

**REAL PROPERTY APPRAISER BOARD
CONFERENCE ROOM D, LOWER LEVEL
NEBRASKA STATE OFFICE BUILDING
301 CENTENNIAL MALL SOUTH, LINCOLN, NE**

OCTOBER 24, 2006

OPENING

Chairman Kroeger called to order the October 24, 2006, meeting of the Nebraska Real Property Appraiser Board at 9:00 a.m., in the Conference Room D, Lower Level, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Board Members Timothy Kalkowski, Joe Wilson, Jim Bain, Sheila Newell and Kevin Kroeger were present. Jill Ekstein, Director, was also present.

NOTICE OF MEETING

Chairman Kroeger announced notice of the meeting was duly given, posted, published and tendered in compliance with the Open Meetings Law, and all Board members received notice simultaneously by e-mail. The agenda was kept current on the website and in the office of the Nebraska Real Property Appraiser Board Office. Materials generally used by the Board for the meeting were available in the public folder for inspection. A copy of the Open Meetings Law was available for the duration of the meeting.

ADOPTION OF THE AGENDA

Board Member Wilson moved to adopt the Agenda as printed. Board member Bain seconded. The motion carried with Kalkowski, Bain, Wilson, Newell and Kroeger voting aye.

Chairman Kroeger welcomed the guests to the meeting and asked for them to sign the guest log in order to ensure proper spelling of names in the minutes. Signing the guest log were Diane Moore, The Moore Group; Perre Neilan, Nebraska Realtors® Association; Jane Langan; and Cay Lacey.

APPROVAL OF THE MINUTES FROM SEPTEMBER 21, 2006

Chairman Kroeger asked for any additions or corrections to the minutes. He stated he had the Director add "Chairman Kroeger restated that the sole purpose of the closed session was for reviewing qualifications of applicants, consideration of written complaints and consideration of personnel matters" on page 7.

Discussion ensued regarding changes that were made to the draft of the minutes. Chairman Kroeger asked if the practice needed to be to have the Director circulate the minutes for corrections or bring the document to the next meeting and have corrections made at that point. Vice Chair Newell stated the minutes had to be published within ten days of the meeting according to statute. Chairman Kroeger suggested the practice should be to have the Director prepare the minutes, publish the document to the website within ten days, and bring the minutes to the next meeting for additions and corrections to be discussed.

Vice Chair Newell moved to approve the minutes from the September 24, 2006, meeting with the addition by Chairman Kroeger that states, "Chairman Kroeger restated that the sole purpose of the closed session was for reviewing qualifications of applicants, consideration of written complaints and consideration of personnel matters." Board Member Kalkowski seconded. The motion carried with Wilson, Bain, Kalkowski, Newell and Kroeger voting aye.

DIRECTOR'S REPORT

Director Ekstein reported the number of renewals received to date was 41 certified general, 26 certified residential, 29 license and 73 registered. There have been 50 reciprocal credential renewals received including 35 certified general, 14 certified residential and 1 license.

Chairman Kroeger stated Board Member Bain had recently attended the meetings in Washington, D.C. He asked if he would provide a report during the next meeting.

RECEIPTS AND EXPENDITURES REPORT – SEPTEMBER

Director Ekstein explained the expenditures for the month of September. She clarified the two credits listed in the expenditures section were the money received from the grant for the website and database development. Director Ekstein explained she had been provided incorrect information as to how to process those transactions and journal entries would be created to correct the entries. She added the 2007 pocket cards had been ordered and were in the office supplies expenses. Director Ekstein was asked to review the expenditures and research the accounting codes which the budgeted amount was already used and determine if there were changes that needed to be made to the budgeted amounts for the fiscal year.

Board Member Bain moved to file the expense report for audit. Vice Chair Newell seconded. The motion carried with Kalkowski, Bain, Wilson, Newell and Kroeger voting aye.

UNFINISHED BUSINESS

Rules and Regulations

Chairman Kroeger reminded the members during the previous meeting the board had decided to create a committee comprised of the Chairman, Vice Chair and Director as well as three other members. He stated he had not been contacted, so he asked Vice Chair Newell to begin the discussion. Vice Chair Newell apologized for not getting the group together as originally planned. She stated she met with Cay Lacey and Diane Moore the previous afternoon and worked on the Rules and Regulations.

Vice Chair Newell explained the group had taken the document and tried to make sure that it was consistent with what was printed in the Act. Vice Chairman Newell suggested everyone take the document and review it prior to the next meeting.

Cay Lacey addressed the Board regarding her involvement in the document. She explained she started with the most recent version of the Rules and Regulations and compared it to the statutes. She clarified that the group worked the previous day comparing the comments that were provided during the informal public comment period as well as others received more recently.

Board Member Kalkowski asked for clarification as to what steps had been accomplished to date on the Rules and Regulations. Discussion ensued regarding the steps and what steps needed to be accomplished prior to adoption of the Rules and Regulations.

