



**CAMTC Board of Directors Meeting**

June 20, 2012

Radisson Hotel at Los Angeles Airport

6225 W. Century Blvd.

Los Angeles, CA

**OPEN SESSION MINUTES**

**In attendance**

*Directors Present:* William Armour, Bob Benson, Michael Callagy, Judi Calvert, Nayada Dhanaphatana, Mark Dixon, Ben Drillings, Guy Fuson, Keith Grant, Elna Leonardo, Michael Marylander, Christian Pezza, Jean Robinson, Roberta Rolnick, Michael Schroeder, Joe Bob Smith, Deb Tuck, Dixie Wall

*Directors Absent:* Paul Schwinghamer, Michael Sheps

*Staff:* Ahmos Netanel, CEO; Sheryl LaFlamme, Operations Manager; Beverly May, Director of Governmental Affairs; Rick McElroy, Director of PSD

*General Counsel:* Jill England

*Guests:* Bernadette Murray, William Jones, Jeanette Chervony, Cris Gaiennie, Eliot Ferrer, Kathryn Feather, Chrissy Zmijewski, Stephanie Cotton

**1. Call to Order**

Chairperson Wall called the meeting to order at 9:38am and established a quorum.

**2. Chair's Comments**

Chairperson Wall reminded the Board of her job as CAMTC chair, stating that in the first year she didn't participate in debate in most motions, unless there was a tie, but feels she's ready to take an active role and participate in issues that are important.

Chairman Wall reminded the Board of the rules of debate.

**3. Approval of Minutes**

**Motion (1): Dixon/Schroeder** - Move to approve the 2/15/2012 open session minutes with the following corrections:

Mr. Smith stated he abstained on Motion 2, item 5

Ms. Rolnick stated item 7 should state 'Ms.' Rolnick instead of 'Mr.' Rolnick

Ms. Rolnick stated item 14 should state 'Motion' instead of "Motiion"

17-0 MOTION PASSES

**Motion (2): Dixon/Smith** - Move to approve the 3/20/2012 open session minutes.

17-0 MOTION PASSES

**Motion (3): Dixon/Fuson** - Move to approve the 4/10/2012 and 4/16/2012 open session minutes with the following corrections:

Ms. Rolnick stated on the 4/10/2012 open session minutes, item 2, should state 'amendments' instead of "amendment"

17-0 MOTION PASSES

#### **4. CEO Report**

Mr. Netanel stated that CAMTC is doing well and growing. As a new endeavor, CAMTC is still establishing itself with external stakeholders as well as improving applicants' and certificate holders' overall experience.

#### **5. Conflict of Interest**

Counsel England stated that for IRS purposes, it's encouraged for all board members to sign the one page Conflict of Interest statement each year. Counsel England also stated that some Board Members attached an addendum to the Conflict of Interest disclosing certain business relationships. Counsel England and CAMTC staff would like direction on those attached addendums.

**Motion (4): Schroeder/Rolnick** – Move that the addendums, attached to the Conflict of Interest forms, be considered as public documents and will be available to Board members and public upon request.

16-0, 1 Abstain (Wall) – MOTION PASSES

#### **6. Audit and Audit Committee's Results**

Ms. Leonardo and Mr. Fuson reviewed the draft financial statements and reports provided by the auditor and approved the audit.

#### **7. Treasurer's Report**

Mr. Marylander stated that CAMTC is doing well and is in a stronger financial position than it was at the end of 2011. The average number of applications per week received for the first 23 weeks of 2012 is slightly down at 213 from 261 in 2010 and recertifications remain at 72%.

#### **8. Director of Governmental Affairs and Specials Projects Report**

Ms. May stated of the 540 cities and counties in California, approximately 10% currently require certification in order to practice massage, with at least 13 others in the process of drafting ordinances to require certification. Ms. May also noted the process of revising an ordinance can be in development for more than a year as a significant number of these ordinances were already revised to comply with SB 731 and are being amended for AB 619. Ms. May noted one of the major reasons city staff contacts her office is to ask for assistance in their development of new and revised ordinances.

**9. Closed session with CAMTC legal counsel pursuant to California Government Code Section 11126(e) at 11:45am and returned to open session at 1:15pm.**

**10. New Amendment Legislation**

Ms. May stated that the California Business and Professions Code Section 4601 (b)(1)(B) states ‘the applicant has successfully completed, at a single school, curricula in massage and related subjects totaling a minimum of 250 hours that incorporates appropriate school assessment of student knowledge and skills’” Ms. May went on to say the intention of this provision is that after the grandfathering period which ended Jan 2, 2012, all new applicants would need to have at least 250 hours from one approved school with 100 of those hours in specified core subjects to be certified as a CMP. Ms. May stated that the law neglected to require these same requirements for CMT. Ms. May recommends to removal of ‘single’ from the ‘single approved school’ for the CMP certification.

**Motion (5): Benson/Grant** – Move to authorize staff to add another amendment to strike ‘single’ from ‘single approved school’ for CMP certification tier and properly word the amendment.

14-0, 4 Abstain (Drillings, Pezza, Smith, Wall) – MOTION PASSES

**11. PSD Report**

Mr. McElroy reported that the role of each PSD staff member has significantly changed in the last two years. PSD is pushing to review an average of 65 people per week, 30 new and 35 being carryovers from previous weeks and approximately 50% of the new reviews need some sort of follow up investigation.

