



BOARD OF DENTAL EXAMINERS - February 7, 2025 Meeting Minutes

Alaska Division of Corporations, Business and Professional Licensing

2/7/2025 9:00 AMAKST

Attendance

Present:

Members: Megan Ferguson, Greg Johnson, Christina Hansen, Jesse Hronkin, Kenley Michaud, Newell Walther, Dominic Wenzell, Jonathan Woller

Absent:

Members: Bradley Heaston

1. Zoom Information

Time: Feb 7, 2025, 09:00 AM Alaska

Join Zoom Meeting

<https://us02web.zoom.us/j/89183755647?pwd=lqaKaR3sdRC92Mm8qJif8VVbQygde.1>

Meeting ID: 891 8375 5647

Passcode: 905804

Dial by your location

• +1 253 205 0468 US

2. Call to Order/Roll Call

Dr. Jon Woller called the meeting to order at 9:03 a.m.

Attendance

Present:

Members: Megan Ferguson, Greg Johnson, Christina Hansen, Jesse Hronkin, Kenley Michaud, Dominic Wenzell, Jonathan Woller, Newell Walther

Absent:

Members: Bradley Heaston

A. Ethics Report

Dr. Woller reported as the designated ethics supervisor for the board he had not received any notification of ethics violations.

B. Review/Approve Agenda

Dr. Woller proposed adding a discussion about dental radiology inspections and regulations as item 12 D.

Motion:

RESOLVED to APPROVE the agenda with the addition of item 12 D. Motion passed unanimously via consent.

C. Review and Approve Meeting Minutes

- The December 13, 2024, meeting minutes were not yet available from staff. They will be reviewed and voted on via OnBoard once completed.

3. Investigations (Presenters: Josh Hardy)

A. Investigative Report

Josh Hardy presented the investigative report to the Board for the period of November 28, 2024, through January 24, 2025.

A board member asked about the number of open investigations. Investigator Hardy said there are 22 open cases, 15 of those are in the investigative stage. The board member also inquired about an open investigation from 2022. Investigator Hardy stated that the case requires additional review.

 [DEN Board Report FEBRUARY 2025.pdf](#)

B. Consent Agreement for D.N.

 [4th Investigative Memo to the Board - 2023-000264 \(Signed\).pdf](#)  [NESS SIGNED CONSENT AGREEMENT 02.05.25.pdf](#)

Motion:

RESOLVED to APPROVE

entering into executive session to discuss the consent agreement for D.N. in accordance with the provisions of Alaska Statute 44.62.310 (c) for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.

Motion moved by Kenley Michaud and motion seconded by Jesse Hronkin.

Motion passed unanimously via consent. As the reviewing board member, Dr. Walther was recused from executive session by the board chair. The board entered executive session at 9:12 a.m. and returned on record at 9:51 a.m. A quorum was maintained.

Attendance

Present:

Members: Megan Ferguson, Greg Johnson, Christina Hansen, Jesse Hronkin, Kenley Michaud, Newell Walther, Dominic Wenzell, Jonathan Woller

Absent:

Members: Brad Heaston

Motion:

RESOLVED to APPROVE accepting the consent agreement for D.N.

Motion moved by Kenley Michaud and motion seconded by Dominic Wenzell.

Motion passed unanimously via roll call vote, with Dr. Walther abstaining as the reviewing board member

4. Division Update (Presenters: Melissa Dumas)

The second quarter report for Fiscal Year 2025 was presented. The licensing fee changes that the board voted to accept at the December 13, 2024, Board of Dental Examiners meeting has not yet gotten approved by the administration and therefore, fees did not increase for the 2025-2027 renewal period. A board member asked if indirect costs were calculated by all certificate types or by license holders. Ms. Dumas explained that in 2020, the Division changed the calculation method, so it did not include perpetual licenses.

5. Application Reviews

A. Application for C.W. - 233199 - Hygienist by Exam II

Board staff explained that this application is before the board because the hygiene program attended was accelerated and therefore does not meet regulatory requirement of being "at least two years in duration."

Dr. Walther recalled having approved a previous application because it met the academic years, 60 credits or more should be sufficient and this applicant had 89 credits.

Dr. Woller pointed out that this regulatory requirement is on the agenda later to discuss as a change the board may want to pursue.



