



**CAMTC Board of Directors Meeting**

February 11, 2010

Santa Ana Police Department

Santa Ana, CA

**MINUTES**

**(open session portion of meeting)**

Called to order at 9:55 am

Roll Call

Present: Beverly May, Bob Benson, Mason Myers (via telephone), Ben Drillings, Judi Calvert, Mark Dixon, Keith Grant, Michael Marylander, Rick McElroy, Roberta Rolnick, Tricia San Juan, Dixie Wall

Absent: Beth Chape, David Robago

Staff: Robert Achermann, Paul Simmons

Legal Counsel: Jill England

Officer nominations

FOR CHAIR:

Beverly May: Moved - Mark Dixon/Seconded - Rick McElroy

No other nominations

Approved

Myers abstain

Benson opposed

FOR VICE CHAIR:

Schwinghamer: Moved May - /Seconded McElroy

Benson: Myers/Rolnick

Benson made a statement relating to his nomination and his activities as Vice Chair over the past year, including framing of issues, engaging legal counsel and a PR firm, and letters to cities, and as Credentials Committee Chair. He indicated that while he wished to continue to serve on the board and to be a resource for the board, it would better serve the CAMTC if he withdrew his nomination.

Schwinghamer was approved, Rolnick abstained

Schroeder proposed a resolution honoring Benson for his service to the board.  
Unanimously approved (Benson abstaining)

Schwinghamer indicated his primary focus will be application processing and charter city issues

FOR BOARD SECRETARY:

Drillings: Moved - May Seconded - Dixon

Rolnick: Benson/Rolnick

England shared traditional duties of the Board Secretary.

Drillings: 8

Rolnick: 4

FOR BOARD TREASURER:

Marylander: Moved - Schwinghamer/Seconded - May

Benson asked Myers to describe the duties of Treasurer.

Myers outlined duties:

- Operational – signing checks, approving expenses.
- Preparation of the budget. The accountant (Payne) is quite capable of doing this technical work
- Annual Financial Audit: Payne will do the bulk of this work, but the Treasurer will be in the loop
- Accounting Policies: Adopting policies following generally accepted accounting procedures. Present opinions and make recommendations to the board

Schwinghamer: Thanked Myers for his service, and this was passed by acclamation.

Benson: If Marylander is comfortable with the level of financial acumen, then he would support this.

Marylander approved unanimously.

### **Chairman's Statement**

The human body has 50 trillion cells; the health of the body depends on early recognition of dysfunction. Similarly, as a board, we need to be very aware of dysfunction and address it quickly to ensure our success.

A consensus is defined as decisions which are not overly influenced by a single individual, and which all can agree to support, and to avoid undermining the decision.

We are here to serve the people of California and the massage profession . . . and all who are affected by our decisions. We need cities to accept the law, and we need the massage community to support the law.

### **Approval or Abolition of Committees**

Committee chairs are reappointed at this time.

PPLG Committee:

May elected to step down as chair of the PPLG committee. She recommended Mark Dixon as the new chair. (Rolnick seconded)

Dixon abstained. Otherwise unanimous approval.

Credentials Committee:

Benson shared that the committee will have new work to do, but not as a major enterprise, particularly in light of the birth of the BPPE and its effects on our current policy. He would be willing to continue on as chair. He shared the work of the committee over the past year and the “devil in the details” relating to answering the credentialing questions.

May acknowledged Benson as continuing on as chair.

The Outreach Committee will continue on with Rolnick as Chair.

### **APPROVAL OF MINUTES:**

#### **January 14<sup>th</sup> MINUTES**

Motion to approve: Schroeder/McElroy

Schroeder clarified his intent regarding the motion which mentioned Massage Envy and Burke Williams - that the motion was not a mandate that we seat individuals from the referenced entities, but that we seek out qualified applicants, including individuals from those entities. He moved to amend the minutes to reflect this. New text: “To solicit applications from qualified individuals, including from Burke-Williams and Massage Envy, to serve on the Board in order to represent larger massage employers.” Amendment passed.

Since the last meeting Schwinghamer has solicited applications from these two organizations, and one (Burke Williams) is present at this meeting as a guest.

