

**REAL PROPERTY APPRAISER BOARD
AS EMPLOYEE RELATIONS CONFERENCE ROOM, MALL LEVEL NORTHEAST
NEBRASKA STATE OFFICE BUILDING
301 CENTENNIAL MALL SOUTH, LINCOLN, NE**

August 22, 2013 Meeting Minutes

A. OPENING

Chairman Philip Barkley called to order the August 22, 2013 meeting of the Nebraska Real Property Appraiser Board at 9:00 a.m., in the Nebraska Administrative Services Employee Relations conference room located at Mall Level Northeast of the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska.

B. NOTICE OF MEETING

Chairman Barkley 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 August 20, 2013 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 Philip Barkley, Tom Kubert, Marc Woodle, and Eldon Terrell were present. Board Member Chris Langemeier will be arriving late. Also present were Director, Tyler Kohtz, Compliance and Licensing Specialist, Joya Weir, and Staff Assistant, Gail Parris.

ADOPTION OF THE AGENDA

Chairman Barkley 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 Woodle seconded the motion. With no further discussion, the motion carried with Terrell, Woodle, Kubert and Barkley voting aye.

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

Board Member Kubert moved that the Board go into executive session for the purpose of reviewing applicants for credentialing, applicants for appraisal management company registration, investigations, and other sensitive matters. A closed session is clearly necessary to prevent needless injury to the reputation of those involved. The time on the meeting clock was 9:04 a.m. Board Member Woodle seconded the motion. The motion carried with Terrell, Kubert, Woodle and Barkley voting aye.

Board Member Langemeier arrived at 10:00 a.m.

Break from 10:22 a.m. to 10:30 a.m.

Break from 11:45 a.m. to 11:52 a.m.

Board Member Kubert moved to come out of executive session at 11:55 a.m. Board Member Langemeier seconded the motion. The motion carried with Woodle, Terrell, Langemeier, Kubert and Barkley voting aye

F. WELCOME AND CHAIR'S REMARKS

Chairman Barkley welcomed the guests to the meeting and asked that they please sign the guest log. Diane Moore was the only public member in attendance. The Chairman recognized the staff for their work during the past month, and made special mention of the effort put in to the law rewrite by Director Kohtz, the enforcement work by Compliance and Licensing Specialist Weir, and all the different jobs done by Staff Assistant Parris.

G. BOARD MEETING MINUTES

1. APPROVAL OF JULY 18, 2013 MEETING MINUTES

Chairman Barkley asked for any additions or corrections to the July 18, 2013 minutes. Director Kohtz brought attention to one correction on Page 10. "13-8" under Section P should read "13-9." With no further discussion Board Member Kubert moved to adopt the minutes as amended. Board Member Terrell seconded the motion. The motion carried with Langemeier, Woodle, Terrell, Kubert and Barkley voting aye.

H. DIRECTOR'S REPORT

Director Kohtz presented ten charts outlining the number of appraisers and AMCs as of August 22, 2013. The Director summarized each chart and reported the number of appraisers as follows: 84 total Licensed, 77 resident and 7 reciprocal; 215 total Certified Residential, 177 resident and 38 reciprocal; 379 total Certified General, 256 resident and 123 reciprocal; and 11 Registered for a total of 689 appraisers. The total number of appraisers is up 3 from July.

The Director also addressed the number of temporary permits issued. There were 11 permits issued in July compared to 12 permits issued in June. Director Kohtz indicated that the number of temporary permits issued continues to hold steady during 2013. Finally, Director Kohtz reported 101 AMCs registered, and 3 new AMC applications have been submitted since the last meeting.

I. FINANCIAL REPORT – AUGUST 2013

The receipts and expenditures for July were reviewed by the Director by line item with the Board. Director Kohtz provided details related to some specific July expenses. For the Real Property Appraiser Program, which includes both the appraiser fund and the AMC fund, a total of \$20,727.69 in expenditures and \$8,865.32 in revenues were reported. As of the end of July, expenses amount to 5.32 percent of the budgeted expenditures for the fiscal year; 8.49 percent of the fiscal year has passed. Director Kohtz also brought attention to the General Ledger Report. The Director informed the Board that because of the new Appraiser Fund/AMC Fund allocation procedure, expenditures are reported twice on the General Ledger Report; once for the Appraiser Fund and once for the AMC Fund. Considerations were made for expenditures for monthly obligations. No considerations were made for expenditures other than monthly obligations. Finally, Director Kohtz presented three charts outlining the Agency twelve month expenses and revenues, historic cash balance, and twelve month cash balance.