[DEN - Catherine Wrestler - 233199 - Hygienist by Exam Level II Board Packet.pdf](#)

Motion:

RESOLVED to APPROVE application for C.W.

Motion moved by Dominic Wenzell and motion seconded by Kenley Michaud. Motion passed unanimously via roll call vote.

B. Application for A.D. - 234462- Moderate Sedation Permit

Board staff explained that this application was tabled due to the applicant's sedation education being obtained at Conscious Sedation Consulting (CSC). In August 2024, the Dental Board advised CSC that Alaska will not accept graduates from their program due to concerns about overlapping of "individually" managed patients. Applicant A.D. took the course in November 2024. The applicant, A.D., was in attendance via Zoom and interjected that she worked independently, with a dental assistant, unless she needed help from another dentist with a surgical procedure, such as extracting a wisdom tooth.

The board asked her several questions.

Does she have a case log? She does have logs that could be provided.

How many dentists were in the course? About 10-15.

How many patients were seen? About 20-25 patients.

Where was the course conducted? At a private dental clinic.

How many chairs were in the clinic? Around 12.

Dr. Pigg, who is the instructor/director of the course, has corresponded with board staff via email and denies receiving the letter informing him his course is unacceptable. He believes that the course meets Alaska requirements. The email from Dr. Pigg said that overlap can occur at the end when patients are being discharged, but previous documents from other applicants showed that the actual procedures/surgeries of some patients were occurring simultaneously. In some application instances a significant patient overlap of 25-45 minutes was discernable.

Dr. Michaud said that because smaller courses are not CODA approved, the board must go on what information is given to them by the course provider. Some board members discussed that other states have anesthesia sub-committee work groups.

A.D. stated that they did have Dr. Pigg review the application before it was submitted. CSC did not send sedation records with case times, as they had with previous applications, which gives the appearance that they were aware of the letter sent in August.



A board member remarked that it does not appear that CSC has done their due diligence to make changes to bring the course up to compliance, and no information was sent showing program improvement.

One board member suggested obtaining a legal affidavit from CSC stating that their course meets requirements and that perhaps they should make a presentation showing how regulations are followed.

This led to a member bringing up that the course provider already attested that the course

previously met regulations, and it did not, so it is difficult to gauge the veracity of their claims. It was discussed that the main mission of the board is to protect the public. Dr. Woller suggested that the board stick with the facts, that a letter was sent to CSC informing them that Alaska no longer accepts students from their course for licensure. This is a line that has been drawn, and exceptions cannot easily be made.

He also stated that the onus is on CSC to assuage the board's concerns, not the applicant. Although this is an unfortunate situation for the applicant, the board did not hear anything that would substantially change the board's feelings toward the course.


 [Dao, Aivy - Checklist + App - Moderate Sedation Permit \(13+\).pdf](#)  [RE_Moderate Sedation Course Approval.pdf](#)

Motion:

RESOLVED to APPROVE denying the Sedation Application for A.D. per 12 AAC 28.025(2)(A)

Motion moved by Jonathan Woller and motion seconded by Dominic Wenzell.

Motion passed, via roll call vote. Megan Ferguson, approve, Greg Johnson, deny, Christina Hansen, approve, Jesse Hronkin, deny, Kenley Michaud, approve, Newell Walther, approve, Dominic Wenzell, approve, Jonathan Woller approve.

- C. Application for J.P. - 229542 - Dentist by Credentials  [DEN - Jai Park - 229542 - Dentist by Credentials Board Packet.pdf](#)

 [Newly granted WI License.pdf](#)

Motion:

RESOLVED to move into executive session for the purpose of discussing application for J.P. in accordance with the provisions of Alaska Statute 44.62.310 (c) for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.

Motion moved by Jesse Hronkin and motion seconded by Jonathan Woller. As the original reviewing board member, Dr. Johnson was recused from executive session. The Board went off record at 10:29 a.m. and returned at 11:28 a.m. A quorum was maintained.

Attendance

Present:

Members: Megan Ferguson, Greg Johnson, Christina Hansen, Jesse Hronkin, Kenley Michaud, Newell Walther, Dominic Wenzell, Jonathan Woller

Absent:

Members: Brad Heaston

Motion:

RESOLVED to DENY application for J.P. dentist by credentials per AS 08.36.234(b)

Motion moved by Jonathan Woller and motion seconded by Christina Hansen. As the original reviewing board member, Dr. Johnson abstained from voting. Motion to deny passed unanimously via roll call.

