



FIDUCIARY BOARD

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

March 10, 2016
10:30 a.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Catherine Robbins
Elaine Acosta Sweet
Gary Kremerik

Telephonically Present:

Sherry Reed
Diana Corry
Leonard Montanaro
Mark Rubin

Absent:

Deborah Primock
Emily Kile
Honorable Jay Polk

OTHER ATTENDEES:

AOC Staff:

Mark Wilson
Michelle Martinez
Debbie MacDougall
Will Castro
Anne Hunter
Sheryll Prokop
Hal White
Bill MacIntyre
Armita Oliver

Guests:

Janie Stover
Susan Siwek
Rachel Murguia
Stephen Cundiff
Margaret Getchell

CALL TO ORDER

Called to Order By: Catherine Robbins, Acting Chair

Time: 10:34 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 14, 2016.

Individual Addressing the Board: Catherine Robbins

Discussion: None

Motion: Consideration of and motion to approve the regular session minutes of the meeting on January 14, 2016.

Motion Proposals: First Gary Krcmarik
Second Elaine Sweet

Motion Results: Pass

2) PENDING COMPLAINTS:

2-A: Review, discussion and possible action regarding complaint numbers 14-0007/14-0008, involving Lisa Price and Entrust Fiduciary Services.

Individual Addressing the Board: Bill MacIntyre

Discussion: Upon completion of the investigation, the Investigation Summary was forwarded to Probable Cause Evaluator, Mike Baumstark, who determined that probable cause exists as to Allegation 2 and does not exist as to Allegations 1 and 3.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Lisa Price and Entrust Fiduciary Services have committed the alleged act(s) of misconduct as detailed in

Allegation 2 of the Investigation Summary and Allegation Analysis Report in complaint number 14-0007/14-0008.

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

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

Motion Proposals: First Leonard Montanaro
Second Sherry Reed

Motion Results: Pass

2-B: Review, discussion and possible action regarding complaint numbers 15-0010/15-0011, involving Mario Martinez and Fiduciary Solutions.

Individual Addressing the Board: Bill MacIntyre

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Mario Martinez/Fiduciary Solutions has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint numbers 15-0010/15-0011.

It is further recommended the Board dismiss complaint numbers 15-0010/15-0011.

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

Motion Proposals: First Gary Krcmarik
Second Elaine Sweet

Motion Results: Pass

3) REQUEST FOR RECONSIDERATION:

3-A: Review, discussion and possible action regarding request for reconsideration of Board decision concerning initial application for licensure submitted by Janie Stover.

Individual Addressing the Board: Hal White

Discussion: It is recommended the Board affirm their prior decision made on January 14, 2016, to deny the licensure application of Ms. Stover.

Janie Stover and her attorney, Susan Siwek are present and address the Board.

Motion: Consideration of and motion to accept staff's recommendation affirming the previous denial of Ms. Stover's application for licensure.

Motion Proposals: First Catherine Robbins
Second Leonard Montanaro

Motion Results: Pass

4) INITIAL LICENSURE AND ELIGIBILITY:

4-A: Review, discussion and possible action regarding the following applications for initial licensure:

1. *Antonella Campos*
2. *Rachel Murguia*
3. *Ayudando Alpha, Inc. (Brad Torch)*

Individual Addressing the Board: Hal White

Discussion: It is recommended that the Board grant initial licensure to applicant, Antonella Campos.

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

Motion Proposals: First Leonard Montanaro
Second Diana Corry

Motion Results: Pass

Individual Addressing the Board: Hal White

Discussion: It is recommended that the Board grant initial licensure to applicant, Rachel Murguia.

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

Motion Proposals: First Leonard Montanaro
Second Mark Rubin
Recused Catherine Robbins

Motion Results: Pass

Individual Addressing the Board: Sheryll Prokop

Discussion: Staff recommends that the Board grant initial licensure to Ayudando Alpha, Inc. Staff also recommends that the Board address the failure of the designated principal to disclose the civil court cases with non-

disclosure language in the notification of the Board's decision to the applicant.

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

Motion Proposals: First Elaine Sweet
Second Gary Krcmarik

Motion Results: Pass

5) RENEWAL OF LICENSURE APPLICATIONS:

5-A: *Review, discussion and possible action regarding the pending application for renewal of individual fiduciary licensure for Donna Allison-Howard.*

Individual Addressing the Board: Hal White

Discussion: It is recommended renewal of licensure be granted to Donna Allison-Howard.

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

Motion Proposals: First Gary Krcmarik
Second Elaine Sweet

Motion Results: Pass

6) LICENSURE AND ELIGIBILITY

6-A: *Review, discussion, and possible action regarding the voluntary surrender of licensure received from the following licensed fiduciaries:*

1. April Riedel, License Number 2071
2. Linda Bohnet, License Number 20751
3. Fiduciary Services of Northern Arizona, LLC, License Number 20198

Individual Addressing the Board: Wil Castro

Discussion: It is recommended the Board accept the requests to voluntarily surrender licenses from April Riedel and Fiduciary Services of Northern Arizona.

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

Motion Proposals: First Gary Krcmarik
Second Elaine Sweet

Motion Results: Pass

Discussion: It is recommended that Linda Bohnet be deferred until the next meeting.

CALL TO THE PUBLIC

Individuals Addressing the Board: None

ADJOURNMENT

Motion: Move to adjourn.

Motion Proposals: First Gary Krcmarik
Second

Motion Results: Pass

Time: 11:36 a.m.

Initials: AO