

FIDUCIARY BOARD



Arizona State Courts Building
1501 West Washington Street
Phoenix, Arizona 85007-3222
Hearing Room 109

November 8, 2012
10:30 A.M.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present

Pamela Johnston
Gary Krcmarik
Deborah Primock
Leonard Montanaro

Telephonically Present:

Mary Jane Baumgarten
Sherry Reed
Shari Tomlinson
Diana Corry
Judge Jay Polk

Absent

Ted Evertsen
Emily Kile

OTHER ATTENDEES:

AOC Staff:

Mark Wilson
Linda Grau
Debbie MacDougall
Nina Preston
Kimberly Siddall
Rick Sczerbicki
Wendy Reiter
Arnita Oliver

Guests:

Lori Lashley

CALL TO ORDER

Called to Order By:

Pamela Johnston

Time:

10:31 A.M.

1) REVIEW AND APPROVAL OF MINUTES

1-A: Review, discussion, and possible action regarding the regular session minutes of the meeting held on September 13, 2012.

Individual Addressing the Board: Pamela Johnston

Discussion: None

Motion: Move to approve the regular session minutes of the meeting on September 13, 2012.

Motion Proposals: First Leonard Montanaro
Second Gary Krcmarik

Motion Results: Pass

1-B: Review, discussion, and possible action regarding the executive session minutes of the meeting held on September 13, 2012.

Individual Addressing the Board: Pamela Johnston

Discussion: None

Motion: Move to approve the executive session minutes of the meeting on September 13, 2012.

Motion Proposals: First Deborah Primock,
Second Mary Jane Baumgarten

Motion Results: Pass

2) PENDING COMPLAINTS

2-A: There are currently no complaints for the Board to consider at this time

Individual Addressing the Board: Debbie MacDougall

3) ADMINISTRATIVE ISSUES

3-A: Review and discussion regarding the grounds for denial of certification/licensure in Arizona Code of Judicial Administration § 7-201(E)(2)(c) and possible future proposed amendments of the subsection.

Individual Addressing the Board: Leonard Montanaro

Discussion: Discussion is held with respect to possible proposed language

changes.

Pam Johnston proposes a subcommittee consisting of Nina Preston, Judge Polk and Leonard Montanaro conduct a review and present the proposed language change at the January meeting.

Motion: Move that the subcommittee present the information at the January meeting.

Motion Proposals: First Pamela Johnston
Second Gary Krcmarik

Motion Results: Pass

3-B: Review, discussion, and possible action regarding the establishment of the 2013 Board meeting schedule.

Individual Addressing the Board: Debbie MacDougall

Discussion: The Fiduciary Board is asked to consider and approve a 2013 meeting calendar. It is recommended the Board continue to meet on the second Thursday of the applicable month at 10:30 A.M. as follows:

- January 10, 2013
- March 14, 2013
- May 9, 2013
- July 11, 2013
- September 12, 2013
- November 14, 2013

Motion: Move to accept the meeting schedule as follows:

- January 10, 2013
- March 14, 2013
- May 9, 2013
- July 11, 2013
- September 12, 2013
- November 14, 2013

Motion Proposals: First Pamela Johnston
Second Leonard Montanaro

Motion Results: Pass

4) INITIAL LICENSE APPLICATIONS

4-A: *Review, discussion, and possible action regarding the following pending applications for individual licensure and/or business entity licensure:*

1. Shannon Bennett
2. Helen Jones
3. Stephanie Soumis
4. Philip DeVico
5. Maureen L. Edwards, LLC (*Maureen Edwards*)

Individual Addressing the Board: Kimberly Siddall

Discussion: It is recommended the Board grant initial licensure to the following applicant:

1. Shannon Bennett

Motion: Move to accept staff's recommendation.

Motion Proposals: First Pamela Johnston
Second Mary Jane Baumgarten

Motion Results: Pass

Discussion: It is recommended the Board grant initial licensure to the following applicant:

2. Helen Jones

Motion: Move to defer until the January meeting.

Motion Proposals: First Deborah Primock
Second Pamela Johnston

Motion Results: Pass

Discussion: It is recommended the Board enter into consent agreement and grant initial licensure and have the chair sign on behalf of the full board for the following applicant:

3. Stephanie Soumis

Motion: Move to accept staff's recommendation.

Motion Proposals: First Leonard Montanaro
Second Mary Jane Baumgarten

Motion Results: Pass

Discussion: It is recommended the following applicants be deferred to the next scheduled meeting:

4. Philip DeVico
5. Maureen L. Edwards, LLC (Maureen Edwards)

Motion:

Motion Proposals: First Mary Jane Baumgarten
 Second Pamela Johnston
 Recused Judge Jay Polk and Deborah Primock

Motion Results: Pass

5) LICENSURE AND ELIGIBILITY

5-A: *Review, discussion, and possible action regarding request for placement on Inactive Status received from licensed fiduciary Estella A. Rea, license number 20538.*

Individual Addressing the Board: Kimberly Siddall

Discussion: It is recommended the Board accept Ms. Rea’s request to be placed on inactive status.

Motion: Move to accept staff’s recommendation.

Motion Proposals: First Mary Jane Baumgarten
 Second Shari Tomlinson
 Recused Judge Jay Polk

Motion Results: Pass

6) RENEWAL OF LICENSE APPLICATIONS

6-A: *Review, discussion, and possible action regarding the following pending application for renewal of individual licensed fiduciary:*

1. *Lisa Price*

Individual Addressing the Board: Kimberly Siddall

Discussion: *On Applicant:*

1. *Lisa Price*

Staff recommends going into executive session to receive advice of counsel and to discuss confidential information.

Motion: Move to go into executive session to receive advice of counsel and

to discuss confidential information.

Motion Proposals: First Pamela Johnston
Second Leonard Montanaro
Motion Results: Pass

Entered into Executive Session
11:24 A.M.

Returned to Regular Session
11:33 A.M.

Discussion: Brief discussion regarding possible action regarding the following application for renewal of individual licensure.

Motion: Move to accept staff's recommendation and grant renewal.

Motion Proposals: First Mary Jane Baumgarten
Second Deborah Primock
Recused Judge Jay Polk

Motion Results: Pass

CALL TO THE PUBLIC – NO RESPONSE

ADJOURNMENT

Individual Addressing the Board: Pamela Johnston

Motion: Move to adjourn.

Motion Proposals: First Gary Krcmarik
Second Leonard Montanaro
Motion Results: Pass

Time: 11:34 A.M.

Initials: AO