



FIDUCIARY BOARD

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

May 9, 2019
10:30 a.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Deborah Primock
Gary L. Krcmarik
Elaine Acosta Sweet

Telephonically Present:

Honorable Jay M. Polk
Teresa Lancaster
Diana M. Corry
Emily Kile

Absent:

Leonard Montanaro

OTHER ATTENDEES:

AOC Staff:

Mark Wilson
Michelle Martinez
Marcie Kanefield
Don "D.K. Keenom
William MacIntyre
Pasquale Fontana
Brianna Farmer
Arnita Oliver

Guests:

Ronald Goldman
Alisa Gray
Jennifer Goldman
Justin Nelson
Glenn Gloria
Leslie Mann-Damon
Lori Braddock
C. Cordova
Lety Seguvia
Laura Green
Tina Brooks
Heather Bull
Mike Roble
Christine Tasopulos
Charles M.
Kelly Adamcik
Jane Geisler
Ronald Patterson
Cathy C.

CALL TO ORDER

Called to Order By: Deborah Primock

Time: 10:30 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 January 10, 2019.*

Individual Addressing the Board: Deborah Primock

Discussion: None

Motion: Consideration of and motion to accept regular session minutes for the meeting of January 10, 2019

Motion Proposals: First Gary L. Kremerik
Second Elaine Acosta Sweet

Motion Results: Pass

2) PENDING COMPLAINTS:

2-A: *Review, discussion and possible action regarding complaint numbers 15-0021, 15-0022 and 15-0023 involving license holders Ronald Goldman, Arizona Elder Care and Jennifer Goldman.*

Individual Addressing the Board: William MacIntyre

Discussion: It is recommended the Board accept the findings of the Probable Cause Evaluator and enter a finding Ronald Goldman and Arizona Elder Care have not committed the alleged act(s) of misconduct as to Allegation 3 in complaint numbers 15-0021, 15-0022 and 15-0023.

It is recommended the Board accept the findings of the Probable Cause Evaluator and enter a finding Ronald Goldman and Arizona Elder Care have committed the alleged act(s) of misconduct as to

Allegations 1, 2 and 4 in complaint numbers 15-0021, 15-0022 and 15-0023.

It is recommended the Board dismiss complaint numbers 15-0021, 15-0022 and 15-0023 as to Jennifer Goldman.

It is further recommended the Board issue a Censure to Ronald Goldman.

Motion: Consideration of and motion to accept staff's recommendation to dismiss complaint numbers 15-0021, 15-0022 and 15-0023 as to Jennifer Goldman.

Consideration of and motion to reject staff's recommendation and dismiss Allegations 1, 2 and 3 and issue a Letter of Concern as to Allegation 4 as to Ronald Goldman and Arizona Elder Care.

Motion Proposals: First Emily Kile dismiss
Second Gary Krcmarik

Motion Results: Pass

2-B: Review, discussion and possible action regarding complaint number 18-0037 involving license holder Yvonne Stallings.

Individual Addressing the Board: Pasquale Fontana

Discussion: It is recommended the Board revoke the license of Yvonne Stallings.

Motion: Consideration of and motion to accept staff's recommendation

Motion Proposals: First Hon. Jay M. Polk
Second Gary Krcmarik

Motion Results: Pass

2-C: Review, discussion and possible action regarding complaint numbers 18-0007 through 18-0031 involving license holders Michael Bogle and East Valley Fiduciary Services, Inc.

Individual Addressing the Board: Pasquale Fontana

Discussion: It is recommended the Board accept the findings of the Probable Cause Evaluator and enter a finding Michael Bogle and East Valley Fiduciary Services, Inc., have committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Probable Cause Analysis and Determination Report in complaint numbers 18-0007 through 18-0031.

It is further recommended the Board accept the terms and conditions contained in the proposed Consent Agreement.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Elaine Acosta Sweet
Second Gary Krcmarik
Recusal Emily Kile

Motion Results: Pass

2-D: Review, discussion and possible action regarding complaint numbers 17-0010 and 17-0011 involving license holders Jane Geisler and Managed Protective Services.

Individual Addressing the Board: Pasquale Fontana

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Jane Anne Geisler and Managed Protective Services, Inc. have not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Probable Cause Analysis and Determination Report, in complaint numbers 17-0010 and 17-0011.

