

**REAL PROPERTY APPRAISER BOARD  
Administrative Services, Main Level  
NEBRASKA STATE OFFICE BUILDING  
301 CENTENNIAL MALL SOUTH, LINCOLN, NE**

**January 19, 2012**

**OPENING**

Chairman Brad Moore called to order the January 19, 2012 meeting of the Nebraska Real Property Appraiser Board at 9:01 a.m., in conference room F 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 January 17, 2012 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 Marc Woodle 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 Kubert moved to adopt the Agenda as printed. Board Member Barkley seconded the motion. With no further discussion, the motion carried with Barkley, Kubert, Woodle, and Moore voting aye.

**INSTALLATION OF BOARD MEMBER MARC WOODLE**

Incoming Board Member Marc Woodle was sworn in by Deputy Secretary of State Judy Jobman.

**ELECTION OF 2012 OFFICERS**

Board Member Barkley moved to nominate Board Member Brad Moore as Chairman. Board Member Kubert seconded the motion. With no further discussion, the motion carried with Barkley, Kubert and Woodle voting aye. Moore abstained. Board Member Kubert moved to nominate Board Member Phil Barkley as Vice-Chairman. Board Member Woodle seconded the motion. With no further discussion, the motion carried with Kubert, Woodle, and Moore voting aye. Barkley abstained.

**WELCOME GUESTS**

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

**APPROVAL OF THE MINUTES FROM December 22, 2011**

Chairman Moore asked for any additions or corrections to the December 22, 2011 minutes. There were corrections made in the Receipts & Expenditures, correcting a dollar amount and in New Business, adding Board member Mitchell's name to the Home Builders of Greater Omaha task force. With no further discussion Board Member Kubert moved to adopt the minutes as amended. Board

Member Barkley seconded the motion. The motion carried with Kubert, Barkley, Woodle, and Moore voting aye.

### **CHAIRMAN'S REPORT**

Chairman Moore indicated that his report was that he had spent most of his time in the past month working on the hiring of the new director.

### **DIRECTOR'S REPORT**

Interim Director Wilson reported the number of appraisers for January 2012 stands as follows: 16 Registered/Conversion; 83 Licensed Residential; 202 Certified Residential; and 356 Certified General for a total of 657 appraisers. The accounting includes the totals for January 2011 reporting 739 appraisers and the report for January 2010 reporting 787 appraisers.

### **RECEIPTS AND EXPENDITURES REPORT – DECEMBER 2011**

The receipts and expenditures for December were reviewed by the Director by line item with the Board. For the appraiser fund, #25310, a total of \$14,366.62 in expenditures and \$42,599.08 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 December is attached and considered part of these minutes.

Additionally, a new fund, the AMC fund, #25320, was introduced today. There are total receipts of \$56,600, all in January 2012, with no expenses. This is a new fund with an effective date of 1/1/12 so there is no budget status report until next month.

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

### **UNFINISHED BUSINESS**

**LB714 – 2012 APPRAISER ACT-** The committee hearing was held on 1/17/12. Interim Director Wilson testified for the Board.

**AMC UPDATE:** There was discussion about how an AMC should prove that they are exempt for the Nebraska Statute. Interim Director Wilson was directed to follow up on the discussion and report back next month. Staff Assistant Kirsten Casburn presented the new AMC certificate and shared with the Board Members the list of 46 AMCs that have registered with the Real Property Appraiser Board. The AMCs not waiting on background checks and have paid all fees will be issued a letter and a certificate of approval. The Board will receive a list of new AMC applicants at each meeting.

**ON-LINE RENEWALS:** Interim Director Wilson met with Natalie Bacon of Nebraska.Gov regarding the on-line renewals. Ms. Bacon will get back to the Board with billing options and will be invited to a Board meeting in the near future for a presentation to the Board.

**STATE CREDENTIAL-** Board Member Kubert was appointed to meet with Douglas and Lancaster Counties and discuss their interest in a new State credential.

