Amended at the August 17, 2017 board meeting

NEBRASKA REAL PROPERTY APPRAISER BOARD
NRPAB OFFICE MEETING ROOM, FIRST FLOOR
NEBRASKA STATE OFFICE BUILDING
301 CENTENNIAL MALL SOUTH, LINCOLN, NE

June 15, 2017 Meeting Minutes

A. OPENING

Vice-Chairperson Benjamin Hynek called to order the June 15, 2017 meeting of the Nebraska Real Property Appraiser Board at 9:00 a.m., in the Nebraska Real Property Appraiser Board meeting room located on the first floor of the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska.

B. NOTICE OF MEETING

Vice-Chairperson Hynek announced the notice of the meeting was duly given, posted, published, and tendered in compliance with the Open Meetings Act, and all board members received notice simultaneously by email. Publication of official notice of the meeting appeared in the June 12, 2017 edition of the *Lincoln Journal Star*, a legal newspaper of general circulation in this state, as required by the Open Meetings Act. The agenda was kept current in the Nebraska Real Property Appraiser Board office and on the Board's website. Materials generally used by the Board for this meeting were available in the public folder for inspection by the public, and in accordance with the Open Meetings Act a copy of the Open Meetings Act was available for the duration of the meeting. For the record, Board Members Benjamin Hynek, David Bloxham, Gary McCormick, and Christopher Mustoe were present. Board Member Chris Langemeier was absent and excused. Also present were Director Tyler Kohtz, Compliance and Education Officer Grant Krieger, and Business and Licensing Specialist Allison Nespor.

ADOPTION OF THE AGENDA

Vice-Chairperson Hynek reminded those present for the meeting that the agenda cannot be altered 24 hours prior to the meeting except for emergency items according to the Open Meetings Act. Board Member Mustoe moved to adopt the agenda as printed. Board Member Bloxham seconded the motion. With no further discussion, the motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

The Nebraska Real Property Appraiser Board will meet in executive session for review of applicants and enforcement matters.

Board Member Bloxham moved that the Board go into executive session for the purpose of reviewing applicants for credentialing; applicants for appraisal management company registration; investigations; pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation; and employee performance evaluation. A closed session is clearly necessary to prevent needless injury to the reputation of those involved. Vice-Chairperson Hynek asked for a second. Board Member Mustoe seconded the motion. The time on the meeting clock was 9:02 a.m. The motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

Board Member Bloxham moved to come out of executive session at 9:54 a.m. Board Member Mustoe seconded the motion. The motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

Break from 9:54 a.m. to 10:02 a.m.

G. WELCOME AND CHAIR'S REMARKS

Vice-Chairperson Hynek offered no remarks. Diane Moore was the only member of the general public in attendance.

H. BOARD MEETING MINUTES

1. APPROVAL OF MAY 11, 2017 STRATEGIC PLANNING MEETING MINUTES

Vice-Chairperson Hynek asked for any additions or corrections to the May 11, 2017 strategic planning meeting minutes. With no further discussion, the Vice-Chairperson called for a vote. Board Member Bloxham moved to adopt the May 11, 2017 strategic planning meeting minutes as presented. Board Member Mustoe seconded the motion. The motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

2. APPROVAL OF MAY 24, 2017 MEETING MINUTES

Vice-Chairperson Hynek asked for any additions or corrections to the May 24, 2017 meeting minutes. With no further discussion, the Vice-Chairperson called for a vote. Board Member Bloxham moved to adopt the May 24, 2017 meeting minutes as presented. Board Member Mustoe seconded the motion. The motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

I. DIRECTOR'S REPORT

1. APPRAISER COUNT REPORT

Director Kohtz presented seven charts outlining the number of appraisers as of June 15, 2017, and provided a brief summary on appraiser count trends. The Director then asked for any questions or comments. There was no further discussion.

2. TEMPORARY PERMIT REPORT

Director Kohtz presented three charts outlining the number of temporary permits issued as of May 31, 2017, and asked for any questions or comments. There was no further discussion.

