

## Board Members

Bob Bohankse, Ph.D.  
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John P. DiBacco, Ph.D.  
Vice-Chair  
Joseph C. Donaldson  
Secretary  
Paul Beljan, Psy.D. ABPdN, ABN  
Janice K. Brundage, Ph.D.  
Ramona Mellott, Ph.D.  
Rob Robichaud  
Tamara Shreeve, MPA  
Frederick S. Wechsler, Ph.D., Psy.D., ABPP



## State of Arizona Board of Psychologist Examiners

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## Staff

Dr. Cindy Olvey  
Executive Director  
  
Lynanne Chapman  
Deputy Director  
  
Heather Duracinski  
Licensing Coordinator

## REGULAR SESSION MINUTES

**November 7 & 8, 2014, 8:30 a.m.**  
Arizona State Capitol – Executive Tower  
1700 W. Washington St.  
Basement Conference Room  
Phoenix, AZ 85007

### 1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairman Bohanske at 8:33 a.m. on November 7, 2014.

### 2. ROLL CALL

#### Board Members Present

Bob Bohanske, Ph.D., – Chair  
John P. DiBacco, Ph.D., – Vice – Chair  
Joseph C. Donaldson  
Paul Beljan, Psy.D., ABPdN, ABN (Friday 8:30 a.m. – 4:20 p.m.)  
Janice K. Brundage, Ph.D.  
Ramona N. Mellott, Ph.D.  
Rob Robichaud  
Tamara Shreeve, MPA (Friday 8:30 a.m. – 12:00 p.m.)  
Frederick S. Wechsler, Ph.D., Psy.D., ABPP

#### Staff Present

Cindy Olvey, Psy.D., Executive Director  
Lynanne Chapman, Deputy Director  
Heather Duracinski, Licensing Coordinator

#### Attorney General's Office

Jeanne Galvin, Esq.

#### Board Members Absent

Paul Beljan, ABPdN, ABN (Saturday)

### 3. REMARKS/ANNOUNCEMENTS

**CE Documentation** – Dr. Bohanske announced that licensees could receive CE credits in Ethics for attendance at Board meetings and explained how to obtain credit.

**Board Assessment Forms** – Dr. Bohanske encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the survey box.

**Remarks, Board Member and Staff Appreciation** – Dr. Bohanske congratulated Dr. Mellott on her new position at Northern Arizona University as Dean of the College of Education. Dr. Bohanske thanked Board members and Staff for their dedication and hard work.

#### **4. CALL TO THE PUBLIC**

There were no requests to speak.

#### **5. COUNSEL REPORT**

Ms. Galvin reported that an Evidentiary Hearing for the appeal filed by Anthony Luick, Ph.D., was heard on May 21, 2014, in Pima County Superior Court. Ms. Galvin stated that she filed the Board's Answering Brief and stated that Dr. Luick's Answering Brief is due today. She stated that Oral Argument will be scheduled and that she will keep the Board apprised as the appeal moves through the process.

#### **6. CONSENT AGENDA - DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION**

Mr. Donaldson made a motion, seconded by Dr. Brundage, to approve the items on the Consent Agenda. The motion carried 9-0.

##### **(a) APPROVAL OF MINUTES**

- September 5, 2014, Regular Session Minutes

##### **(b) DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS**

###### **i. REQUESTING APPROVAL FOR EXAM AND LICENSURE**

- Aida Fernandez, Ph.D.
- Ashurina Miller, Psy.D.
- Carisa Authier, Psy.D.
- Darnell Durrah, Ph.D.
- Ivan Gonzalez, Psy.D.
- Jenna Smith, Ph.D.
- LaShelle Zellner, Psy.D.
- Leonardo Caraballo, Psy.D.
- Marylene Goode, Psy.D.
- Michael Oien, Psy.D.
- Rachael Grantham, Psy.D.
- Rebecca Gerard, Psy.D.
- Rogelio Serrano, Psy.D.

