



Supreme Court Defensive Driving Board
Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Conference Room 102

Date: July 16, 2008
Time: 10:00 a.m. – 1:00 p.m.

Approved Meeting Minutes

MEMBER ATTENDANCE:

Present:

Judge Gary J. LaFleur
Rolland (Ron) DeLong
Pamela K Najera
Leonard Montanaro
Elaine Acosta Sweet
Virginia Davis
Steve Soldis
Cecile T. Woodward

Telephonically Present:

Robert G. A. Hall
Judge Daniel S. Jurkowitz

Absent:

OTHER ATTENDEES

AOC Staff:

Kandace French
Kitty Boots
Nancy Swetnam
Nina Preston
Maria Lopez
Kimberly Siddall
Jenny Lubben
Robert Molina
Karla Clanton

Guests:

Bea Mena
Jonathan Lindsey
Cynthia Thomas
Maria Medina
Jerri Allen
Mark Meltzer

CALL TO ORDER

Called to Order By: Judge Gary J. LaFleur

Time: 10:05

1) REVIEW AND APPROVAL OF MINUTES

I-A: Review, discussion, and approval of the Regular and Executive Session Minutes for the meeting of March 19, 2008.

I-B: Review, discussion, and approval of the Regular and Executive Session Minutes for the meeting of April 16, 2008.

I-C: Review, discussion, and approval of the Regular Session Minutes for the meeting of June 11, 2008.

Individuals Addressing the Board: Kandace French

Discussion: Staff recommended the Board defer consideration of the Minutes of March 19 2008, April 16, 2008 and June11, 2008 to the next regularly scheduled meeting of the board.

Motion: Moved to defer the Regular Session Minutes of March 19, 2008, April 16, 2008 and June 11, 2008 to the next regularly scheduled meeting of the board.

Motion Proposals: First Elaine Acosta Sweet
Second Judge Daniel S. Jurkowitz

Motion Results: Pass

2) ADMINISTRATIVE ISSUES

2-A: Report of the subcommittee regarding draft proposed amendments of ACJA § 7-205 and the implementation of HB2001 [2007] and the potential impacts of HB2488 [2008].

Individuals Addressing the Board: Kandace French

Discussion: Staff provided the Board with the status of the amendments to

ACJA § 7-205 and the implementation of legislative changes.

Motion: None

2-B: Report from staff regarding the criminal justice budget bill HB2210 [2008].

Individuals Addressing the Board: Kandace French

Discussion: Staff reported on the Criminal justice budget and the surcharge if \$45 being implemented to be collected by the Defensive Driving schools.

Motion: None

2-C: Review, discussion, and possible action regarding the 2009 Defensive Driving Board meeting schedule.

Individuals Addressing the Board: Kandace French

Discussion: Staff recommend to the Board to meet from 10:00 am to 2:00 pm on the third Wednesday of each month, during each month, except August. Staff explains the August meetings are not scheduled by other boards from CLD due to vacation and other schedule conflicts. The Board members discussed the need for an August meeting and the possibility it could be vacated in unnecessary. The date for the August meeting was discussed.

Motion: Board moved to set the following 2009 meeting schedule with meetings times to be 10:00 am to 2:00 pm:

January 21, 2009
February 18, 2009
March 18, 2009
April 15, 2009
May 20, 2009
June 17, 2009
July 15, 2009
August 19, 2009
September 16, 2009
October 21, 2009
November 18, 2009
December 16, 2009

Motion Proposals: First Judge Daniel S. Jurkowitz
Second Elaine Acosta Sweet

Motion Results: Pass

3) CERTIFICATION AND ELIGIBILITY

3-A: Review and consideration of initial certification of the following defensive driving school:

Arizona Monsoon Driving School

Individuals Addressing the Board: Chris DeWitt

Discussion: Staff provided the Board with information on the applicant school. Applicant has met all the qualification requirements for certification. Staff recommends the Board grant certification to the following applicant for the following defensive driving school:

Arizona Monsoon Driving School

Motion: Board moved to accept staff's recommendation and grant certification to Arizona Monsoon Driving School.

