

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

A public meeting of the Corrections Officer Retirement Plan Local Board for the Arizona Department of Corrections was convened **Thursday, February 2, 2012 11:00 a.m.** at 1831 W Jefferson, Phoenix, AZ 85007.

Present at the meeting were the following individuals:

James O'Neil, Board Chair	Michael Smarik, Board Member
George Herman, Board Member	Staci Fay, Board Member
Paul Turley, Board Member	Brian Luse – CORP Board Attorney
Jeffrey Potter, Board Secretary	Mary Turner – Pension Benefit Coordinator
Raymond Comer – Member	Deanna Barrier - Member
Deidra Dream – Guest	

I. CALL TO ORDER

Local board meeting called to order by **J. O'Neil** at **11:00 a.m., Thursday, February 2, 2012.**

II. APPROVAL OF MINUTES

MOTION 02-12-1	Minutes
Motion:	To approve the Public and Executive Session Meeting minutes of the January 5, 2012 meeting of the Local CORP Board.
Moved by:	Mr. Turley
Seconded by:	Ms. Fay
Discussion:	None
In Favor:	Unanimous
Motion:	Passes

III. DISABILITY RETIREMENT – The following applications have been filed and are presented for Local Board consideration:

James O'Neil requests Executive Session at **11:01 am.**

Return from Executive Session at **11:34 am.**

a. Raymond Comer – (Ordinary) Disability application

MOTION 02-12-2	Comer – Disability application
Motion:	To approve the Ordinary Disability in accordance with statues and subject to subsequent evaluations that the Board may deem necessary.
Moved by:	Mr. Smarik
Seconded by:	Ms. Fay
Discussion:	None
In Favor:	Unanimous
Motion:	Passes

b. Rosemarie Villanueva (Ordinary) Disability application

MOTION 02-12-3	Villanueva – Disability application
Motion:	To send Ms. Villanueva to an IME.
Moved by:	Mr. Smarik
Seconded by:	Mr. Turley
Discussion:	None
In Favor:	Unanimous
Motion:	Passes

c. Cory Kuykendall (Accidental) - Board requested that a letter be sent to the attorney requesting additional missing documentation and to review the Power Of Attorney submitted by Mrs. Kuykendall. The Board does recognize the Attorney for representing Mr. Kuykendall.

d. Disability Report – Mary Turner handed out a report on disabilities currently active. From 1990 to 2011 there are a total of 42 members on disability. Mary noted that there is an average of 2 disabilities approved per years. See attachment.

IV. NORMAL RETIREMENT – The following applications have been filed and are presented for Local Board consideration:

a. February 1, 2011

1. **Teodoro A. Gordon**
2. **Kai R. Rowe**
3. **Richard A. Sos**

b. March 1, 2012

1. **David J. Duracinski**

MOTION 02-12-4	Retirement applications
Motion:	To approve items IV a. 1, 2, 3 and IV b. 1 for retirement.
Moved by:	Mr. Turley
Seconded by:	Mr. Smarik
Discussion:	None
In Favor:	Unanimous
Motion:	Passes

V. SURVIVOR BENEFITS – The following applications have been filed and are presented for Local Board consideration:

- a. **John Martin Lawsuit** – Brian Luse gave an update on the lawsuit filed by PSPRS against the Board’s decision to approve a death benefit. Brian reported that PSPRS and Mr. Martin are working together on a settlement. Brian reported that nothing is official yet and will report when he is informed of a decision.

VI. DEATH BENEFITS – The following applications have been filed and are presented for Local Board consideration:

- a. **Frank Arellanes (Judith)**

MOTION 02-12-5	
Motion:	To approve the Death benefits for VI. a. upon receipt of final documentation
Moved by:	Ms. Fay
Seconded by:	Mr. Smarik
Discussion:	None
In Favor:	Unanimous
Motion:	Passes

- b. **Lori Ruark (Amanda)** - Mary Turner reported that the individual that completed the paperwork is not the beneficiary.