###### **ii. REQUESTING APPROVAL FOR LICENSURE BY WAIVER**

- Corina Lopez, Ph.D.
- Jennifer Swensen, Psy.D.
- Kimberly Weingart, Ph.D.
- Saliha Afridi, Psy.D.
- Stacey Smith, Ph.D.

###### **iii. REQUESTING APPROVAL FOR LICENSURE BY CREDENTIAL**

- Carol Helmer, Ph.D.
- Daniel Fallon, Psy.D.
- Monika Peterson, Ph.D.

###### **iv. REQUESTING APPROVAL OF SUPERVISED PROFESSIONAL EXPERIENCE HOURS AND LICENSURE**

- Christopher Ogle, Psy.D.

##### **(c) DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS**

- Brent Seymour, MA
- Caitlin Watson, M.Ed.
- Jennifer Yakos, MA
- Julianne Storaska, M.Ed.
- Kerry Conde, Ph.D.
- Megan Tadvick, M.Ed.
- Melissa McIntosh, MA
- Nancy Salinas, MA

**(d) EXECUTIVE DIRECTOR'S REPORT**

**(e) INVESTIGATIONS REPORT**

**(f) LICENSING REPORT**

**(g) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REACTIVATION OF INACTIVE LICENSE FROM SUSAN PARRISH, PH.D.**

**7. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION CONCERNING PROPOSED CONSENT AGREEMENT OFFERED BY R RUSS, PH.D. IN RFI 14-14 IN LIEU OF FURTHER INVESTIGATION**

Dr. Beljan recused from this matter.

Ms. Chapman provided a summary to the Board stating that Dr. Russ and his legal counsel, Larry Cohen, are offering a Consent Agreement in lieu of proceeding with a formal investigation. Ms. Chapman stated that the Consent Agreement includes a Decree of Censure and stipulates that Dr. Russ will not practice in Arizona nor will he renew his license to practice psychology in Arizona.

Board members expressed concern regarding Dr. Russ' behavior stating that he repeatedly failed to disclose information to the Board including, but not limited to, other licenses/certificates/registrations he holds, or has held, in other jurisdictions, prior discipline by another jurisdiction, other names he has used and prior criminal history. Some Board members expressed that the Consent Agreement is not sufficient considering the allegations put forth. Some Board members stated that it would be appropriate for Dr. Russ to voluntarily surrender his license and, if Dr. Russ is unwilling to voluntarily surrender his license, then move the matter to a Formal Hearing.

Dr. Russ and Mr. Cohen were present, requested to speak, made a statement and answered Board members' questions. Mr. Cohen stated that the purpose of the Consent Agreement is to resolve the matter expeditiously. Board members asked if Dr. Russ would be willing to voluntarily surrender his license. Mr. Cohen stated that a voluntary surrender is treated as a revocation which may affect Dr. Russ' ability to practice in other jurisdictions.

*At 8:50 a.m. Dr. Mellott made a motion, seconded by Dr. Wechsler, to go into Executive Session to obtain confidential legal advice from the Board's attorney. Open session reconvened at 9:12 a.m.*

After deliberation, Mr. Robichaud made a motion, seconded by Dr. DiBacco, to reject the proposed Consent Agreement. The motion carried 8-0-1 with Dr. Beljan recused.

**8. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO INITIAL CASE REVIEWS OF THE FOLLOWING INVESTIGATIONS**

- a) RFI 14-14, R Russ, Ph.D.  
Dr. Beljan recused from this matter.

Dr. DiBacco provided a summary to the Board stating that Dr. Russ answered numerous questions incorrectly on his initial application for licensure.

