

MINUTES OF THE MEETING

**REGULATORY COUNCIL OF COMMUNITY
ASSOCIATION MANAGERS
One Ocean Resort & Spa
1 Ocean Boulevard
Atlantic Beach, FL
November 7, 2014**

CALL TO ORDER

Chair Warren called the meeting to order at 9:02 a.m.

Members Present

Dawn Warren, Chair
Pedro Allende (via conference call)
Sharon Cunningham
Angela Phillips, Vice-Chair

Members Not Present

Margaret Rogers

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Deborah Loucks, Assistant Attorney General
John Cary, Chief Attorney
Radika Puri, Prosecuting Attorney
Patrick Cunningham, Deputy General Counsel for Professions
Josh Kendrick, Prosecuting Attorney
Sandra Rentfrow, RPA, Jacksonville Regional Office
Jared Spong, Investigator, Jacksonville Regional Office
Matthew Green, Community Associations Institute
Sara Duginske, CAMICB
Mark Benson (via conference call)
Lalonda Hall, Court Reporter

It was noted that Ms. Rogers had not notified the staff that she would not be in attendance at the meeting.

APPROVAL OF THE MINUTES OF THE MEETING

August 15, 2014

MOTION: Vice-Chair Phillips made a motion that the Council approve the minutes as submitted.

SECOND: Ms. Cunningham seconded the motion and it passed unanimously.

RULE 61E14-2.001, F.A.C. – STANDARDS OF PROFESSIONAL CONDUCT

October 10, 2014 Comments from the Joint Administrative Procedures Committee

October 15, 2014 Letter from Assistant Attorney General Lawrence Harris to the Joint Administrative Procedures Committee

Ms. Loucks informed the Council that Mr. Harris was unable to attend this meeting, however, he provided draft language for their review. She reviewed all the comments listed in the JAPC letter of October 20, 2014, with the Council. It was determined that if Chapter 721, F.S., should be included, the statutes would need to be amended.

Ms. Loucks stated that Mr. Harris suggested that if the council agrees with the proposed draft language, they could reopen the rule for development or create a new rule.

MOTION: Vice-Chair Phillips made a motion that the Council approve the draft language as proposed.

SECOND: Ms. Cunningham seconded the motion which passed with Mr. Allende abstaining from voting as he did not have a copy of the draft language for review.

MOTION: Vice-Chair Phillips made a motion to allow Mr. Harris to proceed with filing a notice of change of the rule.

SECOND: Ms. Cunningham seconded the motion and it passed unanimously.

Ms. Loucks asked the Council to determine if a Statement of Economic Regulatory Costs (SERC) was necessary.

MOTION: Vice-Chair Phillips made a motion that the Council determined that no SERC was required.

SECOND: Ms. Cunningham seconded the motion and it passed unanimously.

REPORTS

Counsel Report – Deborah Loucks for Lawrence Harris

Discussion of Rule 61E14-4.001, F.A.C. – Continuing Education Renewal Requirements

Ms. Loucks reported that Mr. Harris researched this issue and the rule contains rule references which do not exist.

MOTION: Vice-Chair Phillips made a motion that Council amend rule 61E14-4.001 by deleting sections (7) and (8).

SECOND: Ms. Cunningham seconded the motion and it passed unanimously.

MOTION: Vice-Chair Phillips made a motion that the Council determined that no SERC was required.

SECOND: Ms. Cunningham seconded the motion and it passed unanimously.

Discussion of Rule 61E14-4.004, F.A.C. – Reactivation Continuing Education

Following discussion, the Council requested this be on the February agenda for discussion.

Refresher on Sunshine Law Requirements

Ms. Loucks discussed the Sunshine Law with the Council.

Prosecuting Attorney Report – Radhika Puri

Ms. Puri reported that there were currently 132 private cases in the Office of the General Counsel, and 43 public cases, for a total of 175 cases.

Executive Director Report – Robyn Barineau

Financial Report – March 31, 2014

Ms. Barineau reported that the Council's operating account balance as of 3/31/14 was (\$934,600), however, they had just completed a renewal cycle. There was a balance of \$122,000 in the unlicensed activity account.

Future Meeting Dates

February 20, 2015 Conference Call

May 29, 2015 – Conference Call was changed to May 15
August 21, 2015 – Conference Call
November 13, 2015 – Orlando

NEW BUSINESS

There was no new business to come before the Council at this time.

OLD BUSINESS

There was no old business to come before the Council at this time.

OTHER BUSINESS

Legislative Discussion

Chair Warren asked about making the Council a Board. Ms. Barineau responded that she would take this request back to the Department for consideration.

There was discussion at this time regarding reviewing applications if they become a Board and handling of disciplinary matters.

MOTION: Vice-Chair Phillips made a motion that the Council petition for the Council to become a Board.

SECOND: Ms. Cunningham seconded the motion which passed with Mr. Allende voting against the motion.

Mr. Allende stated that he would like to review the language first before making a decision.

MOTION: Ms. Cunningham made a motion references to Chapter 721, F.S., be added in the appropriate sections of Chapter 468, F.S.

SECOND: Vice-Chair Phillips seconded the motion and it passed unanimously.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 10:28 a.m.