3. SUPERVISORY APPRAISER COUNT REPORT

Director Kohtz presented two charts outlining the number of supervisory appraisers as of June 15, 2017, and asked for any questions or comments. Board Member Bloxham brought attention to the bottom of page I.6 and informed Director Kohtz that it says "Registered AMC's" Director Kohtz confirmed the error and informed the Board that it will be changed to "Registered Supervisory Appraisers." There was no further discussion.

4. AMC COUNT REPORT

Director Kohtz presented two charts outlining the number of AMCs as of June 15, 2017, and asked for any questions or comments. There was no further discussion.

I. FINANCIAL REPORT AND CONSIDERATIONS – JUNE 2017

1. APPROVAL OF MARCH RECEIPTS AND EXPENDITURES

The receipts and expenditures for May were reviewed by the Director by line item with the Board in the Budget Status Report. Director Kohtz brought attention to data processing expense and informed the Board that the amount of $3,075.22 includes bills for two months that happened to both be paid in May. The Director then brought attention to publication and print expenses, and informed the Board that the amount of $819.28 includes the quarterly copier services for January through March. Director Kohtz pointed the Board to legal expenses and informed the Board that the $5,990.29 expense primarily consisted of one specific case. Finally, the Director brought attention to travel expenses and informed the Board that the increase is due to the Spring AARO expenses being paid. As of the end of May, expenses amount to 68.30 percent of the budgeted expenditures for the fiscal year; 91.78 percent of the fiscal year has passed. The Director asked for any questions related to the Budget Status Report. There was no further discussion.

The Director then brought attention to the General Ledger for May, and informed the Board that he had no comments. The Director then asked if the Board had any questions pertaining to the General Ledger. There was no further discussion.

Director Kohtz then presented three graphs showing expenses, revenues, and cash balance. For the Real Property Appraiser Program, which includes both the appraiser fund and the AMC fund, a total of $32,732.99 in expenditures and $13,377.63 in revenues were reported.

Board Member Bloxham moved to accept and file the May 2017 financial reports for audit. Board Member Mustoe seconded the motion. The motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

2. PER DIEMS

Director Kohtz informed the Board that he has no per diem requests for this meeting. Vice-Chairperson Hynek asked if any board members had a request for the Board to consider. There was no further discussion.

K. GENERAL PUBLIC COMMENTS

Vice-Chairperson Hynek asked for any public comments. With no comments, the Vice-Chair proceeded to Education.

L. EDUCATION

1. CONSIDERATION OF EDUCATION/INSTRUCTOR REQUESTS

Board Member Bloxham moved to take the following actions on education activities and instructors as listed:

RECONSIDERATION OF NEW CONTINUING EDUCATION ACTIVITIES AND INSTRUCTORS

American Society of Farm Managers and Rural Appraisers

Best in Business Ethics (2171412.01) / 4 Hours **–** ***Deny***
Arlin Brannstrom – No action

Advanced Appraisal Exam Preparation Course (2171413.01) / 20 Hours **–** ***Approve***
Brent Stanger **–** ***Approve; send advisory letter.***

Report Writing (2171425.01) / 8 Hours **-** ***Approve***
Mark Williams **–** ***Approve; send advisory letter.***

RECONSIDERATION OF NEW CONTINUING EDUCATION INSTRUCTORS
American Society of Farm Managers and Rural Appraisers
Drones in Agriculture Roles and Goals (2171418.01)
Leonard Meador **–** ***Approve***

Seconded by Mustoe. Vice-Chairperson Hynek called for the vote. The motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

M. UNFINISHED BUSINESS

1. BOARD MEMBER RECOGNITION

Director Kohtz informed the Board that the plaque was received and returned for corrections.

2. USPAP BOOK HOLDING ACCOUNT

Director Kohtz informed the Board that no response has been received to date.

