



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

November 17, 2015

Members present: Greg Ferguson
Ruben Amaya
Dave McDowell
Tiffany Murray

Members absent: Brenna Paulin

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 Tuesday, November 17, 2015, at the Yuma County Sheriff's Office.

Chairman Greg Ferguson called the meeting to order at 3:31 p.m.

Old Business

Chairman Ferguson moved to agenda item #2 - Review, discuss and possible action regarding the request for rehearing by the Board of Trustee's Administrative Office with respect to the Local Board's original approval of Ordinary Disability of Ms. Heather Sudlow. Chairman Ferguson advised the local board that Ms. Sudlow's condition was diagnosed in 2004. He further stated the local board received a letter from the Administrative Office regarding the board's approval; the Administrative Office reviewed the application and determined Ms. Sudlow does not qualify for disability because the disability for Corrections did not become law until September 26, 2008. For this reason, the Board of Trustee's Administrative Office requested a rehearing on this matter.

Since Ms. Sudlow was absent for this meeting/rehearing, the local board secretary advised and read to the local board the Corrections Officer Retirement Plan Model Uniform Rules of Local Board Procedure, paragraph d, subsection No. 11 – Failure to appear at Rehearing. The secretary explained to the local board that they could either continue with the rehearing OR reschedule the rehearing. Chairman Ferguson explained to the local board that one of the urgencies to have the rehearing scheduled as soon as possible was so that if Ms. Sudlow's disability is denied, she would still have an opportunity to resubmit under another medical condition, if she decided to do so. He further explained she has within one (1) year from the date she ceased employment (12/01/14) to file and that the one (1) year time frame cannot be extended. The local board secretary advised the board that she sent the rehearing notice to Ms. Sudlow via certified mail on November 02, 2015 and she signed the certified mail returned receipt on November 04, 2015. The local board proceeded with the rehearing.

Mr. McDowell made reference to the second paragraph of the letter from Mr. Smout, regarding the diagnosis date. He asked for clarification regarding the September 26, 2008 and the diagnosis date listed on the application. Chairman Ferguson informed the board that the September 26, 2008, is when Ordinary Disability became effective and that there was no Ordinary Disability process until September 2008, Ms. Sudlow's condition was diagnosis in 2004.

The secretary advised the local board of their options to either uphold previous decision, the Board of Trustee's Administrative Office will then review it, if they disagree with the board's decision, then they can appeal it to the courts. The second option is to change their previous decision, if the claimant disagrees then she can file through the courts. The board members discussed the possibility if she decided to submit another application, what procedures would need to be completed? The local board secretary stated Ms. Sudlow would need to submit medical evidence, and if the local board determines there is enough medical evidence to

continue in the process, then she would be sent for an Independent Medical Examination (IME) for that specific medical condition.

Chairman Ferguson reiterated the options available to the local board: to uphold the original decision, to change the original decision, or to continue the rehearing. Mr. McDowell motioned to change the board's original decision and to disapprove Ms. Sudlow's application for Ordinary Disability, after reviewing the letter from the Administrator, Mr. Smout, and the concerns listed, it doesn't meet the statutory requirements of the retirement system. Mr. Amaya seconded. The motion carried 4 to 0.

New Business

The board reviewed the minutes of the October 05, 2015 special meeting. Mr. McDowell motioned to approve the minutes as presented. Mr. Amaya seconded. The motion carried 4 to 0.

New Hires: The secretary advised the board members of the new CORP members: Richard Childs, date of hire 09/11/15; Charles Crawford, date of hire 09/21/15; Aaron Goodrich, Abel Pasillas, their date of hire 09/28/15; Michael Cooper, date of hire 10/05/15; Jesus Beltran, date of hire 10/19/15; James Baish, date of hire 10/27/15; Ramon Ramirez, date of hire 11/02/15; Manuel Sarti Meeser and Brett Leonard, their date of hire 11/10/15. Their medical evaluations were reviewed for pre-existing medical conditions. Letters of pre-existing condition(s) were sent to Richard Childs, Charles Crawford, Aaron Goodrich, Michael Cooper, Jesus Beltran, Ramon Ramirez, and Brett Leonard on November 12, 2015. Mr. McDowell motioned to approve the new CORP members and to acknowledge the pre-existing conditions. Mr. Amaya seconded. The motion carried 4 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: Joshua Gauthier-Dorame, date of separation 09/22/15; Francisco Lopez, date of separation 09/30/15; James Schroeder, date of separation 10/13/15; Jonathan Coulter, date of separation 10/14/15; Lucia Gracia, date of separation 10/30/15; Matthew Haas, date of separation 10/30/15; and Kenton Stevens, date of separation 11/06/15. Mr. McDowell motioned to approve CORP members that have separated from employment with Yuma County. Mr. Amaya seconded. The motion carried 4 to 0.

The next quarterly board meeting was scheduled for March 09, 2016 instead of December 9, 2015. The board members agreed if any issues need to be addressed prior to the March 2016 quarterly meeting, a special meeting will be scheduled.

The meeting was adjourned at 3:53 p.m.