Dr. Russ and his legal counsel, Larry Cohen, were present, requested to speak, made a statement and answered Board members' questions. Mr. Cohen stated that they are willing to go to Formal Hearing as the Board did not accept the proposed Consent Agreement. Board members asked Dr. Russ if he is licensed in other jurisdictions. Dr. Russ stated that he is licensed as a psychologist in Washington. Board members asked Dr. Russ if he has any pending applications for licensure in other jurisdictions. Dr. Russ attested that he does not have pending applications in other jurisdictions nor does he intend to apply in any other jurisdictions. Mr. Cohen stated that Dr. Russ maintains that he did not commit fraud as he believes that he answered the questions on his application in good faith. Additionally, Dr. Russ stated that he voluntarily reported his other licenses/certificates/registrations to the Board. The Board's Assistant Attorney General, Jeanne Galvin, clarified that Dr. Russ did not report his discipline in Washington, other names he has used nor did he report his criminal history. Board members expressed that a voluntary surrender would appropriate.

After deliberation, Dr. Wechsler made a motion, seconded by Ms. Shreeve, to offer Dr. Russ to voluntarily surrender his license and if Dr. Russ does not agree to voluntarily surrender his license then the matter will be forwarded to a Formal Hearing. Findings of Fact include:

- Possible violation of A.R.S. §32-2061(15) (c) Making or using statements of a character tending to deceive or mislead.
- Possible violation of A.R.S. §32-2061(15)(i) Commission of a felony, whether or not involving moral turpitude. In either case, conviction by a court of competent jurisdiction or a plea of no contest is conclusive evidence of the commission
- Possible violation of A.R.S. §32-2061(15)(j) Making a fraudulent or untrue statement to the board or its investigators, staff or consultants.
- Possible violation of A.R.S. §32-2061(15)(m) Using fraud, misrepresentation or deception to obtain or attempt to obtain a psychology license or to pass or attempt to pass a psychology licensing examination or in assisting another person to do so.

The motion carried 8-0-1 on a roll call vote with Dr. Beljan recused.

b) RFI 14-16, David Prince, Ph.D.

Dr. Wechsler recused from this matter.

Dr. DiBacco provided a summary to the Board stating the Complaint Screening Committee reviewed this case and requested additional information. Upon review of the additional information the Committee forwarded this matter to the full Board for further review.

Dr. Prince was present, requested to speak, made a statement and answered Board members' questions. Dr. Prince elaborated on the facts of the case and went over the corrective actions he has taken to ensure that this does not happen again. Dr. Prince stated that he is ultimately responsible for patient records and now has weekly meetings with his Office Manager to ensure that reports are completed and sent out accordingly.

After deliberation, Mr. Robichaud made a motion, seconded by Dr. Mellott, to dismiss this matter finding no violation of rule or statute. The motion carried 7-1-1 with Dr. DiBacco voting no and Dr. Wechsler recusing.

**9. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION CONCERNING PROPOSED CONSENT AGREEMENT OFFERED BY JULIO RAMIREZ, Ph.D. IN RFI 14-08, IN LIEU OF PROCEEDING TO INFORMAL INTERVIEW**

Dr. Beljan recused from this matter.

Ms. Chapman summarized stating that Dr. Ramirez and his legal counsel, Larry Cohen, offered a Consent Agreement in lieu of proceeding with an Informal Interview. Ms. Chapman summarized the stipulations included in the Consent Agreement.

Dr. Mellott summarized the Consent Agreement and expressed concern with some of the stipulations within the Consent Agreement. Dr. Ramirez and Mr. Cohen were present, requested to speak, made a statement and answered Board member questions. Mr. Cohen stated that he drafted the Consent Agreement in good faith and with the intent of addressing the Board's concerns. Board members asked Dr. Ramirez if he would consent to modifying the proposed consent agreement to include four months meeting with the Practice Monitor two hours twice per month, rather than two months meeting with the Practice Monitor twice each month for two hours and the Board will provide names of three Practice Monitors. Mr. Cohen clarified the duration of probation to which the Board responded that probation would be twelve months, as proposed in the Consent Agreement. Dr. Ramirez and Mr. Cohen agreed to the proposed changes to the Consent Agreement.

After deliberation, Dr. Brundage made a motion, seconded by Dr. DiBacco, to accept the proposed Consent Agreement with the changes discussed above. The motion carried 8-0-1 on a roll call vote with Dr. Beljan recused.

