

**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, May 5, 2015, 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; Rob Lubitz; Mark Smalley; Jason Hathcock

Also Present:

Annette Corallo, Board Secretary; Leticia Chavez, Recorder; Court Reporter, Ottmar and Associates; Geralyn Aragon, Disability Applicant #13-01 (via conference call); Sandra Mariani, Disability Applicant #09-03

Call to Order:

Approval of the Minutes:

April 6, 2015, Public Meeting Minutes
April 6, 2015, Executive Session Minutes

MOTION: A motion to approve the April 6, 2015 Public Meeting Minutes and Executive Session Minutes was made by P. Hanley. Motion was seconded and passed unanimously; minutes stand approved. **CORP 2015-27**

Disability

A. Consideration of Disability Application #13-01- Annual Review

The Board approved Application #13-01 for Accidental Disability benefits on February 5, 2014. This matter is brought to the Board for an annual medical reevaluation. The applicant initialed the Waiver of Confidentiality provision, to allow discussion of the medical condition in open public meeting.

The applicant was asked to provide medical treatment records since February 1, 2014, 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 various dates in April 2015 and were provided for the Board's review. Ms. Aragon attended via conference call.

The Chair asked Ms. Aragon about the lack of evidence regarding her jaw. Ms. Aragon stated that she is scheduled to see a doctor on May 11, 2015, to remove a brace and that doctor will continue to follow up with her.

After reviewing the most recent medical evidence submitted, the Board agreed it was too soon to have Ms. Aragon's condition reevaluated by an IME doctor. The Board felt it would be best to review the case in one year as there would be a more complete medical record to review at that time. Member Jason Hathcock noted counselor Susan Carlson's letter dated April 17, 2015, noting that Ms. Aragon just began service with a new provider for ongoing trauma issues.

MOTION: A Motion to continue the Accidental Disability benefit for Applicant #13-01, Geralyn Aragon, and review the case in one year, was made by R. Lubitz. Motion was seconded and passed unanimously. CORP 2015-28

B. Consideration of Disability Application #09-03- Annual Review

The Board approved Application #09-03 for Accidental Disability benefits on February 24, 2011, after a rehearing. This matter is brought to the Board for an annual medical reevaluation. The applicant signed the Waiver of Confidentiality provision, to allow discussion of the medical condition in open public meeting.

The applicant was asked to provide medical treatment records since March 1, 2014, to assist the Board in determining whether an independent medical reevaluation of the applicant's condition is necessary.

Current medical records were received from the applicant on April 6, 2015. Ms. Mariani was present at the meeting.

History of Board Action:

On February 8, 2012, the Board voted to continue the Accidental Disability benefit after reviewing a re-evaluation IME conducted on January 24, 2012, and to review the case in one year.

On February 5, 2013, the Board voted to continue the Accidental Disability benefit after reviewing medical records that indicated the applicant was undergoing revision surgery on February 6, 2013, for a failed Total Shoulder Arthroplasty, and to review the case in one year.

On February 5, 2014, the Board voted to continue the Accidental Disability benefit and to review the case in one year, after reviewing medical records that indicated the applicant had shown improvement but continued to have significant limitations.

Discussion:

After reviewing the most recent medical evidence submitted, the Board noted that the documentation indicated Ms. Mariani has shown significant improvement. The Board had concerns as to whether or not Ms. Mariani's improvement meant she could return to work as a

Juvenile Detention Officer. Board member Mark Smalley asked Ms. Mariani about the closing of her Workers Compensation case. The Board agreed that Ms. Mariani's condition should be reevaluated and that the Board should ask the IME doctor to clarify if in fact Ms. Mariani has improved enough to return to work as a Juvenile Detention Officer, if she has reached maximal improvement.

