

## COMMON INTEREST COMMUNITY BOARD

### MINUTES OF MEETING

The Common Interest Community Board met on Thursday, September 4, 2008, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 4, Richmond, Virginia 23233.

The following members were present:

F. James Ahlberg  
Pamela Coerse  
Ronda S. DeSplinter  
Kimberly B. Kacani  
Douglas M. Kleine  
Milton W. Matthews  
R. Lee Merritt  
Scott E. Sterling  
Lucia Anna Trigiani  
Katherine E. Waddell  
Glenn H. Silver (arrived at 9:51 a.m.)

The DPOR staff present for all or part of the meeting included:

Jay W. DeBoer, Director  
Mark N. Courtney, Deputy Director of LRD  
Nick Christner, Deputy Director of CID  
Trisha L. Henshaw, Executive Director  
Thomas K. Perry, Property Registration Administrator  
Betty C. Jones, Administrative Assistant  
Heather Gillespie, Ombudsman  
Cynthia Schrier, Complaint Analyst  
Lisa Robinson, Licensing Specialist

Steven Jack from the Office of the Attorney General was present.

Jay DeBoer, Director, called the meeting to order at 9:35 a.m. Mr. **Call to Order**  
DeBoer welcomed everyone.

Trisha Henshaw introduced the Board members and the staff. Ms. **Election of**  
Henshaw opened the floor for nominations of Chair and Vice Chair. **Chair**  
Ms. Kacani moved to nominate Ms. Trigiani as Chair. Ms. Coerse  
seconded the motion which was unanimously approved by: Ahlberg,  
Coerse, DeSplinter, Kacani, Kleine, Matthews, Merritt, Sterling,  
Trigiani and Waddell. Ms. Trigiani was elected Chair. Ms. Trigiani  
immediately began presiding as Chair of the meeting.

Ms. Kacani moved to nominate herself as Vice-Chair. Ms. Coerse seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Kleine, Matthews, Merritt, Sterling, Trigiani and Waddell. Ms. Kacani was elected Vice Chair.

**Election of Vice-Chair**

Ms. DeSplinter moved to approve the agenda. Ms. Coerse seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Kleine, Matthews, Merritt, Sterling, Trigiani and Waddell.

**Approval of Agenda**

Chair Trigiani opened the floor for public comment. W. Cary Brent, Jr., addressed the Board during the Public Comment Period concerning the applicability of the law to certain associations.

**Public Comment**

Board member Glenn H. Silver arrived at 9:51 a.m.

**Arrival of Board Member**

Ms. Henshaw provided an overview of the law which created the Board and various changes that were necessitated by the enactment of legislation related to common interest communities.

**Board Overview**

After introducing Mr. Silver to the Board, the Board recessed at 10:45 a.m. and reconvened at 10:55 a.m.

**Introduction of Mr. Silver & Break**

Mr. Courtney provided training to the Board members on their roles and responsibilities, as well as the regulatory review process.

**New Board Member Training**

Chair Trigiani selected Vice-Chair Kacani to chair the Regulatory Review Committee. After discussion, Ms. Kacani moved to have the following Board members serve on the committee: Mr. Kleine, Mr. Merritt and Mr. Ahlberg. Public members who will be invited to serve are Paul Orlando, Armstrong Management; Trey Adams, McGuire Woods; Chris Melson, CFM Management; and Mike Inman, Inman & Strickler. Ms. Kacani further moved to accept the recommendation of having Real Estate Board member Scott Gaeser serve on the committee. Mr. Silver seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Kleine, Matthews, Merritt, Sterling, Trigiani, Silver and Waddell.

**Selection of Regulatory Review Committee**

The Board reviewed the Model Public Participation Guidelines. After review, Ms. Waddell moved to adopt the amended Public Participation Guidelines. Mr. Matthews seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Kleine, Matthews, Merritt, Sterling, Trigiani, Silver and Waddell.

**Adopt and Amend the PPG**

It was the consensus of the Board to defer the adoption of emergency Common Interest Community Manager Regulations until later in the meeting.

