



## Yuma County Sheriff's Office Corrections Officer Retirement Plan Local Board Special Meeting

October 05, 2015

Members present: Greg Ferguson  
Ruben Amaya  
Dave McDowell

Members absent: Brenna Paulin  
Tiffany Murray

Others present: Nora Mejia-Rico, Secretary

A special meeting of the Local Board of the Yuma County Sheriff's Office Corrections Officer Retirement Plan was held Monday, October 05, 2015, at the Yuma County Sheriff's Office.

Chairman Greg Ferguson called the meeting to order at 3:33 p.m.

The board reviewed the minutes of the March 11, 2015 quarterly meeting. Mr. McDowell motioned to approve the minutes as presented. Mr. Amaya seconded. The motion carried 3 to 0.

### **New Business**

**New Hires:** The secretary advised the board members of the new CORP members: William Babb IV, Daniel Ibarria, John Lopez, Rosaura Solis Navarette, their date of hire 03/20/15; Miguel Figueroa, Thomas Soucy, their date of hire 05/18/15; Adam Cano, Hayato Johnson, Samantha Quale, their date of hire 05/22/15; Casey Hall, date of hire 05/26/15; Gilberto Perez-Rodriguez, date of hire 06/22/15; Daniel Perez, date of hire 07/20/15; Emmanuel Alvarez, Edgar Meraz, Diana Moreno, Carlos Olmos, Diana Sosa, their date of hire 07/27/15; Evander Johnson, Martha Martinez, Brandi McCollister, their date of hire 08/10/15; Martin Orozco, Mario Rivera, their date of hire 08/14/15; Richard Childs, date of hire 09/11/15; Jonathan Coulter, date of hire 09/15/15; Charles Crawford and Francisco Lopez, their date of hire 09/21/15. Their medical evaluations were reviewed for pre-existing medical conditions. Letters of pre-existing condition(s) were sent to William Babb IV, Daniel Ibarria, Rosaura Solis Navarette, Thomas Soucy, Adam Cano, Hayato Johnson, Samantha Quale, Gilberto Perez-Rodriguez, Diana Moreno, Diana Sosa, Evander Johnson, Martin Orozco, Mario Rivera, Richard Childs, Jonathan Coulter, and Charles Crawford on September 22, 2015. The secretary advised the board that Ms. Hall had a pre-existing condition; however, she separated employment prior to receiving the pre-existing letter. Mr. McDowell motioned to approve the new CORP members and to acknowledge the pre-existing conditions. Mr. Amaya seconded. The motion carried 3 to 0.

**Separated Members:** The secretary advised the board members that the following CORP members have separated from employment with the Yuma County Sheriff's Office: Jonathan Alvarez, date of separation 03/16/15; David Castanon, date of separation 03/20/15; Christian Casillas, date of separation 04/10/15, Erick Aguilar, date of separation 04/17/15; Philip Gray, date of separation 05/05/15; Lewis Wilbur, date of separation 05/15/15; Angel Atondo, date of separation 05/21/15; Jesse Cortez, date of separation 05/29/15; Debra Sanchez, date of separation 06/16/15; Adam Hildestad, date of separation, 06/22/15; Adrian Montoya, date of separation 06/23/15; Timothy Driskell II, date of separation 06/26/15; George Vogt, date of separation 07/03/15; Dylan Smith, date of separation 07/12/15; Casey Hall, date of separation 07/13/15; Sylvia Vasquez, date of separation 08/01/15; Marisa Calzada, date of separation 08/07/15; Kevin Wolstencroft, date of separation 08/08/15; Rodolfo DeAnda, date of separation, 08/09/15; Christopher Taylor, date of separation 08/17/15; Brandi McCollister, date of separation, 08/18/15; and Lino Valencia Canizalez, date of separation

09/13/15. Mr. McDowell motioned to approve CORP members that have separated from employment with Yuma County. Mr. Amaya seconded. The motion carried 3 to 0.

YUMA COUNTY SHERIFF'S OFFICE  
CORRECTIONS OFFICER RETIREMENT PLAN  
LOCAL BOARD  
Special Meeting – October 05, 2015  
Page 2

The local board reviewed the application for Survivor's Benefit by Mrs. Margarita Aguilar. After a brief discussion, Mr. McDowell motioned to approve the Application for Survivor's Benefit by Mrs. Aguilar, effective September 01, 2015. Mr. Amaya seconded. The motion carried 3 to 0.

**Old Business**

The local board reviewed the application for an Ordinary Disability Retirement by Ms. Heather Sudlow. Chairman Ferguson stated for the record, Ms. Heather Sudlow was absent from today's meeting. The secretary informed the local board that she had some questions regarding Ms. Sudlow's disability date and as a result she spoke with Mr. Ortega from the Phoenix Office. The secretary relayed the information she received from Mr. Ortega, regarding Ms. Sudlow's disability date/disabling event, the date Ms. Sudlow listed on her amended application as the date the condition was diagnosed, and the date that Ordinary Disability became effective under the Corrections Officer Retirement Plan (CORP). She further explained to the local board, the disability date should be prior to the claimant ceasing employment and the local board should receive a Dr.'s note indicating the claimant can no longer perform their duties due to the disability. The secretary read the disability date's definition to the local board. After a discussion regarding the date(s) the condition was diagnosed on her amended and original application, the circumstances regarding the medical condition, and the results from the Independent Medical Examination (IME) report from Dr. Reiser; the local board agreed Ms. Sudlow's medical condition was first diagnosed by a Neurologist in 2004. However, she was able to perform her duties at that time. The board further agreed with time, her medical condition gradually deteriorated. Once Ms. Sudlow was not able to take her medication, her condition became severe enough that it prevented her from performing her duties. In addition, the local board advised the secretary to consider the October 2013 date that is listed on Ms. Sudlow's original application as the disability date, since that is about the time her condition became severe.

Mr. McDowell made several references to the IME Report to include Form C5-LB-O. He further stated Ms. Sudlow has complied with the local board's directions, to include, providing additional information. The local board agreed that the additional information was sufficient and sent her for an IME with Dr. Reiser. He also stated, Dr. Reiser answered the questions required by statute.

The local board discussed a possible effective date. The secretary advised the board that Ms. Sudlow's separation date was December 01, 2014; the retirement effective date is usually the 1<sup>st</sup> day of the following month which would be January 01, 2015, if the board chooses. She also read A.R.S. 38-895.02, which states the board shall not make a retroactive payment of a pension to a person for a period of more than one hundred eighty days before the date of the person's application for benefits.

Mr. McDowell motioned to approve Ms. Sudlow's application for an Ordinary Disability Retirement based on the information received from Dr. Reiser, Ms. Rico, and from previous meetings and in accordance with A.R.S. 38-886.01, with an effective date of January 01, 2015. Mr. Amaya seconded. Motion carried 3 to 0.

The board members reviewed the invoice from Prime Care, \$25.00, for copies of Ms. Sudlow's medical records and the invoice from Medical Consultant Network, \$1,925.00 for the IME conducted by Dr. Reiser. Mr. McDowell motioned to approve payment on the invoices. Mr. Amaya seconded. The motion carried 3 to 0.

The next quarterly board meeting was scheduled for December 09, 2015 at 3:15 p.m.

The meeting was adjourned at 4: 20 p.m.

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