Motion Proposals: First Pamela Najera
Second Steve Soldis

Motion Results: Pass

Discussion: Staff provided the Board with information on the applicant school. Applicant has met all the qualification requirements for certification. Staff recommends the Board grant certification to the following applicant for the following defensive driving school:

Safe 2 Drive

Motion: Board moved to accept staff's recommendation and grant certification to Safe 2 Drive.

Motion Proposals: First Steve Soldis
Second Leonard Montanaro

Motion Results: Pass

3-B: Review and consideration of pending initial certification applications of the following defensive driving instructors:

Individuals Addressing the Board: Kimberly Siddall

Discussion: Staff recommended the Board grant initial certification to the following applicants:

Carl Reese
Harvey Woods
Annette Shestko

Motion: Board moved to grant certification to applicants Carl Reese, Harvey Woods and Annette Shestko.

Motion Proposals: First Elaine Acosta Sweet
Second Steve Soldis

Motion Results: Pass
Recusal Pamela Najera as to Harvey Woods

Discussion: Staff recommended the Board defer certification to the following applicants to the August Board Meeting to for the receipt of additional information or exam results needed for a certification decision.

Linda Badilla
Refugio V. Quintero
Hugo Ortega
James Caruso

Motion: Board moved to defer certification to applicants referenced above to the next regularly scheduled meeting.

Motion Proposals: First Robert G. A. Hall
Second Elaine Acosta Sweet

Motion Results: Pass

Discussion: Staff recommended the Board grant initial certification to the following applicant Allen Chaffey.

Motion: Board moved to grant certification to applicant Allen Chaffey.

Motion Proposals: First Ron DeLong
Second Virginia Davis

Motion Results: Pass

Discussion: Staff discussed the application and receipt of information pertaining to applicant Gregory Crawford. Staff recommended the Board consider entering into a consent agreement for certification with Mr. Gregory Crawford which requires him to submit quarterly updates to the board regarding his payment of outstanding debts.

Motion: Board moved to enter into Executive Session.

Motion Proposals: First Leonard Montanaro
Second Ron DeLong

Motion Results: Pass

Executive Session: 10:30 a.m. – 10:39 a.m.

Motion: Board moved to accept staff's recommendation and grant certification to Mr. Gregory upon receipt of a Consent Agreement.

Amended Motion: Board authorized staff to draft a consent agreement for Mr. Gregory and bring it back to the Board at the next regularly scheduled meeting for review.

Motion Proposals: First Judge Daniel S. Jurkowitz
Second Elaine Acosta Sweet

Motion Results: Pass
Recusal Pam Najera

Discussion: Staff recommended the Board deny Kenneth Kelley initial certification pursuant to ACJA§ 7-201 (E)(2)(c(1) for failure to meet the eligibility requirements and for failure to provide a completed application.

Motion: Board moved to accept staff's recommendation.

Motion Proposals: First Elaine Acosta Sweet
Second Steve Soldis

Motion Results: Pass
Recusal Robert G. A. Hall

Discussion: Staff recommended the Board deny Erika Papp initial certification pursuant to ACJA§ 7-201 (E)(2)(c(1) for failure to meet the eligibility requirements.

Motion: Board moved to accept staff's recommendation.

Motion Proposals: First Ron DeLong
Second Virginia Davis

Motion Results: Pass

3-C: Interview with and possible action regarding applicant Robert Hockensmith.

Discussion: Staff recommended the board defer interview until the August 20th meeting to allow Mr. Hockensmith to attend. The Board discussed what information would be obtained by an interview and determined no additional information would benefit the Board and therefore recommended to grant certification and directed staff to include language in the certification letter to Mr. Hockensmith that non-disclosure of information in future applications or renewal may result in denial of renewal or disciplinary action.

Motion: Board moved to grant certification to applicant with additional language in the certification letter that non-disclosure of information in future certification or renewal applications may result in denial of renewal or disciplinary action.

Motion Proposals: First Judge Daniel S. Jurkowitz
Second Pamela Najera

Motion Results: Pass **DD-08-047**

CALL TO THE PUBLIC..... Judge Gary J. LaFleur

ADJOURNMENT

Motion: Adjourn the meeting.

Motion Proposals: First Pamela Najera
Second Ron DeLong

Motion Results: Pass **DD-08-048**

Time: 10:48

Initials

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