

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



**December 07, 2018**



A public meeting of the Corrections Officer Retirement Plan Local Board for the Arizona Department of Corrections was convened **Friday, December 07, 2018 2:00 p.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:

Michael Smarik, Board Chair	Pamela Peiser, Assistant Attorney General
Dionne Martinez, Board Member	Caroline Shoemaker, Assistant Attorney General
Judy Frigo, Board Member	Sandra Moreno, Local Board Secretary
Tim Cox, Board Member	
<b>Guests</b>	
Kristine Duarte	

**I. CALL TO ORDER** - Called to order of the CORP Local Board Meeting by **Michael Smarik** at 2:01pm Friday, December 07, 2018

**ROLL CALL**

**OPENING REMARKS**

**II. Ruben Duarte – Pension Reinstatement**

**Tim Cox moved to meet in executive session at 2:05 pm.**

**Returned to Public Session from Executive Session at 2:09 p.m.**

MOTION 12-07-2018

Motion:	The CORP local board for the Arizona Department of Corrections has become aware that the pension for Ruben Duarte has been suspended. The Board is unclear as to why his pension has been suspended considering the Board decides all questions of eligibility under A.R.S. 38-893(D)(1). No information has been formally brought before the Board for consideration indicating that he is ineligible to receive his pension. Based on the limited information before the Board, I move that Ruben Duarte is eligible and has been eligible to receive his pension since his date of retirement in October 2010. Mr. Duarte has been continuously eligible to receive his pension from his retirement date in October 2010, this necessarily includes any pension benefits affected by the suspension.
Moved by:	Mike Smarik
Seconded by:	Judy Frigo
Discussion:	
In Favor:	Smarik - aye Martinez - aye Frigo – aye Cox - aye
Motion:	Passed

**III. 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 moved to adjourn meeting at 2:15 p.m.

Transcribed on **December 21, 2018**

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Sandra Moreno, Board Secretary