**Minutes approved unanimously**

#### **January 25<sup>th</sup> Minutes**

**Schroeder / May**

Approved unanimously with one typographical correction.

### **Consideration of Bill Amour’s Application for Board membership**

**Motion to approve his application: May/**

Armour spoke to the board about himself and Burke Williams. He would bring a perspective from the business community, particularly in matching a certification process to the needs of the massage industry.

**Application Approved Unanimously (Schwinghamer abstained)**

Schwinghamer disclosed that Burke-Williams had a financial interest in his massage school (CHAC) There was no change in the voting based on this disclosure.

\* \* \* BOARD MOVED TO CLOSED SESSION at 11:00 a.m. \* \* \*

\* \* \* RETURNED TO OPEN SESSION \* \* \*

2:15 pm

**MOTION: MAY/MCELROY Create a committee to consider how to fill additional board seats and make recommendations on ideal board composition. Further that we impose a moratorium on adding additional board members until this committee has reported back to the board.**

Benson voiced a concern about Massage Envy, which was approached by Schwinghamer about joining the board, and which might be blocked from Board participation by this moratorium. Schwinghamer shared this concern.

May shared that actual practitioners themselves were underrepresented. She also shared that there was an applicant who applied before the actual incorporation of the CAMTC, who should also be seriously considered.

Armour indicated a willingness to give up his seat until the end of the moratorium if this would be helpful. May and Benson indicated he should not do so.

Benson reminded the Board that it could increase the size of the board to a more optimal level.

Rolnick not in favor of the moratorium.

Roll call vote on motion:

Yes:

May, Calvert, Dixon, Marylander, McElroy, San Juan, Schroeder, Wall

No:

Benson, Rolnick

Abstentions:

Drillings, Grant, Schwinghamer

**THE MOTION PASSED**

Schroeder was appointed and unanimously approved as chair of the new Board Composition committee.

**Christian Pezza** was asked to make a statement about his interest in Board service. He provided copies of his resume and letters of recommendation. He is a therapist and teacher. His background is also in data management.

**Charlotte Morey** was asked to make a statement. A CMT and LMT who previously worked in Florida. She believes in core values in the industry and high standards. Her experience in Florida impressed upon her that you became a member of the health care profession, and not looked at with doubt or suspicion.

#### **Approval of continued funding for Investigation Division**

SSA has continued to work without guaranteed funding,

**MOTION: MAY/GRANT:** To approve the release of up to \$15,000 to be paid on invoice for this purpose.

**MOTION APPROVED UNANIMOUSLY**

#### **Start-up Loans Repayment**

**MOTION: MAY/SCHROEDER** Approve repayment of the startup loans to AMTA-CA and ABMP by February 28.

Schwinghamer expressed appreciation for their support as well

**APPROVED (Benson abstained).**

#### **BUDGET**

**MOTION: MAY/SCHROEDER:** to adopt the attached budget with the caveat that immediately after a favorable vote the Chair should bring to a vote any proposed changes or amendments to the budget.

Amendment: Rolnick recommends that the public relations budget be increased to \$10,000 per month after February.

Rogers has been extremely responsive and has much more work to do in preemptive public relations work. This would include significant digital promotions and publication. They have proposed an ad campaign to promote certification to consumers.

Netanel shared that this funding would give us a cushion to implement and negotiate new contracts.

Benson stated that we can defer this motion until next meeting when we will have a more complete and negotiated proposal. We will probably want to approve the \$5000 for March and revisit this at the next meeting.

**Amendment: Benson/Rolnick:** I move that we revise the line item titled "Leadership Function (1 person including benefits)" to provide \$15,000 per month from April through December.

Some board members felt that the budget without the amendment would reflect a higher-than-standard salary for other similar positions in Los Angeles, but others felt that this could be justified by the temporary nature of the position (12-18 months).

Benson distributed a salary comparison chart. It is in the long-term interest of the CAMTC to project the appearance of propriety in our financial compensation packages.

May: this is a California model for a quasi-governmental agency, and we have unique challenges and opportunities. We need to show that this model works. May distributed IRS forms 990 (for California non-profits) sharing compensation packages around the state. The revenues for these organizations range from \$1M to \$4.5M. They have been reviewed by the IRS, and none are under investigation. We need to budget adequately to find the appropriate person.

