

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, 2nd 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 Chair**
Henshaw opened the floor for nominations of Chair and Vice 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

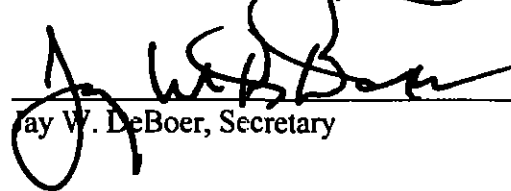
forms and travel vouchers.

**and Travel Voucher
Forms**

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



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: Pamela Coerse
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 4, 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 S Coerse
Signature

9/4/08
Date

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

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

1. Name: Glenn H. Silver
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 4, 2008

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

Nature of Personal Interest Affected by Transaction:

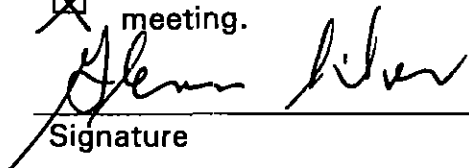
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

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

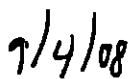
or

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: Douglas M. Kleine
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 4, 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

9/4/08

**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 4, 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.

F. J. Ahlberg
Signature

9/4/08
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 4, 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

9-4-08
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 4, 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:

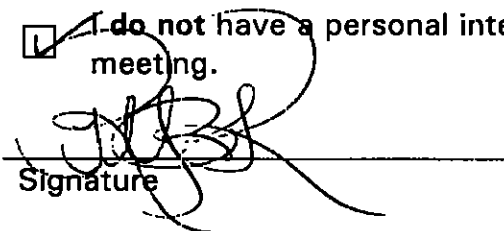
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

9-4-08

**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 4, 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:

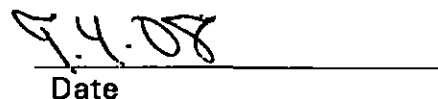
I am able to participate in this transaction fairly, objectively, and in the public interest.

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 4, 2008

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

Nature of Personal Interest Affected by Transaction:

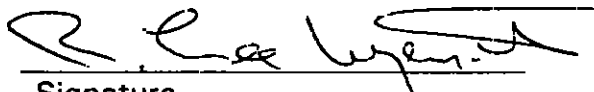
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

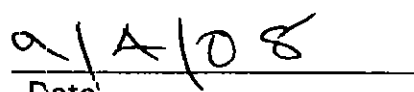
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

4 Sept. 2008.
Date

**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 4, 2008

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

Nature of Personal Interest Affected by Transaction:

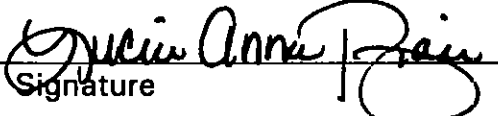
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

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 4, 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 4, 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.

Katherine E. Waddell
Signature

9/4/08
Date