Board Member Kubert moved to accept and file the July 2013 Budget Status reports for receipts and expenditures for audit. Board Member Woodle seconded the motion. The motion carried with Langemeier, Terrell, Woodle, Kubert and Barkley voting aye.

J. GENERAL PUBLIC COMMENTS

Chairman Barkley asked for any public comments. With no comments, the Chair proceeded to education.

K. EDUCATION

Board Member Kubert moved to approve the following continuing education courses as listed:

1. Continuing Education Renewal Requests

A. McKissock, LP:

- 1. Construction Details and Trends/ 7 hours/ C2224-I**
- 2. Land and Site Valuation/7 hours/ C2866-I**

Seconded by Terrell. Chairman Barkley called for the vote. The motion carried with Langemeier, Woodle, Terrell, Kubert and Barkley voting aye.

Board Member Kubert moved to approve the following instructor as listed:

2. Instructor Requests

A. McKissock, LP:

- 1. Alan Simmons- Construction Details and Trends and Land and Site Valuation/ C2224-I and C2866-I**

Seconded by Woodle. With no further discussion, Chairman Barkley called for the vote. The motion carried with Woodle, Terrell, Langemeier, Kubert and Barkley voting aye.

L. UNFINISHED BUSINESS

- 1. COUNTY APPRAISER CONTRACTS UPDATE:** Compliance and Licensing Specialist Weir is in the process of reviewing the Tax Equalization and Review Commission exhibits for the 2013 Statewide Equalization Proceedings, and will present the findings to the Board when completed.
- 2. NEW CREDENTIAL UPDATE:** No update.
- 3. REQUEST FOR AMC REPRESENTATION ON 2015 LAW REWRITE COMMITTEE:** Donald Kelly with REVAA, a trade organization representing AMCs, made a written request for a position on the 2015 Law Rewrite Committee. The Board discussed Mr. Kelly's request, and concluded that it will not establish an official committee for the review, but instead construct a panel of appraisers and professionals to review the drafts and offer comments to the Board for consideration. The Board also concluded that any person is welcomed to provide comments regarding the drafts once they are made available for public comment. The Board asked staff to provide a response to Mr. Kelly informing him that because of the openness of the panel, he will not be an official member, but his input and thoughts are welcomed.

M. NEW BUSINESS

- 1. BOARD AND STAFF MEMBER AIRLINE TICKET REIMBURSEMENT:** The agency purchase card has been utilized by staff and board members for airline ticket purchases. A discussion took place regarding the need for a Board Policy concerning airline ticket reimbursement and purchase card use. Director Kohtz indicated that it does not affect operations either way, so the decision is left up to the Board. The Board found no reason to establish a Board Policy regarding airline ticket purchases. Board members and staff can choose to pay for the ticket and be reimbursed, or have staff book the flight with the agency purchase card.

