

PIMA COUNTY CORRECTIONS OFFICER RETIREMENT BOARD

THE CORRECTIONS OFFICER RETIREMENT BOARD OF PIMA COUNTY, ARIZONA MET IN SESSION IN THE 1ST FLOOR, CONFERENCE ROOM AT 130 W. CONGRESS, TUCSON, ARIZONA ON WEDNESDAY, JUNE 6, 2018.

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

OTHERS PRESENT: David A. McEvoy, Board Attorney
Jaime Carpenter, Board Secretary

ABSENT: Georgia Brousseau

The meeting was called to order at 8:45 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 04/09/18. Mr. Escobar moved to approve the minutes as submitted. Ms. Scott seconded the motion and it carried unanimously.

Item 4 on the agenda was the Application for Separation - Refund for Kimberly Austin, Savanna Cuestes, Kevin Davis, Ryan Dusz, Christopher Evans, Nicholas Foster, Roderick Macon, Kenneth Michika, Cristian Robeson and Steven VanSant. Mr. Duffner moved to approve the applications. Mr. Escobar seconded the motion and it carried unanimously.

Item 5 on the agenda was a read-in by Mr. Bagwell of the Change of Beneficiary Designation forms for Peter Aroz, Crystle Prosser and Brandon Beardsley as set forth in their forms dated 05/17/18, 05/17/18 and 05/16/18, respectively.

Item 6 on the agenda was the Application for Normal Retirement for Scott Johnson with 23.03 years of service and an effective date of 06/01/18. Ms. Scott moved to approve the application. Mr. Escobar seconded the motion and it carried unanimously.

Item 7 on the agenda was the Application for Normal Retirement for Ramon Orozco with 20.67 years of service and an effective date of 06/01/18. Mr. Escobar moved to approve the application. Ms. Scott seconded the motion and it carried unanimously.

Item 8 on the agenda was the Application for a Survivor's Benefit for Katy Knickerbocker, effective 05/01/18. She is the spouse of retired member Brian Knickerbocker, who passed away on 04/29/18. The secretary advised that they have been married since 1969 and therefore, she meets the eligibility

requirement. Mr. Duffner moved to approve the application. Ms. Scott seconded the motion and it carried unanimously.

Item 9 on the agenda was the discussion and possible action regarding the medical reevaluation of disability retiree Renee Mattas. The board reviewed the reevaluation report submitted by Dr. Raymond Schumacher dated 05/23/18. Mr. McEvoy reviewed with the board ARS 38-881, which defines “Accidental disability” as a physical or mental condition that the local board finds totally and permanently prevents an employee from performing a reasonable range of duties within the employee's department....”. The statute goes on to outline the causation and eligibility requirements for a disability retirement. ARS 38-886(A) states that the “local board may require a retired member with a disability to undergo periodic reevaluations of the continuation of accidental disability . . . An accidental disability pension . . . is terminated if the local board finds the retired member no longer meets the requirements for accidental disability retirement . . . This subsection does not apply after a retired member with a disability reaches the member’s normal retirement date.” Mr. McEvoy reviewed page 2 of the report from Dr. Schumacher. Specifically, question #1 and the response; “Does Ms. Mattas have a physical or mental condition which totally and permanently prevents her from performing a reasonable range of duties within the employee’s department?” The response reads, in part, “If the employing law enforcement agency cannot accommodate this continuing restriction in the corrections officer occupation then it continues to be true that Ms. Mattas has a physical condition which totally and permanently prevents her from performing a reasonable range of duties in her previous occupation as corrections officer.” That statement is incorrect since the standard is in relation to “a reasonable range of duties within the employee's department” pursuant to ARS 38-881. Also on page 2 of the report, Mr. Schumacher states, “Ms. Mattas continues as a civilian front desk supervisor at the county jail.” The board discussed the re-employment of Ms. Mattas as a civilian with the department, after the approval of her disability retirement in February 2013. Based on ARS 38-881, ARS 38-886, the report from Dr. Raymond Schumacher and Ms. Mattas’ current employment status with the department, Mr. Duffner moved to discontinue the disability benefits for Ms. Renee Mattas. Mr. Escobar seconded the motion and it carried unanimously.

Item 10 on the agenda was the consideration of payment for the invoice from Dr. Raymond Schumacher for independent medical re-evaluation for Renee Mattas. Mr. Escobar moved to approve payment of the invoice. Ms. Scott seconded the motion and it carried unanimously.

Item 11 on the agenda was the discussion and possible action regarding the medical re-evaluation of disability retiree Rafael Michel, Jr. The secretary advised that she has contacted Mr. Michel, who now lives in Oregon. Mr. Michel offered to come to Tucson for his medical reevaluation should the board decide to do that, or the find a physician to conduct the reevaluation in Oregon. After a brief discussion, the board advised the secretary to have Mr. Michel come to Tucson for the reevaluation by the board’s physician.

Item 12 on the agenda was a review of pending legislation and discussion as needed. There was nothing reviewed.

Item 13 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 04/24/18 and the attached matrix, which outlines Tier 1, Tier 2 and Tier 3 benefits. The secretary then reviewed an email from CORP dated 05/31/18, informing those that plans have lowered their assumed earnings rate, from 7.3% to 7.4%, which could cause an increase in the employer contribution rates in the future.

Item 14 on the agenda was other board business. The secretary reminded the board that the July 2018 meeting would be held on Friday, July 6th instead of Wednesday, July 4th.

Item 15 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 9:23 a.m.

Jaime K. Carpenter, Secretary