MOTION: A motion to refer Applicant #09-03, Sandra M. Mariani, for an Independent Medical Reevaluation was made by M. Smalley. Motion was seconded and passed unanimously.
CORP 2015-29

C. Consideration of Disability Application #11-01- Annual Review

The Board approved Application #11-01 for Ordinary Disability benefits on June 7, 2011. This matter is brought to the Board for an annual medical reevaluation. This applicant signed the confidentiality waiver to allow discussion of medical information in open session.

The applicant was asked to provide medical treatment records since May 1, 2014, to assist the Board in determining whether an independent medical reevaluation of the applicant's condition is necessary.

Current medical records were received from the applicant on April 7, 2015 and were provided for the Board's review.

History of Board Action:

The Board's first annual review of this case occurred on May 9, 2012. At that meeting, the Board voted to table the review of this case for an independent medical reevaluation (IME) for one year until a completed reevaluation from the Social Security Administration was submitted.

On July 9, 2013, the Board voted to continue Ordinary Disability benefits for Applicant #11-01 based on the findings of an independent medical reevaluation conducted on June 12, 2013, as set forth in the report dated June 19, 2013, and to evaluate the applicant's condition in one year

On June 5, 2014, the Board voted to continue the Ordinary Disability benefit and to review the case in one year, after reviewing medical records for the previous year.

Discussion:

After reviewing the most recent medical evidence submitted, the Chair noted that the Social Security Administration has deemed this individual disabled. Board member Jason Hathcock also noted that, per the medical evidence, the disabling condition appears to be worsening and the applicant's performance is declining. Board Member Rob Lubitz asked if the Board had to review this case every year as there is no evidence that there is or will be any improvement. Mr. Lubitz also asked if the Board could declare the applicant permanently disabled based on the medical evidence Ms. Lemond provided. The Board Secretary advised that the statutes require that the Board would need to base its decision on an IME.

The Chair stated his belief that it was too soon to have Ms. Lemond's condition reevaluated by an IME doctor, but agreed that a yearly evaluation was not necessary. Board Member Phil Hanley suggested a review of this case in two or three years and stated that this may better help the Board make a final decision in this case.

MOTION: A motion to continue the Ordinary Disability benefit for Applicant #11-01, Annette Lemond, and review the case in two years, was made by P. Hanley. Motion was seconded and passed unanimously. CORP 2015-30

Approval of 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:

Pamela K. Beasley
Daniel J. Deuser
Judith A. Heffner
Otis L. Kirkwood
Herbert Quezada
Cindy A. Winn
Todd D. Zweig

The Board Secretary advised that the effective CORP retirement dates for all applicants except Todd D. Zweig was May 1, 2015. Mr. Zweig's effective retirement date was April 1, 2015.

The Board Secretary also addressed the question that Board Member Jason Hathcock had at last month's meeting regarding the calculation spreadsheet for members participating in the Reverse DROP retirement. He noted that the spreadsheet was calculating what appeared to be partial months. After speaking with PSPRS, the Board Secretary learned that the months that are calculated for each member's Reverse DROP period are related to the date on which they retire. PSPRS confirmed that while it may appear a partial month is shown, each member receives the full months they elected.

MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amounts, for a CORP effective date of May 1, 2015, with the exception of Todd D. Zweig, whose CORP effective date was April 1, 2015, was made by J. Hathcock. Motion was seconded and passed unanimously. CORP 2015-31

Pamela K. Beasley:	\$3,498.80
Daniel J. Deuser:	\$3,521.87
Judith A. Heffner:	\$1,641.42
Otis L. Kirkwood:	\$3,465.53 (Reverse DROP Amount: \$214,966.57)
Herbert Quezada:	\$4,279.69 (Reverse DROP Amount: \$202,061.97)
Cindy A. Winn:	\$6,531.77
Todd D. Zweig:	\$7,730.88

Status Update: 2015 CORP Election

Board member Jason Hathcock’s term will expire on June 30, 2015. Pursuant to A.R.S. §38-893, the Board is conducting an election to fill that position on the Board effective July 1, 2015.

