

**MINUTES**  
**REGULATORY COUNCIL OF COMMUNITY ASSOCIATION MANAGERS**  
**May 18, 2018**  
**10 a.m. EST**  
**Conference Call Meeting**

**CALL TO ORDER**

Vice Chair Angela Phillips called the meeting to order at 10 a.m.

**MEMBERS PRESENT**

Angela Phillips, Vice Chair  
Sharon Cunningham  
Lisa Riddle  
Robert "Bob" Sibley

**MEMBER ABSENT**

Gary Pyott

**OTHER PERSONS PRESENT**

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)  
Megan Silver, Assistant General Counsel, DBPR  
Lynette Norr, Assistant Attorney General, Office of the Attorney General  
Julie Rowland, Government Analyst, DBPR  
Matthew Green, Community Association Institute  
John Krueger, Associa  
Sara Duginske, Community Association Managers International Certification Board

**ATTENDANCE**

Mr. Gary Pyott had previously requested to be absent from this conference call. The Council agreed that this was an excused absence.

**APPROVAL OF THE MINUTES FROM THE FEBRUARY 9, 2018, MEETING**

Ms. Lisa Riddle moved to approve the meeting minutes from February 9, 2018. Ms. Sharon Cunningham seconded the motion. The motion passed unanimously.

**REPORTS**

**PROSECUTING ATTORNEY REPORT – Megan Silver**

**Case Reports**

Ms. Megan Silver gave an overview of the Prosecuting Attorney Report included in the agenda. Ms. Robyn Barineau informed the Council that the report with the allegation codes will be provided at a later date by email.

**Counsel Report – Lynette Norr**

**Rules Report**

Ms. Lynette Norr mentioned the report included in the agenda materials. She added that the amendment to Rule 61E14-3.001, Florida Administrative Code – Fees, related to the elimination of the duplicate license fee, is moving through the rulemaking process. The Joint Administrative Procedures Committee (JAPC) did make a comment about a portion of the rule related to the delinquent fee. JAPC indicated that the fee needed to be adjusted from \$50 to \$25 based on a legislative change to Section 455.271, Florida Statutes. After further discussion, Ms. Riddle moved to change the delinquent fee to \$25. Mr. Bob Sibley seconded the motion. The motion passed unanimously.

The Council addressed the Statement of Estimated Regulatory Costs (SERC). The Council determined that this rule amendment would not have an adverse impact on small business nor will it be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule amendment. Ms. Riddle made a motion that no SERC was necessary. Ms. Cunningham seconded the motion. The motion passed unanimously.

The Council discussed whether or not this rule amendment would constitute a minor violation. Ms. Riddle made a motion that this rule amendment would not create a minor violation. Ms. Cunningham seconded the motion. The motion passed unanimously.

Ms. Norr informed the Council that she received another letter from JAPC regarding Rule 61E14-3.002, Florida Administrative Code – Special Assessment. She reminded the Council that a similar letter was sent to her last year asking if this rule should be repealed, and the Council agreed to maintain the rule for possible future action. After additional discussion, Ms. Riddle moved to maintain the rule and have Ms. Norr send a response to JAPC informing them of such. She added that should future JAPC letters be received related to this rule situation, that she should send a similar response. Mr. Sibley seconded the motion. The motion passed unanimously.

### **Delegation of Authority**

Ms. Norr reported that it is wise to maintain a delegation of authority for all boards, councils and commissions. The Council reviewed the proposed delegation of authority provided in the agenda materials. Ms. Riddle moved to approve the proposed delegation of authority. Ms. Cunningham seconded the motion. The motion passed unanimously. Ms. Barineau asked that an original be signed by the Chair and provided to her to keep in the official Council office records.

### **Federal Trade Commission Opinion and Order**

Ms. Norr indicated that she provided this documentation for informational purposes.

### **Sunshine Law and Ethics**

Ms. Norr gave a brief overview of the Sunshine Law and ethics as they relate to being a Council member. Ms. Barineau added that complete Council member training will be provided at the November meeting.

## **EXECUTIVE DIRECTOR – Robyn Barineau**

### **Renewal Notice Inserts**

Ms. Barineau informed the Council that she will attend a renewal notice meeting next week as the renewal notices will be finalized, printed and mailed within the next couple of weeks. She asked for informational suggestions for inclusion on the renewal notice inserts. It was suggested that the Standards of Professional Conduct rule be included should there be sufficient space for the entire text. Ms. Barineau will research.

### **Paperless Agendas**

Ms. Barineau mentioned that she received approval for Council member laptops which were ordered and have been received. She added that there are limited capabilities on the devices. Council members will be able to download agendas, make notes on the agendas, and will have access to a current copy of the laws and rules. Vice Chair Phillips, Ms. Cunningham and Mr. Sibley requested a laptop, but Ms. Riddle declined.

### **Financial Report**

Ms. Barineau informed the Council that as of December 31, 2017, their operating account balance was (\$492k) and their unlicensed activity account balance was \$206k. She added that CAM licenses will renew September 30, 2018, so there will be a spike in revenue over the next six months.

### **Paperless Licenses**

Ms. Barineau mentioned that the paperless licensing initiative continues to progress with an anticipated go-live date of the first full week of June. She reminded the Council that all initial licenses will be paperless after that date, as will all renewed licenses.

### **Future Meeting Dates**

August 10, 2018 – Telephone conference call  
November 2, 2018 – Gainesville  
February 22, 2019 – Telephone conference call  
May 17, 2019 – Telephone conference call  
August 2, 2019 – Telephone conference call  
November 8, 2019 – Fernandina Beach

## **NEW BUSINESS**

Mr. Sibley mentioned Ms. Dawn Warren's service on the Regulatory Council of Community Association Managers. Ms. Barineau added that she will be missed and that she was recently appointed to the Florida Real Estate Appraisal Board.

Mr. Sibley asked about incorporating language in the rules relating to sexual harassment. After discussion, Ms. Norr agreed to research the Council's laws and rules and provide information at the next Council meeting.

## **ELECTIONS**

Nominations were solicited for the position of Chair of the Regulatory Council of Community Association Managers. Mr. Sibley nominated Ms. Riddle for Chair of the Council. Ms. Cunningham nominated Ms. Phillips for Chair of the Council. Ms. Riddle respectfully declined the nomination and suggested a rotation system for Council Chair and Vice Chair. There being no further discussion, a vote was taken by roll call, and Ms. Phillips was unanimously elected Chair of the Council.

Nominations were solicited for the position of Vice Chair of the Regulatory Council of Community Association Managers. Ms. Phillips nominated Ms. Riddle for Vice Chair of the Council. There being no further discussion, a vote was taken by roll call, and Ms. Riddle was unanimously elected Vice Chair of the Council.

## **ADJOURNMENT**

There being no further business to come before the Council, Ms. Cunningham made a motion to adjourn. Ms. Riddle seconded the motion. The motion passed unanimously, with the meeting adjourning at 11:12 a.m.