. Wylie

The Fund Manager advised that the retirement benefit the Board approved at its December 4, 2013 meeting, for Dennis P. Praino, could have included a partial contribution that would increase his benefit from \$2,235.30 (Board-approved amount) to \$2,243.79, an increase of \$8.49 per month.

The Board Secretary noted for the record that the effective retirement date for all applicants except Maureen LeGeune is January 1, 2014. Ms. LeGeune's retirement was effective December 1, 2013, so she will be paid retroactively for that month if the Board approves her retirement. Mr. Praino's payment in December was in the amount previously approved by the Board and the Fund Manager will adjust his January payment to pay the difference due for December, if approved.

MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amounts and to note that the effective date of retirement for Maureen L. LeGeune and Dennis P. Praino was December 1, 2013, was made by J. Hathcock. Motion was seconded and passed unanimously. **CORP 2014-09**

Shanon M. Brown:	\$2,657.94	
Theodore R. Gremmel:	\$2,945.49	(Reverse DROP Estimate of \$20,717.34)
Janet M. Kasha:	\$4,438.79	
Debra M. Kryza Ryan	\$3,429.83	
Maureen L. LeGeune:	\$2,307.01	
Dennis P. Praino:	\$2,243.79	(Revised benefit from \$2,235.30)
Brenda J. Richey:	\$1,743.07	
Dane B. Stewart:	\$1,889.81	
Vickie B. Wylie:	\$1,390.34	

CORP Physical Exam Final Letters:

- a. Ashley Andrews
- b. Javier R. Martinez
- c. Elizabeth Prenovost
- d. Bradley Propp

The Board Chair noted, for the record, that physical examination reports for Ashley Andrews, Javier R. Martinez, Elizabeth Prenovost and Bradley Propp were not received within 60 days of receipt of their membership applications and that final letters requesting an examination were sent to these members via certified mail on December 19, 2013.

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:

Andrews, Ashley	Maricopa	10/28/2013
Bell, Courtland	Gila	5/27/2013
Blanco, Erika	Mohave	11/18/2013
Bork, Jay	Pima	12/1/2013
Brewer, Jeneen	Maricopa	10/14/2013
Cash, Jason	Navajo	2/7/2011
Creitoff, Daniel	Pima	9/23/2013
Demaree, Gybrielle	Pima	12/20/2010
Greth, Allison	Pima	11/8/2013
Haney, Paul	Navajo	4/25/2011
Hawkins, Jason	Pima	6/28/2010
Hernandez, Ivan	Santa Cruz	9/8/2009
Johnson, Katherine	Pima	3/29/2010
Jones, Winifred	Navajo	4/21/2013
Kile, Daniel	Pima	6/7/2010
Lasky, Karl	Pima	4/7/2013
Martinez, Javier	Pima	9/30/2013
Montoya, Lizette	Santa Cruz	11/13/2012
Ozuna, Cesar	Santa Cruz	11/9/2013
Park, John	Gila	8/19/2013
Perez, Faustino	Santa Cruz	4/4/2011
Perry, Robert	Santa Cruz	3/31/2012
Prell Jr., Edwin	Mohave	7/2/2012
Prenovost, Elizabeth	Yavapai	10/14/2013
Propp, Bradley	Yavapai	3/4/2012
Reynoso, David	Yuma	11/12/2013
Rhyne, Kendall	Gila	1/11/2010
Salazar, Olga	Maricopa	9/30/2013
Urquidez, Octavio	Santa Cruz	1/3/2011
Valencia, Denise	Santa Cruz	7/25/2011
Watson, Colin	Santa Cruz	4/16/2012

The Board noted, for the record, that the physical examinations for applicants Erika Blanco, Jason Cash, Gybrielle Demaree, Paul Haney, Jason Hawkins, Ivan Hernandez, Winifred Jones, Daniel Kile, Karl Lasky, Cesar Ozuna, John Park, Faustino Perez, Robert Perry, Edwin Prell Jr., Kendall Rhyne, Olga Salazar, and Octavio Urquidez identified a physical or mental condition or injury that existed or occurred before the member's date of membership in the plan.

The Chair also requested a membership audit update at the Board's next scheduled meeting.

MOTION: A motion to approve the 31 named employees requesting membership into CORP was made by R. Lubitz. Motion was seconded and passed unanimously. **CORP 2014-10**

Call to Public:

No members of the public addressed the Board.

The meeting was adjourned at 11:07 a.m.

Transcribed January 7, 2014