6. Legislative Changes - Sara Chambers to join.

Sara Chambers joined the meeting to speak about how to proceed with the proposed letter of support for the legislative changes the board wishes to pursue. The first step is for the board to become clear with what their intent is either through bullet points or language to move forward with sponsorship. Next, select a spokesperson endorsed by the board to carry forward the board's message, and so staff know who to contact, and someone is available for hearings, etc. This is always done in conjunction with the division, and Sylvan Robb will be in attendance for hearings.

 [Request for Legislative Support - BODE 2025 \(draftV4\).pdf](#)

A. Executive Administrator Position

Director Saviers and Sara Chambers have done a high-level review of the sponsorship letter and proposed language for the regulation changes.

The board does not have any changes to the proposed language. Drs. Johnson and Wenzell were identified as the spokespersons for obtaining legislative support.

B. Civil Fines

Dr. Wenzell suggested a change to Sec 08.36.367(d), which currently says "the board shall extend the ownership period for an additional 24 months upon 30 days' notice and may grant additional extensions upon reasonable request," because shall implies you must do something. He proposed changing "shall" to "may."

Motion:

RESOLVED to APPROVE adding language change of Sec. 08.36.367(d) to read "The board MAY extend the ownership period for an additional 24 months upon 30 days' notice and may grant additional extensions upon reasonable request" to the sponsorship letter.

Motion moved by Dominic Wenzell and motion seconded by Kenley Michaud. Motion passed unanimously via consent.

C. Hygiene educational requirements

The board discussed statute wording for dental hygiene educational requirements. Currently Sec. 08.32.014 (1)(A) reads "has successfully completed an academic program in dental hygiene of at least two years duration that, at the time of graduation, is accredited by the Commission on Dental Accreditation of the American Dental Association and is approved by the board."

Staff noted that has been an uptick in graduates from "accelerated" programs are applying and these applications are reviewed by the board at meetings.

The board would like to clarify the definition of "two years," does that mean calendar years? Academic years?

Replacement phrasing was discussed, but Sara recommended simply removing the language in question. This would allow the board to have leeway when considering applications.

The board agreed that this was a good idea and that it would probably be an easier sell for the legislative sponsor.

Motion:

RESOLVED to APPROVE editing the sponsorship letter to include changes to the wording of Sec. 08.36.367(d) and Sec. 08.32.014 (1)(A) as discussed and to have the drafted letter uploaded to OnBoard for a vote.

Motion moved by Jonathan Woller and motion seconded by Jesse Hronkin. Motion passed unanimously via roll call vote.

7. Lunch

The board broke for lunch at 12:19 p.m. and returned on record at 1:07 p.m.

Motion:

Motion to adjourn for lunch.

Motion moved by Jonathan Woller and motion seconded by Kenley Michaud. The board went off record at 12:19 p.m. and back on record at 1:07 p.m.

Attendance

Present:

Members: Megan Ferguson, Christina Hansen, Kenley Michaud, Newell Walther, Dominic Wenzell, Jonathan Woller

Absent:

Members: Brad Heaston

8. Public Comment

Tracy Harmon, Executive Director of the Alaska Dental Society (ADS) requested to speak about the dental license application professional fitness questions, specifically mental health and substance abuse treatment questions. She stated that she was not requesting any action at this time, because the more pressing issue for the ADS is radiological health program and making that process less burdensome. She stated that in Oregon, the dental board voted to remove invasive substance abuse and mental health questions from license applications. This was a collaborative effort in conjunction with the hygiene association and the American Dental Association (ADA).

She also said that although the purpose of these questions is to protect the public from providers who might be impaired, there is growing evidence that they actually prevent professionals from seeking help. Alaska's application in questions 7 & 8 asks to disclose mental health and substance abuse treatment. Suicide rates are higher for dentists than other medical professions. Male dentists hold the highest suicide rate of 8.02%, and for female dentists it is the fourth highest, at 5.28%. She closed with the reminder that the ADS is not asking for action, simply bringing the topic to the board's attention.

