

PIMA COUNTY CORRECTIONS OFFICER RETIREMENT BOARD

THE CORRECTIONS OFFICER RETIREMENT BOARD OF PIMA COUNTY, ARIZONA MET IN SESSION IN THE 1<sup>ST</sup> FLOOR, CONFERENCE ROOM AT 130 W. CONGRESS, TUCSON, ARIZONA ON THURSDAY, JULY 6, 2018.

VOTING MEMBERS PRESENT: Keith Bagwell  
Leo Duffner  
Michael Escobar  
Mary Scott

OTHERS PRESENT: David A. McEvoy, Board Attorney  
Jaime Carpenter, Board Secretary  
Renee Mattas, Disability Retiree  
Todd Mattas, with Renee Mattas  
Michael Schaeffer, Disability Retiree

ABSENT: Georgia Brousseau

The meeting was called to order at 10:02 a.m. by Mr. Bagwell.

Item 1 on the agenda was a Roll Call. Attendance, as listed above.

Item 2 on the agenda was the Pledge of Allegiance.

Item 3 on the agenda was the approval of minutes from the board meeting held 06/06/18. Mr. Duffner moved to approve the minutes as submitted. Mr. Escobar seconded the motion and it carried unanimously.

Item 4 on the agenda was the rehearing regarding the disability benefits of Ms. Renee Mattas, to include discussion of letters received from the CORP, the retiree's legal counsel and communications with the CORP and Mr. Dave McEvoy. Ms. Carpenter reviewed with the board the events involving the disability benefits of Ms. Mattas and that CORP has decided to continue payment of her benefit until the rehearing. Mr. McEvoy reviewed with the board a letter dated 06/11/18, that he received from Mr. Brick Storts, legal counsel for Ms. Mattas. He advised that he spoke to Mr. Storts and verbally explained the legal basis for the board's decision. Mr. McEvoy then reviewed the letter from CORP's Member Services Director, Robert Ortega dated 06/18/18, requesting a rehearing and clarification of the board's decision. He then discussed with the board a conversation he had with Ms. Bonnie Brown, CORP/PSPRS Retired Members Manager on 06/28/18. Ms. Brown was following up on the rehearing letter dated 06/11/18. She asked that the board reconsider at the re-hearing the decision made at the meeting on 05/06/18 and discussed their office's interpretation of ARS §38-881(1) and §38-881(13)(a)(i). Ms. Mattas was asked if she had anything to share or add; she reviewed her medical disability with the board and reminded them that she can no longer be a Sergeant at the jail because of her disability. She said there was nothing in any of the paperwork she signed in 2013, when her disability application was approved, that she could not come back as a civilian supervisor. She asked that the board reverse its decision. Mr. McEvoy discussed

3 possible decisions: 1) The prior vote of terminating her benefits is correct and the Plan and/or Ms. Mattas can challenge the Board and file an appeal with the court; 2) Reverse the prior decision and continue her disability benefits; 3) Request that the Board get clarification on the statute from the Arizona Attorney General's Office. Based on the difference between the PSPRS and CORP legislative standards and a difference in the interpretation of the applicable statutes, Mr. Duffner moved that Mr. McEvoy request clarification from the Arizona Attorney General's Office while continuing to pay the disability benefit to Ms. Mattas. Mr. Escobar seconded the motion and it carried unanimously.

Item 5 on the agenda was the discussion and possible action regarding medical re-evaluation of disability retiree Michael Schaeffer. The board reviewed the medical report from Dr. Schumacher dated 06/21/18. With no concern or conflict from Mr. McEvoy, Mr. Duffner moved to continue the disability benefits for Mr. Michael Schaeffer. Mr. Escobar seconded the motion and it carried unanimously. The secretary then advised the board that Mr. Schaeffer will reach his 20 years of service and normal retirement eligibility prior to next 5 year review period and therefore, will no longer need a reevaluation for the continuation of his benefits.

Item 6 on the agenda was consideration of payment for the invoice from Dr. Raymond Schumacher for independent medical re-evaluation of Mr. Michael Schaeffer. Mr. Escobar moved the invoice for \$1,150 be submitted by the secretary for payment. Ms. Scott seconded the motion and it carried unanimously.

Item 7 on the agenda was discussion and possible action regarding the medical re-evaluation of disability retiree Rafael Michel, Jr. The secretary advised that Mr. Michel will travel to Tucson from his residence out of state for his appointment with Dr. Schumacher on 07/17/18. No action was taken.

Item 8 on the agenda was the New Membership forms, effective 05/17/18 with no pre-existing conditions, unless otherwise noted: Dafenone Adun, Raymundo Barcelo, Edward Bensing, Laman Cazares, Bryann Daus, William Davis (noted pre-existing condition), Jeremy Ford, Tony Manganelli, Alfredo Martinez, Jose Mejia, David Moises, Jorge Navarrete, Aimee Rivera, Brianna Sanchez, Luis Santillan (noted pre-existing condition), Yesika Sutherland and Kyle West (noted pre-existing condition). Mr. Escobar moved to approve the New Membership forms listed in agenda item 8. Ms. Scott seconded the motion and it carried unanimously.

Item 9 on the agenda was the Application for Separation – Refund for William Davis, Christopher Manns, Ryan Nance, Armando Rodriguez, Brianna Sanchez, Jessica Salaz, Luis Santillan, Yesika Sutherland and Kyle West. Mr. Escobar moved to approve the applications. Ms. Scott seconded the motion and it carried unanimously.

Item 10 on the agenda was the Application for Normal Retirement for Keith Cook, with 20.42 years of service and an effective date of 07/01/18. Ms. Scott moved to approve the application. Mr. Escobar seconded the motion and it carried unanimously.

Item 11 on the agenda was a review of pending legislation and discussion as needed. There was none.

Item 12 on the agenda was a review of correspondence with the Corrections Officer Retirement Plan. The secretary reviewed with the board an email from CORP dated 06/18/18 reviewing the new membership forms, Tier 3 Matrix and Tier 3 Defined Contribution benefit brochure.

Item 13 on the agenda was other board business. Mr. Duffner asked the secretary to remind the board when Ms. Mattas would reach the normal retirement eligibility requirement when disability reevaluations are no longer required. The secretary advised that in January 2019, she will have had 20 years of service and no longer be required to undergo a medical reevaluation.

Item 14 on the agenda was a call to the public. There was none.

Thereafter, upon motion duly made, seconded and unanimously approved, the meeting adjourned at 10:32 a.m.

Jaime K. Carpenter, Secretary