



Fiduciary Board Meeting

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

September 10, 2020
10:30 a.m.

Draft Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Telephonically Present:

Absent:

Deborah Primock-Chair
Teresa Lancaster
Elaine Acosta Sweet
Emily Kile
Sharon Yates
Belvet Elsouhag
Peter Santini
Paul Friedman

Diana M. Corry
Hon. Jay M. Polk

OTHER ATTENDEES:

AOC Staff:

Mark Wilson
Wil Castro
Hal White
William MacIntyre
Dominique Cidro
Ashleigh Hansen

Guests:

Josephine Jones
Tina Brooks
Lina Garcia
Jonathan Elliott
Todd Bendell
Heather Bull

CALL TO ORDER

Called to Order By: Deborah Primock-Chair

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 May 7, 2020.

Individual Addressing the Board: Deborah Primock- Chair

Discussion: None

Motion: Consideration of and motion to accept the regular session minutes of the meeting held on May 7, 2020.

Motion Proposals: First Paul Friedman
Second Elaine Acosta Sweet

Motion Results: Pass

2) PENDING COMPLAINTS:

2-A: Review, discussion and possible action regarding complaint 19-0026 involving license holder Chelsea Brandes.

Individual Addressing the Board: William MacIntyre

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Chelsea Brandes has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report n complaint number 19-0026.

It is further recommended that the Board dismiss complaint number 19-0026.

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

Motion Proposals: First Emily Acosta Sweet
Second Paul Friedman
Motion Results: Pass

2-B: *Review, discussion and possible action regarding complaint 19-0019 and 19-0020 involving license holders Mario Martinez and Fiduciary Solutions*

Individual Addressing the Board: William MacIntyre

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Mario Martinez and Fiduciary Solutions have not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint numbers 19-0019 and 19-0020,

It is further recommended the Board dismiss complaint numbers 19-0019 and 19-0020.

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

Motion Proposals: First Elaine Acosta Sweet
Second Emily Kile
Motion Results: Pass

3) INITIAL LICENSURE AND ELIGIBILITY:

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

1. Veronica-Bneche-Temesio
2. Eva Yeager
3. Samantha Hamilton
4. Arizona Fiduciary and Estate Services, LLC
5. Tina Brooks
6. Cynthia Wahlin
7. Thomas Strasburg
8. Todd Bendell
9. Jonathan Elliott

Individual Addressing the Board: Wil Castro

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

1. Veronica-Bneche-Temesio
2. Eva Yeager
3. Samantha Hamilton
4. Arizona Fiduciary and Estate Services, LLC

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

Motion Proposals: First Belvet Elsouhag
Second Paul Friedman

Motion Results: Pass

Individual Addressing the Board: Wil Castro

Discussion: 5. Tina Brooks

The Division recommends approval of initial individual fiduciary licensure for Tina Brooks.

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

Motion Proposals: First Elaine Acosta Sweet
Second Sharon Yates

Motion Results: Pass

Individual Addressing the Board: Wil Castro

Discussion: 6. Cynthia Wahlin

The Division recommends approval of initial individual fiduciary licensure for Cynthia Wahlin.

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

Motion Proposals: First Paul Friedman
Second Elaine Acosta Sweet

Motion Results: Pass

Individual Addressing the Board: Wil Castro

Discussion: 7. Thomas Strasburg

The Division recommends denial of initial individual fiduciary licensure for Thomas Strasburg, pursuant to ACJA § 7-201(E)(2)(c)(1), for failure to meet the qualifications and eligibility requirements as outlined in ACJA § 7-202(E)(2)(b)(1).

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

Motion Proposals: First Teresa Lancaster
Second Emily Kile

Motion Results: Pass

Individual Addressing the Board: Wil Castro

Discussion: 8. Todd Bendell
9. Jonathan Elliot

The Division recommends denial of initial individual fiduciary licensure for both Todd Bendell and Jonathan Elliot, pursuant to ACJA § 7-201(E)(2)(c)(1), for failure to meet the qualifications and eligibility requirements as outlined in ACJA § 7-202(E)(1)(b)(2) and ACJA § 7-201(E)(2)(c)(2)(b)(xiv) for making a false or misleading oral or written statement to Division staff of the Board by not providing their direct supervisor information in their application and due to their assertions that they worked directly under the supervision of a Bank Trust Officer.

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

Motion Proposals: First Elaine Acosta Sweet
Second Teresa Lancaster

Motion Results: Pass

4) ADMINISTRATIVE ISSUES:

4-A: Discussion regarding Administrative Directive 2020-20 concerning in person Continuing Education.

Individual Addressing the Board: Mark Wilson

Discussion: Directive allows licensed professionals to satisfy all CE requirements through online delivery method until January 31, 2021. Informational item only.

CALL TO THE PUBLIC

Individuals Addressing the Board: Todd Bendell
Jonathan Elliott

ADJOURNMENT

Motion: Move to adjourn.

Motion Proposals: First Elaine Acosta Sweet
Second Emily Kile

Motion Results: Pass

Time: 11:02 A.M.

Initials: DC