**Defer Adoption of  
Emergency CICM  
Regulations**

Mr. Merritt moved to adopt the filing of the Notice of Intended Regulatory Action for Common Interest Community Manager Regulations. Ms. Waddell seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Kleine, Matthews, Merritt, Sterling, Trigiani, Silver and Waddell.

**Adopt Filing of  
NOIRA for CICM  
Regulations**

The Board reviewed the draft emergency condominium regulations. Mr. Sterling moved to adopt the amended emergency Condominium Regulations. Mr. Ahlberg seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Kleine, Matthews, Merritt, Sterling, Trigiani, Silver and Waddell.

**Adopt Emergency  
Condominium  
Regulations**

Mr. Matthews moved to adopt the filing of the Notice of Intended Regulatory Action for Condominium Regulations. Ms. Waddell seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Kleine, Matthews, Merritt, Sterling, Trigiani, Silver and Waddell.

**Adopt Filing of  
NOIRA for  
Condominium  
Regulations**

The Board agreed by consensus to suspend discussion of the draft Time-Share Regulations and revisit the discussion later in the meeting.

**Draft Time-Share  
Regulations**

The Board reviewed the draft Common Interest Community Management Information Fund Regulations, which staff advised could be adopted through an exempt action in accordance with regulatory review guidelines. After review, Mr. Matthews moved to authorize the staff to proceed with filing for an exempt action to adopt the Common Interest Community Management Information Fund Regulations. Mr. Ahlberg seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Kleine, Matthews, Merritt, Sterling, Trigiani, Silver and Waddell.

**Filing an Exempt  
Action for CICMIF  
Regulations**

The Board agreed by consensus to defer adoption of proposed meeting dates until later so that members could check their calendars.

**Defer Proposed  
Meeting Dates**

The Board revisited the discussion of the draft Time-Share Regulations. After discussion, Ms. Waddell moved to authorize staff to proceed with filing for an exempt action for adoption of the Time-Share Regulations. Ms. Coerse seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Kleine, Matthews, Merritt, Sterling, Trigiani, Silver and Waddell.

**Revisited Draft  
Time-Share  
Regulations**

Ms. DeSplinter moved to have all Board meetings begin at 9:30 a.m. and to adopt the following meeting schedule:

**Future  
Meeting Dates**

September 15, 2008  
October 15, 2008  
December 2, 2008  
February 12, 2009  
April 28, 2009  
July 21, 2009  
October 13, 2009

Ms. Coerse seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Kleine, Matthews, Merritt, Sterling, Trigiani, Silver and Waddell.

The Board recessed for lunch from 12:05 p.m. until 12:20 p.m.

**Lunch**

The Board members were provided with training on the Conflict of Interest Act.

**COIA Training**

The Board members were provided with all applications used for registrations, as well as the Association Disclosure Packet Notice. After review, Ms. Kacani moved to approve the applications as modified. Mr. Kleine seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Kleine, Matthews, Merritt, Sterling, Trigiani, Silver and Waddell.

**Other  
Business/Review  
Applications**

The Chair appointed the following members to review the Association Disclosure Packet Notice and provide the Board with recommendations for amendment: Ms. DeSplinter, Mr. Merritt, and Ms. Waddell.

**Review  
Association  
Disclosure Packet**

The Board revisited the review of the draft emergency Common Interest Community Manager Regulations.

**Review Draft  
Emergency CICM  
Regulations**

The Board recessed at 3:36 p.m. and reconvened at 3:45 p.m.

**Break**

The Board continued the review of draft emergency Common Interest Community Manager Regulations. After extensive review, the Chair directed staff to develop several alternatives to the methods for licensure. The Board then agreed by consensus to schedule another meeting on September 15, 2008 to continue the review of the draft regulations.

**Review Draft  
Emergency CICM  
Regulations**

The Board members were reminded to complete their conflict of interest

**Conflict of Interest**

forms and travel vouchers.

**and Travel Voucher  
Forms**

There being no further business, the meeting was adjourned at 5:06 p.m. **Adjourn**

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Lucia Anna Trigiani, Chair

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Jay W. DeBoer, Secretary

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