

**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, May 3, 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
George Herman, Board Member
Brian Luse – CORP Board Attorney
Jeffrey Potter, Board Secretary

Michael Smarik, Board Member
Staci Fay, Board Member

Mary Turner – Pension Benefit Coordinator
Donna Kuykendall – wife of member **Corey**
Kuykendall

Paul Turley, Board Member - Absent

I. CALL TO ORDER – Local board meeting called to order by **J. O'Neil** at **11:04 a.m., Thursday, May 3, 2012.**

II. APPROVAL OF MINUTES –

MOTION 05-12-1 Approval of Public and Executive Session Minutes
Motion: Approval of Public Session Minutes from April 5, 2012 meeting and the Public Session Minutes from the April 6, 2012 Special Session.
Moved by: Ms. Fay
Seconded by: Mr. Herman
Discussion: None
In Favor: Unanimous
Motion: Passes

III. DISABILITY RETIREMENTS – Items may be discussed/voted on by the Board. 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 and A.R.S. 38-841.03 (2) - discussion of records exempt by law from public inspection (e.g. medical records). The Executive Session may be required to discuss medical histories.

Motion made to go to Executive Session – 11:05 am

Returned from Executive Session – 11:28 am

a. Corey Kuykendall (Accidental) – Review medical documentation.

MOTION 05-12-2 Deny accidental disability
Motion: Disapproval of accidental disability due to not meeting the definition of Accidental Disability

Moved by: Mr. Herman
Seconded by: Ms. Fay
Discussion: Review of the medical documentation and incident reports provided showed no evidence that exposure to pepper spray caused applicant’s medical conditions. Applicant admitted that he had a migraine headache for several days prior to the exposure to pepper spray. Records also indicate chronic severe headaches were a pre-existing condition for the applicant. Records provided show multiple suggestions that perhaps the applicant’s conditions are psychological in nature. Applicant’s spouse informed the board that the applicant is still under medical care and is currently being treated in a rehabilitation facility located out of state.

In Favor: Unanimous
Motion: Passes

b. Stephen Nettles (Ordinary) – Review medical documentation.

MOTION 05-12-3 Deny ordinary disability
Motion: Disapproval of ordinary disability due to not meeting the definition of Ordinary Disability.

Moved by: Ms. Fay
Seconded by: Mr. Smarik
Discussion: The applicant noted multiple myeloma as the reason for his request for an ordinary disability retirement. Medical documentation provided shows the patient is in complete remission for the multiple myeloma dating back to October 2011. Also of note in the medical records is a back injury that occurred prior to applicant’s employment with ADC – when a pallet of soda fell onto him. Applicant is currently under medical care for his back pain and his treating physician indicated that he hopes the patient will be able to return to full duty work activities within 6 -12 months.

In Favor: Unanimous
Motion: Passes

IV. 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. May 1, 2012

- 1. **Robert F Busch**
- 2. **Alberto Chavez**
- 3. **Peter R Espinosa**
- 4. **Clarence B Johnson**
- 5. **David Keeme**
- 6. **Miguel R Ortiz**
- 7. **Anne L Pogue**
- 8. **Jeff J Tate**
- 9. **Venancio P Urquijo**

b. June 1, 2012

- 1. **Hugo Astudillo**
- 2. **Penny L Donald**
- 3. **Ronald Ertel**
- 4. **Huey E Ward**

MOTION 05-12-4 Approval Normal Retirements
 Motion: To approve items IV a. 1-9 and b. 1-4 for retirement.
 Moved by: Mr. Smarik
 Seconded by: Mr. Herman
 Discussion: None
 In Favor: Unanimous
 Motion: Passes

V. SURVIVOR BENEFITS – – Items may be discussed/voted on by the Board. 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. The following applications have been filed and are presented for Local Board consideration:

- a. Donald C Belousek (Frances)**
- b. Kenneth L Wilson (Caroline)**

MOTION 05-12-5 Approval Survivor Benefits
 Motion: To approve items V a-b for Survivor Benefits
 Moved by: Mr. Smarik
 Seconded by: Ms. Fay
 Discussion: None
 In Favor: Unanimous
 Motion: Passes

VI. DEATH BENEFITS -- Items may be discussed/voted on by the Board. 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. The following applications have been filed and are presented for Local Board consideration:

- a. **Robert J Koreen**
- b. **Kenneth L Wilson**

MOTION 05-12-6 Approval Death Benefits
Motion: To approve items VI a-b for Death Benefit upon receipt of final documentation.
Moved by: Mr. Smarik
Seconded by: Ms. Fay
Discussion: None
In Favor: Unanimous
Motion: Passes

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

- a. **Paul Stewart – request to remain in CORP**

MOTION 05-12-7 Remain in CORP
Motion: To Approve the request to remain in CORP
Moved by: Ms. Fay
Seconded by: Mr. Herman
Discussion: Length of service, 14 years
In Favor: Unanimous
Motion: Passes

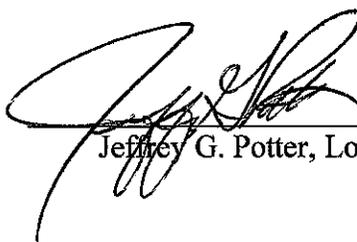
VIII. GENERAL DISCUSSION – Items may be discussed/voted on by the Board. At any time, the Board may enter into Executive Session pursuant to A.R.S 38-431.03 (A) (2) and obtain legal advice pursuant to A.R.S 38-431.03 (A) (3) to discuss details of a serious or confidential nature.

Motion made to go to Executive Session – 11:46 am
Returned from Executive Session – 12:10 pm

- a. **Pre-existing Physical Exams Questions**– A list of question were reviewed by the Board. Jeffrey Potter will update answers and send to the Board for review.

IX. CALL TO PUBLIC – None

Meeting adjourned at 12:11 pm
Transcribed this 4th day of May 2012.



Jeffrey G. Potter, Local Board Secretary