

Alabama Board of Examiners of Assisted Living Administrators  
Regular Board Meeting

Date: Thursday, January 10, 2008  
Time: 10:00 a.m.

Place: 5921 Carmichael Road  
Montgomery, AL

Members Present: Mr. Jimmy Law  
Mr. Tommy McKinnon  
Ms. Mamie Mahone  
Ms. Merlinda Nettles  
Mr. George Smith  
Mr. David Wilbanks

Members Absent: Ms. Rita VanDyke  
Ms. Kathy Tankersley

Others Present: Ms. Bettie Carmack, Attorney General Representative  
Ms. Amy Findley, Executive Director  
Dale Law  
Jan Yarbrough  
Renee Barnard  
Eddie Cummings

**Call to Order:** The called meeting of the Board was called to order at 10:00 a.m. by chairperson, Mamie Mahone.

**Agenda:** David Wilbanks motioned to approve the agenda, Jimmy Law seconded the motion. No opposition. Motion carried unanimously.

**ALAA:** Renee Barnard, Chairperson for ALAA spoke to the Board regarding the relationship between ALAA & ALABOE. Ms. Barnard spoke of the history between the two Boards as well as the sharing of office space and an employee.

Eddie Cummings stated ALAA is the advisory council to the ALABOE and can make suggestions; however, the ALABOE is a fully functioning Board that can make their own decisions. Mr. Cummings also stated that the ALABOE Board placed the education piece on ALAA so the ALABOE and ALAA could share an employee and it would not be a conflict of interest. ALAA received a grant to help ALABOE get on their feet as they were starting out to help offset some of the cost.

Eddie Cummings stated ALAA supports the ALABOE and he does not think they need to separate, that would cause the industry to suffer. The ALABOE is modeled after the BOENHA which is located inside the ANHA and has a shared employee.

Mamie Mahone read over the Sunset Minutes with everyone.

Mamie Mahone stated she sent a letter to Senator Dixon regarding the ALAA proposal. His response was as follows:

“He received the letter but could not answer for the Committee. However, his personal interpretation from the Sunset Hearing is not to co-mingle or give the impression of co-mingling.”

Dale Law stated the ALABOE has been audited in the past and the sharing of an employee and office space has never been an issue. Ms. Law also stated all rent and employee contracts have gone through the proper channels every time and it was always approved.

Mamie Mahone asked “How do we follow the Sunset Committee recommendations and still keep a good relationship with ALAA”?

Renee Barnard stated the Sunset Committee needs to be made aware of other Boards that operate the same as the ALABOE and ALANHA.

Mamie Mahone stated that ALAA should not give recommendations regarding the ALABOE daily operations.

Eddie Cummings, Renee Barnard, Dale Law and Jan Yarbrough exited the meeting at 11:00am.

Bettie Carmack joined the meeting at 11:00am.

**Applications for Review:** An application for LF was given to the board for review. LF checked no to the Misdemeanor Question on the application but her background check came back and showed otherwise.

David Wilbanks motioned to enter Executive Session for the purpose of discussing one’s character to discuss the application of LF. Merlinda Nettles seconded the motion. No opposition. Motion carried unanimously.

Discussion was held.

Merlinda Nettles motioned to exit Executive Session. David Wilbanks seconded the motion. No opposition. Motion carried unanimously.

LF entered the meeting at 11:10am for the Board to ask questions.

The ALABOE Board questioned LF as to the discrepancies between her application, her criminal background check and her understanding of the definitions listed on the application.

LF exited the meeting at 11:17am

David Wilbanks motioned to enter Executive Session. Merlinda Nettles seconded the motion. No opposition. Motion carried unanimously.

Discussion was held.

Merlinda Nettles motioned to exit Executive Session. Jimmy Law seconded the motion. No opposition. Motion carried unanimously.

On a motion by David Wilbanks and a second by George Smith, In the matter of LF, the ALABOE is declining the application at this time. LF may reapply in (6) six months. The Board will then look over her application again. If LF does apply and is approved, she would be on probation until August 27, 2010 and would have to submit a criminal background check annually with her renewal. No opposition. Motion carried.

**Minutes from November 8, 2007:** Tommy McKinnon motioned to approve the minutes as written, David Wilbanks seconded the motion. No opposition. Motion carried.

**BOE Monthly Checklist:** The November and December 2007 Monthly Checklist was presented to the Board.

**Request for Proposal:** Amy Findley stated there has only been (1) one RFP submitted. A copy of the RFP was presented to the Board.

Discussion was held. Because only one RFP was submitted to the Board, the board has agreed to resubmit the RFP with changes.

On a motion by David Wilbanks and a second by Jimmy Law, the ALABOE is going to extend the Executive Director search. The position will be advertised and the new deadline will be February 18, 2008. No opposition. Motion carried.

The Board looked over the current request for proposal. The following changes were made:

- 1) All eligible submitters must have a two (2) year college degree in health care administration, business, finance or legal or four (4) years of successful relevant industry knowledge.
- 2) All proposals must be postmarked by February 18, 2008.
- 3) The Contractor shall maintain general liability insurance covering negligent acts of the Board in the amount of \$100, 000.00.
- 4) All persons handling monies in the name of the Board shall be bonded in the amount of \$50, 000.00.
- 5) This contract shall be for a term of two (2) years, beginning April 7, 2008, and shall

expire on April 7, 2010 with an option to extend for a second, third, fourth, and fifth year period

On a motion by Tommy McKinnon and a second by Merlinda Nettles, the ALABOE approved the above changes to the RFP. No opposition. Motion carried.

On a motion by George Smith and a second by Merlinda Nettles, the ALABOE will allow Ashley Waller to help Amy Findley with ALABOE duties which will include filing, answering phone and entering data in database, etc. until a permanent Executive Director is hired. David Wilbanks abstained and Mamie Mahone voted no. Motion carried.

**New Business:** On a motion by David Wilbanks and a second by Tommy McKinnon, the ALABOE will be looking at the past 10 (ten) years on the background check forms with misdemeanors, all felony's will be brought before the board for approval. No opposition. Motion carried.

**Old Business:** none

David Wilbanks motioned to adjourn the meeting at 1:37 p.m., Tommy McKinnon seconded the motion. No opposition. Motion carried.

Approved by: \_\_\_\_\_  
Mamie Mahone, Chairwoman

Prepared by: \_\_\_\_\_  
Amy Findley, Executive Director