Mr. McElroy informed the Board that PSD took on the responsibility of obtaining officer declarations from SSA and conducts all court checks. This has left SSA with the responsibility to investigate schools only.

Mr. McElroy went on to say that because of the complexity and the need to separate investigations from denials/revocations/suspensions, the PSD has been reorganized into three sections responsible for various duties. Mr. McElroy stated this new reorganization put in place a “checks and balances” system so as to limit any one person’s authority, including the Director.

**12. Budget Issues**

Mr. Netanel recommends that the Board make adjustments in the PSD budget as follows:

- Increase amount of hours for PSD Director, Rick McElroy
- Increase pay for two PSD personnel, Tim Chambers and Kellie Rodriguez, retroactive to April 1, 2012
- Allow 4% increase in salary for remainder of PSD staff, retroactive to April 1, 2012
- Add one field investigator (note: will look into adding second field investigator at the September Board meeting).

Mr. Netanel stated that by adding only one field investigator, \$23,666 from the budget will be removed. Mr. Netanel also stated that \$15,000 for the Public Relations firm and \$17,500 for the Los Angeles office rental will also be removed from the budget.

**Motion (6): Schroeder/Rolnick** – Move to approve budget recommended by Mr. Netanel with the reduction of \$23,666 for second PSD Investigator, \$15,000 for Public Relation firm and \$17,500 for Los Angeles office rental. Between now and September, benefit allowances can be given temporarily until adoption of formal benefits in September 2012.

17-0, 1 Abstain (Wall) – MOTION PASSES

### **13. IT Liaison's Report**

Mr. Pezza reported to the Board the status of the CAMTC IT system and the proposed goals to implement and development a database to initiate better work flow, maintain security and improve productivity.

**Motion (7): Dixon/Schroeder** – Move to remove Paul Schwinghamer as IT Liaison Chair, with formal appreciation letter to Dr. Schwinghamer.

15-0, 2 Abstain (Fuson, Pezza) – MOTION PASSES

**Motion (8): Dixon/Schroeder** – Move to appoint Elna Leonardo as co-IT Liaison.

15-0, 2 Abstain (Leonardo, Pezza) – MOTION PASSES

### **14. ACLU Letter of Opposition**

Mr. Netanel informed the Board that CAMTC received a letter from the ACLU opposing SB 122. Mr. Netanel would like the Board to give staff instruction on how to proceed.

**Motion (9): Schroeder/Rolnick** – Move to leave to discretion of the Chair and CEO to determine the best course of action but to try to maintain proposed language in SB122 as is to protect public.

17-0, 1 Abstain (Wall) – MOTION PASSES

### **15. Board Travel Reimbursement Policy**

**Motion (10): Smith/Schroeder** – Move to approve proposed Expense Reimbursement Policy.

Benson – Friendly Amendment – Update reference footnote rates.

Smith/Schroeder accept Friendly Amendment

### **ROLL CALL VOTE**

Armour - Yes  
Benson - Yes  
Callagy - Not Present for Vote  
Calvert - No  
Dhanaphatana - No  
Dixon - No  
Drillings - Yes  
Fuson - Yes

Grant - No  
Leonardo - No  
Marylander - Yes  
Pezza - No  
Robinson - Yes  
Rolnick - Yes  
Schroeder - Yes  
Schwinghamer - Not Present for Vote  
Sheps - Not Present for Vote  
Smith - Yes  
Tuck - No  
Wall - Yes

10-7 MOTION PASSES

### **16. Creating of History Section on Website with Photos**

Ms. Calvert stated she has been collecting the history of massage for approximately 30 years and would like to create a history section on the CAMTC website to educate the public.

**Motion (11): Calvert/Pezza** – Move to create history section on the CAMTC website in order to educate the public and law enforcement about the history of massage in California.

Benson – Friendly Amendment – Bring specifics, which include outline of history section and cost to implement, back to September Board meeting.

Calvert/Pezza accept Friendly Amendment

18-0 MOTION PASSES

### **17. Establishing the Board as a Policymaking Body**

**Motion (12): Dixon/Tuck** – In order to provide for better clarity on delineating between Board function as a policymaking body and Staff as implementers, the Board of Directors shall implement a Schedule of Authority such as that contained in the accompanying FSMTB document (See Board Packet). Board and senior staff members may submit their recommended Schedule to be aggregated by the CEO and be presented to the Board for discussion and approval at the next in-person Board meeting, after which the Board of Directors shall limit itself to policy matters, unless the board votes to engage in a specific matter of operations.

Schroeder – Table agenda item 17, as well as items 15 and 20, to September 2012 Board Meeting

18-0 MOTION PASSES

### **18. Future Board Meetings**

- September 12 – 13, 2012
- November 7, 2012

In preparation for the two day board meeting, Mr. Netanel would like Board members to submit a list of their strategic priorities, in order of priority.

**19. Adding Board Members and Key Staff Bio's and Photos**

**Motion (13): Pezza/Grant** – Move to publish pictures and Bio of all board members and key CAMTC staff.

6-12 MOTION FAILS

**Motion (14): Pezza/Calvert** – Move to publish 'pictures' only of all board members and key CAMTC staff.

18-0 MOTION PASSES

**13. Adjournment**

Chairperson Wall adjourned the meeting at 4:36pm

Minutes Approved: September 13, 2012

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Roberta Rolnick, Secretary