

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



**January 4, 2024**



**DRAFT**

A public meeting of the Corrections Officer Retirement Plan Local Board for the Arizona Department of Corrections Rehabilitation and Reentry (ADCRR) was convened **Thursday, January 4, 2024, at 10:00 a.m.** at the **Arizona Department of Corrections, 1831 West Jefferson, Phoenix, Arizona, 85007**, in the Training Room, on the 2<sup>nd</sup> floor.

The Board may discuss/vote on items at any time, the Board may enter into Executive Session pursuant to A.R.S. § 38-431.03 (A) (2) to obtain legal advice and pursuant to A.R.S. § 38-431.03 (A) (3) to discuss details of a confidential nature.

Present at the meeting were the following individuals:

|   |   |
|---|---|
| Lori Stickley, Chairwoman                             | Judy Frigo, Board Member (Conferenced in)         |
| Randall Lowe, Board Member                            | Kyle Cummings, Assistant Attorney General         |
| Sandra Moreno, Board Secretary, Retirement Specialist | Karen Ray, Board Secretary, Retirement Specialist |
| <b>Guests</b>   |   |
| Kelly Smith   |   |

**I. CALL TO ORDER** – CORP Local Board Meeting called to order by Lori Stickley at 10:00 a.m.

**ROLL CALL TAKEN**

1. The individuals listed in the above table were present.

**II. APPROVAL OF MINUTES**

1. Approval of Public Meeting Minutes for December 7, 2023.

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|-----------------|--|
| MOTION 01-04-01 |  |
| Motion:         | Approval of December 7, 2023, Public Meeting Minutes |
| Moved by:       | Judy Frigo   |
| Seconded by:    | Randall Lowe   |
| Discussion:     |  |
| In Favor:       | Frigo – aye, Lowe – aye, Stickley – aye              |
| Motion:         | Passed   |

### III. REQUEST TO REMAIN IN ASRS/CORP:

The following applications have been filed and are presented for Local Board consideration:

1. **Ernesto Gutierrez** is requesting to remain in ASRS; he has 20 years of service. He accepted a CORP position as a Plumber, effective date November 25, 2023.
2. **Robert Purdy** is requesting to remain in CORP; he has 17.22 years of service. He accepted an ASRS position as a Reentry Coordinator, effective date January 6, 2024.

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|-----------------|---|
| MOTION 01-04-02 |   |
| Motion:         | Approval of request by Ernesto Gutierrez to remain in ASRS and approval of request by Robert Purdy to remain in CORP. |
| Moved by:       | Judy Frigo  |
| Seconded by:    | Randall Lowe  |
| Discussion:     |   |
| In Favor:       | Frigo – aye, Lowe – aye, Stickley – aye   |
| Motion:         | Passed  |

### IV. DISABILITY RETIREMENTS:

The following applications have been filed and are presented for Local Board consideration:

1. **Juan Ramos:** IME review for Ordinary Disability Pension.

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| MOTION 01-04-03 |  |
| Motion:         | Vote to approve for Ordinary Disability pension.   |
| Moved by:       | Judy Frigo   |
| Seconded by:    | Randall Lowe   |
| Discussion:     | Board Member Frigo asked whether these two matters should be part of a single motion, or addressed in separate motions. AAG Cummings stated that addressing the matters in separate motions would help create the clearest record. Board Member Frigo made a Motion for Juan Ramos’ ordinary disability pension application to be approved based on the doctor’s report from the Independent Medical Exam (IME). |
| In Favor:       | Frigo – aye, Lowe – aye, Stickley – aye  |
| Motion:         | Passed   |

2. **Calvin Burns:** IME review for Ordinary Disability Pension.

|                 |   |
|-----------------|---|
| MOTION 01-04-04 |   |
| Motion:         | Vote to deny for Ordinary Disability pension. |
| Moved by:       | Judy Frigo                                    |
| Seconded by:    | Randall Lowe                                  |

|             |  |
|-------------|--|
| Discussion: | Board Member Frigo made a Motion to not approve Calvin Burns’ request for ordinary disability pension based on the IME paperwork from Dr. Farida Rassiwala. Board Member Frigo stated she could be more specific if needed. AAG Cummings stated that he would always recommend that more specificity is always better with these medical reviews for disability. Board Member Frigo stated she makes the motion and that she will quote from the IME report, further stating “In regard to the mental condition, does the condition totally and permanently prevent the employee from engaging in any substantial gainful activity and the doctor responded, no.” Board Member Frigo then stated, “I base my motion on this report.” |
| In Favor:   | Frigo – aye, Lowe – aye, Stickley – aye  |
| Motion:     | Based on this review he has been denied by the Board for his disability pension.   |

**V. RETURN TO WORK RETIREE REQUESTING TO RETAIN PENSION:**

The following request was presented for Local Board consideration:

- 1. John Ellis** retired from CORP effective September 6, 2022. He is returning to work in a CORP position as a Correctional Officer II, effective January 8, 2024. Mr. Ellis is requesting to retain his CORP pension. An Alternate Contribution Rate is required.

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|-----------------|---|
| MOTION 01-04-05 |   |
| Motion:         | Motion for John Ellis to continue to receive his CORP pension and that an alternate contribution rate will be required by the Department. |
| Moved by:       | Judy Frigo  |
| Seconded by:    | Randall Lowe  |
| Discussion:     |   |
| In Favor:       | Frigo – aye, Lowe – aye, Stickley – aye   |
| Motion:         | Passed  |

**V. GENERAL DISCUSSION:**

1. Next Board Meeting: Chairwoman Stickley stated the next Board Meeting will be Thursday, February 1, 2024. Chairwoman Stickley, Board Members Frigo and Lowe stated they will be in attendance.

**VI. CALL TO PUBLIC**

No public comment.

Chairwoman Stickley adjourned the meeting at 10:06 A.M.

Transcribed on **January 5, 2024**

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**Karen Ray, Board Secretary, Pension Specialist**