N. NEW BUSINESS

1. FEDERAL TRADE COMMISSION VS. LOUISIANA REAL ESTATE APPRAISERS BOARD

Director Kohtz presented a release published by the Federal Trade Commission and a statement released by the Louisiana Real Estate Appraisers Board concerning a complaint filed against the Louisiana Real Estate Appraiser Board by the Federal Trade Commission for unreasonably restraining the process of competition for appraisal services in Louisiana, contrary to federal antitrust law. The Federal Trade Commission alleges that the Louisiana board's regulations exceed the scope of the mandate, and the board requires appraisal fees to equal or exceed the median fees identified in survey reports commission and published by the board. The board then investigated and took action against an appraisal management company that paid fees below the specified levels. The Louisiana board denied all allegations, and believes that it is applying the requirements pertaining to customary and reasonable fees found in the Truth and Lending Act. The Director informed the Board that the details are unknown surrounding the specific case in which Louisiana took action, but the state of Louisiana allows for two presumptions of compliance when enforcing customary and reasonable. One presumption includes the fee study, and the other includes the consideration of specific circumstances related to the appraisal assignment. Director Kohtz informed the Board that, legally, the State of Louisiana should be fine, but the details of the complaint may reveal an overreach by the Louisiana board. The Director finished by saying that the details will be known sooner or later. There was a brief discussion of this topic by the Board.

Break from 11:24 a.m. to 11:30 a.m.

O. LEGISLATIVE REPORT AND BUSINESS

1. RECONSIDERATION OF 7-HOUR REPORT WRITING UPDATE CONTINUING EDUCATION REQUIREMENT

At its strategic planning meeting on May 11, 2017, the Board set an objective to discuss the removal of the 7-Hour Report Writing Update Course from the continuing education requirements. After discussion, the Board agreed that this requirement is burdensome on all credential holders, the 7-Hour Report Writing Update Course content is inconsistent from education provider to education provider, and that the positives of the course requirement does not outweigh the negatives. Board Member Mustoe moved to remove the 7-Hour Report Writing Update continuing education requirement from the Nebraska Real Property Appraiser Act and Title 298. The motion was seconded by Bloxham, and carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

2. RECONSIDERATION OF ONLINE CONTINUING EDUCATION REQUIREMENT

At its strategic planning meeting on May 11, 2017, the Board set an objective to discuss changing the online continuing education requirements. Vice-Chairperson Hynek began the conversation by expressing a desire to keep the 7-Hour USPAP Update Course classroom requirement, and removing seven hours of the fourteen hour in-class requirement. The Board asked for a recap of the statistics discussed during strategic planning. CEO Krieger informed the Board that six states require some in-class education for continuing education, two states require that USPAP is completed in the classroom, no other states have a report writing requirement, and the majority of other states have a state law exam or course requirement. Board Member Mustoe offered that he sees both sides of this topic, but also questioned the desire of appraisers to take continuing education courses in the classroom. Board Member Bloxham agreed with Board Member Mustoe in part, and indicated that he sees both positives and negatives as well. Board Member McCormick declared that the removal of the 7-Hour Report Writing Update course opens up choices for appraisers in the future. Credential holders will not have to use seven of the required fourteen classroom hours on one specific course; the choice will be theirs.

The conversation then shifted to the effect of such change on the education providers. Board Member Bloxham informed the Board that he doesn't believe that removing this requirement will impact the number of appraisers that take continuing education in the classroom. Board Member Hynek agreed with Board Member Bloxham's assessment, and added that he just wants appraisers to have the choice to take continuing education in a classroom or online. This would reduce some of the burden faced by those in Western Nebraska who typically have to travel to Denver or Lincoln to take continuing education. Vice-Chairperson Hynek granted public member Diane Moore permission to speak. Ms. Moore informed the Board that the number of appraisers taking continuing education in the classroom will be greatly impacted. As an education provider, the minimum number of attendees for us to hold a class is ten. If two decided to complete more of their continuing education online, the class will not be held at all, reducing the number of available offerings. This will eventually drive more to online courses due to a lower number of available in-class courses. Vice-Chairperson Hynek informed Ms. Moore that the Board does not want to make things worse for those in Western Nebraska. Ms. Moore added that classroom offerings provide an opportunity for appraisers to discuss what is going on and to build relationships. Board Member Bloxham agreed with this statement, and added that he has met many appraisers in Nebraska in the classroom. Board Member Bloxham finished by saying that the appraiser industry is so isolated; he wouldn't interact with any other appraisers regularly if he didn't take continuing education in the classroom.