Board staff interjected that the division is in the process of revising the professional fitness questions for all applications. Number seven will read "are you currently suffering from any condition, mental or physical, that impairs your judgement or that would otherwise adversely affect your ability to practice dentistry in a competent, ethical and professional manner?" and number eight will read "do you use drugs or alcohol in any manner that impairs your ability to practice dentistry competently and safely?" The Board members were not aware that the Division was reworking the professional fitness questions and was displeased that they were not involved in the process. It was expressed that learning about it via a public comment discussion was not ideal. Board staff acknowledged this and Program Coordinator Reid Bowman stated that the board can definitely be included in future communications about such changes.

9. Correspondence

A. Workforce Survey Update

This topic was discussed before Public Comment as the board business was ahead of schedule. Dr. Lenaker contacted board staff regarding posting the Department of Health (DOH) Workforce Survey on the Dental web page. The survey was presented via OnBoard and received a "no" vote from a board member.

Dr. Michaud explained that when the survey was first presented in December, it was with the idea that it would be sent out when renewals started. Once the survey was edited with changes the board requested, renewals were already in progress. The concern is that the data collected now might be skewed. He emphasized that he does not object to the survey itself, rather to the timing of data collection.

Board members discussed that they are not sure what will be done with the data collected by DOH. It was also pointed out that DOH could compel licensees to take the survey without the help of the dental board.

This led to discussion as to whether the board should be posting surveys for outside entities. Dr. Woller suggested that it might have been more appropriate to have the DOH request the board do their own survey.

 [Data use examples de identified data - Copy.pdf](#) 

[Workforce Survey 2024 - Copy.pdf](#)

Motion:

RESOLVED to DENY posting the Department of Health Workforce Survey on the dental board website

Motion moved by Kenley Michaud and motion seconded by Dominic Wenzell. Motion passed unanimously via roll call vote.

B. Denturist

A licensed Denturist from Oregon wrote to ask if they were allowed to practice in non-regulated states.

Dr. Wenzell believes this is a regulated state because dentures fall under the purveyance of dentists, and we do not have a denturist provision.

Dr. Woller stated that there are a wide variety of procedures that could be delegated.

 [Denturist.pdf](#)

C. Moderate Sedation Question

Dr. Michaud summarized the email sent in by a dentist who would like to employ another dentist who does not have a moderate sedation permit for adults or children. Said dentist is going to go to a moderate sedation training for adults, and then wants to do some CE classes, followed by the employing dentist supervising 20 pediatric cases to obtain his permit.

Dr. Michaud states there is a carve-out regulation which provides for a general dentist to get a pediatric endorsement. The way it is written you must do an additional 30 hours of training relating to pediatric sedation and complete 20 cases. He believes that the spirit of the law is not to allow someone to complete CEs instead of an additional training course and then complete cases. The 30 hours of training should also include the 20 supervised cases.

Dr. Michaud said the email is specifically asking about a 2-day course by the ADSA. He has attended and presented at the course, and it is not intended to teach someone how to do pediatric sedation. It is about how to renew and hone skills, but it is not an initial course.

Dr. Wenzell stated that it sounds as if someone is trying to piecemeal a course together and

these regulations are in place to protect the public, especially children. His opinion is that this would not be acceptable.

Dr. Walther asked if the board even allows dentists to supervise the required cases. Michaud answered that they had not previously except for one case in which he had been recused.

Drs. Wenzell and Johnson agree that it sounds like someone is trying to exploit a loophole. If allowed, we are backtracking on child protection, which is part of the reason sedation regulations are being reworked.

Dr. Johnson said it seems they are trying to package things in a way that might pass muster and then the supervising dentist is the employer, so what are the chances of failure?

Megan Ferguson added that she did not like the wording of the email which prefaced the question with "due to the cost and inconvenience of out of state travel," because this is about children. It should not be an inconvenience to be the best trained to provide the best care for your patients.

Dr. Michaud stated that there are courses where the instructor will fly to your location, so there are options. Pediatrics are a very special population, most at risk, easiest to be abused, easiest to pass away during sedation.

Dr. Woller agrees that of all the things to do on-the-job training for, this is not a good option. He also does not think the spirit of the law is intended to allow this, unless under extenuating circumstances.

