

Meeting minutes amended to reflect changes made during December 22, 2011 meeting

**REAL PROPERTY APPRAISER BOARD
Conference Room #B, Lower Level
NEBRASKA STATE OFFICE BUILDING
301 CENTENNIAL MALL SOUTH, LINCOLN, NE**

November 17, 2011

OPENING

Chairman Brad Moore called to order the November 17, 2011 meeting of the Nebraska Real Property Appraiser Board at 9:01 a.m., in conference room B located on the lower level of the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska.

NOTICE OF MEETING

Chairman Moore 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 e-mail. Publication of official notice of the meeting appeared in the November 14, 2011 edition of the *Lincoln Journal Star*, a legal newspaper of general circulation in this State, as required by the public meeting law. 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 Bradford Moore, Tom Kubert, Philip Barkley, and Gregg Mitchell were present. Also present were Interim Director, Joe Wilson and Staff Assistant, Kirsten Casburn. Board Member David Hartman was absent and excused.

ADOPTION OF THE AGENDA

Chairman Moore 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 Mitchell moved to adopt the Agenda as printed. Board Member Kubert seconded the motion. With no further discussion, the motion carried with Barkley, Kubert, Mitchell, and Moore voting aye.

WELCOME GUESTS

Chairman Moore welcomed the guests to the meeting and asked that they please sign the guest log.

APPROVAL OF THE MINUTES FROM October 26, 2011

Chairman Moore asked for any additions or corrections to the October 26, 2011 minutes. There were corrections made in the Director's Report, changing the months of the appraiser count from September to October, a change in the enforcement section, dismissing #11-19, and one change in the application portion. With no further discussion Board Member Mitchell moved to adopt the minutes as amended. Board Member Barkley seconded the motion. The motion carried with Kubert, Mitchell, Barkley, and Moore voting aye.

CHAIRMAN'S REPORT

Chairman Moore stated his comments would be covered in the Unfinished Business and New Business sections of the agenda.

DIRECTOR'S REPORT

Interim Director Wilson reported the number of appraisers for November 2011 stands as follows: 95 Registered/Conversion; 89 Licensed Residential; 214 Certified Residential; and 377 Certified General

for a total of 775 appraisers. The accounting includes the totals for November 2010 reporting 824 appraisers and the report for November 2009 reporting 849 appraisers. Renewals for 2012 stand at 5 Registered, 28 Licensed Residential, 70 Certified Residential, and 128 Certified General.

RECEIPTS AND EXPENDITURES REPORT – OCTOBER 2011

The receipts and expenditures for October were reviewed by the Director by line item with the Board. A total of \$17,724.30 in expenditures and \$29,933.20 in receivables is reported. Considerations were made for expenditures for monthly obligations. No considerations were made for expenditures other than monthly obligations. A copy of the Budget Status Report and Receipt Journal for October are attached and considered part of these minutes.

Board Member Mitchell moved to accept and file the October 2011 Budget Status report for receipts and expenditures for audit. Board Member Kubert seconded the motion. The motion carried with Mitchell, Barkley, Kubert, and Moore voting aye.

UNFINISHED BUSINESS

STATE CREDENTIAL- A decision on a New State Credential was tabled until December.

BLAST E-MAIL POLICY- Board Member Mitchell moved to adopt a policy in which the Board will not forward emails for individuals but will instead supply the appraiser email address list, after collecting a fee of \$100.00. No fee will be charged to other government agencies. Barkley seconded the motion. The motion carried with Barkley, Kubert, Mitchell, and Moore voting aye.

ASC FOLLOW UP- Chairman Moore responded to the ASC's findings of the compliance review with a letter listing the steps that have been initiated to correct the deficiencies.

DIRECTOR JOB DESCRIPTION- A job description, interview question page, interview evaluation sheet, and a job description for advertisement sheet were distributed to each Board member. With no further discussion, Kubert motioned to accept the documents and go forward with the process with the help of State Personnel to hire a permanent director. Barkley seconded the motion. The motion carried with Kubert, Mitchell, Barkley, and Moore voting aye.

