

COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The Common Interest Community Board met on Monday, September 15, 2008, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia 23233.

The following members were present:

F. James Ahlberg
Pamela Coerse
Ronda S. DeSplinter
Kimberly B. Kacani, Vice Chair
Milton W. Matthews
R. Lee Merritt
Scott E. Sterling
Lucia Anna Trigiani, Chair
Katherine E. Waddell

Board members Douglas Kleine and Glenn Silver were not in attendance.

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

Jay W. DeBoer, Director
Mark N. Courtney, Deputy Director of LRD
Trisha L. Henshaw, Executive Director
Thomas K. Perry, Property Registration Administrator
Betty C. Jones, Administrative Assistant
Cynthia Schrier, Complaint Analyst

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

Ms. Trigiani, Chair, called the meeting to order at 9:33 a.m.

Call to Order

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

Approval of Agenda

Ms. Waddell moved that the Board approve the minutes of its September 4, 2008, meeting. Mr. Matthews seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Matthews, Merritt, Sterling, Trigiani and Waddell.

Approval of Minutes

Chair Trigiani opened the floor for public comment. No members of the public were present.

**Public Comment
Period**

Chair Trigiani provided an overview of the legislation that created the Board, including background information and the history of the programs.

**Legislative
Overview**

The Board reviewed the draft emergency Common Interest Community Manager Regulations. Mr. Sterling moved to adopt the changes in the draft emergency Common Interest Community Manager Regulations. Ms. Kacani seconded the motion. After discussion, Mr. Sterling, with a second by Ms. Kacani, withdrew the motion. The Board was provided with an additional option for the basis of the draft regulations. After further discussion, Mr. Sterling moved to utilize the handout that was provided at the meeting as the basis for the review. Mr. Matthews seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Matthews, Merritt, Sterling, Trigiani and Waddell.

**Changes to the Draft
Emergency Common
Interest Community
Manager
Regulations**

The Board recessed at 11:10 a.m. and reconvened at 11:29 a.m.

Break

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

**The Draft
Emergency
Common Interest
Community
Manager
Regulations**

The Board recessed for lunch from 12:10 p.m. to 12:45 p.m.

Lunch

Ms. Waddell departed at 1:08 p.m.

**Ms. Waddell's
Departure**

After extensive discussion, Ms. Kacani moved to adopt the emergency Common Interest Community Manager Regulations as revised and approved subject to the circulation of regulation revisions and lack of objection. Ms. DeSplinter seconded the motion which was unanimously approved by: Ahlberg, Coerse, DeSplinter, Kacani, Matthews, Merritt, Sterling and Trigiani.

**Adopt Emergency
Common Interest
Community
Manager
Regulations**

After receiving multiple inquiries regarding the terms "gross assessment income" and "reserve balance" as used in the Code, Ms. Henshaw asked for clarification from the Board.

Other Business

The Board considered the meaning of "gross assessment income" as it is used in § 55-516.1.C and § 55-79.93:1.C of the Code of Virginia and agreed by consensus that this amount would include any mandatory fees that are imposed by the association on its members. This would not include voluntary amenity fees ("user fees"), but would include any other mandatory fees including, but not limited to, neighborhood assessments, mandatory maintenance fees, special assessments, fines, etc.

In addition, the Board discussed "reserve balance" as it is used in § 55-514.2.B of the Property Owners Association Act and § 55-79.81.B of the Condominium Act. The Board agreed by consensus this would be the amount in reserves at the end of the fiscal year, plus what they plan to add to the reserve balance, plus one-fourth of the planned assessment income for the coming year. The bond must cover the highest amount that the reserve balance could be during the year, plus one-fourth in accordance with the Code requirements.

The Board members were reminded to complete their conflict of interest forms and travel vouchers.

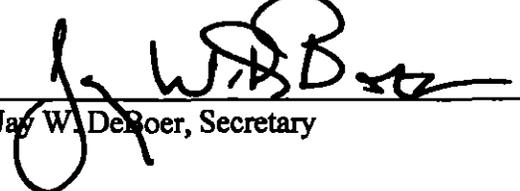
**Conflict of Interest
and Travel Voucher
Forms**

There being no further business, the meeting was adjourned at 2:52 p.m.

Adjourn



Lucia Anna Trigiani, Chair



Jay W. DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Lucia Anna Trigiani
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 15, 2008

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this
meeting.


Signature

September 15, 2008
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Kimberly B. Kacani
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 15, 2008

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

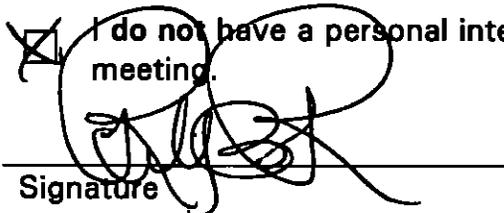
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Signature



Date

9-15-08

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: F. James Ahlberg
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 15, 2008

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

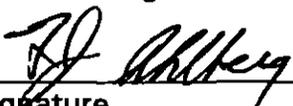
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this
meeting.



Signature

9/15/08

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Ronda S. DeSplinter
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 15, 2008

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

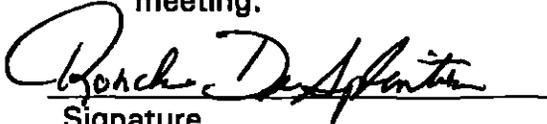
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this
meeting.


Signature

9-15-08
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Scott E. Sterling
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 15, 2008

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Scott E. Sterling
Signature

15 September 2008.
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Katherine E. Waddell
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 15, 2008

— left
1:30 pm

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Katherine E. Waddell
Signature

9/15/08
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Pamela Coerse
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 15, 2008

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this
meeting.

Pamela J Coerse
Signature

9/15/08
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Milton W. Matthews
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 15, 2008

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

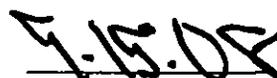
I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this
meeting.

Signature



Date



**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: R. Lee Merritt
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 15, 2008

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

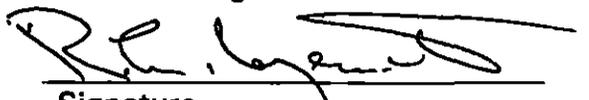
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this
meeting.



Signature

9/15/08

Date