

**Regulatory Council for  
Community Association Managers**

Department of Business and Professional Regulation  
1940 North Monroe Street  
Tallahassee, Florida 32399  
Friday, February 6, 2009 @ 8:30am est.

**CALL TO ORDER**

The meeting was called to order at 8:45am by Mr. Millard H."Chris" Brown, Council Chair. The meeting was opened with the roll call and a quorum was established.

**ROLL CALL** (Council Members Present)

Chris Brown, Chair  
Steven Czonstka  
Terrace Brennan  
Margaret Rogers (*excused absent*)  
Patricia Rogers

**NEW COUNCIL MEMBERS**

Ronald Clifton  
Kelly Moran

**STAFF PRESENT**

Charles Drago, Secretary, DBPR  
Anthony B. "Tony" Spivey, Executive Director  
Tim Vaccaro, Director  
Renese Jones, Government Analyst  
Pam Sewell, Administrative Assistant  
Barbara Edwards, Assistant Attorney General  
Phil Monte, Prosecuting Attorney  
Charles Tunncliff, Chief Attorney

Mr. Spivey stated he received confirmation from Ms. Maggie Rogers that her doctor did not want her to travel and she will not be attending the meeting.

**OTHERS PRESENT**

Dawn Bauman  
Jeff Ewaldt, CAM  
Erin Sullivan  
Paul Bartolo, DBPR Staff

Mr. Spivey introduced Ms. Kelly Moran and Mr. Ronald Clifton as the new board members and indicated they will be sitting in on the meeting but will not be participating. He also re-introduced Ms. Jones as the Government Analyst and

Ms. Pamela Sewell as his new assistant and stated she will be sitting in on the meeting as well. He indicated that he had a special guest and he proceeded to introduce the Secretary of the Department, Mr. Charles Drago.

Mr. Drago gave a brief introduction of his background and indicated that his door is always open and stated staff and council is doing an outstanding job for the department and the citizens on the state of Florida.

## **REVIEW AND APPROVAL OF THE MINUTES FROM THE AUGUST 8, 2008 MEETING**

Ms. Rogers requested that her last name (Libert) to be removed from the minutes. The Council approved the minutes with the one noted correction.

**MOTION:** Ms. Patricia Rogers moved to approve the minutes with no other corrections.

**SECOND:** Mr. Brennan seconded the motion and it passed unanimously.

Mr. Brennan inquired to the council on Ms. Maggie Rogers' behalf for her to attend the live meeting via conference call. He was informed that the room was not set up for a conference call and his request was denied.

Mr. Brennan indicated staff removed information from the agenda without notifying the council.

Mr. Vaccaro indicated that his staff did not remove information from the agenda. He stated that Mr. Spivey consulted with the Chair and the two agreed to delay the elections due to the new appointments being made via the Governor's office. Mr. Vaccaro wanted it to be clear that his staff did not remove any information from the agenda.

## **BUDGET AND FINANCIAL MANAGEMENT**

Ms. Whitten introduced herself as the Director of the office of Budget and Financial Management. She reported the operating account has an ending balance of \$1,997,582 and unlicensed activity account has an ending balance of \$176,801. Also, she gave an overview of the state planning and budgeting procedures and process and the actual and projected revenues, expenses and changes in account balance for fiscal years ending in June 30, 2005 through June 30, 2013.

## **CHAIR REPORT**

At the next meeting Mr. Brown will be resigning his position as Chair for the council due to health reasons. Mr. Brown indicated that the department was notified of the new appointments and he thought it would be fair to wait and give the entire council an opportunity to vote on the elections.

Mr. Brown apologized on behalf of the entire council for remarks from council members via e-mail directed toward staff. He stated that staff is doing a great job and the council members need to work with staff and not against them.

### **COUNCIL COUNSEL REPORT**

Ms. Edwards stated that there were no rules to be reported. She informed the Council that the Department Rules had been moved to Section 61E14 and that includes 61E14-1001 through 61E14-4004. She requested a motion to continue the process.

**MOTION:** Ms. Patricia Rogers made a motion to approve the rule process.

**SECOND:** Mr. Czonstka seconded the motion and it passed unanimously.

Ms. Edwards also asked the council for permission to change the cross references and the citations.

**MOTION:** Ms. Patricia Rogers made a motion to approve the changes.

**SECOND:** Mr. Czonstka seconded the motion and it passed unanimously.

The council as a committee and Ms. Edwards reviewed and made several changes to rules 61E14 and at the end of the review Ms. Edwards requested a motion from the committee to continue the process of rulemaking authority.

**MOTION:** Ms. Patricia Rogers made a motion to approve the rulemaking authority with the noted changes.

**SECOND:** Mr. Czonstka seconded the motion and it passed unanimously.

### **PROSECUTING ATTORNEY'S REPORT**

Mr. Monte explained the disciplinary codes to the committee and stated a copy of the prosecuting attorney's report was provided in the agenda.

Mr. Spivey submitted a letter from Mr. Richard S. Pitrowski that was submitted by Mr. Benson. The information he submitted appeared as if the department is sending information to the licensee and they are not.

The department is encouraging individuals to submit their e-mail addresses to the department

Ms. Edward submitted a copy of a letter to the council members where she addressed Mr. Bergemann of Cyber Citizens for Justice. Since that time, Ms. Edwards noted that Mr. Bergemann has taken Ms. Edwards letter out of context and posted comments about her on the website.

Mr. Brown agreed with Ms. Edwards' letter and he supported her decision that was given to the council and to Mr. Bergemann.

### **SUGGESTED TOPICS FOR THE NEXT MEETING**

Ms. Patricia Rogers made comments for the suggested topic section for the next meeting as following:

1. Standards for Industry (*personal standards*)
2. Public Information Program
3. Brief summary of what condo, time shares and mobile homes does (*continuing education*)
4. Public Service Announcement (PSA)

Mr. Brown would like for someone from the PSA section to attend the meeting because it's time for the council to start planning for 2009-2010.

Mr. Czonstka would like the council to be provided an update on the privatization for the Community Association Managers at the next meeting.

Mr. Brennan had questions and concerns regarding the elections at the next meeting.

Ms. Edwards stated that there will be a roll call during elections.

### **NEXT MEETING**

Forthcoming Meeting Date

May 8, 2009 – phone meeting

### **ADJORNMENT**

**MOTION:** Ms. Patricia Rogers moved to adjourn the meeting.

**SECOND:** Mr. Czonstka seconded the motion and it passed unanimously.

The meeting was adjourned at 3:00pm.