

**MEETING OF THE RHODE ISLAND
REAL ESTATE APPRAISERS BOARD**

DATE: April 7, 2010

TIME: 9:30 a.m.

**PLACE: Department of Business Regulation
68-1 Conference Room
1511 Pontiac Avenue
Cranston, RI 02920**

MEMBERS PRESENT:

William Coyle, III - Chairman, S. Keith White, Jr. – Vice Chairman, Thomas Andolfo, William Benell, Rory Budlong, Kenneth Cote, Lee Gallucci, Gregory Kwiatkowski, Jamie Moore, Ellen Balasco – Deputy Chief of Legal Services, DBR, William DeLuca – Acting Real Estate Administrator, Deanna Daniels – Appraisal Section Licensing Aide.

The Chairman called the meeting to order at 9:30 a.m.

The Chairman called for election of officers in accordance with RI Gen. Laws, § 5-20.7-4 and asked for nominations. Keith White nominated William Coyle, III for Chairman. Seconded by Lee Gallucci. Lee Gallucci nominated Keith White as Vice-Chairman. Seconded by Jamie Moore. Keith White made a motion to close nominations. Seconded by Lee Gallucci. All were in favor of closing nominations. Motion passed. All were in favor of election of nominated officers. Motion passed.

The Chairman advised the Board that the minutes from the last meeting were not prepared in time for the Board to review. Ellen Balasco advised the Board that draft minutes may be filed with the Secretary of State's office in order to comply with the thirty-five day rule. The completed minutes should then be forwarded to the Board for their review and approval at the next scheduled meeting. Jamie Moore made a motion to post the draft minutes with the Secretary of State's office and the Board to approve them at its next meeting. Seconded by Lee Gallucci. All were in favor.

The following courses and seminars were reviewed. Kenneth Cote made a motion to approve the courses submitted for a period of one year. Seconded by Jamie Moore. All were in favor.

**American Society of Farm Managers & Rural Appraisers
Oil, Gas and Minerals Appraisal Seminar**

Appraisal Institute (Chicago Chapter)

Advanced Income Capitalization

Appraising Historic Preservation Easements

Appraisal Opportunity: The Lending World in Crisis

Introduction to Conservation Easement Valuation

MA Board of Real Estate Appraisers

Appraising Easements

12 Things Commercial Appraisers Should Know

RI Association of Realtors

Appraisal Report Writing

Environmental Issues in Real Estates

Comments on the Appraisal Management Company Registration and Regulation Model Act were discussed. The Chairman reported that three separate members of the Rhode Island General Assembly inquiring about the act contacted him. Public guest, Henry Grover of Rels Valuation, addressed the Board on his company's desire to assist the Board in developing and implementing legislation. A general discussion ensued over legislation being proposed and discussed by the Board.

The confusing nature on the rules of Recusal and Abstention on Board Matters was discussed and clarified by DBR legal counsel, Ellen Balasco. Ellen advised the Board, consistent with her email

previously sent to all members, that the Ethics rule requires that an official recuse him or herself when a vote on any matter pending before the Board could potentially result in a financial benefit to the Board member, their extended family or business. The Board was further advised that a recusal is not the same as abstaining, which means that the public official does not vote, but may participate in discussions on a matter. A general discussion took place amongst the Board members.

The Chairman asked for an update on the revision of the unlicensed activity letter drafted by the legal division and inquired whether or not the revised letter had been sent to Paul Hogan. William DeLuca confirmed that an unlicensed activity letter was sent to Mr. Hogan.

Due to a shortage of work and supervision available to new trainees, a question was posed by a newly licensed trainee on the limitations, if any, for working for more than one supervising appraiser at a time. Ellen Balasco reported that the statute does not specifically preclude a trainee from having more than one supervisor but that this may be problematic in a case where there are multiple supervising appraisers in terms of accountability for a trainee have been trained inadequately. A general discussion ensued on the matter. Thomas Andolfo made a motion to limit trainees to one supervisor. Seconded by Lee Gallucci. All were in favor.

An upgrade request submitted by Bradford Hevenor was reviewed.

Ken Cote was unsure if he had reviewed Hevenor's file. He will review Deanna's files at the break.

An upgrade request submitted by Paul Seymour was reviewed. Ken Cote made a motion that the experience section of Mr. Seymour's upgrade be approved. Seconded by Keith White. All were in favor.

At 10:20 a.m. a five-minute break was called before entering into executive session. At 10:27 a.m. the meeting resumed.

Ken Cote reported that after reviewing Deanna's file on Hevenor he did recall reviewing and made a motion that the experience section of his upgrade be approved. Seconded by Gregory Kwiatkowski. All were in favor. Motion passed.

Lee Gallucci made a motion to convene into executive session at 10:30 a.m. pursuant to RI General Laws, § 42-46-5(a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Seconded by Gregory Kwiatkowski. Keith White left the hearing room.

Keith White made a motion to adjourn from executive session and to reconvene to an open meeting at 12:48 p.m. pursuant to RI General Laws, § 42-46-4. Seconded by Lee Gallucci. All were in favor.

Keith White made a motion to seal the minutes of the executive

session and record the votes taken in executive pursuant to RI General Laws, § 42-46-4 and § 42-46-5. Seconded by Lee Gallucci. All were in favor.

Keith White made a motion pursuant to RI General Laws, § 42-46-4 that the Board defers disclosures of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken pursuant to RI General Laws, § 42-46-5(a). Seconded by Lee Gallucci. All were in favor.

The Chairman asked for any public comments. There being none, Keith White made a motion to adjourn. Seconded by Lee Gallucci. All were in favor. The meeting was adjourned at 12:50 p.m.

The next scheduled meeting will be held on May 5, 2010 at 9:30 a.m.

Respectfully submitted,

William J. DeLuca

Acting Real Estate Administrator