Chairman Kroeger asked for those in attendance to review the Rules and Regulations documents and be prepared to address the issue again during the November meeting.

2006 Review Form

Chairman Kroeger explained the changes suggested at the previous meeting had been made to the 2006 review form. He asked for any other additions or corrections to the document. Board Member Bain stated on page 9 in the second to the last bullet there was an extra “e” that needed to be removed.

Vice Chair Newell moved to adopt the 2006 Standard 3 Review Form. Board Member Bain seconded. The motion carried with Wilson, Kalkowski, Bain, Newell and Kroeger voting aye.

Education Committee Report

Vice Chair Newell explained there had been some trouble with the education approval resubmission. She stated that Chapters 4 and 5 in the Rules and Regulations had been revised in order to simplify the process. Vice Chair Newell stated there are still some concerns with the education, and she believed the Core Curriculum Committee needed to meet again in order to address the curriculum for the 2008 AQB Criteria and make a recommendation to the Board. The Committee consists of Cay Lacey, Brad Moore and Susan Geschwender. The other members previously on the committee are no longer available. Vice Chair Newell suggested adding Lynne Heiden. It was suggested that the Core Curriculum Committee make a recommendation during the December meeting.

Board Member Bain asked to be notified of the date, time and location of the meetings.

AQB Exposure Draft

Chairman Kroeger addressed the issues in the exposure draft. He suggested responding to Existing Credential Holders, Changing a Credential and AQB Guide Note 4. Board Member Wilson suggested responding that Nebraska wants to maintain higher expectations with the issue of reciprocity. Chairman Kroeger stated the response to the Changing a Credential should include the fact that the interpretation of the section may result in a negative impact on educational providers. Vice Chair Newell stated Nebraska has already implemented the discussion in Guide Note 4 with the Mentor Program.

Chairman Kroeger stated he believed he had enough information from the discussion to write a response to the AQB Exposure Draft on behalf of the Board. He encouraged others to write individually as well.

NEW BUSINESS

Investigator

Board Member Wilson explained the need for an investigator is becoming apparent. He believed there needs to be a small group of appraisers that could work as contracted investigators. Board Member Bain stated there was a session at the AARO meeting led by Dennis Badger, Kentucky Real Estate Appraiser Board, addressing this issue.

Chairman Kroeger suggested the Director contact Dennis Badger of Kentucky regarding the cost and obtaining an outline of the training.

GENERAL PUBLIC COMMENTS

There were no general public comments.

Vice Chair Newell moved to take a 15 minute recess. The time on the meeting room clock was 10:34 a.m. Board Member Wilson seconded. The motion carried with Wilson, Kalkowski, Bain, Newell and Kroeger voting aye.

The Board reconvened at 10:49 a.m.

EDUCATION

Seminar Approval

Chairman Kroeger stated there were six continuing education seminars carried over from the last meeting. He explained he took a couple of the seminars and had the same opinions as the other members. He said he was comfortable with approving the seminars for up to four hours.

Board Member Wilson moved to approve the following seminars for three (3) hours of continuing education credit:

“Technology for Today’s Appraiser – Virtual Classroom,” McKissock, LP
“Appraising FHA Today – Virtual Classroom,” McKissock, LP
“Appraisal Trends – Virtual Classroom,” McKissock, LP
“The Art of Residential Appraisal Review – Virtual Classroom,” McKissock, LP
“Relocation Appraisal is Different – Virtual Classroom,” McKissock, LP
“2-4 Family Finesse – Virtual Classroom,” McKissock, LP

Board Member Bain seconded. The motion carried with Kalkowski, Bain, Wilson and Kroger voting aye. Vice Chair Newell voted no.

Course Approval

Chairman Kroeger explained there were three courses submitted for approval. The materials were available for inspection.

Board Member Wilson moved to approve the following courses with the exception of the IAAO course being subject to submission of the course matrix by the provider:

“Basic Appraisal Principles,” The Moore Group, Inc.; 30 hours
“Basic Appraisal Procedures,” The Moore Group, Inc.; 30 hours
“Course 201 – Appraisal of Land,” IAAO / Lancaster County Assessor’s Office

Board Member Kalkowski seconded.

Vice Chair Newell amended the motion to include “Course 201 – Appraisal of Land” to be approved for 33 hours. Board Member Bain seconded. The amendment to the motion carried with Wilson, Kalkowski, Bain, Newell and Kroeger voting aye.

The motion to approve the courses subject to the submission of the course matrix carried with Kalkowski, Wilson, Bain, Newell and Kroeger voting aye.

Instructor Approval

Vice Chair Newell moved to approve Brad Moore, Barry Couch and Joel Jensen as instructors for the qualifying education courses. Board Member Wilson seconded. The motion carried with Kalkowski, Wilson, Bain, Newell and Kroeger voting aye.

