

**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, April 9, 2013, 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; Jason Hathcock; Rob Lubitz

**Members Absent:**

Phil Hanley

**Also Present:**

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

**Call to Order**

**Approval of the Minutes:**

- a. March 5, 2013, Public Meeting Minutes

**MOTION: A motion to approve the March 5, 2013, Public Meeting Minutes was made by R. Lubitz.** Motion was seconded and passed unanimously; minutes stand approved. **CORP 2013-14**

**Consideration of Disability Applications:**

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 Review; Decision on Benefits

**MOTION: A motion to go into Executive Session to receive legal advice was made by M. Smalley.** Motion was seconded and passed unanimously. **CORP 2013-15**

**MOTION: A motion to return to public session was made by J. Hathcock.** Motion was seconded and passed unanimously. **CORP 2013-16**

At the October 2012 meeting, the Board approved 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). The Board received the completed IME for Applicant #12-01 on March 11, 2013. After discussion of the IME, in which the doctor stated the applicant can perform his job and did not have a physical condition that would totally and permanently prevent him from performing a reasonable range of duties within his department, the Board agreed the applicant did not meet the Ordinary Disability requirements under CORP.

**MOTION: A motion to deny Ordinary Disability benefits for Applicant #12-01 based on the findings of the Independent Medical Evaluation conducted by Dr. Michael Steingart for the Local Board, as set forth in the report dated February 22, 2013, in which Dr. Steingart states the applicant “can perform his job” and does not have a physical condition that would totally and permanently prevent him from performing a reasonable range of duties within his department was made by J. Hathcock. Motion was seconded and passed unanimously. CORP 2013-17**

**Notice of Retiree Return to Work:**

- a. Jamie Tribolet, Pima County

The Board received a Notice of Retiree Return to Work from Pima County for Jamie Tribolet. The form indicated that Ms. Tribolet retired under CORP effective March 1, 2013, and returned to work for the Pima County Superior Court on March 11, 2013, as an Investigator. The Investigator position is not a CORP designated position; therefore, the Board noted for the record that Ms. Tribolet is eligible to continue to receive a CORP pension. The Board also noted for the record that Ms. Tribolet’s employer will not be responsible for paying an alternate contribution rate on her behalf.

**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:

- a. Shirley J. Moreno
- b. Joseph A. Stanco
- c. Randall L. Sullivan

The Board Secretary noted for the record that the effective retirement date for all applicants is April 1, 2013.

**MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amounts was made by M. Smalley. CORP 2013-18**

Shirley J. Moreno: \$2,745.89  
Joseph A. Stanco: \$1,322.34  
Randall L. Sullivan: \$4,131.53

Board Member Jason Hathcock raised a question about the retirement of Mr. Randall Sullivan. Mr. Sullivan had 32.148 years of service at the time of retirement but was retiring under a normal retirement, which caps at 32.000 years of service. Mr. Hathcock asked if Mr. Sullivan was aware of the Reverse DROP retirement option to receive a lump-sum payout for service in excess of the 32-year maximum for the monthly benefit. The Board Secretary stated that, if the Board would like, she would contact Mr. Sullivan and make him aware of the Reverse DROP option and quickly process a Reverse DROP application if Mr. Sullivan chose to do so. The Chair requested that Mr. Sullivan be notified and that the Board amend its previous motion as it related to approval of Mr. Sullivan's retirement benefit.

**MOTION: M. Smalley moved to amend his previous motion to include approval of Mr. Sullivan's retirement benefit to indicate that it is contingent on Mr. Sullivan's choice as to whether or not he wants to participate in the Reverse DROP option, and to approve the payment of Normal Retirement benefits to Shirley J. Moreno and Joseph A. Stanco in the amounts indicated on the C12 forms. If Mr. Sullivan chooses to participate in Reverse DROP, approval of his retirement benefits will be placed on a later agenda for Board approval. Motion was seconded and passed unanimously. CORP 2013-19**

**CORP Physical Pre-Existing Conditions:**

- a. Sheena Valdez.

The Board approved Sheena Valdez for CORP membership at the March 2013 meeting. Her physical exam report was received after a 60-day notice was sent to her on February 20, 2013. The Board noted for the record that the physical exam report for Ms. Valdez identified a pre-existing condition. Ms. Valdez will be sent a pre-existing condition letter.

**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. | Castillo, Victor  | Coconino | 3/4/2013  |
| b. | Hoppough, Sandra  | Yuma     | 1/28/2013 |
| c. | Martinez, Minerva | Pima     | 12/2/2012 |
| d. | McClellan, Angela | Mohave   | 1/12/2013 |
| e. | Schnee, Scott     | Pinal    | 2/19/2013 |

The Board noted for the record that the physical examinations for applicants Victor Castillo, Sandra Hoppough, and Angela McClellan identified a physical or mental condition or injury that existed or occurred before the member's date of membership in the plan.

**MOTION: A motion to approve the five named employees requesting membership into CORP was made by J. Hathcock. Motion was seconded and passed unanimously. CORP 2013-20**

**Status Update: CORP Election**

Board Member Mark Smalley's term will expire on June 30, 2013. Pursuant to A.R.S. §38-893, the Board is conducting an election to fill this position on the Board effective July 1, 2013.

The Board Secretary advised the Board that nomination ballots were mailed to all active members on February 20, 2013, and a total of 54 nomination ballots were received. The names of the ten members who received the most nominations are usually placed on a voting ballot to be sent to all active members. However, this year's ballot will have only nine names due to some nominees declining to have or being ineligible to have their names placed on the ballot. Voting ballots are scheduled to be mailed to all active members by April 30, 2013.

**Call to Public:**

No members of the public addressed the Board.

The meeting was adjourned at 10:20 a.m.

Transcribed April 9, 2013