Dr. Wechsler made a motion, seconded by Mr. Robichaud, to vacate the Informal Interview for RFI 14-08, Julio Ramirez, Ph.D. The motion carried 8-0-1 with Dr. Beljan recused.

#### **10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION CONCERNING PROPOSED CONSENT AGREEMENT OFFERED BY G. JOSEPH BLUTH, Ph.D. IN RFI 14-07, IN LIEU OF PROCEEDING TO INFORMAL INTERVIEW**

Dr. Beljan and Dr. DiBacco recused from this matter.

Ms. Chapman summarized stating that Dr. Bluth and his legal counsel, Larry Cohen, offered a Consent Agreement in lieu of proceeding with an Informal Interview. Ms. Chapman summarized the stipulations included in the Consent Agreement.

Dr. Wechsler summarized the Consent Agreement stating that he would like changes to the Consent Agreement as he has concerns with Dr. Bluth's standard of care in this case.

Dr. Bluth and Mr. Cohen were present, requested to speak, made a statement and answered Board members' questions. Mr. Cohen stated that Dr. Bluth is slowly reducing his case load as he intends to retire within the next year. A Board member discussed whether Dr. Bluth should undergo therapy as part of the Consent Agreement or whether the Practice Monitor will address any concerns, including whether therapy is warranted. Mr. Cohen assured the Board that he will ensure that the Practice Monitor is aware of the Board's concerns.

After deliberation, Dr. Mellott made a motion, seconded by Ms. Shreeve, to accept the proposed Consent Agreement for probation for one year with changes to increase the two hour meeting twice each month with the Practice Monitor to six months, the Practice Monitor will supervise Dr. Bluth's first ten cases and to ensure that the Practice Monitor notify the Board if therapy is warranted. The motion carried 7-0-2 on a roll call vote with Dr. Beljan and Dr. DiBacco recused.

Mr. Robichaud made a motion, seconded by Dr. Brundage, to vacate the Informal Interview for RFI 14-07. The motion carried 7-0-2 with Dr. Beljan and Dr. DiBacco recused.

#### **11. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO INITIAL CASE REVIEWS OF THE FOLLOWING INVESTIGATION (continued)**

c) RFI T-14-12, Martin Gangley

Ms. Shreeve provided a summary to the Board stating that the Complaint Screening Committee reviewed this case and expressed concern that Mr. Gangley is holding himself out as a psychologist and a psychiatrist. Ms. Shreeve mentioned various websites in which Mr. Gangley represents himself as a psychologist and psychiatrist. The Committee forwarded this matter to the full Board for further review.

Board members expressed concern regarding Mr. Gangley's behavior and deemed it appropriate to alert the Arizona Medical Board of Mr. Gangley's behavior. Board members expressed concern that Mr. Gangley may be billing insurance companies with false credentials. After deliberation, it was the consensus of the Board to refer this matter to the Attorney General's Office, alert the Arizona Medical Board and to send a letter expressing the Board's concern regarding Mr. Gangley to the Federal Bureau of Investigation and Homeland Security. Additionally, Board members asked Dr. Olvey to research whether a notice/alert can be posted on the Board's website regarding Mr. Gangley.

**12) DISCUSSION, CONSIDERATION AND POSSIBLE ACTION PERTAINING TO POSSIBLE ADDITIONAL CHANGES TO DRAFT RULES, FINALIZING DRAFT RULES AND APPROVING THE FILING OF A NOTICE OF PROPOSED RULE MAKING**

Dr. Mellott provided a summary to the Board stating that Dr. Olvey reviewed the draft rules line by line and found a number of corrections. Dr. Mellott stated that the Rules Committee reviewed the corrections and is asking the Board to review and approve the changes. Dr. Mellott summarized the corrections including but not limited to:

- Use of Client/Patient
- References for reapplications
- If a licensee renews their license after the deadline, the licensee will be required to report to the Board whether they practiced as a psychologist on an expired license
- Continuing Education requirements
- Changes/clarification to postdoctoral experience pertaining to direct client contact

Dr. Brundage made a motion, seconded by Dr. Mellott, to accept the draft rules as revised and to open a docket and file a Notice of Proposed Rule Making. The motion carried 9-0.