- 2. CAP APPROVAL FOR QUALIFYING EDUCATION COURSES:** Discussion took place regarding CAP approval for elective qualifying education courses. Director Kohtz reported on his review of the statutes and rules to the Board. The Director believes that elective courses are required to be CAP approved due to language in Title 298 that includes appraisal subject matter electives as core curriculum. Board Member Kubert indicated that the Board has not interpreted the language in Title 298 this way, and believes that core curriculum courses are those identified by The Appraisal Foundation Appraisal Qualifications Board in Guide Note 1 of The Real Property Appraiser Qualifications Criteria. Board Member Kubert presented language for a Board Policy to be considered by the Board. Board Member Kubert made a motion to approve Board Policy 13-09, specifying that elective qualifying education is not required to be AQB approved. The motion was seconded by Langemeier, and carried with Woodle, Langemeier, Terrell, Kubert and Barkley voting aye.
- 3. CONTINUING EDUCATION REQUIREMENTS FOR RECIPROCAL CREDENTIAL HOLDERS:** No discussion took place.
- 4. FREEDOM OF INFORMATION ACT REPORT:** At the July meeting, Director Kohtz was charged with researching the effects of the Freedom of Information Act (FOIA) on the Board's confidentiality and public information policies. Director Kohtz reported that FOIA has no effect on the Board's confidentiality and public information policies; it is only applicable to federal government entities. When establishing confidentiality and public information policies, the Board must adhere to state statute.
- 5. APPRAISAL FOUNDATION INVESTIGATOR II TRAINING REPORT:** Board Member Kubert and Compliance and Licensing Specialist Weir attended Investigator II training in Chicago, IL from August 13th through August 17th. The two provided the Board a summary of their experience and topics covered. Both felt that the training was time well spent, but not as beneficial as Investigator I training. Some of the positives include the opportunity to meet Dennis Badger and discuss common compliance issues with other state representatives. Unfortunately, a large portion of the training was reviewing what was covered in Investigator I training, which was completed by Board Member Kubert and Compliance and Licensing Specialist Weir in June. Compliance and Licensing Specialist Weir also reported on the positive reviews the ASC has of Nebraska's program. One policy manager said that the policy managers that conducted the audit anticipated problems due to staff turnover, but were very impressed with the Board's functions. Board Member Kubert commented that he was surprised by how many non-appraiser attendees there were.
- 6. MANDATORY CREDENTIALING FOR REAL PROPERTY APPRIASAL EXPERIENCE CREDIT:** After the Appraisal Subcommittee audit was completed on July 18, 2013, an email was received from Mr. Fenochietti inquiring about mandatory trainee status in the State of Nebraska. Mr. Fenochietti indicated that because one is required to be credentialed to exercise judgment in arriving at the analyses, opinions, or conclusions concerning real estate or real property, and there are five levels of credentialing, anyone attempting to gain experience that exercises judgment concerning real estate or real property is required to be credentialed under the Real Property Appraiser Act.

Director Kohtz researched the references made by Mr. Fenochietti, and presented a report to the Board detailing his findings concerning credentialing requirements for real property appraisal experience credit. When all statutes and rules related to experience requirements, and the ability to engage in real property appraisal activity in the state are read together, the conclusion reached by the Director is that a person must be credentialed in order to acquire experience for credentialing as a licensed residential, certified residential, or certified general real property appraiser. If a person engages in any act or process of developing an analysis, opinion, or conclusion relating to the value of specified interests or aspects of identified real estate or identified real property for a fee or other valuable consideration, he or she must be credentialed under the Act; therefore, only experience hours obtained as a real property appraiser meets the statutory requirements for experience. If one does not hold a credential as a licensed residential, certified residential, or certified general real property appraiser, one must hold a credential as a trainee real property appraiser.

Director Kohtz also outlined an implementation plan for the Board to consider. The first step will be establishing a notification period to allow those currently in the process of obtaining experience time to come into compliance with the Act. A memo from the Board will be sent and information will be placed on the website. The deadline for obtaining a credential as a trainee real property appraiser for the purpose of acquiring experience for credentialing shall be January 1, 2014. Any experience obtained after January 1, 2014, must be as a credentialed real property appraiser. All experience acquired outside of the State of Nebraska, must be obtained in compliance with the Nebraska Real Property Appraiser Act.

Board Member Langemeier requested that the Board consider a Board Policy addressing this reinterpretation of the Real Property Appraiser Act. Board Member Kubert made a motion to approve Board Policy 13-10, requiring credentialing as a real property appraiser for any appraisal experienced obtained after January 1, 2014, and approve the implementation plan outlined by Director Kohtz. The motion was seconded by Board Member Woodle, and carried with Langemeier, Terrell, Woodle, Kubert and Barkley voting aye.

7. **MEMO FROM THE BOARD – 2013 CREDENTIAL RENEWAL PROCESS:** Director Kohtz presented a *Memo From the Board* addressing the 2014 credential renewal process and outlining changes to continuing education requirements for reciprocal credential holders. Due to the Board's interpretation of Neb. Rev. Stat. § 76-2236, the requirements for reciprocal credential holders are changing this year. In the past, a reciprocal credential holder must have met his or her jurisdiction's latest continuing education requirements. In the future, all Nebraska credential holders will be required to meet the continuing education requirements of Nebraska. Director Kohtz also outlined a plan to establish continuing education periods for reciprocal credential holders in the memo. The Board indicated that blending the 2014 credential renewal process and explaining the changes to continuing education requirements for reciprocal credential holders is too difficult to follow in one memo. Director Kohtz was asked to split the memo into two separate memos; one addressing 2014 credential renewal process, and one addressing changes to continuing education requirements for reciprocal credential holders. Director Kohtz indicated that he would split the memo into two separate memos. Board Member Kubert made a motion to approve two *Memos From the Board*, one addressing 2014 credential renewal process, and one addressing changes to continuing education requirements for reciprocal credential holders. In addition, both memos will be reviewed by each board member prior to sending. Seconded by Terrell, and carried with Woodle, Langemeier, Terrell, Kubert and Barkley voting aye.

