

**MINUTES OF PUBLIC MEETING  
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, January 05, 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 |                                  |

**I. CALL TO ORDER** – Local board meeting called to order by **J. O'Neil** at **11:00 a.m., Thursday, January 05, 2012.**

**II. APPROVAL OF MINUTES** – A motion for **approval** of the **December 8, 2011** Public and Executive Session Meeting minutes was made by **P. Turley** and seconded by **M. Smarik.** **Approved unanimously.**

**III. DISABILITY RETIREMENT -**

**a. Raymond Comer – (Ordinary)** MRI completed on December 29, 2011.

Dr. Sobel has requested payment before he will deliver the IME. Dr. Sobel was informed of the payment process prior to his acceptance of the IME, the issue has been escalated to the HRO Administrator, Diann Staymates.

**b. Rosemarie Villanueva (Ordinary)** Rosemarie requested that the Board put her application on hold until she receives information from Social Security on how the disability benefit would impact her Social Security benefit she is currently receiving.

A motion to put the application for disability on **Hold** was made by **P. Turley** and seconded by **S. Fay.** **Approved unanimously.**

**IV. NORMAL RETIREMENT** – A motion was made by **M. Smarik** that items **IV a. b. and c.** be **approved** for retirement and seconded by **P. Turley.** **Approved unanimously.**

**a. January 1, 2011**

- 1. Terry W. Crinklaw**
- 2. George D. Foote**
- 3. Latisha L. Haley**
- 4. Mark I. Iovinelli**
- 5. Gustavo D. Luna**

- b. February 1, 2012
  - 1. Ronald L. Blystra
  - 2. Rene E. Elias

- c. March 2012
  - 1. Charles B. Swivel

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

**M. Smarik** made a motion to **approve** the Survivor benefits for **V. a. and upon receipt of final documentation for V. b.** and seconded by **P. Turley**. **Approved unanimously.**

- a. **Richard A. Gabusi (Cheryl)**
- b. **Anthony Kee (Donna)**

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

**P. Turley** made a motion to **approve** the Death benefits for **VI. a. upon receipt of final documentation** and seconded by **M. Smarik**. **Approved unanimously.**

- a. **Richard D Napier (Dyanna)**

**VII. REQUESTS TO REMAIN IN ASRS/CORP** –

- a. **None**

**VIII. GENERAL DISCUSSION** –

- a. **New Position – Radio Communications Manager**

**M. Smarik** made a motion to **approve** the new position **VIII. a. Radio Communications Manager**, to be excluded from CORP and seconded by **G. Herman**. **Approved unanimously.**

- b. Discuss the meaning of “...prevents an employee from performing a reasonable range of duties within the employee’s department...”

The Board requested that a review of previous meeting minutes be made to determine if the issue was discussed previously.

- c. **Memorandum of Understanding**

**P. Turley** made a motion to **Deny** signing of the Memorandum of Understanding stating that with guidance from the Board’s lawyer not to sign due to legal issues, the motion was seconded by **S. Fay**. **Approved unanimously.**

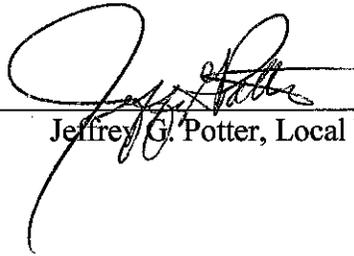
**Noted:** Based on the Board legal consul, adding a 6<sup>th</sup> member to the Board would require statute changes and over steps the authority of the Local Board. The Board, per statute, has no power to add or change statutes. In add, legal consul stated that it would violate Open Meeting laws.

Legal consult advised that only Section I, item 2, first sentence was the item that over stepped the authority of the Board. If this sentence was removed, the Board had no issue in signing the Memorandum of Understanding.

**IX. CALL TO PUBLIC - None**

Meeting adjourned at **11:48 a.m.**

Transcribed this 5th day of January 2012.



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Jeffrey G. Potter, Local Board Secretary