Pursuant to the Board-approved Action Plan, elections ballots were mailed on April 16, 2015, to 2,421 active members under the Board’s jurisdiction. Six nominees are listed on the election ballot. Ballots must be returned or postmarked by May 8, 2015, and will be tallied by May 18, 2015. The Board Secretary reported that 136 ballots have been returned to date, while a total of 199 ballots were received for the last election in 2013.

Recommendations for appointment of Danna Quinn, Human Resources Director for the Maricopa County Judicial Branch, and reappointment of Rob Lubitz, citizen member, were submitted to Chief Justice Bales on April 13, 2015. The terms of those positions also begin on July 1, 2015.

Status Update: Membership Audit

The Board Secretary advised that the 2014 annual audit the Board authorized at the September 9, 2014 meeting has been completed and of the 27 initial discrepancies only four remain. The discrepancies in Apache and Cochise counties should be resolved within the next month because the identified officers are scheduled for exams within the next two weeks. Staff continues to work with the counties to obtain complete records for the members identified by the audit.

As for the Maricopa discrepancies, the Board Secretary advised that Concentra has been unresponsive about the status of retrieving exam reports for the Maricopa officers; if no progress is made in the next month; staff recommended that the Board ask the officers to repeat their exam. The Board agreed that they would rather have the officers repeat their exam with MBI rather than continuing to wait for a response from Concentra. The Chair asked that staff notify the Maricopa officers that they must repeat their exam with MBI.

CORP Physical Exam Final Letter:

The Chair noted, for the record, that a physical examination report for Tracy Marley was not received within 60 days of receipt of her membership application and that a final letter requesting an examination was sent to this member via certified mail on April 20, 2015.

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:

Bravo, Diana	Maricopa	3/16/2015
Campos, Roberto	Pima	4/6/2015
Ellis, Jared	Maricopa	3/30/2015
Erickson, Ethan	Maricopa	4/6/2015
Fender, Michael	Pinal	3/2/2015
Fortune, Jaleesha	Maricopa	3/30/2015
Franklin, David	Pinal	3/2/2015

Goldsmith, Carol	Pima	3/9/2015
Grijalva, Felisha	Pima	12/22/2014
Jirash, Paul	Pima	3/9/2015
Long, Torrinio	Cochise	3/30/2015
Lopez, Hector	Yuma	2/24/2015
Marley, Tracy	Yavapai	1/25/2015
Martinez, Orlando	Maricopa	3/30/2015
McClure, Ian	Maricopa	3/16/2015
Miller, Lori	Yavapai	4/6/2015
Nava, Hector	Cochise	3/30/2015
Neal, Raquel	Pima	2/9/2015
Palmer, Derrell	Pima	3/30/2015
Pittman, Roderic	Maricopa	7/14/2014
Ribelin, Rachel	Maricopa	3/30/2015
Silva, Angel	Pima	3/2/2015
Thornhill, James	Apache	2/4/2015
Vandik, Katie	Maricopa	4/6/2015
Wadia, Harman	Maricopa	3/16/2015
Warner, Richard	Apache	1/25/2015

MOTION: A motion to approve the 26 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 Michael Fender, David Franklin, Carol Goldsmith, Felisha Grijalva, Torrinio Long, Orlando Martinez, Lori Miller, Hector Nava, Raquel Neal, Derrell Palmer, Angel Silva, Katie Vandik, Harman Wadia and Richard Warner identified a physical or mental condition or injury that existed or occurred before the member’s date of membership in the plan by R. Lubitz. Motion was seconded and passed unanimously. CORP 2015-32

Future Agenda Items:

The Board asked that a future agenda include a report on the feasibility and mechanics of conducting the next election electronically. It was noted that electronic balloting will only be feasible if all departments can provide email addresses for all CORP officers.

Call to the Public:

No members of the public addressed the Board.

The meeting was adjourned at 10:36 a.m.

Transcribed May 5, 2015