

**August 9, 2006 10:00 AM**  
**Ohio Department of Public Safety**  
**Shipley Building, Room T3 11-12**  
**1970 W. Broad St**  
**Columbus, Ohio 43223**

**1. CALL TO ORDER. INTRODUCTION OF MEMBERS PRESENT. 10:02 a.m.**

**Board members present:** Ralph Emus, Ben Williams, Rick Finney, Dave Weber, Nick Lahni, Paul Duncan and Barbara Lewis, Ph.D.

**Board Members Absent:** None

**Attendees Present:** Diane Hoenig, Mike Greene, Rick Jones AAG, Lisa Clark ASA, Dean DeRolph, Dennis Sterwerf.

**2. GUEST SPEAKER – Patrick Lightfoot, BMV, Dealer Investigations, to discuss dealer requirements and answer questions.**

- Numerous questions were fielded by Mr. Lightfoot regarding dealer licensing as it applies to collision repair facilities.

**3. REVIEW OF JUNE 14, 2006 MEETING MINUTES.**

**MOTION TO ACCEPT:** Dave Weber

**2<sup>ND</sup>:** Ben Williams

**MOTION PASSED**

**4. BOARD REVIEW AND DETERMINATION RE PENDING REGISTRATION APPLICATIONS.**

A. Vote by Board on regular registrations pending from June 2, 2006 to August 1, 2006.

**MOTION TO ACCEPT:** Dave Weber

**2<sup>ND</sup>:** Barb Lewis, Ph.D.

**MOTION PASSED**

**5. OTHER BUSINESS.**

A. Investigator's Report (Mike Greene)

<b><u>2006 YEAR-TO-DATE TOTALS</u></b>	
Shop visits	<b>791</b>
Renewals	<b>46</b>
NOV	<b>268</b>
New Shop Appl.	<b>95</b>
Complaints	<b>75</b>
Prosecution Cases	
A.G. Notifications	<b>171 ( +70 Pending = 241 )</b>
Injunction Requests	<b>92</b>
Shops "Out of Business"	<b>132</b>

B. Status Report on Injunctions (AAG Rick Jones)

- Rick Jones reported that the injunctions in Lorain County were going forward. There had been a problem with getting two of the shops served with court papers. That problem was resolved by personal service from the Lorain County Sheriffs Department.

C. Arrears Collection .41 Cents/Day charge after 60 days late (AAG Rick Jones)

- Ms. Hoeing lead the discussion and explanation of past practices involving repair shops paying fees in the arrears. Ms. Hoeing said that shops turned over to the AG are no longer the Board's responsibility as far as collecting funds. She said when those shops pay fees, those fees are required to be forwarded to the AG. The big issues are the .41 cent per day late penalty, and the collection of back fees for a shop operating without a valid registration. AAG Rick Jones stated there is no wording in the statue qualifying the .41 cent per day penalty. However, the Board has every right to collect back fees. Mr. Jones said the .41 cents per day was initiated by Director Lunberg. Ms. Hoeing said the waver of back fees was initiated by Director Cassidy, in an attempt to get all the shops caught up and on board with registration. After much discussion from the Board, it was decided that back fees would be collected from repair shops in arrears and that future changes initiated by the Director must have Board approval.

**MOTION:** Dave Weber – The Executive Director must receive approval from the Board prior to initiating changes in fees accrued from repair shops in arrears, and/or prior to negotiating a reduction in the amount of fees due from said shops.

2<sup>ND</sup>: Barb Lewis, Ph.D.

**DISCUSSION:** Further discussion involved the fines and fees surrounding administrative hearings and the funding of such hearings. AAG Rick Jones said the fines and fees accrued from an administrative hearing, and collected by the AG, were to be placed in a fund that supported the expense of the hearings.

**MOTION PASSED ON ROLL-CALL VOTE:** Lewis, "Aye;" Finney, "Aye;" Weber, "Aye;" Lahni, "Aye;" Duncan, "Aye;" Williams, "Aye;" Emus, "Aye."

D. Audit Update (Ms. Hoeing)

- Ms. Hoeing presented the audit results from the State Auditors Office. She noted how the corrections in the audit were already completed; and that the majority of discrepancies were noted prior to Director Cassidy's appointment.
- Ms. Hoeing presented a draft copy of the Work Schedule policy and suggested the Board vote on the needed changes in the office hours.

**MOTION:** Dave Weber – To accept the changes in the work schedule policy to state; "Regular Office hours are 8:30 a.m. to 4:30 p.m."

2<sup>ND</sup>: Paul Duncan

**DISCUSSION:** The Board members felt the words "operating hours" should be deleted from the policy and replaced with "office hours", after it was determined that actual operating hours would most likely vary, and could actually be longer than normal office hours.

**MOTION PASSED ON ROLL-CALL VOTE:** Finney, "Aye;" Weber, "Aye;" Lahni, "Aye;" Duncan, "Aye;" Williams, "Aye;" Emus, "Aye;" Lewis, "Aye."