Vice-Chairperson Hynek expressed agreement with the positives discussed, but reiterated that it should be a choice, not a mandate to complete continuing education in the classroom. The Vice-Chairperson continued by saying that the State of Nebraska should not have significantly higher standards than any of the other states around it. Vice-Chairperson Hynek once again granted public member Diane Moore permission to speak. Ms. Moore informed the Board that the standards in Nebraska are higher because Nebraska was the first to have standards. Board Member Mustoe asked Ms. Moore if The Moore Group offers many online courses. Ms. Moore indicated that they have some, but don't offer many. Vice-Chairperson Hynek asked for a vote. Board Member Mustoe moved to reduce the online continuing education requirements to seven hours per cycle. Board Member Bloxham seconded the motion. Bloxham voted nay, McCormick nay, Mustoe aye, and Hynek aye. Director Kohtz informed the Board that the motion was defeated by the tied vote.

3. TITLE 298

a. CHRC Fee Inquiry

Director Kohtz presented an email received from Erin Northwall in the Governor's Policy and Research Office regarding the potential inclusion of the Nebraska State Patrol's CHRC fee increase in the next update to Title 298 to the Board for review. Ms. Northwall indicated that including the CHRC fee is acceptable, and many other agencies are beginning to submit rules with the same change. Director Kohtz then requested permission to begin drafting an update to Title 298 to address the CHRC fee increase and the various other items discussed at strategic planning and the regular May meeting. Board Member Bloxham moved to authorize Director Kohtz to proceed with an update draft of Title 298. The motion was seconded by Mustoe, and carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

4. OTHER LEGISLATIVE MATTERS

Director Kohtz asked the Board if it had any other legislative matters that it wished to discuss. There was no further discussion.

P. BOARD POLICIES AND PROCEDURES

1. GUIDANCE DOCUMENTS

Director Kohtz presented proposed Guidance Document 17-02 pertaining to software specific training, Guidance Document 17-03 pertaining to credentialing applicant advisory meetings, and Guidance Document 17-04 pertaining to public records requests to the Board for consideration. The Director informed the Board that these three guidance documents are part of the final piece to the transition from board policies to guidance documents, and indicated that Guidance Document 17-02 and Guidance Document 17-03 appear exactly as they did as board policies, but some changes were made to Guidance Document 17-04. Board Member Bloxham asked if history and analysis are necessary. Director Kohtz informed the Board that it is not required, but it is a good idea to provide some information regarding the origin of the guidance document. The Director asked the Board if it would like some of the information removed. The Board agreed that the information in the guidance documents are fine. The Director informed the Board that he would like to provide more description regarding the changes made in proposed Guidance Document 17-04, but if there are no other questions, Guidance Document 17-02 and Guidance Document 17-03 are ready for a motion. Board Member Bloxham asked if both guidance documents can be included in the same motion. Director Kohtz responded that this would be acceptable. Board Member Bloxham moved to adopt Guidance Document 17-02 and Guidance Document 17-03 as presented. The motion was seconded by Mustoe, and carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

Director Kohtz then turned attention to Guidance Document 17-04, and informed the Board that he was uncomfortable with the language contained in the original board policy that was adopted in 2006. The Director continued by informing the Board that Neb. Rev. Stat. §§ 84-712 to 84-712.09 includes all public records laws that each state agency must comply with; except for Neb. Rev. Stat. § 84-712.05, the need to cite individual sections in the guidance does not exist. N.R.S. § 84-712.05 is the basis for a specific guidance on interpretation of this law, which is why it is specifically included in this guidance. All other statutory references are removed in the proposed guidance.

