

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



January 7, 2020



A public meeting of the Corrections Officer Retirement Plan Local Board for the Arizona Department of Corrections was convened **Tuesday, January 7, 2020 10:00 a.m.** at the **Arizona Department of Corrections, 1831 West Jefferson, Phoenix, Arizona, 85007.**

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) and obtain legal advice pursuant to A.R.S 38-431.03 (A) (3) to discuss details of a serious or confidential nature.

Present at the meeting were the following individuals:

Mike Smarik, Board Chairman	Kevin Curran, Board Member (Telephonically)
Mario Chavez, Board Member	Caroline Shoemaker, Assistant Attorney General
Judy Frigo, Board Member (Absent)	Sandra Moreno, Board Secretary
Guests	
Yvonne Enriquez, Pension Benefit Coordinator	Vince James

I. CALL TO ORDER – CORP Local Board Meeting by Mike Smarik at 10:00 a.m.

ROLL CALL

OPENING REMARKS

II. APPROVAL OF MINUTES – Approval of Public Meeting Minutes for December 09, 2019.

MOTION 01-7-01	
Motion:	Approve December Public Meeting Minutes
Moved by:	Kevin Curran
Seconded by:	Mario Chavez
Discussion:	
In Favor:	Smarik – aye, Curran – aye, Chavez– aye
Motion:	Passed

III. NORMAL RETIREMENTS: The following applications have been filed and are presented for Local Board consideration: The Board has received all retirement documentation from all applicants.

a. Ratification- Dionne Martinez Retirement

MOTION 01-7-02	
Motion:	Ratify the following legal action taken at the ADC Local CORP Board's December 9, 2019 meeting: approval of normal retirement for Dionne Martinez
Moved by:	Kevin Curran
Seconded by:	Mario Chavez
Discussion:	Detailed written description of the legal action to be ratified as provided in the January 7, 2020 agenda was read out loud. Chairman Smarik confirmed with each Local board member that he or she had reviewed the ratification materials.
In Favor:	Smarik – aye, Curran – aye, Chavez – aye
Motion:	Passed

b. Retirements

1. Benjamin Brookhart
2. Ervin Cannon
3. Waldemar Clark
4. Estevan Cordova
5. Barry Fernandez
6. Juan Garcia
7. David Hall
8. Lawrence Johnson
9. Richard Kettering
10. Diane Latta
11. Cathy Lawley
12. Robert Palmer
13. David Pyle
14. Mickey Rivera

MOTION 01-7-03	
Motion:	Approve Normal Retirements; III b. 1- 14
Moved by:	Mario Chavez
Seconded by:	Kevin Curran
Discussion:	
In Favor:	Smarik – aye, Curran – aye, Chavez – aye,
Motion:	Passed

c. Deferred Annuity

1. None

d. Modification to Prior Action

1. None

IV. SURVIVOR BENEFITS:

1. Jonathan Hendrickson (Shannon)

MOTION 01-7-04	
Motion:	Approve Survivor Benefits IV. 1.
Moved by:	Kevin Curran
Seconded by:	Mario Chavez
Discussion:	
In Favor:	Smarik – aye, Curran – aye, Chavez – aye,
Motion:	Passed

2. Frederick White (Patricia)

MOTION 01-7-05	
Motion:	Approve Survivor Benefits IV. 2.
Moved by:	Kevin Curran
Seconded by:	Mario Chavez
Discussion:	
In Favor:	Smarik – aye, Curran – aye, Chavez – aye,
Motion:	Passed

V. DEATH BENEFITS:

1. None

VI. REQUEST TO REMAIN IN ASRS/CORP: The following waiver applications have been filed and are presented for Local Board consideration:

1. **Nonubari Nsagane-** Ms. Nsagane accepted a CORP position as a Correctional Education Program Teacher on December 2, 2019. She is requesting to remain in ASRS; she has approximately 9.555 years of credited service.