**13) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO UPDATE OF THE ANNUAL MEETING FOR THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS (ASPPB)**

Ms. Shreeve provided a summary to the Board stating that ASPPB and the American Psychological Association are working together on issues and Canada is looking at specialty practices to enhance mobility. Additionally, she stated that legal issues were discussed regarding cases. Dr. Olvey stated that the telepsychology compact was discussed and that ASPPB will be changing vendors to administer the EPPP.

**14) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION PERTAINING TO REPORTING LICENSE APPLICATION DENIALS TO THE NATIONAL PRACTITIONERS DATA BANK AND WHETHER LICENSE DENIALS SHOULD BE PLACED ON THE BOARD ACTION SECTIONS OF THE BOARD'S WEBSITE**

Ms. Duracinski provided a summary to the Board stating that historically license denials have not been listed on the Board's website. Ms. Duracinski stated that some license denials are due to cause such as misrepresentation or criminal history. After deliberation, Mr. Robichaud made a motion, seconded by Dr. DiBacco, to list on the Board's website new license denials that were denied for cause and are reportable to the National Practitioners Data Bank.

*Ms. Shreeve left the meeting at 12:00 p.m.*

**15) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION PERTAINING TO THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS' (ASPPB) REQUEST FOR COMMENT ON ASPPB'S DRAFT INTERJURISDICTIONAL TELEPSYCHOLOGY COMPACT**

Dr. Olvey summarized information regarding the draft Telepsychology Compact issued for comment by the Association of State and Provincial Psychology Boards. The draft compact is limited to telepractice and does not include in-person practice. Dr. Alex Siegel from the Association of State and Provincial Psychology Boards was present and responded to questions by the Board. Board discussion included the need to set a fee for psychologists practicing under the compact; a compact must be approved by the State Legislature; psychologists practicing in Arizona under the compact would need to abide by Arizona law; importance of providing services to remote areas of Arizona; ensuring confidentiality of services provided through electronic means; and challenges regulating psychological services provided electronically, especially when psychologists providing services are not licensed in Arizona. It was the consensus of the Board to provide comments to ASPPB expressing support for the draft compact and indicating that the Board would, at this point, be in favor of considering legislation to participate in the compact.

**16) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO IMPLEMENTATION OF A.R.S. §32-2072(B) PERTAINING TO TEMPORARY LICENSURE FOR POSTDOCTORAL EXPERIENCE**

Dr. Mellott provided a summary stating that Board staff is requesting guidance on the implementation of temporary licensure. Board members discussed different titles for temporary licensure. After deliberation Mr. Robichaud made a motion, seconded by Dr. Beljan, to use the term "Licensed Associate Psychologist" for individuals who obtain temporary licensure. The motion carried 8-0.

It was the consensus of the Board to develop a Substantive Policy Statement for the postdoctoral written training plan, to accept retrospective postdoctoral written training plans and to give Board staff the authority to determine whether a new application be developed for temporary licensure.

**17) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION PERTAINING TO CREDENTIALING OF SCHOOL PSYCHOLOGISTS**

Mr. Donaldson provided a summary stating that he has concerns as a public member regarding school psychologists not being credentialed by a regulatory agency. He elaborated stating that when a member of the public hears the term psychologist it is assumed that the psychologist is licensed/credentialed. Board members discussed current credentialing of school psychologists. After deliberation, Dr. Wechsler made a motion, seconded by Mr. Robichaud, to form an adhoc Committee to review this issue and make recommendations to the Board.