 [FW Moderate Sedation Permit Redacted.pdf](#)

10. Annual Report 2025

The board reviewed the ongoing draft of the Annual Report for 2025 and made changes in anticipation of the June 30th deadline.

 [Annual Report - Template 2025.docx](#)

11. Board Business

A. Med Spa Work Group Update - Tentative (Presenters: Kenley Michaud)

Dr. Michaud presented at 1:07 while the board was waiting for public comments.

The workgroup lost one medical board member and gained a new medical board member.

There has not been a workgroup meeting since the last board meeting but there will be one in a few weeks from today. Hopefully that will be the last meeting and then Dr. Michaud will come back to the board with suggestions on how to regulate Medical Spas. The recommendation will most likely be that the dental board does not have to regulate medical spas because they are not dental offices.

B. Possible mechanisms for rejecting applications due to misinformation

Dr. Woller brought up a topic that the board has previously discussed, which involves changing the licensing processes and considering applications with missing information or misinformation incomplete and rejecting them instead of forwarding to investigations as staff has been doing. The applicant would then be allowed to reapply within a certain time frame. Prior to the meeting, staff sent out an email covering suggestions board members have made in the past for changing this process and asked for input from members on these or different ideas entirely. Staff did not receive any new ideas, and during the meeting the board seemed largely in support of this idea of rejecting the application and requiring a delay before reapplying. There were several concerns raised regarding this idea, mainly that rejecting an application and forcing an applicant to reapply and pay fees again is not a reportable offense and does not seem like much of a deterrent that would decrease the frequency at which the board is seeing these incomplete applications, even if the

original incomplete application is retained on record for board review when the applicant reappplies, as one member suggested. If the board imposes a period that the applicant must wait to reapply, they will also need to be careful determining the amount of time so as to not be viewed as protectionist. The legality of imposing any timeline was considered as well. Adding wording into the application that fees will be forfeited if the application is deemed incomplete and an attempt to reapply will automatically be tabled for discussion at the next board meeting was suggested as another option.

The board discussed that their goal is to step away from being the determining body for what an applicant's intent is when possibly failing to disclose required information on an application. Did the applicant mean to withhold information from licensing staff and attempt to deceive the board, or did they make an honest mistake and forget to list something? The board believes that rejecting these incomplete applications when discovered at the initial application stage, rather than sending them to the board for review, will remove the onus from the board for determining intent. If someone deliberately omitted something, it would be a judgement call whether they reapply or sacrifice their application fee upon realizing their omission has been uncovered. If they reapply, they could also make arguments in support of their reasoning for not reporting something on their application, if such an argument exists. What's currently happening is incomplete applications are going to investigations and then to the board, and at the end of the day, the board is still trying to decide what the intent of the applicant was, and that's the business they want to step away from. Program Coordinator Reid Bowman informed the board that, even incomplete, applicants have the right to due process to have their application considered by the board, and that the board cannot preemptively say no to an application as a denial gives the applicant the right to appeal. The board felt that what they are suggesting is in fact due process, and a much kinder option, as they are giving the applicant the ability to remedy their mistake before any official action is taken, especially a license denial, which has serious consequences. The board sees an application without all the information from the applicant to be no different than an application missing transcripts; it shouldn't be sent to the board for consideration until it is complete.

Mr. Bowman suggested using the board's disciplinary matrix to establish a procedure that requires a licensing examiner to submit an application to investigations if there is missing information, and then investigations can work with a reviewing board member (RBM) to determine if there is a violation, which the RBM can then decide needs to be heard by the whole board. The board stated that they wish to move away from reviewing these incomplete applications entirely; they want licensing staff to inform applicants of the missing information and give them the option of withdrawing and reapplying to avoid a possible denial. Mr. Bowman said this is problematic as reporting entities such as the National Practitioner Data Bank (NPDB) do make mistakes, so staff could run this report and flag something missing without allowing the applicant to respond and or defend themselves, whereas they are given this ability when forwarded to investigations. The board ultimately did not think creating a policy to account for errors made by third a party is necessary or that the board is at huge risk due to errors in outside organizations. If it is later determined that an error was made by a reporting agency, there's nothing stopping the board from refunding a licensee who had to reapply in error. There was a suggestion by Mr. Bowman of establishing a fine for self-querying NPDB and still failing to disclose information, but the board said based on past incidents it is their understanding that they cannot fine someone who is not a licensee.