It is further recommended the Board dismiss complaint numbers 17-0010 and 17-0011.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Emily Kile
Second Elaine Sweet

Motion Results: Pass

2-E: Review, discussion and possible action regarding complaint numbers 17-0029, 17-0030, and 17-0031 involving license holders Mario Martinez, Mark Sanelli and Fiduciary Solutions.

Individual Addressing the Board: William MacIntyre

Discussion: Division staff recommends the Board dismiss complaint numbers 17-0029, 17-0030 and 17-0031.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Hon. Jay M. Polk
Second Gary Krcmarik

Motion Results: Pass

2-F: Review, discussion and possible action regarding complaint numbers 18-0042 & 18-0043 involving license holders Jason Cobb and Compass Fiduciary Group

Individual Addressing the Board: William MacIntyre

Discussion: Division staff recommends the Board dismiss complaint numbers 18-0042 and 18-0043.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Elaine Acosta Sweet
Second Teresa Lancaster

Motion Results: Pass

2-G: Review, discussion and possible action regarding complaint numbers 18-0039, 18-0040, and 18-0041 involving license holders Gregory DeVico, Peggy DeVico, and Phillip DeVico.

Discussion: Matter is deferred.

2-H: Review, discussion and possible action regarding complaint number 18-0052 involving license holder Leslie Mann-Damon.

Individual Addressing the Board: William MacIntyre

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Leslie Mann-Damon has not committed the alleged act(s) of misconduct as detailed Allegation 1 of the Investigation Summary and Allegation Analysis Report in complaint number 18-0052.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Leslie Mann-Damon has committed the alleged act(s) of misconduct as detailed Allegation 2 of the Investigation Summary and Allegation Analysis Report in complaint number 18-0052.

It is recommended the Board enter a finding grounds for informal disciplinary action exists pursuant to Arizona Code of Judicial Administration ("ACJA") § 7-201(H)(6) for act(s) of misconduct involving ACJA §7-202(J)(5)(c) by failing to properly marshal and secure property of the ward.

It is further recommended the Board issue a Letter of Concern.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Gary Krcmarik
Second Elaine Acosta Sweet

Motion Results: Pass

2-I: Review, discussion and possible action regarding complaint numbers 18-0048 and 18-0049 involving license holders Jane Geisler and Managed Protective Services, Inc.

Individual Addressing the Board: William MacIntyre

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Jane Geisler and Managed Protective Services, Inc. have not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-0048 and 18-0049.

It is further recommended the Board dismiss complaint numbers 18-0048 and 18-0049.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Teresa Lancaster
Second Hon. Jay M. Polk

Motion Results: Pass

2-J: Review, discussion and possible action regarding complaint number 18-0060 involving license holders Valerie Mills and Condit & Associates, LLC.

Individual Addressing the Board: Don "D.K." Keenom

Discussion: Division staff recommends the Board dismiss complaint number 18-0060.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Emily Kile
Second Gary Krcmarik

Motion Results: Pass

2-K: *Review, discussion and possible action regarding complaint number 18-0047 involving license holder Susan Henley.*

Individual Addressing the Board: Don “D.K.” Keenom

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Susan Henley has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-0047.

It is further recommended the Board dismiss complaint number 18-0047.

Motion: Consideration of and motion to accept staff’s recommendation.

Motion Proposals: First Elaine Acosta Sweet
Second Emily Kile

Motion Results: Pass

2-L: *Review, discussion and possible action regarding complaint number 18-0057 involving license holder Mohave County Public Fiduciary.*

Discussion: Matter is deferred.

3) INITIAL LICENSURE AND ELIGIBILITY:

3-A: *Review, discussion and possible action regarding the following applications for initial individual and business licensure:*

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|---------------------------|---|
| 1. <i>Dane Dehler</i> | 7. <i>Heather Brower</i> |
| 2. <i>Gregory Poulos</i> | 8. <i>Ronald Patterson</i> |
| 3. <i>Karin Royle</i> | 9. <i>Alliance Fiduciary, LLC (Lori Braddock)</i> |
| 4. <i>Christine Wells</i> | 10. <i>Elite Fiduciary Services, LLC (Patricia Grenier)</i> |
| 5. <i>Jenna Einmo</i> | |
| 6. <i>Kelly Adamcik</i> | |

Individual Addressing the Board: Donald “D.K.” Keenom

Discussion: The Division recommends approval of initial individual fiduciary licensure for the following applicants:

1. Dane Dehler
2. Gregory Poulos
3. Karin Royle

4. Christine Wells
5. Jenna Einmo
6. Kelly Adamcik

Motion: Consideration of and motion to accept staff's recommendation

Motion Proposals: First Emily Kile
Second Elaine Acosta Sweet
Recusals Teresa Lancaster

Motion Results: Pass

Individual Addressing the Board: Donald D.K. Keenom

Discussion: 7. Heather Brower – Matter is deferred.