**18) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING COMMEMORATING 50 YEARS (1965-2015) SINCE ENACTMENT OF ENABLING LEGISLATION REGULATING PSYCHOLOGY AS A PROFESSION**

Dr. Bohanske summarized stating that the Board meeting scheduled to be held in Tucson in February 2015, will possibly be held at Pima County Juvenile Agency and that the Board meeting scheduled to be held in Flagstaff in August 2015, will be held at Northern Arizona University. ASPPB's annual meeting will be held in Arizona in 2015, and commemorative certificates are being researched. It was the consensus of the Board to invite Sandra Day O'Connor to the Board meeting that will be held in Tucson.

**19) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING ELECTION OF OFFICERS FOR 2015, CHAIR, VICE-CHAIR AND SECRETARY**

The Board elected officers (Chair, Vice-Chair and Secretary) for the 2015 calendar year. Mr. Robichaud made a motion, seconded by Dr. Beljan, to nominate Dr. Bohanske for 2015 Chair. The motion failed at 3-0-5 with Dr. DiBacco, Dr. Brundage, Dr. Mellott, Ms. Shreeve and Dr. Wechsler abstained. Dr. Mellott made a motion, seconded by Dr. Beljan, to elect Dr. DiBacco for 2015 Chair. The motion carried 5-0-3 with Dr. Bohanske, Mr. Donaldson and Mr. Robichaud abstained. Dr. DiBacco made a motion, seconded by Dr. Bohanske, to elect Dr. Wechsler as 2015 Vice-Chair. The motion carried 8-0. Dr. Bohanske made a motion, seconded by Dr. Mellott, to elect Ms. Shreeve as 2015 Secretary. The motion carried 8-0.

**20) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO BOARD MEMBER TRAINING PROVIDED PURSUANT TO A.R.S. §32-3217 PRESENTED BY DR. ALEX SIEGEL, REPRESENTING THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS (FIVE HOURS OF TRAINING WILL BE PROVIDED)**

Dr. Siegel introduced himself to the Board stating that he is representing the Association of State and Provincial Psychology Boards and will be providing new Board member training.

Subjects covered included, but were not limited to:

- History of licensure/regulation of medical professions/psychology including but not limited to:
  - creation of state regulatory boards
  - development of the National exam (EPPP)
  - role of the American Psychological Association
  - creation of the Association of State and Provincial Psychology Boards

*Dr. Beljan left the meeting at 4:20 p.m.*

- Definitions of terms used in regulation

*The meeting recessed at 5:00 p.m. and reconvened on November 8, 2014, at 9:13 a.m.*

**21) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO BOARD MEMBER TRAINING PROVIDED PURSUANT TO A.R.S. §32-3217 PRESENTED BY DR. ALEX SIEGEL, REPRESENTING THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS (FIVE HOURS OF TRAINING WILL BE PROVIDED) continued**

Dr. Siegel continued with Board Member Training. Subjects covered included, but were not limited to:

- Regulation
  - Licensing
  - Renewals
  - Continuing Education
  - Background Checks
  - Legislation
  - Standards for Practice
  - Complaints/Investigations
  - Discipline
  - Public Records
  - Education of Psychologist
- Open Meeting Law
- Recusals
- Quorums
- Communicating with Board members, Board Staff and Public
- Problems Circumventing the Open Meeting Law



- Security of Information
- Meeting Notices
- Executive Session Requirements
- Consent Agenda
- Minutes
- Telephonic/Electronic Meetings
- Board Member Priorities
- Adjudicating Complaints

## **22) NEW AGENDA ITEMS FOR FUTURE MEETINGS**

Board members requested that the Board look into requiring background checks with new applications, whether Board members that are recused from a matter be present in the audience or leave the room while the matter is being discussed, whether Board members can be issued state email addresses and whether psychologists that are practicing in Arizona under A.R.S. §32-2075(4) should notify the Board.

## **23) ADJOURN**

There being no further business to come before the Board, it was the consensus of the Board to adjourn the meeting at 12:18 p.m. on November 8, 2014.

**Respectfully submitted,**

**Joseph C. Donaldson**  
**Board Secretary**