



PRIVATE PROBATION SERVICE COUNCIL
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243-1166
615-741-1831

**Meeting Minutes
November 6, 2020
WebEx Meeting
Davy Crockett Tower**

The Private Probation Services Council met on November 6, 2020 via a WebEx Teleconference. The following business was transacted:

COUNCIL MEMBERS PRESENT: Judge Larry Logan, Judge Lynn E. Alexander, Judge Brody Kane, Judge Gary Starnes, Michael Wright, and Stacey Kelley

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Roxana Gumucio, Elizabeth Bendell, Katie Long, and Angela Nelson

CALL TO ORDER/ROLL CALL

Director Gumucio called the meeting to order at 10:01 a.m. and completed roll call.

NOTICE OF MEETING

Director Gumucio read the notice of meeting into the record as follows: "Notice of the November 6, 2020 meeting of the Private Probation Services Council was posted to the Private Probation Service Council website on November 1, 2020."

STATEMENT OF NECESSITY

Ms. Bendell read the Statement of Necessity into the record. Judge Logan motioned to accept it as written, which Judge Alexander seconded. The motion passed unanimously by roll call vote.

AGENDA

Judge Kane motioned to adopt the agenda as written, which Mr. Wright seconded. The motion passed unanimously by roll call vote.

AUGUST MINUTES

Upon review of the minutes from the August meeting, Judge Logan motioned to approve the minutes as written. This was seconded by Ms. Kelley. The motion passed unanimously by roll call vote.

DIRECTORS REPORT

Prior to presenting the Director's Report, Director Gumucio let the Council know that Mr. Stancil Ford has resigned from the Council as of October 30, 2020 due to personal health concerns.

Budget

Director Gumucio reviewed the budget for the last fiscal year and stated that it ended with a deficit, but the Council still maintained a substantial reserve. Director Gumucio stated that due to the realignment of the boards, there was an increase in administrative costs and other reallocations. Despite these changes, Director Gumucio concluded that there were no major budgetary concerns at this time.

Sunset Update

Director Gumucio informed the Council that the Sunset Hearing, which took place on August 25th, went very well and resulted in the Council receiving an extension of four (4) years.

RFP Update

Director Gumucio informed the Council that the Request for Proposal (RFP) they requested to provide an ethics course has been approved internally and is currently under review by the state procurement office.

LEGAL

Legal Report (presented by Elizabeth Bendell)

Judge Gary Starnes entered the meeting at 10:19 a.m.

1. PPSC-2020057291

Disciplinary History:

- None

Summary:

This is a consumer complaint alleging misconduct from the Respondent. Specifically, the Complainant alleges that the Respondent provided confidential information to the complainant's grandmother.

The Respondent has not responded to the complaint at this time.

Upon research it was discovered that the Respondent works for a public county run probation service. Because of this, this Council does not have jurisdiction over this complaint.

Recommendation: Closure

Decision: APPROVED

2. PPSC-2020082541

Disciplinary History:

- 2020033461 – closed – Respondent failed to submit all documents required for renewal and failed to respond to requests for required documentation – Letter of Warning

Summary:

This is an administrative complaint opened at the request of office staff. The Respondents license expired on August 22, 2020 and as of the date of the complaint the Respondent had not submitted a renewal. The Respondent was contacted via phone and email on multiple occasions, the last one being October 8, 2020 regarding the renewal. They indicated that they would submit their renewal materials by Monday, October 12, 2020. The Respondent has been non-responsive to office staff.

The Respondent responded to the complaint and indicated that they have been unresponsive due to office staff testing positive for COVID-19. The Respondent did not address their renewal.

Recommendation: To be discussed

Decision: Authorization for a Formal Hearing. Authorization for a Civil penalty of \$2,000 AND proof of renewal via Consent Order.

Rules Update

Ms. Bendell reviewed the two (2) rules changes that the Council approved at the previous meeting. The first change reduces the late fees for those entities who do not renew their licenses on time. The second change eliminates the additional five (5) cent fee for every ten (10) days the quarterly provider fee is late. Ms. Bendell informed the Council that the rules have been approved by the Governor's office and they are headed to the Attorney General's office for review.

NEW BUSINESS/ADJOURNMENT

There being no new business, Judge Logan motioned to adjourn the meeting, which was seconded by Judge Alexander. Director Gumucio adjourned the meeting at 10:30 a.m.