

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



November 14, 2024



DRAFT

A public meeting of the Corrections Officer Retirement Plan Local Board for the Arizona Department of Corrections Rehabilitation and Reentry (ADCRR) was convened **Thursday, November 14, 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:

Randall Lowe, Interim Chairman (Conferenced in)	Michael McCarville, Board Member
Kyle Cummings, Assistant Attorney General	Brian Bernal, Board Member
Sandra Moreno, Board Secretary, Retirement Specialist	Karen Ray, Board Secretary, Retirement Specialist
Guests	
Kelly Smith, Benefits Manager	

- I. CALL TO ORDER** – CORP Local Board Meeting was called to order by Interim Chairman Randall Lowe at 10:00 a.m.

ROLL CALL TAKEN

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

OPENING REMARKS

1. Introduction of new Local CORP Board Member Brian Bernal.

Interim Chairman Lowe asked Board Member Bernal to introduce himself. Board Member Bernal stated that he is a Correctional Officer IV at ASPC-Yuma, that he has been with the Arizona Department of Corrections Reentry and Rehabilitation for eleven years and was elected by his peers as a CORP Board member. Everyone present welcomed him to the Board.

2. Discussion and possible action on the selection of a new Local CORP Board Chairperson.

Interim Chairman Lowe stated that Chairwoman Lori Stickley was the previous Chairperson and her term expired and she has been replaced on the Board.

AAG Cummings stated that with regards to this agenda item and the Public Meeting Minutes, Agenda Item number II, he suggests having Interim Chairman Lowe chair the meeting today and tabling the selection of a permanent Chairperson for the next meeting. AAG Cummings explained that he suggested this approach because at present there were only three Board Members present and it may appear improper to choose a Chairperson without having all four members present; three to vote and the fourth member who is being discussed as the potential Chairperson to recuse themselves from the vote.

AAG Cummings suggested tabling approval of the meeting minutes due to not having a quorum - since Board Member Bernal was not a Board Member for last month's meeting to vote on the minutes, and Board Member Frigo is not present at the meeting.

Board Member McCarville asked if he would make a motion. AAG Cummings stated that Board Member Lowe seems to be acting in the Chair position and that the Board can discuss how they want to proceed on these agenda items.

Interim Chairman Lowe stated that the motion from the Chairperson would have to come from someone other than him, as he's the one running the meeting and technically the motion should come from someone other than the Chair on any motions.

Board Member McCarville motioned for Randall Lowe to be the Interim Chairperson. AAG Cummings stated that there are only two Board Members who can vote on it, which would not be a quorum, and suggested just having Board Member Lowe run the meeting. Board Member McCarville agreed.

Interim Chairman Lowe asked whether they need a motion and a second. AAG Cummings suggested that the Interim Chair table voting on the Chairperson and table voting on the minutes.

Interim Chairman Lowe stated that due to the lack of Board Members who are present and can vote, they will table discussion and possible action of the selection of a new Local CORP Board Chairperson, he will Chair today's meeting and that they will table the approval of the Public Meeting Minutes from the October 3, 2024, Local CORP Board, to allow for a full vote from all Board Members present in the last meeting.

II. APPROVAL OF MINUTES

1. Approval of Public Meeting Minutes for October 3, 2024.

Interim Chairman Lowe tabled approval of the Public Meeting Minutes.

III. REQUEST TO REMAIN IN ASRS/CORP:

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

1. **Ashley Oddo** is requesting to remain in ASRS; she has 9 years of service. She accepted a CORP position as a Deputy Director, effective October 12, 2024.
2. **Yanira Cuen** is requesting to remain in ASRS; she has 12.441 years of service. She accepted a CORP position as a Correctional Education Program Teacher, effective November 4, 2024.
3. **Lunt Gregg** is requesting to remain in ASRS; he has 29.333 years of service. He accepted a CORP position as a Correctional Education Program Teacher, effective November 4, 2024.

MOTION 11-14-01	
Motion:	Approval of requests by Ashley Oddo to remain in ASRS, Yanira Cuen to remain in ASRS, and Lunt Gregg to remain in ASRS.
Moved by:	Michael McCarville
Seconded by:	Brian Bernal
Discussion:	Board Member McCarville asked if he could make a motion to approve these requests. AAG Cummings stated that he could make a motion or the Board can ask any questions or have any discussions they thought appropriate. Board Member McCarville made a motion “to approve these requests,” and AAG Cummings suggested identifying them by name. Board Member McCarville made a motion for Ashely Addo to remain in ASRS and then asked if he had to do it for each one of them. AAG Cummings suggested he do it for each one of them, and that if there’s discussion on an individual to do that one separately. Board Member McCarville then made a motion for Yanira Cuen to remain in ASRS and a motion for Lunt Gregg to remain in ASRS.
In Favor:	McCarville – aye, - Bernal – aye, - Lowe – aye
Motion:	Passed

IV. DISABILITY RETIREMENTS:

1. **Xavier Castillo:** New Application for Accidental Disability Pension.

MOTION 11-14-02	
Motion:	Vote to approve to begin the process and send Xavier Castillo for Independent Medical Exam (IME) for Accidental Disability pension.
Moved by:	Michael McCarville
Seconded by:	Brian Bernal
Discussion:	Interim Chairman Lowe stated that, after reading the disability application and - medical documentation provided to the Board Members by the applicant he determined the Board needs to send Mr. Castillo for an IME to move forward.
In Favor:	McCarville – aye, - Bernal – aye, - Lowe – aye
Motion:	Passed

V. RETURN TO WORK RETIREE REQUESTING TO RETAIN PENSION:

The following request was presented for Local Board consideration:

1. **Luis Flores** retired from CORP effective December 27, 2019. He returned to work in a full-time CORP position as a Building Maintenance Specialist, effective October 28, 2024. He is requesting to retain his CORP pension. An Alternate Contribution Rate is required.
2. **Cecilia Nerio-Madero** retired from CORP effective May 31, 2023. She returned to work in a full-time ASRS position as a Librarian II, effective June 12, 2023. Then, she promoted to a full-time CORP position as a Correctional Sergeant, effective October 12, 2024. She is requesting to retain her CORP pension. An Alternate Contribution Rate is required.
3. **Ricardo Luna** retired from CORP effective November 30, 2018. He returned to work in a full-time CORP position as a Correctional Officer II, effective February 20, 2024. Then, he promoted to a full-time CORP position as a Correctional Sergeant, effective October 12, 2024. He is requesting to retain his CORP pension. An Alternate Contribution Rate is required.
4. **Eric White** retired from CORP effective January 26, 2024. He returned to work in a full-time CORP position as a Correctional Officer II, effective October 7, 2024. He is requesting to retain his CORP pension. An Alternate Contribution Rate is required.

MOTION 11-14-03	
Motion:	Motion for the four listed to retain their CORP Pensions.
Moved by:	Michael McCarville
Seconded by:	Brian Bernal
Discussion:	AAG Cummings mentioned that Luis Flores was stated as returning to work effective October 28, 2024, not 2004. Interim Chairman Lowe acknowledged the correction.
In Favor:	McCarville – aye, - Bernal – aye, - Lowe – aye
Motion:	Passed

VI. GENERAL DISCUSSION:

1. Next Board Meeting will be on Thursday, December 5, 2024.

Interim Chairman Lowe, and Board Members McCarville and Bernal all stated that they will be present.

VII. CALL TO PUBLIC

No public comment. Interim Chairman Lowe adjourned the meeting at 10:14 A.M.

Transcribed on **November 15, 2024**

Karen Ray, Board Secretary, Retirement Specialist