

**MEETING MINUTES OF THE  
CORRECTION OFFICERS RETIREMENT BOARD**

**January 22, 2014 @ 6:04 p.m.**

**AVONDALE CIVIC CENTER  
CREASOTE CONFERENCE ROOM  
11465 W. CIVIC CENTER DRIVE  
AVONDALE, ARIZONA**

The meeting was called to order at approximately 6:04 p.m. by Secretary Reyes.

**MEMBERS PRESENT**

Kevin Artz, President  
Kathy Reyes, Secretary  
James Plymesser, Board Member  
Michael Long, Board Member

**MEMBERS ABSENT**

Alvin Ramirez, Board Member  
Chad Smith, Board Member

**ALSO PRESENT TELEPHONICALLY**

Cynthia Kelly, Esq.

- 1. Approve the Correction Officer Retirement Board Minutes from meeting held on November 20, 2013.**

President Artz explained that someone can make a motion and a second to approve the minutes if there are no corrections. A Board Member moved to approve the board minutes from the meeting held on November 20, 2013. A Board Member seconded the motion. The motion passed unanimously.

- 2. The Correction Officer Retirement Board will meet to discuss and follow-up on the application for Ordinary Disability Retirement for Michael Kimbrell and may take action.**

President Artz suggested that the Board go into Executive Session for consultation with legal counsel.

**EXECUTIVE SESSION: The Board may vote to adjourn to an Executive Session pursuant to A.R.S. § 38-431.03(A) (2) and (3) to consider confidential records, or for consultation with legal counsel.**

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President Artz moved that the Board go into Executive Session for consultation with legal counsel. A Board Member seconded the motion.

**Open Session**

2. **(Continued.) The Correction Officer Retirement Board will meet to discuss and follow-up on the application for Ordinary Disability Retirement for Michael Kimbrell and may take action.**

President Artz invited discussion. There was none. President Artz asked if the Board Members need to vote on each question. Attorney Kelly advised that if there is no discussion, the Chair would invite a motion. After the vote on the motion, the Board will discuss each question on the record.

President Artz invited a motion on the application for Ordinary Disability Retirement for Michael Kimbrell. Board Member Long made a motion to approve the disability application for Michael Kimbrell. President Artz seconded that motion.

**Roll Call**

**Vote**

President Artz	Yea
Board Member Plymesser	Abstain
Board Member Long	Yea

Secretary Reyes stated the Ordinary Disability Retirement for Michael Kimbrell is approved.

The Board Members discussed the disability application questions.

- 1) Did the employee file the application after the disabling incident?

Mr. Kimbrell responded yes.

- 2) Did or will the employee terminate by reason of disability?

Mr. Kimbrell responded yes.

- 3) Did employment terminate based on a disciplinary issue?

Mr. Kimbrell responded no.

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- 4) In regard to the physical injury, is the employee still working in a CORP-designated position that the local board considers a reasonable range of duties in a position within the employee's department? In regard to the mental condition, is the employee still working a job that the local board considers a substantial, gainful activity?

Mr. Kimbrell responded, no, he does not work in a CORP-designated position.

- 5) In regard to the physical injury, has the employee refused a CORP-designated position that the local board considers a reasonable range of duties within the employee's department? In regard to the mental condition, has the employee refused a position that the local board determines will prevent the employee from engaging in any substantial, gainful activity?

Mr. Kimbrell responded no.

- 6) Did the injury or condition occur prior to the current CORP membership date?

The Board Members answered no.

Secretary Reyes asked if Mr. Kimbrell had any questions. He had none.

**6. ADJOURNMENT**

President Artz invited a motion to adjourn. A Board Member moved to adjourn. A Board Member seconded the motion. The motion passed unanimously.

Respectfully submitted,

Ronald E. Martin  
Local Board Secretary

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