NEW BUSINESS

AUTORIZATION FOR STAFF TO BEGIN WORKING ON THE AMC APPLICATIONS- The Board has given the staff the okay to begin the application approval process. A check sheet will be put in place to ensure all registration applications are complete. Each application will be approved subject to the background check run by the State Patrol. Each background check will cost the agency \$38.00 which will be billed through the IBT process.

GENERAL PUBLIC COMMENTS

Chair Moore asked for any public comments.

With no comments, the Chair proceeded to the education.

EDUCATION

Board Member Mitchell moved to approve the following continuing education seminars and respective instructors as listed. Second by Kubert:

1. The Moore Group, Lincoln, NE:

- A. “Environmental Issues” / Online / 4 hrs / C21170-I
 - B. “Going Green” / Online / 3 hrs / C21171-I
- Instructors: Bradford Moore

With no further discussion, Moore called for the vote. The motion carried with Mitchell, Kubert, and Barkley voting aye. Moore abstained.

Board Member Mitchell moved to approve the following continuing education seminars and respective instructors as listed. Second by Kubert:

2. NAIFA, Chicago, IL:

- A. “FHA Current Appraisal Requirements” / 7 hrs / C2318
Instructor: Mike Orman
- B. “USPAP Update” / 7 hrs / C21201
Instructor: Mike Orman

With no further discussion, Chairman Moore called for the vote. The motion carried with Kubert, Barkley, Mitchell, and Moore voting aye.

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

APPLICANTS & ENFORCEMENT

Board Member Barkley moved that the Board go into executive session for the purpose of reviewing applicants for credentialing and consideration of written complaints and disciplinary action. A closed session is clearly necessary to prevent needless injury to the reputation of the individual or individuals relating to the issues of qualifying applicants and relating to the alleged violations of performance in real property appraisal practice. The time on the meeting clock was 12:29 p.m. Board Member Mitchell seconded the motion. The motion carried with Barkley, Kubert, Mitchell, and Moore voting aye.

Board Member Barkley moved to come out of executive session at 2:26 p.m. Board Member Mitchell seconded the motion. The motion carried with Barkley, Kubert, Mitchell, and Moore voting aye.

Vice Chair Barkley moved to take the following action for the Registered applicant:

R892 / Approved to sit for exam

Vice Chair Barkley moved to take the following action for the Licensed applicant:

L600 / Approved reciprocal effective 01/01/2012

L601 / Deny. Log not sufficient

Board Member Mitchell seconded the motion. Motion carried with Mitchell, Barkley, Kubert, and Moore voting aye.

Board Member Barkley moved to take the following enforcement actions:

- 09-25 Dismiss with prejudice. Seek counsel
- 11-02 Close.
- 11-03 Revise consent agreement to extend completion date to 08/01/2012.
- 11-04 Hold. Partial Education due 01/01/2012. All education due 07/01/2012.
- 11-05 Hold.
- 11-12 Hold.
- 11-13 Letter sent with copy going to the County Attorney's Office.
- 11-20 Request report and complete work file.
- 11-21 Request report and complete work file.
- 11-22 Request report and complete work file.
- 11-23 Request report and complete work file.
- 11-24 Request report and complete work file.
- 11-25 Request report and complete work file.
- 11-26 Request report and complete work file.

ADJOURNMENT

Board Member Mitchell moved to adjourn the meeting. Board Member Kubert seconded the motion. Motion carried unanimously.

At 2:30 p.m. Chairman Moore adjourned the November 17, 2011 meeting of the Real Property Appraiser Board. The next meeting is scheduled for December 22, 2011 in conference room F located on the Lower level of the NSOB.

Respectfully submitted,

Joe Wilson
Interim Director

These minutes were available for public inspection on November 28, 2011, in compliance with Nebraska Statute §84-1413(5).