

**Montana Board of Private Alternative Adolescent Residential or Outdoor Programs**

**FULL BOARD MEETING MINUTES**

**301 South Park Avenue, Helena MT 59620**

**4<sup>th</sup> Floor Small Conference Room & by Conference Call**

**January 14, 2015, 1:35 p.m. – 4:42 p.m.**

**1. Call To Order - Establish Quorum - Introduction of Board & Staff Members Present (00:03:40)**

Presiding Officer, Dr. John Santa, called the teleconference meeting to order at 1:35 p.m. It was established that a quorum was present to begin the deliberations.

**Board Members:**

Dr. John Santa Chairman (phone)  
Ms. Penny James (phone)  
Mr. Rick Johnson (phone)  
Ms. Trudy Smith, Public Member (phone)

**Board Members Not Present:**

Ms. Pamela Carbonari

**Staff Members:**

Ms. Cyndi Reichenbach, Executive Officer  
Mr. Gene Allison, Board Counsel  
Ms. Colleen White, Board Counsel  
Ms. Debra Tomaskie, Administrative Specialist

**Guests Present:**

Mr. Todd Younkin, DLI/BSD/Administrator  
Mr. William Sutley (phone)  
Ms. Sheetal Evjean (phone)  
Ms. Lisa Marek (phone)

**2. Approval and Tentative Modification of Agenda Order (00:04:50)**

Chairman John Santa asked to switch the order of Agenda Items # (4)(b) and (c).

Board Staff asked that the Board consider Agenda Item # 6 when the Division Administrator Todd Younkin is in attendance.

Motion (00:07:46): Ms. Trudy Schmidt moved to amend the agenda as modified. Ms. Penny James seconded. Motion carried.

**3. Review and Approve Minutes - Open and Executive Session – May 6, 2014 (00:08:00)**

(00:08:00): Dr. John Santa moved to approve the minutes of the May 6, 2014 Open and Executive Session meetings. Mr. Rick Johnson seconded. Motion carried.

**Public Opportunity to Comment (00:09:00)**

(Presiding Officer Statement) "Under this item, the Board will offer an opportunity to members of the public in attendance to comment on any public matter under the jurisdiction of the Board that is not on the agenda of this meeting. While the Board cannot take action on any issues presented, the board will listen to comments and may ask staff to place the issue on a subsequent agenda. The presiding officer may limit the comment period in order to proceed with the board meeting."

There were no public comments.

**Executive Session: (02:22:30)**

(Presiding Officer Statement) The presiding officer of any meeting may close the meeting during the time the discussion relates to a matter of individual privacy and then if and only if the presiding officer determines that the demands of individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains and, in that event, the meeting must be open.

**4. Board Action (00:09:40)**

**a. Board member assignments to Screening and Adjudication Panels (00:10:08) (00:48:08)**

Motion (00:49:18): Dr. John Santa moved to appoint Trudi Schmidt, Penny James, and John Santa to sit on the Screening Panel (SP). Ms. Trudi Schmidt seconded. Dr. Santa amended his motion to appoint Trudi Schmidt, Penny James, and John Santa to sit on the Screening Panel (SP) (Dr. Santa will Chair the SP) and Board Members Pam Carbonari and Rick Johnson will sit on the Adjudication Panel (AP) (Mr. Johnson will Chair the AP). Mr. Trudi Schmidt seconded. Motion carried.

**b. Unlicensed Practice (02:22:30)**

Presiding Officer, Dr. John Santa closed the open session meeting to convene in executive session at 4:00 p.m.

- i. 2014-PAP-UNLIC-97 (00:00)**
- ii. 2013-PAP-UNLIC-1419 (00:00)**

(02:27:10) Executive Session Report

Presiding Officer Dr. John Santa and Board Counsel Gene Allison reported that the Board considered 2 unlicensed practice complaints. The Board determined to dismiss 1 case and issue a cease and desist letter for the other case.