Individual Addressing the Board: Donald D.K. Kennom

Discussion: The Division recommends approval of initial fiduciary licensure for Ronald Patterson.

Motion: Consideration of and motion to accept staff's recommendation

Motion Proposals: First Honorable Jay M. Polk
Second Elaine Acosta Sweet

Motion Results: Pass

Individual Addressing the Board: Donald D.K. Kennom

Discussion: The Division recommends approval of initial business entity fiduciary licensure for Alliance Fiduciary, LLC.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Gary L. Krcmarik
Second Elaine Acosta Sweet

Motion Results: Pass

Individual Addressing the Board: Donald D.K. Kennom

Discussion: Division recommends that initial licensure be granted for business entity Elite Fiduciary Services LLC., with standard non-disclosure language.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Teresa Lancaster
Second Gary L. Krcmarik

Motion Results: Pass

4) **RENEWAL CERTIFICATION APPLICATIONS:**

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

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|----------------------|--|
| 1. Samuel Anderson | 32. Valerie Mills |
| 2. Jessica Fram | 33. Jacquelyne Mingle |
| 3. Dawn Garcia | 34. Nancy Mueller |
| 4. Shawn Garner | 35. Kimberlie Musselman |
| 5. Deborah Gilliland | 36. Vanessa Nefflen |
| 6. Cathleen Gray | 37. Joseph Noviello |
| 7. Jessica Gregg | 38. Mirna Oldham |
| 8. Patricia Grenier | 39. Martelle Olsen |
| 9. Glenn Hall | 40. Jeff Ozuna |
| 10. Heidi Harris | 41. Shawnie Patterson |
| 11. Susan Henley | 42. Michele Peavy |
| 12. Piedad Hogan | 43. Dora Pedrego |
| 13. Raena Honan | 44. Lew Ann Perry |
| 14. Brett Howard | 45. Thomas Peterson |
| 15. William Howsden | 46. Rochelle Pones |
| 16. Natalie Hyde | 47. Claudia Ramirez |
| 17. Darren Joe | 48. Denice Shepherd |
| 18. Annette Jones | 49. Marion Shontz |
| 19. Virginia Jones | 50. Fitzsimmons Fiduciary Services, LLC |
| 20. Rick Kelley | 51. Garcia Fiduciary Group, LLC |
| 21. Karen Kochhar | 52. Geriatric Assessment Mngmt & Solutions, LLC |
| 22. Linda Kohl | 53. Grand Canyon Senior Care, LLC |
| 23. Edward Laber | 54. Jewish Family and Children's Services of Southern Arizona, INC |
| 24. Teresa Lancaster | 55. Laber & Laber, PLC |
| 25. Charles Latherow | 56. Mile High Fiduciaries, LLC |
| 26. Jennifer Leitch | 57. Navajo County Public Fiduciary |
| 27. Clark Leuthold | 58. Pima County Public Fiduciary Office |
| 28. Eric Macdonald | 59. San Pedro Fiduciary Services, LLC |
| 29. Anita Mackowiak | 60. Ranae Settle |
| 30. Debra Mckee | |
| 31. Paul Melo | |

Individual Addressing the Board: Mark Wilson

Discussion: It is recommended renewal of standard licensure be granted to the following individuals 1 through 23, 25, 27 through 31 and 33 through 59 with noted recusals. Numbers 24, 26 and 32 are deferred.

Motion: Consideration of and motion to accept staff recommendation.

Motion Proposals: First Gary Krmarik
Second Elaine Acosta Sweet
Recusals Emily Kile – 32
Teresa Lancaster – 24
Deborah Primock - 26

Motion Results: Pass

Individual Addressing the Board: Mark Wilson

Discussion: It is recommended renewal of standard licensure be granted to Ranae P. Settle.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Elaine Acosta Sweet
Second Gary Krmarik

Motion Results: Pass

CALL TO THE PUBLIC

Individuals Addressing the Board:

ADJOURNMENT

Motion: Move to adjourn.

Motion Proposals: First Elaine Acosta Sweet
Second Gary Krmarik

Motion Results: Pass

Time: 12:04 P.M.

Initials: AO