

**Full Board Meeting Minutes -Conference Call**  
**Montana Board of Outfitters**  
**301 S. Park Avenue, Helena MT**  
**December 11, 2020**  
**10:00 A. M. to 1:58 P.M.**

Due to the Covid-19 Health Emergency, all board meetings will be held by conference call. No outside participants or stakeholders will be allowed access in the building.  
Please attend by phone

**1. Call to Order- Establish Quorum-Introduction of Board and Staff Members Present (00:00:12)** Mr. John Way called the meeting to order at 10:03 a.m.

Mr. John Way, Presiding Officer, Industry Member  
Mr. Matt Greemore, Vice Chair, Industry Member  
Mr. Rob Arnaud, Industry Member  
Mr. Todd Earp, Industry Member  
Ms. Marcia Brownlee, Public Member  
Mr. Thomas Facey, Public Member

**Board Members Absent:**

Mr. Hugo Turek, Public Member

**Staff Members Present:**

Mr. Dylan Gallagher, Board Counsel  
Ms. Barbara McAlmond, Administrative Specialist  
Mr. Steve Gallus, Executive Office  
Mr. Todd Younkin, Division Administrator

**Others Present.**

Mr. John Barrett  
Mr. David Couch  
Mr. Mike Bias  
Mr. Jordan Hunt  
Mr. Aaron Smith  
Mr. Roddy Reynold  
Mr. Russ Kipp  
Mr. Tyler Moss  
Mr. Justin King  
Mr. Scott Vollmer

**2. Approval and Tentative Modification of Agenda Order (00:02:24)**

- a. 2020 12 11 FB Agenda

**Motion: (00:03:01)** Mr. John Way moved to approve the agenda as presented. Mr. Rob Arnaud seconded the motion. The motion carried.

**3. Tentative Modification of Minutes (00:03:29)**

- a. 2020 09 02 FB Minutes

**4. Election of 2021 Board Officers (00:03:55)**

- a. Nominations and election of board chairperson (00:04:01)

**Motion: (00:04:16)** Mr. Todd Earp moved to nominate Mr. John Way as chair of the board. Mr. Rob Arnaud seconded the motion. There were no further nominations. The motion carried.

- b. Nominations and election of board vice-chairperson (00:05:44)

**Motion: (05:05:51)** Mr. Rob Arnaud moved to nominate. Mr. Matt Greemore as Vice Chair. Mr. John Way seconded the motion. There were no further nominations. The motion carried.

**5. Division Update- Todd Younkin Division Administrator (00:06:33)**

**6. Public Opportunity to Comment (00:17:06)**

(Presiding Officer Statement) "Under this item, the board will offer and opportunity to members of the public in attendance to comment on any public matter under the jurisdiction of the board that is not on the agenda of this meeting. While the board cannot take action on any issues presented, the board will listen to comments and may ask staff to place the issue on a subsequent agenda. The presiding officer may limit the comment period in order to proceed with the board meeting."

**7. Board Action (00:18:02)**

**a. Non-Routine Applications (00:08:07)**

- i. OUT-OUT-APP-41066 - BARRETT, JOHN (00:18:11)

**Motion: (00:41:37)** Mr. Rob Arnaud moved to table Mr. John Barrett's outfitter application due to no verifiable out of state experience hours. Mr. Tom Facey seconded the motion. The motion carried.

- ii. OUT-OUT-APP-41393 - COUCH, DAVID (00:48:31)

**Motion: (01:06:04)** Mr. John Way moved to reinstate Mr. David Couch's suspended/terminated license contingent upon the successful completion of the Advanced Outfitting Training Course and taking and passing the outfitter examination. There will be no conditions after licensure. Mr. Rob Arnaud seconded the motion.

After further discussion, the motion is amended to include, if the Department is unable to confirm or Mr. Couch is unable to provide proof of paying a previously required department fine of \$500.00, he will also be required to pay the fine before licensure. The motion carried.

iii. **OUT-GUD-APP-41852 - HUNT, JORDAN (01:22:04)**

**Motion: (01:30:02)** Mr. Rob Arnaud moved to grant Mr. Jordan Hunt an unconditional guide license. Mr. Todd Earp seconded the motion. The motion carried.

**b. Applications Requiring Board Action (01:33:39)**

i. **OUT-OUT-APP-41270 - WILCOX, TROY-Request for board approval of out-of-state experience for purposes of licensure under ARM 24.171.502(1)(a)(ii), (b)(ii), and (2). (01:33:45)**

**Motion: (01:37:00)** Mr. Tom Facey moved to approve Mr. Troy Wilcox's out -of -state experience request. Mr. Rob Arnaud seconded the motion. The motion carried.

ii. **OUT-OUT-APP-38464 Aaron Smith – 1. Request for board approval of out-of-state experience for purposes of licensure under ARM 24.171.502(1)(a)(ii), (b)(ii), and (2). 2. Request waiver of experience after completion of board approved 12- month plan December 2019. (01:55:04)**

**Motion: (01:57:25)** Mr. Rob Arnaud moved to waive up to 50 days of hunting experience for the completed 12- month plan. Mr. Todd Earp seconded the motion. The motion carried.