8. **OCTOBER BOARD MEETING DATE:** Due to the attendance of the AARO Conference October 19th through 22nd by board members and staff, the Board wanted to consider a different date to hold the October board meeting. Chairman Barkley and Director Kohtz recommended October 10th. Board Member Kubert made a motion to move the board meeting scheduled for October 18, 2013 to October 10, 2013. The motion was seconded by Board Member Langemeier. With no further discussion, Chairman Barkley called for the vote. The motion carried with Woodle, Langemeier, Terrell, Kubert and Barkley voting aye.
9. **SEPTEMBER BOARD MEETING DATE:** Due to a scheduling conflict for Compliance and Licensing Specialist Weir, Director Kohtz requested that the Board consider moving the September board meeting to another date. The Board saw no issues with this and agreed on September 18th. Board Member Kubert made a motion to move the board meeting scheduled for September 19, 2013 to September 18, 2013. The motion was seconded by Board Member Langemeier, and carried with Terrell, Woodle, Langemeier, Kubert and Barkley voting aye.
10. **STAFF MEMBER RESPONSIBILITY CHANGES:** Director Kohtz informed the Board that the education duties have been shifted from the Compliance and Licensing Specialist position to the renamed Business and Education Specialist position to allow more time for the Compliance and Licensing Specialist position to focus on the investigative process. No further discussion took place.

Break from 1:54 p.m. to 2:05 p.m.

N. LEGISLATIVE REPORT AND BUSINESS

1. **NEBRASKA REAL PROPERTY APPRAISER ACT DRAFT:** Director Kohtz presented the drafted changes to the Real Property Appraiser Act to the Board for review. The Director went through the act from top to bottom and noted specific requests made by Chairman Barkley and Compliance and Licensing Specialist Weir. Board Member Kubert requested that all the definitions be updated to match the latest edition of USPAP. Director Kohtz responded that this will be completed. No further requests were made during the review. Director Kohtz informed the Board that he intended to break the draft into two separate bills, one for the 2015 AQB criteria changes, and one for the remaining changes. Chairman Barkley thanked the Director for his hard work drafting the changes.
2. **NEBRASKA APPRAISAL MANAGEMENT COMPANY REGISTRATION ACT DRAFT:** Director Kohtz presented the drafted changes to the Appraisal Management Company Registration Act to the Board for review. The Director went through the act from top to bottom and noted specific requests made by Chairman Barkley and Compliance and Licensing Specialist Weir. Board Member Kubert requested that the five year time limit placed on the prohibited acts be increased to ten years. Director Kohtz updated the draft to reflect Board Member Kubert's request. No further requests were made during the review.

Board Member Kubert made a motion to send the drafted changes to the Real Property Appraiser Act and Appraisal Management Company Registration Act as amended to the Bill Drafter. The motion was seconded by Langemeier, and carried with Terrell, Woodle, Langemeier, Kubert and Barkley voting aye.

3. **MASS ASSESSMENT DRAFT:** The Board reviewed draft language for a mass assessment credential developed a county assessor committee.

O. BOARD POLICIES AND PROCEDURES

1. BOARD POLICIES

- a. **NEW BOARD POLICIES:** The Board reviewed held Board Policy 13-03, and a revision to Board Policy 13-08.

The Board received information from Diane Moore concerning proposed Board Policy 13-03. Director Kohtz asked that the Board hold the policy until September, so that he has the opportunity to better review Ms. Moore’s information.

Discussion took place regarding Board Policy 13-08, which defines “true copy” of an appraisal report. During review of the policy after the July meeting, Director Kohtz found some language issues with the policy. Director Kohtz reported that the policy was lacking reference to the workfile associated with any appraisal report. The revised policy addresses this issue. Board Member Kubert asked that “and” be placed between “examples, photos”, “including” be placed between “and organization”, and finally, “of materials” be placed after “presentation.” The Director indicated that these changes will be made.