The reference to "regulations" in retired Board Policy 06-10 is ambiguous. There was no mention of any specific provision of the Nebraska Administrative Code during the discussion that lead to adoption of Board Policy 06-10, and no known regulations pertaining to public records that binds the Board exist. Due to the possibility of binding the Board to unknown regulations, the reference to "regulations" is removed in the guidance.

Finally, the Director informed the Board that there was no mention of any specific federal statutes during the initial discussion that lead to adoption of Board Policy 06-10. Many federal laws pertaining to public records exist; the most well-known being the Freedom of Information Act, which is a federal law that allows for disclosure of previously unreleased information controlled by the United States Government, and defines what federal information and to what extent that documentation should be made available to the public. The Freedom of Information Act does not apply to state governments. Due to the possibility of binding the Board to federal public records statutes, the reference to "federal" statutes is removed in the guidance.

The Board expressed satisfaction with these recommendations. Board Member Mustoe moved to adopt Board Policy 17-04 as presented. The motion was seconded by Bloxham, and carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

2. INTERNAL PROCEDURAL DOCUMENT

a. Proposed Internal Procedures to Reconcile Retired Board Policies

Director Kohtz presented Internal Procedure 201701 titled Endorsement of an Appraiser, 201702 titled Employee Recognition, 201703 titled Employee Reimbursement of Training and Education Tuition, 201704 titled AMC Fund Cash Balance, 201705 titled Real Property Appraiser Fund Cash Balance, 201706 titled Timeliness Requirements for Appraisal Reviews, 201707 titled Director's Performance Review, 201708 titled Board Staff Clothing Allowance, 201709 titled Standard 3 Compliance Review and Subject Matter Expert Fees, 201710 titled Contracts for Work and Associated Fees, 201711 titled Requests for Non-NRPAB Information to be Placed on the Website, 201712 titled Blast Email Requests, and 201713 titled Blast Email Policy to the Board for consideration. Vice-Chairperson Hynek asked for a motion. Board Member Bloxham moved to adopt internal procedures 201701 through 201713 as presented. The motion was seconded by Mustoe, and carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

b. Proposed New Internal Procedure

Director Kohtz presented proposed Internal Procedure 201714 titled Renewal of Continuing Education Activities to the Board for consideration. The Director informed the Board that, originally, when the Board authorized the Director to issue a renewal of a continuing education activity in which no changes have taken place since the original approval by the Board, that a documented internal procedure was not needed, but after more thought the Director indicated that it would be a good idea to adopt an internal procedure. There was no further discussion. Board Member Mustoe moved to adopt Internal Procedure 201714 as presented. The motion was seconded by Bloxham, and carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

3. POLICIES AND PROCEDURES

a. Investigation Procedures

Director Kohtz presented three documents to the Board for review, which included the clean "Nebraska Real Property Appraiser Board Investigation Procedures," the red-lined "Nebraska Real Property Appraiser Board Investigation Procedures," and the "Grievance Procedure Overview Flowchart." The Director informed the Board that the procedure exists as it was presented to the Board at its May meeting. Director Kohtz reminded the Board that Board Member Bloxham requested that the Board table the procedure until the June meeting.

Board Member Bloxham brought attention to the term "CEO," and asked if using the term is too restrictive and would cause unnecessary changes in the future. Director Kohtz responded that he understood where this question came from, but doesn't think that the CEO job title will be changing. The Director then informed the Board that it would also be easy to change this reference in the procedure. Board Member Mustoe asked if "investigative staff" would work. Director Kohtz requested that CEO Krieger change all references to "CEO to "investigative staff." The Board requested that the word "to" be inserted between "report" and "include" in Number 8 found on page P.18. This change was made by CEO Krieger. A discussion took place regarding grievances filed by board members and requests for grievances made by individual board members. The Board agreed that no appraisal report should be given to the agency by an individual board member for consideration of a grievance. If a board member wishes to file a grievance, he or she should file a grievance in accordance with Title 298. Director Kohtz informed the Board that the sentence, "A grievance filed by a Board Member, in an individual capacity, must be in compliance with 298 NAC Chapter 8, Section 001.02" will be added to Number 1 found on page P.16. The Board agreed with this addition, and CEO Krieger updated the procedure.