Rolnick: Are any of these organizations subject to open meeting acts, etc?

Grant: There is an expectation that our expenses will be handled in a similar manner to other government agencies. There has been significant outrage on the blogosphere relating to salaries and compensations in related associations.

May: NCBTMB did not experience public criticism until customer service degraded. We are already receiving complaints on our customer service, and we need to make things better. This is worth it.

Benson: We need to pay enough to acquire an individual with qualifications. But it will not serve our interests to be seen as lining insiders' pockets excessively. What we do in this budget is symbolic and important.

Armour: Do other state boards have similar posts which we could use for comparison?

Schroeder: They are not the same. It is an apples-and-oranges comparison. There are other factors involved.

Schwinghamer: Providing a range of salaries is probably a more prudent avenue. Getting the right person for a reasonable amount of money makes sense, but we need to get the right person first.

McElroy: This is a 12-18 month commitment. We may need to spend more on the front end of things to get us on the right track.

Record votes: Benson, Drillings, Grant and Rolnick voted YES; all other board members voted NO.

### **Amendment fails**

**Benson left the meeting at 3:45 in order to catch an airplane.**

**AMENDMENT: SCHROEDER/MAY: Revise the budget line item for Leadership Function to \$10,000 - \$22,500 per month for salary, and up to \$5,000 per month for benefits. Remove the parenthetical indication that it is for one person.**

Dixon: confirmed that \$27,000 total would be the maximum, not a starting point.

**Unanimous except for one abstention – Drillings**

**AMENDMENT MAY/SCHROEDER: Increase the line item for legal regarding denials and investigations from \$7 to \$10k a month, and increase general legal budget from \$3k to 5k /month**

**APPROVED UNANIMOUSLY**

England stated that the amended budget amounts reflect the actual legal expenses that are being incurred on a monthly basis at this time (could go up, but hopefully will go down over time). She reminded the board that she only does what's asked by various board members and staff, and would be more than happy to be working less (happy to have her nights and weekends back). Her current rate is \$175/hour (billed in tenth of an hour increments). She had planned to raise her rate to \$200/hour this year, but in light of the economy, has deferred the rate change to January 1, 2011. Also noted that the denial issues are very time intensive and that her invoices also include colleague Alison Siegel's time.

**Amendment: SCHROEDER/MAY Modify the legal fund for legal challenge from/for cities to add \$80,000 Starting with May, we will add \$10,000/month through December. This will total \$115,000 for the year.**

Grant: this is prudent.

Some invoices are in the pipeline for work they have already done.

**MOTION PASSES UNANIMOUSLY**

**AMENDMENT: SCHWINGHAMER/ROLNICK Restore line item for database licensing and development to \$16,000 per year. Web site maintenance increase to \$12,000 per year.**

**PASSED UNANIMOUSLY**

**AMENDMENT: Schwinghamer: To hire an IT manager dedicated to CAMTC only.**

Rolnick: Could this also be a temporary position, like the CEO?

Grant: This could also be handled through an IT temp service.

**AMENDMENT: MAY/GRANT To approve funding for two new staff to be housed at AMG to help process application. \$9,000 per month for two months, to begin immediately.**

**PASSED UNANIMOUSLY**

**APPROVAL OF THE BUDGET AS AMENDED:  
PASSED UNANIMOUSLY**

May shared that there will be much new information related to budget presented at the next meeting.

March 3 In Southern California, location TBA

May reported that England has sent a cease and desist letter to a school which was falsely representing that their transcripts qualified for CMT certification.

May reported that CAMTC has received draft legislation proposed by Police Chiefs Assn which would essentially eliminate CAMTC's ability to approve massage certification.

**MOTION: TO AUTHORIZE CHAIR MAY TO ORGANIZE A VENDOR BOOTH AT CAL POLICE CHIEFS CONFERENCE and to pay massage therapists to be there.  
SCHROEDER/GRANT**

**APPROVED UNANIMOUSLY**

The meeting was adjourned at 4:30 p.m.

Minutes Approved: \_\_\_\_\_, 2010

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Ben Drillings, Secretary