**MWAA INSTRUCTOR Course:** The Board discussed the merits of the class. Board Member Kubert moved to deny the application. Second by Barkley. With no further discussion, Chairman Moore called for the vote. The motion carried with Woodle, Kubert, Barkley and Moore voting aye.

## **NEW BUSINESS**

**DOMINA/OKORUWA HEARING:** Board Member Barkley moved to schedule the hearing for February 16, 2012 at 2:00 p.m. Second by Member Kubert. With no further discussion, Chairman Moore called for the vote. The motion carried with Barkley, Woodle, Kubert and Moore voting aye.

**WAIVER FOR GARY BRANDT:** Gary Brandt, CG920235, requested a waiver of the requirement for taking 14 hours of the required 28 hours of CE in the class room due to an illness in his family. Board Member Kubert moved to grant a waiver for this education cycle only. Second by Member Barkley. With no further discussion, Chairman Moore called for the vote. The motion carried with Woodle, Kubert, Barkley and Moore voting aye.

**APPRAISERS RESPONSIBILITY AMC REGISTRATION:** The questions related to the appraiser's responsibility in working with an AMC. Do appraisers need to ensure every AMC is registered? Are we in violation of something if we do not? Can we accept assignments from non-registered AMCs? The bottom line is yes, you are responsible to ensure that the AMC is registered in Nebraska and you are in violation of USPAP if you do work for a non-registered AMC. Advisory letter will be sent to all appraisers doing business with a non-registered AMC.

## **GENERAL PUBLIC COMMENTS**

Chair Moore asked for any public comments.

With no comments, the Chair proceeded to the education.

## **EDUCATION**

Board Member Kubert moved to approve the following qualifying education classes and continuing education seminars as listed. Second by Barkley:

### **AQB/CAP Core Curriculum Requests:**

#### **1. The Moore Group, Lincoln, NE:**

“Residential Report Writing & Case Studies” / 15 hrs / LCR007

Revision of materials only.

Instructors: Diane Moore & Bradford Moore

#### **2. Appraisal Institute, Chicago, IL:**

“Quantitative Analysis” /33 hrs / QE21205

Instructor: Marv Wolverton

### **Continuing Education Requests:**

**3. McKissock, LP, Warren, PA:**

“Residential Appraisal Review” / 7 hrs / C2510-I / Online

Instructor: Daniel Bradley

**4. ASFMRA, Denver, CO**

“Sales Comparison Approach” / 8 hrs / C21204

Instructor: Paul Bierschwale

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

Board Member Kubert moved to approve the above instructors as listed for the above classes. Second by Barkley:

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

*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 12:10 p.m. Board Member Kubert seconded the motion. The motion carried with Barkley, Woodle, Kubert, and Moore voting aye.

Board Member Barkley moved to come out of executive session at 6:14 p.m. Board Member Kubert seconded the motion. The motion carried with Barkley, Kubert, Woodle, and Moore voting aye.

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

**ST214 / Approved**

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

**L602 / Approved Reciprocal Credential**

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

**CR388 / Approved For Credential Subject To Exam**

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

**CG631 / Select Reports for Review**

**CG632 / Approved To Sit For Exam & Select Reports for Review**

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

Vice Chair Barkley moved to take the following enforcement actions:

09-25 Hold  
11-03 Hold  
11-04 Hold. All education due 07/01/2012  
11-05 Send letter requesting Consent Agreement by 02/01/2012  
11-12 Hold  
11-13 Hold  
11-21 Schedule informal hearing  
11-22 Hold  
11-26 Hold  
11-27 Hold  
12-01 Request report and complete work file  
12-02 Request report and complete work file  
12-03 Request report and complete work file  
12-04 Schedule informal hearing

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

#### **ADJOURNMENT**

Board Member Barkley moved to adjourn the meeting. Board Member Woodle seconded the motion. Motion carried unanimously.

At 6:17 p.m. Chairman Moore adjourned the January 19, 2012 meeting of the Real Property Appraiser Board. The next meeting is scheduled for February 16, 2012 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 January 23, 2012, in compliance with Nebraska Statute §84-1413(5).