Vice-Chairperson Hynek asked for any other recommendations. With no further discussion, the Vice-Chairperson called for a vote. Board Member Bloxham moved to approve the investigation procedures as amended. The motion was seconded by Mustoe, and carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

b. Jurisdiction of Practice Equivalency Analysis Memo

Director Kohtz presented a memo titled "Jurisdiction of Practice Equivalency Analysis" to the Board for review. The Director informed the Board that he wanted the Board to have a historic reference before making a drastic change to how reciprocal real property appraiser applicants are evaluated. The Director went on to say that the Board may make this change, but it will also result in a law and rule change to better reflect the requirements for credentialing by reciprocity. The Director then summarized the memo, and said although the Board has the authority to determine if another jurisdiction's requirements "meet or exceed" those in Nebraska, the Board chooses how to utilize this information. Traditionally, the Board has given little weight to "meet or exceed," but at the same time, it has an obligation to consider the requirements of another jurisdiction while evaluating a reciprocal applicant. The Board doesn't have to take action based on the information, but at any point in time, a difference between the requirements of another jurisdiction and Nebraska may make a difference in how the Board, or a future Board, sees an applicant from that jurisdiction. The Director finished by informing the Board that Federal law references "meet or exceed," so he recommends that the Board make no changes. After discussion, the Board agreed to pursue defining "meet or exceed" to mean that the Real Property Appraiser Qualifications Criteria of The Appraisal Foundation has been met or exceeded. The Board also acknowledges that for the purpose of consistency, many of the administrative requirements in Nebraska exceed those in many other jurisdictions, which may lead to an inconsistent use of "meet or exceed." Director Kohtz informed the Board that he will draft a guidance document to address this matter, and will include changes to the Real Property Appraiser Act and Title 298 as needed to reflect the Board's intent.

c. Appraiser Applicant Experience Evaluation Requirement Refresher

Director Kohtz informed the Board that it has been a while since it has had to proceed deep into the experience evaluation process or consider the responsibilities of a supervisory appraiser when USPAP deficiencies exist. Director Kohtz also indicated that because of the make-up of the Board, it would be a good idea to provide a refresher on these matters. The Director then walked the Board through 002.13 through 002.17B in Chapter 2 of Title 298 and 002.09A through 002.09D in Chapter 8 if Title 298. When finished, the Director asked for any questions. The Board thanked the Director for providing this information.

Q. OTHER BUSINESS

1. **BOARD MEETINGS**: No discussion.

2. **CONFERENCES/EDUCATION:** No discussion.

3. **MEMOS FROM THE BOARD**: No discussion.

4. **QUARTERLY NEWSLETTER**

Director Kohtz presented the Spring edition of The Nebraska Appraiser to the Board for consideration. Board Member McCormick informed Director Kohtz that he only completed one tour in Vietnam, not two. The Director apologized for the mistake. Board Member McCormick recommended that the word "twice" be removed from the sentence, "During his time in the Army, McCormick served twice in Vietnam; first with the 1st Battalion, 2nd Infantry of the 1st Infantry Division; and then with the 9th Infantry Division as battalion psychological operations sergeant." Director Kohtz informed the Board that this change will be made. The Director then asked Board Member McCormick and Board Member Mustoe if they were satisfied with their "In the Spotlight" articles. Both indicated that they were pleased. Vice-Chairperson Hynek asked for any other recommendations. With no further discussion, Board Member Bloxham moved to approve the Spring edition of The Nebraska Appraiser as amended. The motion was seconded by Mustoe, and carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

5. **APPRAISAL SUBCOMMITTEE**

a. February 10, 2017 ASC Meeting Minutes

Director Kohtz presented the February 10, 2017 ASC Meeting Minutes to the Board for review. The Director informed the Board that he had no specific comments. There was no further discussion.