VII. REQUESTS TO REMAIN IN ASRS/CORP – The following applications have been filed and are presented for Local Board consideration:

- a. **Deanna Barrier** – requests to remain in CORP. Has over 7 ½ years in CORP as a Dental Assistant. Due to privatization accepted position as an Administrative Secretary I.

MOTION 02-12-6	Barrier - Waiver
Motion:	To deny the waiver request to remain in CORP due to not meeting the statutory requirements of being transferred to temporarily fill a non-designated position.
Moved by:	Mr. Smarik
Seconded by:	Ms. Fay
Discussion:	None
In Favor:	Unanimous
Motion:	Passes

- b. **Sean Malone** – requests to remain in CORP. Has over 19 years of service in CORP as a Correctional Administrator IV. Requests waiver due to moving into new position as an ASO IV.

MOTION 02-12-7	Malone - Wavier
Motion:	To approve the waiver to remain in CORP.
Moved by:	Ms. Fay
Seconded by:	Mr. Herman
Discussion:	None
In Favor:	Unanimous
Motion:	Passes

- c. **Jenny Mielke-Fontaine – requests to remain in CORP.** Has over 6 ½ years of services in CORP as a RN Supervisor. Due to privatization, accept position as DC Utilization Review RN.

MOTION 02-12-8	Mielke-Fontaine - Waiver
Motion:	To deny the waiver request to remain in CORP due to not meeting the statutory requirements of being transferred to temporarily fill a non-designated position.
Moved by:	Mr. Smarik
Seconded by:	Ms. Fay
Discussion:	None
In Favor:	Unanimous
Motion:	Passes

VIII. GENERAL DISCUSSION –

James O’Neil requests Executive Session at **12:02 pm.**

Return from Executive Session at **12:26 pm.**

- a. **Pre-Existing Conditions Physicals** – Tabled until next Board meeting.
- b. **2012 CORP Schedule** – The Board reviewed the current CORP Board schedule. It was noted that Board meeting held at COTA actually caused someone from Phoenix to take time off to attend the Board meeting. The Board noted that they have had no other visitors. James O’Neil stated that Central Office is centrally located and believe that all Board meeting should be held there. All Board members were in agreement. The schedule will be changed and posted on line with all Board meeting at Central Office. Jeffrey Potter will ask Patricia Smarik to reserve the room for March 1, June 7, September 6, and December 6, 2012.
- c. **Definition of “department” has been defined by previous Boards** – Jeffrey Potter reviewed the minutes to see if the Board had defined “department”. The minutes did not show the Board reaching a decision. Brian Luse noted that the statutes have a broad definition. Brian also stated that it is up to the Local Board, but whatever decision they make, the Board must be consistent. The Board will continue to review each application on a case by case basis.
- d. **Review of Waivers** – Report on annual waiver review. There are a total of 84 members on waivers, 43 in ASRS and 41 in CORP. Seven members were removed from the list due to retirement, termination, or job change. There are currently 13 waivers for members in Health Services.

- e. **Local Board Training – Open Meeting Feb 14, 2012** - PSPRS is offering a training session on Open Meeting laws. Schedule was given to Board members.

February 14th 2012 (10am-12pm)

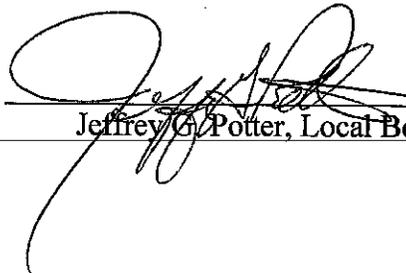
- f. Topic: Arizona Open Meeting Law: Presented by Kathryn Marquait, Asst. Ombudsman for Public Access. James O’Neil, Jeffrey Potter, and Mary Turner will be attending the class.

IX. CALL TO PUBLIC

No one wished to speak.

Meeting adjourned at **12:30 pm**

Transcribed this 2nd day of February 2012.



Jeffrey A. Potter, Local Board Secretary