Board Member Kubert moved to take the following actions on the proposed Board Policies as listed:

- 13-03 / Hold**
- 13-08 / Approved as amended**

Seconded by Woodle. Chairman Barkley called for the vote. The motion carried with Terrell, Langemeier, Woodle, Kubert and Barkley voting aye.

- b. **CURRENT BOARD POLICIES:** No discussion took place.

- 2. **APPRAISAL MANAGEMENT COMPANY RENEWAL PROCEDURE:** Director Kohtz presented the Appraisal Management Company Renewal Procedure to the Board for review. With no further discussion, Board Member Kubert made a motion to approve the Appraisal Management Company Renewal Procedure as presented. The motion was seconded by Terrell, and carried with Langemeier, Woodle, Terrell, Kubert and Barkley voting aye.
- 3. **AUTHENTICATION OF APPRAISAL REPORT AND WORKFILE:** The Board reviewed the Authentication of Appraisal Report and Workfile document prepared by staff. The purpose of the document is to require that an appraiser requested to submit an appraisal report and workfile to the board is providing true, accurate and complete copy of the requested documents. With no further discussion, Board Member Kubert made a motion to approve the Authentication of Appraisal Report and Workfile document as presented. The motion was seconded by Woodle, and carried with Terrell, Langemeier, Woodle, Kubert and Barkley.

P. OTHER BUSINESS

- 1. **CONFERENCES/EDUCATION:** No discussion took place.
- 2. **APPRAISAL FOUNDATION**
 - a. **FIRST EXPOSURE DRAFT – VALUATION OF GREEN BUILDINGS:** No discussion took place.

Break from 3:07 p.m. to 3:16 p.m.

Board Member Kubert moved that the Board go back into executive session for the purpose of discussing investigations and personnel matters. The time on the meeting clock was 3:17 p.m. Board Member Langemeier seconded the motion. The motion carried with Terrell, Woodle, Langemeier, Kubert and Barkley voting aye.

Break from 4:27 p.m. to 4:32 p.m.

Board Member Kubert moved to come out of executive session at 4:34 p.m. Board Member Woodle seconded the motion. The motion carried with Langemeier, Terrell, Woodle, Kubert and Barkley voting aye.

C. CONSIDERATION OF APPLICANTS

1. CREDENTIALING AS NEBRASKA REAL PROPERTY APPRAISER:

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

CG13014R / Approved

CG13013R / Hold; send letter requesting explanation of 1997, 1999, and 2000 disciplinary actions and documentation in support of explanation. Request letter of good standing for all active and inactive credential numbers in resident state.

CG13015R / Approved

CR13006 / Hold

CG647 / Hold

L607 / Hold

L605 / Hold

CG631 / Hold

CR13007 / Hold

CR13009 / Select multi-family residential property appraisal report for review.

CR13012 / Hold

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

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

CG13010 / Hold

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

3. REGISTRATION AS APPRAISAL MANAGEMENT COMPANY:

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

NE2013013 / Approved

NE2013015 / Approved

NE2013007 / Approved

NE2013012 / Hold

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

D. CONSIDERATION OF DISCIPLINARY ACTIONS/ ENFORCEMENT MATTERS:

Vice Chair Kubert moved to take the following enforcement actions:

11-12 / Hold

11-26 / Hold; request that log be resubmitted on board approved form.

12-06 / Hold

12-11 / File formal charges for the alleged violation of Neb. Rev. Stat. §§ 76-2237 and 76-2238 (13), (16).

12-20 / Amend Consent Agreement to allow Respondent to complete 15-Hour Residential Report Writing and Case Studies course as requested.

12-21 / Send advisory letter.

12-27 / Hold

12-30 / Closed; Final Order signed by Board Chair.

12-31 / Hold

12-33 / Closed; Final Order signed by Board Chair.

13-05 / Closed; Final Order signed by Board Chair.

13-06 / Hold

13-07 / Notify Respondent that original terms of Consent Agreement stand.

13-08 / Dismissed without prejudice; send advisory letter.

13-09 / Hold

13-10 / Send copy of Standard 3 Review Report to Respondent.

13-14 / Consent Agreement signed by Board Chair.

13-15 / Consent Agreement signed by Board Chair.