6. **APPRAISAL FOUNDATION**

a. Appraisal Standards Board Q&A: June 2017

Director Kohtz presented the Appraisal Standards Board Q&A for June to the Board for review. The Director informed the Board that both questions and answers are straightforward. The first question pertains to the number of trainee real property appraisers that a supervisory appraiser can have under his or her direction at one time. The second question pertains to the minimum number of appraiser related hours for a continuing education activity to be accepted for continuing education credit. There was no further discussion.

7. **IN THE NEWS**: No discussion.

Break from 12:57 p.m. to 1:08 p.m.

Board Member Bloxham moved that the Board go into executive session for the purpose of reviewing investigations and employee performance evaluation. A closed session is clearly necessary to prevent needless injury to the reputation of those involved. Vice-Chairperson Hynek asked for a second. Board Member McCormick seconded the motion. The time on the meeting clock was 1:09 p.m. The motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

Board Member Bloxham moved to come out of executive session at 2:18 p.m. Board Member Mustoe seconded the motion. The motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

C. CONSIDERATION OF APPLICANTS AS NEBRASKA REAL PROPERTY APPRAISER

Board Member Bloxham moved to take the following actions for the applicants as listed:

SA-T2015009 / Approve as Supervisory Appraiser.
SA-T2017004 / Approve as Supervisory Appraiser.
CG2017015R / Requirements for credentialing as a Certified General Real Property Appraiser approved as submitted. Authorize Director to issue credential upon completion of background check.
SA-T2015008 / Approve as Supervisory Appraiser.
CG17003 / Invite to advisory meeting; send redacted copy of Standard 3 review. Board Member Mustoe assigned.
Item 1 / Request information regarding applicant's experience with appraising agricultural properties. Authorize Board Member McCormick to approve issuance of temporary permit based on acceptance of applicant's response.

Board Member Mustoe seconded the motion. Motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

Board Member Bloxham moved to approve the late renewal applications as listed and any others postmarked by 5 p.m. on June 30, 2017 with advisory letter if all related renewal information is correct. The motion was seconded by Mustoe, and carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

D. REGISTRATION AS APPRAISAL MANAGEMENT COMPANY

Board Member Bloxham moved to take the following action for AMC applicant as listed:

NE2017004 / Approve for registration as an Appraisal Management Company.
NE2017005 / Approve for registration as an Appraisal Management Company.
NE2017002 / Deny.

Board Member McCormick seconded the motion. Motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

E. CONSIDERATION OF DISCIPLINARY ACTIONS/ ENFORCEMENT MATTERS

Board Member Bloxham moved to take the following enforcement actions:

16-02 / Authorize Special Assistant Attorney General Blake to file formal charges for violation of Neb. Rev. Stat. § 76-2237 and N.R.S. § 76-2238 (12)(15)(16)(17).
17-02 / Ongoing.

Board Member McCormick seconded the motion. Motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

F. CONSIDERATION OF OTHER EXECUTIVE SESSION ITEMS

Board Member Bloxham moved to increase the Director's compensation 1% as recommended by the Governor, effective July 1, 2017. Seconded by Mustoe. The motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye.

R. ADJOURNMENT

Board Member Bloxham moved to adjourn the meeting. Board Member Mustoe seconded the motion. Motion carried with Bloxham, McCormick, Mustoe, and Hynek voting aye. At 2:23 p.m. Vice-Chairperson Hynek adjourned the June 15, 2017 meeting of the Real Property Appraiser Board.

Respectfully submitted,

Tyler N. Kohtz
Director

These minutes were available for public inspection on June 27, 2017, in compliance with Nebraska Revised Statute §84-1413 (5).