**Motion: (01:59:44)** Mr. Rob Arnaud moved to waive up to 50 days of fishing experience for the completed 12 -month plan. Mr. Tom Facey seconded the motion. The motion carried.

**-Further discussion ensued-**

**Motion: (02:15:50)** Mr. Rob Arnaud moved to grant Mr. Smith the additional out of state hunting experience in addition to what has already been approved, whatever is necessary to show he meets the qualifications for an outfitter license. Mr. John Way seconded the motion. The motion carried.

**Motion: (02:28:43)** Mr. John Way moved to approve 15 more days of out of state experience for Mr. Smith. Further discussion ensued.

**Motion: (02:28:49)** Mr. John Way moved to amend his motion to approve up to 30 additional out of state fishing experience. For an outfitter license. Ms. Marcia Brownlee seconded the motion. The motion carried.

- iii. **OUT-OUT-APP-38465 Roddy Reynolds** - Request for board approval of out-of-state experience for purposes of licensure under ARM 24.171.502(1)(a)(ii), (b)(ii), and (2). 2. Request waiver of experience after completion of board approved 12- month plan December 2019. **(01:43:33)**

**Motion: (01:48:44)** Mr. Todd Earp moved to waive up to 50 days of hunting experience for the completed 12- month plan. Mr. Matt Greemore seconded the motion. The motion carried.

**Motion: (01:52:00)** Mr. John Way moved to waive up to 50 days of fishing experience for the completed 12- month plan. Mr. Tom Facey seconded the motion. The motion carried.

- iv. **OUT-OUT-APP-42231 Justin King Request board to approve 12- month plan of supervision. (02:32:39)**

**Motion: (02:35:26)** Mr. Matt Greemore moved to pre-approve Mr. King's 12- month plan of supervision. Mr. Rob Arnaud seconded the motion. The motion carried.

**c. Rulemaking (02:38:20)**

- i. Discuss BSD Procedure 3.10 Applicants with Criminal Convictions Implementation and Associated Rulemaking **(02:39:01)**

1. Executive Summary
2. Criminal Conviction Reporting and Processing Matrix
3. Division Rules on Criminal Convictions, ARM 24.101.402 and 406. Effective 11/22/2020
4. Review Draft Board Rule Language-discussion and possible motions.

a. ARM 24.171.403 NONROUTINE APPLICATIONS **(02:45:32)**

b. NEW RULE I APPLICANTS WITH CRIMINAL CONVICTIONS **(02:48:10) (02:58:57)**

**Motion: (03:08:24)** Mr. Tom Facey moved to amend ARM 24.171.403 as proposed in the board book, and if no public comment is received, to adopt the rules as exactly proposed without having to come back to a subsequent board meeting. Mr. Matt Greemore seconded the motion. The motion carried.

**Motion: (03:13:43)** Mr. Matt Greemore moved to adopt New Rule 1 as proposed in the board book, and if no public comment is received, to adopt the rule exactly proposed. Mr. Todd Earp seconded the motion. The motion carried.

5. Small Business Impact Determinations-Motions. **(03:14:32)**  
**Motion: (03:15: 46)** Mr. John Way moved that there will be no direct and significant impact on Montana small businesses due to the rule changes today. Mr. Rob Arnaud seconded the motion. The motion carried.

- ii. Discussion and possible scheduling of subcommittee related to ARM 24.171 408 Outfitter Records and other items from previous subcommittee discussions **(03:17:01)**  
Mr. Tom Facey, Mr. Matt Greemore, Mr. Todd Earp will be on the Rules Subcommittee. The next scheduled subcommittee meeting will be January 22, 2021 at 1:00 p.m.

**d. Confirm 2020 Meeting Dates (3:23:23)**

March 4 & 5, 2021  
June 3 & 4, 2021  
August 19 & 20, 2021  
December 9 & 10, 2021

- e. **2020 Audit –** \*This was not discussed at this meeting. \*
  - i. Motion related to audit levels and type  
Motion: moved to

**8. Executive Officer Report (03:26:49)**

- a. Board Financial Report **(03:27:00)**
- b. Board License and Application Report **(03:31:20)**
- c. 2020 Outfitter Assistant Report **(03:34:39)**

**9. Legal Report (03:44:10) FYI**

**10.ADJOURNMENT (03:47:21)** Mr. John Way adjourned the meeting at 1:58 p.m.

The Department of Labor and Industry is committed to providing meeting access through reasonable accommodation under the Americans with Disabilities Act. Please contact the board office prior to the proposed meeting date for further information. New agenda items may be added up to “three business days” before the meeting. For the most accurate agenda, please consult the website at [www.outfitter.mt.gov](http://www.outfitter.mt.gov). The board may reorder the agenda at the beginning of the meeting.