

PUBLIC MEETING MINUTES FOR CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD ARIZONA DEPARTMENT OF CORRECTIONS



June 5, 2024



A public meeting of the Corrections Officer Retirement Plan Local Board for the Arizona Department of Corrections Rehabilitation and Reentry (ADCRR) was convened **Wednesday, June 5, 2024, at 10:00 a.m.** at the **Arizona Department of Corrections, 1831 West Jefferson, Phoenix, Arizona, 85007**, in the Training Room, on the 2nd floor.

The Board may discuss/vote on items at any time, the Board may enter into Executive Session pursuant to A.R.S. § 38-431.03 (A) (2) to obtain legal advice and pursuant to A.R.S. § 38-431.03 (A) (3) to discuss details of a confidential nature.

Present at the meeting were the following individuals:

Lori Stickley, Chairwoman	Judy Frigo, Board Member (Conferenced in)
Sean Malone, Board Member	Kyle Cummings, Assistant Attorney General
Randall Lowe, Board Member (Conferenced in)	
Sandra Moreno, Board Secretary, Retirement Specialist	Karen Ray, Board Secretary, Retirement Specialist
Guests	

I. CALL TO ORDER – CORP Local Board Meeting called to order by Chairwoman Lori Stickley at 10:00 a.m.

ROLL CALL TAKEN

1. The individuals listed in the above table were present.

II. APPROVAL OF MINUTES

Chairwoman Stickley stated that she is going to go slower on this item because there needs to be clarification of the different Board Members who were present during each of the specific meetings who can approve the meeting.

1. Approval of Public Meeting Minutes for March 7, 2024.

Chairwoman Stickley stated that for the March 7, 2024 meeting she was not present, and that present at the meeting were Board Members Frigo, Malone and Lowe.

MOTION 06-05-01	
Motion:	To approve the Public Meeting Minutes for March 7, 2024.
Moved by:	Judy Frigo
Seconded by:	Sean Malone
Discussion:	
In Favor:	Frigo – aye, Malone – aye, Lowe – aye,
Motion:	passed

Chairwoman Stickley stated that for the April 4, 2024 meeting, those present were Chairwoman Stickley and Board Members Malone, and Lowe.

MOTION 06-05-02	
Motion:	To approve the Public Meeting Minutes for April 4, 2024.
Moved by:	Sean Malone
Seconded by:	Randall Lowe
Discussion:	Board Member Frigo moved to approve the April 4, 2024 meeting minutes. AAG Cummings stated that when a Board Member was not present for a meeting, they'd abstain from voting since they were not present at the meeting.
In Favor:	Malone – aye, Lowe – aye, Stickley – aye, Frigo – abstain
Motion:	passed

Chairwoman Stickley stated that for the May 2, 2024 meeting, those present were Chairwoman Stickley and Board Members Frigo, and Malone.

MOTION 06-05-03	
Motion:	To approve the Public Meeting Minutes for May 2, 2024.
Moved by:	Judy Frigo
Seconded by:	Sean Malone
Discussion:	
In Favor:	Frigo –aye Malone – aye, Stickley – aye, Lowe- abstain
Motion:	passed

AAG Cummings raised the issue of whether Board Member Lowe would be addressing any of the other matters in this meeting's agenda, since he did not receive the agenda for the meeting. Chairwoman Stickley stated that Board Member Lowe can be present, but that the legal advice was that Board Member Lowe cannot vote on the matters due to him not receiving the agenda. AAG Cummings stated that Board Member Lowe should not vote unless he had a chance to review.

III. **REQUEST TO REMAIN IN ASRS/CORP:**

The following applications have been filed and are presented for Local Board consideration:

1. **Brenda Cabarga** is requesting to remain in ASRS; she has 9.889 years of service. She accepted a CORP position as a Correctional Education Program Teacher, effective July 8, 2024.
2. **Jessica Sanchez** is requesting to remain in ASRS; she has 8.559 years of service. She accepted a CORP position as a Correctional Education Program Teacher, effective April 5, 2024.
3. **Bryan Armstrong** is requesting to remain in ASRS; he has 8.440 years of service. He accepted a CORP position as a Correctional Officer 1, effective May 13, 2024.
4. **Victor Gonzalez** is requesting to remain in ASRS; he has 5.327 years of service. He accepted a CORP position as a Correctional Officer 1, effective May 13, 2024.
5. **Joseph Bowers** is requesting to update his waiver approval to remain in CORP; his job position was reallocated from Administrative Services Officer V to Emergency Preparedness Administrator effective 4/13/2024.