MOTION 01-7-06	
Motion:	Approve Waiver VI.- 1.
Moved by:	Kevin Curran
Seconded by:	Mario Chavez
Discussion:	

In Favor:	Smarik – aye, Curran – aye, Chavez – aye
Motion:	Passed

2. **Morgan Lee-** Ms. Lee has accepted a CORP position as a Correctional Education Program Teacher. She is requesting to remain in ASRS: she currently has 6.334 years of credited service.

MOTION 01-7-07	
Motion:	Approve Waiver VI.- 2.
Moved by:	Kevin Curran
Seconded by:	Mario Chavez
Discussion:	
In Favor:	Smarik – aye, Curran – aye, Chavez – aye
Motion:	Passed

VII. DISABILITY RETIREMENTS:

1. Carlos Rincon – IME Review

MOTION 01-7-08	
Motion:	Approve Disability VII.- 1.
Moved by:	Kevin Curran
Seconded by:	Mario Chavez
Discussion:	
In Favor:	Smarik – aye, Curran – aye, Chavez – aye
Motion:	Passed

2. Vince James- IME Review

MOTION 01-7-09	
Motion:	Approve Disability VII.- 2
Moved by:	Kevin Curran
Seconded by:	Mario Chavez
Discussion:	
In Favor:	Smarik – aye, Curran – aye, Chavez – aye
Motion:	Passed

3. Mark Baca- IME Review

MOTION 01-7-10	
Motion:	Deny Disability VII.- 3.
Moved by:	Kevin Curran

Seconded by:	Mario Chavez
Discussion:	IME results: Based on physician notes from Mr. Baca's injury does not prevent the employee from engaging in any gainful employment and therefore, does not meet the requirements for the disability pension applied for by the member.
In Favor:	Smarik – aye, Curran – aye, Chavez – aye
Motion:	Passed

4. Julie Nelson- Effective date

MOTION 01-7-11	
Motion:	Date of Disability VII.- 4
Moved by:	Kevin Curran
Seconded by:	Mario Chavez
Discussion:	Change Disability date to 10/01/2019 to make Disability payment effective 11/01/2019.
In Favor:	Smarik – aye, Curran – aye, Chavez – aye
Motion:	Passed

VIII. DESIGNATED POSTIONS:

The Department of Administration has created the following position:

1. None

IX. Revision to Pre-Existing Physical Form:

The RUSH Unit has made changes to the PEX form: requesting approval.

1. Added option for the applicant to circle if they are applying for CO II or CO II Trainee.

MOTION 01-7-12	
Motion:	Approve PEX form IX.- 1
Moved by:	
Seconded by:	
Discussion:	Board Chairman withdrew motion due to Agenda having incorrect position title for CO II Trainee should be CO Trainee. To be reviewed and voted on next CORP Board Meeting.
In Favor:	
Motion:	

X. General Discussion:

1. Retiree Return to work:

- a. **Rafael Zavala** retired from CORP on November 08, 2019: he returned to work as an Accounting Technician, an ASRS position on November 25, 2019- Noted

The Board moved to Executive session at 10:25 am to obtain legal advice on the length of time meeting agendas and minutes should be displayed on the ADC intranet and internet.

Board returned from Executive Session at 10:33 am.

2. Chairman Smarik requested that the Board Secretary work to have a rolling year of meeting minutes posted to the website and the paper copies of the minutes be kept in accordance with the appropriate State records retention schedule.
3. **Next Board Meeting will be on February 06, 2020.**

XI. CALL TO PUBLIC - This is the time for the public to comment. Members of the Local CORP Board may not discuss items that are not on the agenda, except to address criticism from the public. Therefore, pursuant to A.R.S. § 38-431.01(H), the Local CORP Board's reaction to any public comment is limited to addressing comments or recommending that the Local CORP Board or Staff responds or study such comment or schedule the subject matter for further consideration at a later date after appropriate notice.

Mike Smarik adjourned the meeting at 10:36 AM.

Transcribed on **January 7, 2020**

Sandra Moreno, Board Secretary