E. Policy and Procedure Review (Ms. Hoeing)

- Ms. Hoeing presented an updated version of the Employee Office Procedure Manual. She explained that part of the audit recommendations were to

update the manual. Ms. Hoeing said the majority of the update surrounded the new computer system, CAVU. She stated the manual was commonly used in training temporary office help.

**MOTION TO ACCEPT:** Barb Lewis, Ph.D.

**2<sup>ND</sup>:** Nick Lahni

**MOTION PASSED**

F. Budget Update (Ms. Hoeing)

- Ms. Hoeing gave an update on the current budget, which was prepared by Director Cassidy. There was some discussion on the money that was not used from the previous budget. It was determined that the Board should be covered by the new budget. If not, they could go to the Controlling Board to request funds. That decision will be made if and when that time comes.

G. HB 208 Update (Ms. Hoeing)

- Ms. Hoeing said she had recently spoken with Victor Hipsley concerning HB 208. Mr. Hipsley suggested the Board should discuss what their minimum needs are within the bill. The bill has passed the House of Representatives, and is currently in a Senate committee. The Board decided to appoint a sub-committee to address the issues within the bill, and to create open support for the bill.

**MOTION:** Barb Lewis, Ph.D. – To appoint a sub-committee made up of herself, Ralph Emus, Ben Williams and Paul Duncan. The committee will study and address the issues within HB 208 needed by the Board, and methods of supporting the bill.

**2<sup>ND</sup>:** Paul Duncan

**MOTION PASSED**

## 6. PUBLIC COMMENT.

A. On a non-related matter, Rick Finney requested contact information for the Department of Insurance personnel, previously dealing with Director Cassidy. Mr. Finney stated he had made numerous attempts to reach someone from the office and was unsuccessful. Ms. Hoeing said she would forward the information to Mr. Finney.

## 7. EXECUTIVE SESSION.

A. Personnel Matters – Executive Director Position Search (Barb Lewis, Ph.D.)

- Ms. Lewis reported that the search committee had interviewed eleven applicants for the executive Directors position, during two interview sessions. She said the search committee had decided on four of the applicants for recommendation of a final interview in front of the entire Board.

**MOTION:** Dave Weber – To break into Executive Session

**2<sup>ND</sup>:** Nick Lahni

**MOTION PASSED ON ROLL-CALL VOTE:** Williams, “Aye;” Duncan, “Aye;” Lahni, “Aye;” Weber, “Aye;” Finney, “Aye;” Lewis, “Aye;” Emus, “Aye.”

**DISCUSSION:** Barb Lewis invited former Board Members, Dean DeRolph and Dennis Sterwerf, and AAG Rick Jones, to remain during Executive Session.

**TIME INTO:** 12:25 p.m.

**TIME OUT:** 1:55 p.m.

**CALL TO ORDER:** Chairman Emus

**TIME:** 2:01 p.m.

**MOTION:** Dave Weber – To except the four recommendations made by the search committee to be interviewed by the entire Board.

**2<sup>ND</sup>:** Ben Williams

**DISCUSSION:** The four applicants recommended by the search committee are as follows; Mr. Rucker, Ms. Hoeing, Mr. Farley and Mr. Hart.

**MOTION PASSED ON ROLL-CALL VOTE:** Duncan, "Aye;" Lahni, "Aye;" Weber, "Aye;" Finney, "Aye;" Lewis, "Aye;" Emus, "Aye;" Williams, "Aye."

Dennis Sterwerf requested that the Board add Mike Greene to the list of applicants to be interviewed again.

**MOTION:** Dave Weber to add Mike Greene to the list of applicants for the final interviews.

**2<sup>ND</sup>:** Nick Lahni

**MOTION PASSED ON ROLL-CALL VOTE:** Lahni, "Aye;" Weber, "Aye;" Finney, "Aye;" Lewis, "Aye;" Emus, "Aye;" Williams, "Aye;" Duncan, "Aye."

**8. ADJOURNMENT.**

**MOTION:** Dave Weber

**2<sup>ND</sup>:** Paul Duncan

**MOTION PASSED**

**TIME:** 2:02 p.m.

**9. MOTION:** Barb Lewis, Ph.D. – To return into session and discuss the dates and times for the remaining interviews.

**2<sup>ND</sup>:** Ben Williams

**MOTION PASSED**

**CALL TO ORDER:** Chairman Emus

**TIME:** 2:04 p.m.

**MOTION:** Dave Weber – To hold the interviews Tuesday, October 10, prior to the next Board meeting.

**2<sup>ND</sup>:** Rick Finney

**DISCUSSION:** Ms. Lewis opposed the motion, stating the October meeting was too far off to wait on the selection of an Executive Director. Chairman Emus agreed with Ms. Lewis and suggested the sooner, the better.

**MOTION PASSED ON ROLL-CALL VOTE:** Weber, "Aye;" Finney, "Aye;" Lewis, "No;" Emus, "No;" Duncan, "Abstain;" Williams, "Aye;" Lahni, "Aye."

**10. ADJOURNMENT.**

**MOTION:** Dave Weber

**2<sup>ND</sup>:** Barb Lewis, Ph.D.

**MOTION PASSED**

**TIME:** 2:12 p.m.