

**TENNESSEE
PRIVATE PROBATION SERVICES COUNCIL
MINUTES**

DATE: June 6, 2014

PLACE: Conference Room 1-B, Davy Crockett Tower
500 James Robertson Parkway
Nashville, Tennessee

PRESENT: Board Members -
Judge J. Klyne Lauderback
Judge Hugh Harvey
Judge John Hudson
Dena McCollough
Stancil Ford
Veronica Thornton

ABSENT: Judge Chris Craft, Chairman

PRESENT: Staff Members –
Kimberly Whaley, Director of Licensing
Ellery Richardson, Assistant General Counsel
Michael Driver, Chief Counsel
Guests –
E. Downey

Call to Order – Vice Chairman Lauderback called the meeting to order at 10:09 a.m. and the following business was transacted:

Agenda – Judge Hudson made a motion to adopt the agenda, seconded by Judge Harvey

Roll Call – Ms. Whaley called the roll. Six members were present during roll call. Judge Craft was absent.

Notice Given – Ms. Whaley then read the following notice for the record:

This meeting's date, time and location have been posted on the Tennessee Private Probation Services Council's website. The agenda for this month's meeting has been posted on the Council's website since May 30, 2014, and this meeting has been noticed on the tn.gov public meeting calendar.

MOTION CARRIED.

Minutes – Mr. Ford made a motion to approve the minutes of March 7, 2014, seconded by Ms. McCollough.

MOTION CARRIED.

SUNSHINE LAW PRESENTATION –

Members of the Regulatory Board Legal Office, Michael Driver and Damon Romano, gave a presentation regarding the Sunshine Law. The presentation included the Open Records Act and Public Meeting Act and how they apply to the board members and their meetings.

LEGAL REPORT– ELLERY RICHARDSON, ASSISTANT GENERAL

1) 2014006701

Complaint alleges that one of Respondent's employees misappropriated funds and was convicted in criminal court. Additionally, this employee was never registered with the Council as an employee. Respondent states that this individual was never an employee of the Respondent entity. The individual was an employee of a community corrections agency with a similar name to Respondent, which caused the confusion.

History: no prior complaints.

Recommendation: Dismiss

Judge Hudson made a motion to accept the recommendation of legal counsel, seconded by Mr. Harvey.

For:

Judge J. Klyne Lauderback
Judge John Hudson
Judge Hugh Harvey
Dena McCollough
Stancil Ford

Absent:

Judge Chris Craft, Chairman

Recused:

Veronica Thornton

MOTION CARRIED.

**MILITARY APPLICANT RULES – ELLERY RICHARDSON, ASSISTANT GENERAL
COUNSEL**

Ms. Richardson provided the council with the draft of the rules related to Public Chapter 122. Mr. Driver advised the Council of the alternative rule making process.

Mr. Ford made a motion to adopt the draft rules pertaining to military applicants, seconded by Judge Harvey.

Roll Call Vote:

For

Judge J. Klyne Lauderback
Judge John Hudson
Judge Hugh Harvey
Dena McCollough
Stancil Ford
Veronica Thornton

Absent

Judge Chris Craft, Chairman

MOTION CARRIED.

Ms. Richardson read the Regulatory Flexibility Analysis for Small Business into the record.

Judge Harvey made a motion to adopt the Regulatory Flexibility Analysis for Small Business, seconded by Ms. McCollough.

Roll Call Vote:

For

Judge J. Klyne Lauderback
Judge John Hudson
Judge Hugh Harvey
Dena McCollough
Stancil Ford
Veronica Thornton

Absent

Judge Chris Craft, Chairman

MOTION CARRIED.

Ms. Richardson read the Economic Impact Statement into the record.

Judge Hudson made a motion to adopt the Economic Impact Statement, seconded by Judge Harvey.

Roll Call Vote:

For

Judge J. Klyne Lauderback
Judge John Hudson
Judge Hugh Harvey

ADMINISTRATIVE REPORT – KIMBERLY WHALEY

Budget Report – Ms. Whaley presented a report of the expenditures and revenues for fiscal year 2014 through April 30, 2014.

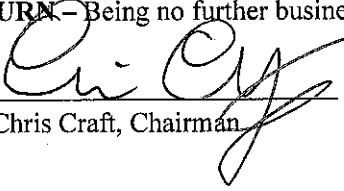
Application Review – Ms. Whaley requested the council's opinion on whether all new agency applications should be presented to the council. She was advised that only applications that were in question need to be presented to the board.

Officer Election – The council requested that officer elections be postponed until the next meeting in September.

Email Question – Ms. Whaley and Ms. Richardson presented an email related to the Rule 1177-01-.08 which discusses the Quarterly Provider Fee. The email asked a question about the meaning of "case load" and seeks clarification from the Council. The Council stated that the Quarterly Fee should include all the mentioned probationers, as the company is supervising all of them, even if not in person. This includes the ones that have absconded.

NEW BUSINESS – There was no unfinished or new business to discuss.

ADJOURN – Being no further business, the meeting adjourned at 11:33 a.m.



Judge Chris Craft, Chairman

J. Klyne Lauderback, Vice Chairman