MOTION 06-05-04	
Motion:	Approval of requests 1 through 4 to remain in ASRS, and approval of Joseph Bowers' request to update his waiver approval to remain in CORP.
Moved by:	Judy Frigo
Seconded by:	Sean Malone
Discussion:	
In Favor:	Frigo – aye, Malone – aye, Stickley – aye,
Motion:	Passed

IV. DISABILITY RETIREMENTS:

1. Scott Mills IME Review for Accidental Disability Pension.

Board Member Frigo stated that she had a question, but was not sure if the Board should go into Executive Session for it. AAG Cummings stated that if there is a legal question, then he advises going into Executive Session to protect attorney-client privilege in terms of advice that may be given.

Board Member Frigo stated that she was unsure if her question concerns legal advice, and that she was unsure if the Board needed to go in-to Executive Session. AAG Cummings asked Board Member Frigo to ask the question so he could see if legal advice was being sought.

Board Member Frigo agreed, and stated that this accidental disability pension request, mentions that the applicant had two prior suicide attempts, and Board Member Frigo wanted to know if these attempts occurred prior to or during employment, and whether such information is something the Board needs to have the IME tell them.

AAG Cummings suggested going into Executive Session so he could provide legal advice.

Chairwoman Stickley stated that the Board was going into Executive Session at 10:07 a.m. AAG Cummings stated that there needs to be a vote to go into Executive Session. Chairwoman Stickley noted that there was a request to go into Executive Session, and asked all Board Members in favor of going into Executive Session to say “aye.” Board Member Malone stated that there needs to be a motion, and made a motion as stated below.

MOTION 06-05-05	
Motion:	Motion for the Local Board to enter into Executive Session
Moved by:	Sean Malone
Seconded by:	Judy Frigo
Discussion:	
In Favor:	Frigo –aye, Malone – aye, Stickley – aye
Motion:	Passed

The Local Board entered Executive Session at 10:08 a.m.

The Local Board exited Executive Session at 10:10 a.m.

MOTION 06-05-06	
Motion:	Motion to send this Disability back to the IME Doctor to ask for clarification, on if the two suicide attempts were prior to the applicant’s employment with the Department of Corrections, or during his time with Corrections.
Moved by:	Judy Frigo
Seconded by:	Sean Malone
Discussion:	
In Favor:	Frigo –aye, Malone – aye, Stickley – aye
Motion:	Passed

V. RETURN TO WORK RETIREE REQUESTING TO RETAIN PENSION:

The following request was presented for Local Board consideration:

1. **Rodolfo Espinoza** retired from CORP effective July 17, 2023. He returned to work in in a Part-Time CORP position as a Correctional Officer II, effective August 7, 2023. He was promoted to a full-time CORP position as a Correctional Officer III, effective May 11, 2024. Mr. Espinoza is requesting to retain his CORP pension. An Alternate Contribution Rate is required.
2. **Robert Wallis** retired from CORP effective September 29, 2023. He returned to work in a CORP position as a Correctional Officer II, effective May 6, 2024. Mr. Wallis is requesting to retain his CORP pension. An Alternate Contribution rate is required.

MOTION 06-05-07	
Motion:	Motion for 1 and 2 “to remain in CORP,” and retain CORP pension.
Moved by:	Judy Frigo
Seconded by:	Sean Malone
Discussion:	
In Favor:	Frigo – aye, Malone – aye, Stickley – aye
Motion:	Passed

VI. GENERAL DISCUSSION:

1. Next Board Meeting: Chairwoman Stickley stated that due to the holiday on July 4th, the next CORP Board Meeting is scheduled for Wednesday July 3, 2024. Chairwoman Stickley and all Board Members indicated that they will be at the meeting.

VII. CALL TO PUBLIC

No public comment.

Chairwoman Stickley adjourned the meeting at 10:13 A.M.

Transcribed on **June 6, 2024**

Sandra Moreno, Board Secretary, Retirement Specialist