Statutes, Regulations, Policies & Procedures Work Group

Wednesday, August 20, 2025, 11:30 a.m. - 1:00 p.m.

Location: Virtual Only

In Attendance:

Thomas Ahneman, Chair of the SRPP Work Group Lauren Gauthier Roberto Fernandez James Marpe Brenda Sisco

Gregory Daniels, Executive Director Aaron Felman, Staff Attorney Aleshia Hall, Administrative Assistant

MINUTES

1. Call to Order of the Meeting of the Statutes, Regulations, Policies, & Procedures (SRPP) Work Group (WG)

Chair Ahneman called the meeting to order at 11:35 a.m. with a roll call of Work Group members

2. Approval of Minutes from the June 4, 2025, meetings of this work group.

A motion to accept the minutes from the June 4, 2025, meeting as written was made by Chair Ahneman.

Discussion: Ms. Gauthier does not agree with the statements in the minutes that characterize her actions as wanting to take authority away from the Executive Director. She wishes to clarify that she is not trying to take authority away, as the authority does not exist. Ms. Gauthier stated that she and Mr. Luciano wish to reserve the authority to appoint exclusively to the Chair, because the authority rests with the chair, and they do not want that authority to be delegated to the Executive Director. She believes the Chair or the Board should lead the effort on hearings. Ms. Gauthier requested that the language be corrected four times throughout the document.

Chair Ahneman agreed that the narrative currently written in the minutes correctly conveyed his understanding of the statements made at the meeting; however, he agreed that the minutes would be modified per Ms. Gauthier's request. Mr. Ahneman clarified that the minutes would be edited to remove the word regarding *authority* throughout those areas of the minutes.

A motion to approve the minutes as amended was made by James Marpe.

The motion was seconded by Roberto Fernandez.

The motion passed unanimously with one abstention from Brenda Sisco.

3. Old Business

Chair Ahneman reviewed the amended documents and initiated discussion:

- 4e-6: Language is acceptable as written.
- 4e-7: There was a discussion regarding wording of "determination on the merits" was discussed and will be edited to describe that the Hearing Officer will be empowered to render a decision on the waiver that will later be shared with the Board and Chairperson.
- 4e-11: Language is acceptable as written.
- 4e-13: There was a discussion about clarifying the wording to which Staff Attorney Felman provided an explanation. Ms. Gauthier believes this is overly complicated and could potentially conflict with our statute. She believes that *a day is a calendar day* and that should be clearly stated. Chair Ahneman agreed that we are referring to a calendar day. After further discussion it was decided that changes to the *five-day* references and the time period ending dates will be made.
- 4e-14: Language is acceptable as written. Ms. Gauthier noted a typo on the first line that will be corrected.
- 4e-15: Language is acceptable as written.
- 4e-16: Language is acceptable as written. Attorney Felman will make a small optional edit.
- 4e-17: Language is acceptable as written.
- 4e-18: Staff Attorney Felman explained that hand-delivery is a customary form of filing; however, SCSB does not have a location available for this. For hand-delivery to be accomplished, the individual would have to gain access through building security and be granted access into a secured office suite. Mr. Fernandez noted that the Office of State Ethics has a drop box in the lobby with a phone number to call if you deposit anything in the box. Since SCSB does not currently a similar option available, it was decided that the hand-delivery option should be removed.
- 4e-19: Language is acceptable as written.
- 4e-23: Language is acceptable as written.
- 4e-24: After clarifying discussion by Staff Attorney Felman, the language is

acceptable as written. Chair Ahneman agreed that "received by the Board" should be sufficient wording.

For the education of Work Group members, Attorney Felman and Executive Director Daniels offered clarification on the standard processes that are followed for these cases. Attorney Felman explained that 4e-36 is not a contested case by statute. He explained the legal differences between 4e-36 and a contested case. In response to Ms. Gauthier's inquiries, Attorney Felman offered to discuss the legal interpretation in greater detail in another forum. In response, Ms. Gauthier asked Attorney Felman to write a memo for consideration of the Board that distinguishes which cases are applicable to UAPA. Chair Ahneman directed that we focus on these edits first. Attorney Felman explained that an explanation of each section will require a significant time allotment, and he offered to provide clarification to the Work Group members before we review that portion of the regulations. Chair Ahneman agreed that all efforts should focus on the areas we are currently discussing.

- 4e-25: Language is acceptable as written.
- 4e-26: Language is acceptable as written.
- 4e-27: Language is acceptable as written.
- 4e-28: Language is acceptable as written.
- 4e-29: Language is acceptable as written.

Chair Ahneman asked that the Work Group review **Part 2: Hearings** in preparation for the next meeting.

4. New Business: None

5. Next Action Items

- Staff Attorney Felman will distribute the updates to the Work Group on or about September 23, 2025.
- The next meeting will take place virtually on Wednesday, October 8, 2025, from 9:00 a.m. through 10:30 a.m.

6. Adjournment

A motion to adjourn was made by Chair Ahneman at 12:42 p.m. The motion was seconded by Roberto Fernandez. The motion was unanimously passed.

Respectfully submitted,

Aleshia Hall

Administrative Assistant