Board staff read the verbiage from the notary signature page for all applications, which reads, "I understand any falsification or misrepresentation of any item or response in this application, or any attachment hereto, or falsification or misrepresentation of documents to support this application, is sufficient grounds for denying, revoking, or otherwise disciplining a license, registration, certificate, or permit to practice in the state of Alaska." It was suggested that "we recommend doing a self-query of the NPDB" be added here, as the board can't require people to self-query NPDB, but that a strong suggestion in the application instructions might reveal that these possible failures to disclose are genuine mistakes if someone chooses not to self-query.

The board was consistent with their request that an application be rejected when missing information is discovered by staff, and that a second application be sent to investigations and then presented to the board before any letter of advisement, consent agreement, etc., is drafted or

presented to the applicant. They are fine with a second application going to investigations but believe it will save time and money if the first application is not automatically sent to investigations where the job of determining intent is put on the board.

Mr. Bowman agreed to work with the board and licensing staff to edit the current application(s) to reflect what the board is suggesting. He laid out a plan to draft language and get into semi-finished form, then send individually by email. The board was asked to send comments to Sydney and then they can work together to present language to the board.

 [Fw Possible Failures to Disclose - Information needed.pdf](#)

C. Board Member Travel/Reimbursement

- The State has a new process for travel reimbursements which includes more steps internally. Reimbursements are currently taking 6-12 weeks to be processed.
- Please communicate travel preferences to Sydney
- Please view your receipt when checking out of your hotel to ensure no incidentals were billed to the State.

D. Discussion Topic

Dental radiology

Dr. Woller stated that he has been receiving a lot of calls from dentists in and around Fairbanks, and that there seems to be a lot of confusion regarding radiological inspections. Due to confusion and misinformation, dental offices are being fined over something that, in the board's opinion, is not needed. It was suggested that the board write a letter to the Department of Health (DOH) requesting they collaborate to develop new regulations for inspections and registration requirements for equipment. The board discussed that this seems to be the only dental issue not regulated by the dental board, and the change that happened was not what the board expected, nor do they agree with the DOH distributing information that claims they worked with the board in creating their requirements, when they did not. In addition to asking the DOH to collaborate, the board would like this letter to also inform dentists that they (the board) were not involved in these changes.

Motion:

RESOLVED to APPROVE Dr. Woller writing a letter stating the board was not involved in the new Dental Radiological Program, but that it would like to collaborate going forward.

Motion moved by Greg Johnson and motion seconded by Dominic Wenzell. Motion passed unanimously via consent.

E. PDMP Update - Tentative

A PDMP update was not available at this time. It will be added to the agenda for the next meeting.

12. Tasks

A. Legislative project lead

Dr. Johnson and Dr. Wenzell will be the legislative project leaders for the bill containing the Executive Administrator position. This was discussed during item 7 A.

 [2025 Legislative Guidance for CBPL Board Commission Members.pdf](#)

B. Mission Statement - See draft


Dr. Woller has proposed adopting a mission statement for the board to refer to when making decisions to help keep their purpose clear.

Board staff will revise the statement and present it to the board for a vote via OnBoard.

 [FW Mission Statement Draft.pdf](#)

C. Post-meeting evaluation

A post meeting evaluation form was given to all board members and collected by board staff.

 [Board Meeting Evaluation Template 7-22-24.pdf](#)

Dr. Walther brought up the topic of attending AADB's Mid-Year meeting and whether the board would still like him to attend. Dr. Wenzell asked if two members could go. Board staff will do research and get an answer.

Motion:

RESOLVED to APPROVE Drs. Walther and Wenzell attending the Mid-Year AADB

Motion moved by Kenley Michaud and motion seconded by Jonathan Woller.

Motion passed unanimously via consent.

13. Adjourn

Motion:

RESOLVED to APPROVE adjourning the February 7th, 2025, meeting of the Board of Dental Examiners.

Motion moved by Kenley Michaud and motion seconded by Jonathan Woller.

Motion passed unanimously via consent.

The board went off the record at 4:05 p.m.

Date Final Meeting Minutes Approved by Board: Meeting <input type="checkbox"/> OnBoard <input checked="" type="checkbox"/>	Board Ballot PASS 5/16/2025
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