

**SUMMARY 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 28, 2010, at 9:00 a.m., in Conference Room 332 Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

Present at the meeting were the following individuals:

Kevin Kluge, Acting Chair	Michael Anthony, Attorney	Leticia Chavez, Recorder
Phil Hanley, Board Member	Hannah Auckland, Attorney	Court Reporter (AVTranz)
Jason Hathcock, Board Member	Lu McLendon, Secretary	

Absent:

Jim Bruner, Chair

Also Present:

Niki O'Keeffe

Call to Order

Acting Chair, Kevin Kluge, called the meeting to order at 10:00 a.m., Thursday, October 28, 2010 at the Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

Approval of the Minutes

- a. September 23, 2010 Public Meeting Minutes

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

MOTION: A motion for approval of the September 23, 2010 Public Meeting Minutes was made by J. Hathcock. Motion was seconded and passed unanimously, minutes stand approved.
CORP 2010-50

Taken Out Of Order

Approval of Normal Retirement – The Local Board may consider and vote on the approval of Normal and Reverse DROP Retirement benefits for the following applications or defer decision to a later date.

- a. Austin S. Brabble Jr.
- b. Sharon Callahan (RDROP)
- c. Sharlene M. Ellis
- d. Nancy S. O'Brien
- e. Paul J. Zavesky

MOTION: A motion to approve payment of benefits, for applications (a-e) for Normal and Reverse DROP Retirement was made by P. Hanley. Motion was seconded and passed unanimously. **CORP 2010-51**

Public Meeting Summary
October 28, 2010
Page Two

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. Cheryl Hawkins (10/12/10) - Pima
- b. Barry Wilson (10/12/10) - Pima

MOTION: A motion was made by J. Hathcock to approve the (2) employees requesting membership into CORP. Motion was seconded and passed unanimously. **CORP 2010-52**

General Discussion

- a. Board Attorney Bid Process

The amended contract for Mr. Anthony expires October 31, 2010; however, the Board is still in the process of obtaining bids to comply with procurement regulations. As a result, the Board agreed to extend the contract to November 30, 2010.

MOTION: A motion was made by P. Hanley to extend the Attorney contract to November 30, 2010. Motion was seconded and passed unanimously. **CORP 2010-53**

9:20 a.m. Arrival of Mark Smalley

Taken Out Of Order

Disability – The Local Board may go into Executive Session for discussion of medical documentation and to receive legal advice for the following Disability pursuant to A.R.S. 38-431 (A) (2 & 3).

- a. #09-01 – Annual Independent Medical Evaluation

At the September 23, 2010 meeting the Board requested that applicant 09-01 submit all medical documentation from the date of approved disability to current so the board could determine if a medical re-evaluation should be requested. In reviewing the medical evidence submitted by the applicant the Board feels that the condition of the applicant has not changed or improved, therefore a medical re-evaluation would not be needed. The Board will again review the case in once year.

MOTION: A motion was made by M. Smalley to continue the disability benefit for applicant 09-01 and review the case in one year. Motion was seconded and passed unanimously. **CORP 2010-54**

- b. #09-03 - Accidental Disability Rehearing

Chair called for motion to go into executive session to receive legal advice pursuant to A.R.S.38-431 (A) (2 & 3).

Public Meeting Summary
October 28, 2010
Page Three

PUBLIC SESSION RESUMED 10:15 a.m.

A letter from the Public Safety Personnel Retirement System (PSPRS) dated September 28, 2010 informed the Local Board that they declined to pay the disability benefit for applicant 09-03 by stating “the decision to award 09-03 an accidental disability retirement violates the terms of CORP’s enabling legislation, and thus violates I.R.C. § 401(a).” To possibly resolve the issue, a letter dated October 19, 2010 from the applicants attorney requested that the Board refer the applicant to another doctor and have a second IME performed. The applicants’ attorney also requested that the Board not meet on the matter until its scheduled November 18, 2010 as he would like to be present when the matter is discussed. The Board agreed to table the discussion until its next scheduled meeting.

MOTION: A motion to table the discussion of disability application 09-03 until the November 18, 2010 meeting was made by J. Hathcock. Motion was seconded and passed unanimously. **CORP 2010-55**

Call to Public

Summary Transcribed October 28, 2010