

**Small Business Regulatory Fairness Board
GoToMeeting Conference Call
Board Meeting**

**Truman State Office Building, Room 680
MTC Conference Room
Jefferson City, MO 65101
May 3, 2010**

Members Attending: Chair Nancy Zurbuchen, Kansas City; Randy Angst, Lebanon; Bob Bess, St. Louis; Sheila Forrest, St. Louis; Vice Chair Shane Libel, St. Joseph; and Micheal Ocello, St. Louis.

Members Absent: Phillip Franz, Joplin; and Representative Luke Scavuzzo, Harrisonville.

DED Staff Present: Sherry L. Anderson, DED-Boards and Commissions Liaison.

Others Attending: Cindy Kadlec, Director, Joint Committee for Administrative Rules.

Board Business Meeting

The Small Business Regulatory Fairness Board met on Monday, May 3, 2010 via a GoToMeeting conference call. Chair Nancy Zurbuchen called the business meeting of the Small Business Regulatory Fairness Board to order at 10:35 a.m.

The Board members discussed convenience and inconvenience of using the GoToMeeting system and the Office of Administration's (OA) teleconferencing system utilized by state agencies.

Ms. Anderson reported that she had contacted the OA telecommunication division and the state system does not utilize the GoToMeeting process because the number of participants can be limiting.

Chair Zurbuchen asked that Ms. Anderson provide the Board with a more information regarding the OA conferencing system and what the costs for usage.

The first of business was to approve the minutes from the February 16, 2010 and the March 16, 2010 SBRFB Meetings.

Cindy Kadlec noted there were some inconsistencies in the February 16 minutes regarding her discussion regarding the state agencies adopting rules that mirrored the SBRFB's rules in their evaluation process and grading of the agencies.

Chairman Angst disagreed with Ms. Kadlec recommendation and stated he believed that type of action could be perceived as everyone needed to "lawyer-up" in order to proceed with actions, hearing, etc.

Ms. Kadlec stated that rules would give clarity for state agencies going forward and provide written criteria as what is expected to comply with those standards (public process, etc.).

Several board members concluded the following: 1) The state agencies have written policies and the SBRFB conduct yearly training for agency liaisons. 2) Lack of or non-existent communication between agency and the SBRFB. 3) The expectations are too low for the agencies and it is not inconceivable that they should receive all A's on their evaluations.

It was agreed by the Board members and Ms. Kadlec that they "agree to disagree" about this recommendation.

Bob Bess moved the minutes from the February 16, 2010 SBRFB Meeting be amended and approved. Micheal Ocello seconded the motion. The motion passed unanimously.

Bob Bess moved the minutes from the March 16, 2010 SBRFB Meeting be approved. Micheal Ocello seconded the motion. The motion passed unanimously.

The next matter of discussion concerned the review of the information sent by e-mail from Chair Zurbuchen with draft of the SBRFB brochure attached.

BROCHURE HEADING:

Ms. Forrest suggested the brochure should emphasis the importance of small businesses and use wording that engages and empowers the small business owner. For example: "Strong business means a strong economy."

BROCHURE-MESSAGE (INSIDE)

The members suggested that the brochure must explain what SBRFB purpose and what the Board can do for a "small business owner." The SBRFB Board is not an adjudicating Board that deals with contract disputes, but they can assist small business owners with other issues. For example: The SBRFB provides a key interface between small business regulatory agencies and affected small businesses in two ways: Proactive-watch for and

try to foresee problems small businesses may encounter from new rules being proposed; and Reactive-small businesses can come to us for help in resolving problems they are experiencing with a state agency regarding existing regulations.

The Board members discussed the various issues that could be addressed and the small business owner needs to understand that any problem---large or small can be construed as a mammoth problem for the small business owner. It was suggested using examples of small business owner who have relied on the SBRFB to address difficult issues.

The brochure could be seen as a “Call to Action” and should include information on what is expected of state agencies during the writing and enforcing of regulations; and how the SBRFB works “hands-on” with the small business owners experiencing ongoing, unresolved issues regarding a state agency.

Also, the brochure should include what is expected from the small business owner who has two ways of telling the SBRFB about an ongoing, unresolved issues regarding a state agency: To attend a SBRFB meeting and be prepared to convey in a succinct manner the issue, and what the small business owner has done to try and resolve the issue; or fill out a Small Business Comment Form providing the same information, and submit it to the Board. The Board will contact the agency and begin a process of resolution. The state agency representatives may be required to give testimony to the Board, and the small business owner should be prepared to provide ongoing interaction with the Board, answering further questions and responding to agency statements.

Getting the SBRFB Message Out to Small Business Owners

The Board discussed the various ways to “get the message out” about SBRFB and Ms. Forrest suggested that the Board members focus outreach and communication within their communities because the small business owners are the backbone of every community throughout the State.

Chair Zurbuchen suggested that Board members communicate their status as a SBRFB member to professional organizations they may belong to and she also suggested that the SBRFB’s Website link be listed in community and professional newsletters and publications.

Chair Zurbuchen wants to create a comprehensive list containing the names of the local chambers of commerce; business-focused groups, organizations, non-for-profits, leadership roundtables, etc. that impact the lives of the small business owners throughout the state. Chair Zurbuchen requested that Ms. Anderson create a SBRFB Contact List spreadsheet and send out to each Board member.

Chair Zurbuchen asked her fellow Board members if they would commit to this outreach project and all agreed they were committed and would work toward its success: Randy Angst, Bob Bess, Sheila Forrest, Shane Libel and Micheal Ocello.

With the approval of the brochure content, Ms. Anderson will move forward with the print request, and each member will receive a packet of brochures and reg alert cards in the very near future.

Future Meeting Schedule

Chair Zurbuchen suggested the Board conduct more face-to-face meetings and outreach programs over the next 18 months. The best scenario would be to schedule SBRFB meetings to coincide with other events. For example, Mr. Angst suggested a SBRFB Meeting could be held in conjunction with NFIB Leadership Council. The Board members agreed the next meeting should be coordinated with an event and Mr. Angst volunteered to review NFIB's calendar of events and provide the Board with that information.

SBRFB Reg Alerts

Chair Zurbuchen felt strongly that it is important that the Board develop a better process for reviewing the SBRFB Rules and Regulation Alerts. Mr. Angst suggested that Ms. Anderson and counterparts at DED review the regulations and let the SBRFB members know what regulations needed their attention and review.

With no further business, the meeting was adjourned.

Adjourn

With no further business Mr. Bess moved and Mr. Ocello seconded the motion to adjourn. Motion approved. Chair Nancy Zurbuchen called the May 3, 2010 meeting adjourned.

Minutes Approved:

Chairman Nancy Zurbuchen

Date