13-20 / Hold

13-22 / Hold

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

Board Member Woodle moved to take the following enforcement actions:

12-24 / Respondent's request denied.

12-29 / Hold

13-16 / Request that Respondent recreate workfile and provide list of lost records.

13-18 / Offer Consent Agreement requiring Respondent to complete and successfully pass examination for a 15-Hour USPAP course, 30-Hour General Appraiser Sales Comparison Approach course, a 30-Hour General Appraiser Report Writing and Case Studies course, and pay \$1,650.00 for costs associated with investigation. Respondent shall also submit a quarterly log for one year beginning three months after the execution of the Consent Agreement. The Board shall select one appraisal report from each quarterly log to be submitted by the Respondent. Each appraisal report submitted to the Board by the Respondent shall have a Standard 3 review conducted, and that review shall be submitted along with the requested appraisal report. Submissions must be compliant with Nebraska law.

13-19 / Offer Consent Agreement requiring Respondent to complete and successfully pass examination for a 15-Hour USPAP course, 30-Hour General Appraiser Sales Comparison Approach course, a 30-Hour General Appraiser Report Writing and Case Studies course, and pay \$1,650.00 for costs associated with investigation. Respondent shall also submit a quarterly log for one year beginning three months after the execution of the Consent Agreement. The Board shall select one appraisal report from each quarterly log to be submitted by the Respondent. Each appraisal report submitted to the Board by the Respondent shall have a Standard 3 review conducted, and that review shall be submitted along with the requested appraisal report. Submissions must be compliant with Nebraska law.

13-21 / Hold

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

Vice Chair Kubert moved to take the following enforcement actions:

13-13 / Offer Consent Agreement requiring Respondent to complete and successfully pass examination for a 15-Hour USPAP course, a 15-Hour Residential Market Analysis and Highest and Best Use course, and pay \$750.00 for costs associated with investigation. Respondent shall also submit a quarterly log for one year beginning three months after the execution of the Consent Agreement, and shall be responsible for any costs associated with any appraisal reports selected from the logs and sent for Standard 3 review. Submissions must be compliant with Nebraska law.

13-23 / Send appraisal report and workfile for Standard 3 review. Board Member Barkley appointed as Investigating Board Member.

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

E. CONSIDERATION OF OTHER EXECUTIVE SESSION ITEMS

The Board discussed Inquiry I12-1.

The Board discussed Inquiry I12-5.

The Board discussed information provided by the organization concerning Inquiry I13-9.

The Board discussed the responses received to the Board's inquiry concerning new Inquiry I13-10, in which an individual appears to be providing appraisal services in the State of Nebraska without first obtaining proper credentialing by the Board.

The Board discussed a solicitation received by a Nebraska credentialed appraiser requesting that a Nebraska appraiser sign off on appraisal reports created by an uncredentialed individual located in another jurisdiction. The solicitation was sent through a third party virtual assistant. The Board chose to not take any action concerning this matter.

A Nebraska credentialed appraiser made a written request for approval to take all continuing education online during the current continuing education period due to extenuating circumstances. The Board discussed this request, but did not take any action.

The Board discussed personnel matters.

The Board discussed the Director's annual performance review.

Vice Chair Kubert moved to take the following actions for the above mentioned matters:

I12-1 / Closed
I12-5 / Closed
I13-4 / Hold
I13-5 / Hold
I13-6 / Hold
I13-7 / Hold
I13-9 / Hold; send letter confirming cease and desist.
I13-10 / Send cease and desist letter and notify real estate commission.
Item 10 / Hold

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

Vice Chair Kubert moved to increase the Director's compensation 5%, retroactive to July 1, 2013. Seconded by Terrell. The motion carried with Woodle, Langemeier, Terrell, Kubert and Barkley.

P. NEXT MEETING DATE – September 18, 2013, LOWER LEVEL “B” NSOB

Q. ADJOURNMENT

Board Member Kubert moved to adjourn the meeting. Board Member Woodle seconded the motion. Motion carried with Langemeier, Terrell, Woodle, Kubert and Barkley voting aye.

At 4:47 p.m. Chairman Barkley adjourned the August 22, 2013 meeting of the Real Property Appraiser Board.

Respectfully submitted,

Tyler N. Kohtz
Director

These minutes were available for public inspection on September 6, 2013, in compliance with Nebraska Statute §84-1413 (5).