**c. Application Review (00:50:46)**

**i. Triangle Cross Ranch (00:51:01)**

Motion (01:02:54): Dr. John Santa moved that the Board acknowledge the application for licensure from Triangle Cross Ranch is withdrawn by not submitting the final documents to complete their application pursuant to ARM 24-181-501(2) and (3). Mr. Rick Johnson seconded. Motion carried.

**ii. Ranch for Kids (01:04:30)**

- 1. Information requests of May 6, 2014 board meeting**
- 2. Inspection**
- 3. Past records – reference materials**

Mr. William Sutley and Ms. Sheetal Evjean were present during the deliberations.

Motion (01:24:29): Dr. John Santa moved to approve the issuance of license to Ranch for Kids pending receipt of a list of employees, a copy of the letter from the IRS that they have a copy of a 501-C-3, and a new revised copy of handbook of policies. Motion failed due to the lack of a second.

Motion (01:40:55): Dr. John Santa moved that the Board approve issuance of licensure pending receipt of a list of current employees and their fingerprint and background check reports, copy of letter from IRS verifying they have a 501-C-3, and new revised copy of materials with the operation of the programs (policies, procedures and student handbook), to be reviewed by Legal Staff and Board Member Penny James. Mr. Rick Johnson seconded. Motion carried.

**iii. Gateway Freedom Ranch (01:54:55)**

Ms. Lisa Marek, CEO/Director of Gateway Freedom Ranch, was present by phone during the deliberations.

Motion (02:19:31): Dr. John Santa moved to accept the application of Gateway Freedom Ranch and issue the license. Ms. Penny James seconded. Motion carried.

**5. Budget reports (02:27:20)**

- a. 5-year history**
- b. Budget planning**
- c. Monthly summary**

Ending cash (\$65,333.66)

Expenses (\$17,747.01)

Revenue (\$31,362.39)

Motion (02:30:58): Dr. John Santa moved to approve the budget as presented. Ms. Penny James seconded. Motion carried.

**6. Legislation 2015 (00:13:40)**

- a. Summary of EAIC activities**
- b. HB 21**, "an act eliminating the exemption from licensure for an organization or school that is an adjunct ministry of a church incorporated in Montana; and amending section 37-48-102, MCA."  
(00:13:40)
- c. LC 0409, Terminate Board of alternative residential or outdoor programs -transfer duties (00:15:16)**

Mr. Todd Younkin, DLI/BSD/Administrator was present during the deliberations.

Motion (00:41:35): Ms. Trudi Schmidt moved to designate Dr. John Santa and Mr. Rick Johnson to serve as the legislative liaisons during the 2015 legislative session. Ms. Penny James seconded. Motion carried.

Motion (00:45:15): Dr. John Santa moved to request permission to stand in support of HB21. Ms. Trudi Schmidt seconded. Motion carried.

Motion (02:41:40): Dr. John Santa moved to authorize Chairman John Santa or another board member in the event of Dr. Santa's absence to draft and submit a letter of support of HB21. Ms. Trudy Schmidt seconded. Motion carried.

**7. Rules for repeal (02:31:45)**

Motion (02:35:16): Ms. Penny James moved to approve repeal of ARM 24.181.404 as recommended by rules reviewer, Ms. Darcee Moe. Ms. Trudi Schmidt seconded. The Board will include this rule change with near-future rule projects. Motion carried.

**8. Scheduling of Next Meeting (02:35:45)**

No future dates were set at this time.

**9. Adjourn (02:37:18)**

Motion (02:43:30): Ms. Penny James moved to adjourn the Board of Private Alternative Adolescent Residential or Outdoor Programs Full Board open session meeting at 4:42 p.m. Ms. Trudy Schmidt seconded. Motion carried.

**10. Resource Section (00:00)**

- a. PAARP Statutes**
- b. PAARP Administrative rules**
- c. 2015 Calendar**