Board Member Wilson moved to approve Richard McKissock, Alan Simmons and Charles Fischer as instructors for the continuing education seminars. Board Member Kalkowski seconded. The motion carried with Kalkowski, Wilson, Bain, and Kroeger voting aye. Vice Chair Newell voted no.

Vice Chair Newell moved that the Board go into executive session for the purpose of reviewing qualifications of applicants. A closed session is clearly necessary to prevent needless injury to the reputation of the individual or individuals relating to applications. The time on the meeting room clock was 11:13 a.m. Board Member Wilson seconded. The motion carried with Kalkowski, Wilson, Newell and Kroeger voting aye. Board Member Bain voted no.

Vice Chair Newell moved to come out of executive session in order to more effectively use the time of legal counsel. The time on the meeting room clock was 11:14 a.m. Board Member Kalkowski seconded the motion. The motion carried with Kalkowski, Bain, Wilson, Newell and Kroeger voting aye.

Vice Chair Newell moved to go into executive session for the purpose of considering written complaints. A closed session is clearly necessary to prevent needless injury to the reputation of the individual or individuals and to the alleged violations in real property appraisal practice. The time was 11:15 a.m. Board Member Kalkowski seconded. The motion carried with Wilson, Kalkowski, Bain, Newell and Kroeger voting aye.

Chairman Kroeger restated the sole purpose for the closed session was to consider written complaints. The time was 11:15 a.m. Present during the closed session were Board Members Wilson, Kalkowski, Bain, Newell and Kroeger. Also in attendance were Jill Ekstein and Jane Langan.

Vice Chair Newell moved to come out of executive session. The time on the meeting room clock was 12:30 p.m. Board Member Kalkowski seconded. The motion carried with Wilson, Kalkowski, Bain, Newell and Kroger voting aye.

ENFORCEMENT MATTERS

Vice Chair Newell moved:

06-11 send advisory letter

06-24 file formal complaint

05-06 send copy of review and recommend 2-day report writing course prior to resubmission of appraisal reports

06-23 amend previous action of filing formal complaint to initiate investigation.

Board Member Wilson seconded. The motion carried with Kalkowski, Wilson, Bain, Newell and Kroeger voting aye.

Vice Chair Newell moved:

02-28 contract with an investigator.

Board Member Bain seconded. The motion carried with Bain, Newell and Kroeger voting aye. Board Members Wilson and Kalkowski abstained.

Vice Chair Newell moved that the Board go into executive session for the purpose of reviewing qualifications of applicants. A closed session is clearly necessary to prevent needless injury to the reputation of the individual or individuals relating to applications. The time on the meeting room clock was 12:34 p.m.

Chairman Kroeger restated the sole purpose of the closed session was to review the qualifications for applicants and the time was 12:34 p.m. Present during the closed session were Board Members Wilson, Kalkowski, Bain, Newell and Kroeger. Also in attendance was Jill Ekstein.

Vice Chair Newell moved to come out of closed session at 12:56 p.m. Board Member Wilson seconded. The motion carried with Wilson, Kalkowski, Bain, Newell and Kroeger voting aye.

APPLICANTS

Vice Chair Newell moved to ratify the Director's decision to approve for examination:

Registered

Robin Ranae Andreasen R100601

Melissa A. Edgar R100602

Lisa A. Krist R100603

Kelly J. Castaneda R100604

Dean Dirks R100605

Vice Chair Newell continued to move:

License

L100606 – deny; send copy of review to applicant

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Certified Residential

CR100608 – deny; send review to applicant

Reciprocity

Colorado – submit three (3) reports for to be sent out for review

Nevada – Michael Cartwright – approve reciprocal credential

Board Member Wilson seconded. The motion carried with Wilson, Kalkowski, Bain, Newell and Kroeger voting aye.

Board Member Wilson moved to approve:

Certified General

Douglas Hafer – CG080608

Reciprocity

Iowa – Chris Jenkins

Board Member Kalkowski seconded. The motion carried with Bain, Kalkowski, Wilson and Kroeger voting aye. Vice Chair Newell voted no.

Director Ekstein read to the Board Members a request submitted by John Bredemeyer requesting continuing education hours for membership to professional organizations. The Board requested the Director send John Bredemeyer a letter indicating this was not acceptable for continuing education credit.

PERSONNEL MATTERS

Director Ekstein wished not to address the Board and had no other personnel matters to discuss.

NEXT MEETING DATE

The next meeting of the Nebraska Real Property Appraiser Board will convene Thursday, November 16, 2006, at 9:00 a.m.

Board Member Bain moved to adjourn the meeting. Vice Chair Newell seconded. The motion carried with Kalkowski, Wilson, Bain, Newell and Kroeger voting aye.

The meeting adjourned at 1:02 p.m.

Respectfully submitted,

Jill Ekstein, Director

These minutes were available for public inspection on October 26, 2006, in compliance with Nebraska Statute §84-1413(5).