

## KENTUCKY REAL ESTATE APPRAISERS BOARD

### TYPE OF MEETING

Regular Meeting

### DATE AND LOCATION

August 26, 2016 - Board Office

### PRESIDING OFFICER

Thomas Oliver, Chair

### ROLL CALL

#### Present:

Thomas Oliver, Board Member - Chair  
Dann Cann, Board Member – Vice Chair  
Kathy Mayfield, Board Member  
Jeff Fultz, Board Member  
Dwain Wheeler, Board Member

#### Present Also:

Larry Disney, Executive Director  
Tom Veit, Executive Assistant  
Angie Thomas, Staff Assistant  
Kim Mathias, Executive Secretary  
Nicole Biddle, Attorney General Office

Chair, Thomas Oliver opened the meeting by welcoming the guest in attendance.

### MINUTES

Motion by Jeff Fultz, second by Kathy Mayfield and the Board unanimously approved the July 22, 2016 minutes. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

## EDUCATION

Motion by Dwain Wheeler, second by Dann Cann and the Board unanimously approved the following education courses for Fiscal Year 2016-17. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

1. McKissock, LP
  - A. Divorce and Estate Appraisals: Elements of Non-Lender Work – 4 hours CE online
  - B. Fannie Mae Appraisal Guidelines: Debunking the Myths – 4 hours CE online
  - C. Instructor – Paul Lorenzen – Appraisal of Self Storage Facility
2. Appraiser eLearning, LLC
  - A. Appraiser's Guide to Covering Your Appraisal – 4 hours CE online
3. American Society of Farm Managers & Rural Appraisers
  - A. Introduction to Statistical Analysis for Appraisers – 8 hours CE classroom
  - B. Technology Applications in Appraisal – Google Earth – 8 hours CE classroom
4. Appraisal Institute
  - A. 2016-17 National USPAP Equivalent Course – 15 hours QE/14 hours CE Online
5. OREP Education Network
  - A. How to Support and Prove Your Adjustments – 7 hours CE Online

## EXPERIENCE REVIEW

Motion by Jeff Fultz, second by Dwain Wheeler and the Board unanimously approved the experience for the following individuals. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

1. John Brad Godbey – Approve experience for Certified General. He needs to successfully pass the CG exam.
2. Dylan Stacey – Approve experience for Certified General. He needs to successfully pass the CG exam.
3. Jay Sudkamp – Approve experience for Certified Residential. He needs to successfully pass the CR exam.

4. Toby Ward - Approve experience for Certified Residential. He needs to successfully pass the CR exam.

## CERTIFICATION/LICENSURE

Approval – Appraisers – Motion by Kathy Mayfield, second by Dwain Wheeler and the Board voted to approve the following certification list of appraisers. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

### 1. Appraisers

- A. Charles A. Bissell – Certified General (TX)
- B. Michael A. Campbell – Lexington, KY (CG in NC)
- C. Harry S. Carver – Associate
- D. Grant D. Gagnon - Associate
- E. Cyndi J. Gianneschi – Certified General (IN)
- F. Richard T. Gotcher – Associate
- G. Jordan M. Harpring - Associate
- H. Kyle Keever – Certified General (OH)
- I. Alexandria J.W. King - Associate
- J. Paul J. Link – Certified Residential (TX)
- K. Dustin M. Markwell - Associate
- L. Shawn S. McMaster – Certified General
- M. Gregory A. Miracle - Associate
- N. Robert B. Wombwell – Certified General (AL)

Approval – Appraisal Management Company– The Board recognized all requirements have been met for the following appraisal management company and a license has been issued:

### 1. Appraisal Management Company

- A. Southeastern Evaluations - #164

Applicant with prior conviction - Motion by Jeff Fultz, second by Dwain Wheeler and the Board approved the application. The certification list will be changed to reflect the approval. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

## COMPLAINT

1. The Board reviewed the Case Summary Chart. Tom Veit reported 20 appraiser cases and 0 AMC case have been filed for 2016.
2. Case No. 16-07– Motion by Dwain Wheeler, second by Kathy Mayfield and the Board unanimously agreed to dismiss the case. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.
3. Case No. 16-08– Motion by Dwain Wheeler second by Jeff Fultz and the Board agreed to set for an informal mediation and if not successful to set the case for a hearing. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.
4. Case No. 16-09– Motion by Dwain Wheeler, second by Kathy Mayfield and the Board unanimously agreed to dismiss the case. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.
5. Case No. 16-10– Motion by Dann Cann, second by Jeff Fultz and the Board agreed to set for an informal mediation and if not successful to set the case for a hearing. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.
6. Case No. 16-05– Motion by Jeff Fultz, second by Dann Cann and the Board unanimously agreed to dismiss the case with steered education. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Recused himself from any vote because he participated in the pre-adjudicative phase of this preceding.

## ATTORNEY REPORT

1. Cases pending or on appeal
  - a. Case Nos. 08-49 through 08-57 and 09-02, 09-03 and 09-07-- KY Court of Appeals – Waiting on Court to decide on appeal – Oral Argument is set for August 23, 2016 – Pending Decision by Court

## MISCELLANEOUS

The Board reviewed and discussed the following information:

- A. Budget Ending July 31, 2016 – Larry Disney advised the Board the budget is very healthy and very sustaining.
- B. Board Office Copier Rental/PSC – Appraiser Examination Contract  
Motion by Dwain Wheeler, second by Jeff Fultz and the Board approved the rental agreement with State approved vendor Xerox and the bid from PSI for the examination contract. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.
- C. Records Retention for Complaint File/Non-Disciplinary Action – As advised by legal counsel and Library and Archives the current retention schedule for dismissed cases with no findings is 3 years from date of dismissal.
- D. Kentucky Registered AMC's that add umbrella groups as DBA – The board agreed to table until Attorney can obtain additional information.
- E. Fees Charged by AMC's to KY registered appraisers – The Board agreed to table until the final rules have been passed for AMC's.
- F. Definition of Portal? - The Board will work with attorney to determine the definition of a portal and explore processing a regulation.
- G. Tom Veit request to take the online Residential Market Analysis and Highest and Best Use Course - \$330.  
Motion by Kathy Mayfield, second by Dwain Wheeler and the Board approved the request. Roll call –Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.
- H. 201 KAR 30:125 – Continuing Education for Appraisers – Completion of a 4 hour KAR and KAR course required every even numbered year.  
Motion by Kathy Mayfield, second by Dann Cann and the Board agreed to proceed with the regulation change. Roll call –Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.
- I. Board Effect Software – The staff will explore options for other alternatives to send documents and bring back to the Board for review.
- J. Email Storage Size

K. ASC 2017 Review – March 22-24, 2017

L. September Board Meeting – Friday, September 23, 2016 – Natural Bridge State Park with a Board training on Thursday, September 22, 2016 at Natural Bridge State Park

Executive Session

Motion by Jeff Fultz, second by Dwain Wheeler and Board agreed to go into Executive Session per KRS 61.810(1)(c)(f)(j)(k). Roll call –Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.

Motion by Dwain Wheeler, second by Dann Cann and Board agreed to return from Executive Session. Roll call –Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.

Case No. 16-21 - Motion by Dwain Wheeler, second by Jeff Fultz and the Board unanimously agreed to revoke by agreement, the certificate for respondent immediately and they cannot reapply for 3 years. If terms of agreement cannot be met a formal complaint and an emergency injunction will be filed. Roll call –Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.

Motion by Dann Cann, second by Dwain Wheeler and the Board agreed to adjourn the meeting. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.



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Chair



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Staff Assistant