

MINUTES OF MEETING

Kansas Real Estate Commission

November 17, 2014

The Kansas Real Estate Commission held a special meeting on Monday, November 17, 2014, at 10:30 a.m. at Three Townsite Plaza, Suite 200, 120 S.E. 6th Avenue, Topeka, Kansas.

Commissioners Present:

Sue Wenger, Chairperson
Joseph Vaught, Vice Chairperson
Shirley Cook, Member
Bryon Schlosser, Member

Commissioners Participating by Phone:

Errol Wuertz, Member

Staff Present:

Sherry C. Diel, Executive Director
David Pierce, Director of Enforcement
Janet Pierce, Administrative Specialist
Kelly White, Director of Education
Wendy Alkire, Compliance Supervisor
Mitzi Dodds, Legal Assistant
Brooke Daniels, Senior Administrative Assistant
Michaela McGinnis, Administrative Assistant
Aubrie Pryer, Office Specialist
Jason Niernberger, Legal Assistant

Kansas Real Estate Commission Legal Counsel Present:

Sarah Fertig, Assistant Attorney General

Members of the Public Present:

Allison Conklin, Division of Personnel Services

Call to Order

Ms. Wenger called the KOMA meeting to order at 10:35 a.m.

Executive Session to Discuss a Personnel Matter

Based upon a motion made by Mr. Vaught, seconded by Mr. Schlosser, Ms. Wenger recessed the KOMA meeting at 10:36 a.m. for 30 minutes to enter into an executive session to protect the privacy of those involved. Those in attendance include the Commissioners and Ms. Fertig. Motion carried unanimously.

Ms. Wenger reconvened the KOMA meeting at 11:05 a.m.

Executive Session to Discuss a Personnel Matter Extended

Based upon a motion made by Mr. Vaught, seconded by Ms. Wenger, at 11:05 a.m. Ms. Wenger extended the executive session for another 10 minutes. The staff members from the previous executive session remained in attendance. Motion carried unanimously.

Ms. Wenger reconvened the KOMA meeting at 11:15 a.m.

Executive Session to Discuss a Personnel Matter

Based upon a motion made by Mr. Vaught, seconded by Mr. Schlosser, Ms. Wenger recessed the KOMA meeting at 11:20 p.m. for 10 minutes to enter into an executive session to protect the privacy of those involved. Those in attendance include the Commissioners, Ms. Diel, Ms. Fertig, and Ms. Conklin. Motion carried unanimously.

Ms. Wenger reconvened the KOMA meeting at 11:30 a.m.

Resignation of Executive Director

The Commission accepted the resignation of Sherry C. Diel as Executive Director effective January 2, 2015. Ms. Diel will be immediately placed on administrative leave.

Executive Session to Discuss a Personnel Matter

Based upon a motion made by Mr. Schlosser, seconded by Mr. Wuertz, Ms. Wenger recessed the KOMA meeting at 11:32 a.m. for 20 minutes to enter into an executive session to protect the privacy of those involved. Those in attendance include the Commissioners, Ms. White, and Ms. Fertig. Motion carried unanimously.

Ms. Wenger reconvened the KOMA meeting at 11:52 a.m.

Appointment of Acting Director

Based on a motion made by Mr. Wuertz, seconded by Mr. Vaught, the Commission appointed Ms. White as Interim Acting Director. Motion carried unanimously.

The Commissioners reported that a search committee will be formed to begin recruitment efforts for a new Executive Director. The Commission hopes to have a new Executive Director installed within 60-90 days. Mr. Schlosser, Ms. Cook, and perhaps Ms. Conklin, can serve as contacts for questions or discussion. The Commission will consult with Ms. Conklin to determine if finalists can be subject to a background check. The Commission will formulate a list of minimum and preferred qualifications, which will be sent to the Governor's Office as soon as possible. The Governor's Office will approve the position's salary and may suggest information to be included on a position description.

The Commissioners thanked all staff for their hard work.

Upcoming Budget Appeal Hearing

The Commission's budget appeal must be filed by 5:00 p.m. on November 20, 2014 and the appeal hearing is scheduled on November 24, 2014. Sandy Russell, the Commission's budget analyst, suggested the Commission file an appeal. Ms. White and Ms. Wenger will plan on attending the hearing. Staff will contact the budget analyst for clarification on the proper process to follow.

Commence Recruitment Process

Based upon a motion made by Mr. Vaught, seconded by Mr. Wuertz, the Commission authorized Mr. Schlosser to begin the search process. A conference call can be initiated when a sample position description is ready for the Commissioners to review. Motion carried unanimously.

Authority to Negotiate and Execute Contracts

Based upon a motion made by Mr. Vaught, seconded by Mr. Wuertz, the Commission authorized Ms. Wenger to negotiate and execute amendments to the consulting services contract with Ms. Blasi. Should any amendments not be agreeable to either party, the Commission will seek another vendor to provide Information Technology services. In addition, Ms. Wenger was granted the authority to negotiate and execute the Pearson Vue contract. Motion carried unanimously.

Interim Contacts for Staff

Based upon a motion made by Mr. Vaught, seconded by Mr. Schlosser, staff are directed to address questions regarding agency operations to Ms. White first, then to Ms. Wenger, if necessary. Motion carried unanimously. Personnel-related questions that arise before the next regularly scheduled Commission meeting should be directed to Mr. Wuertz. The December 11, 2014 and January 8, 2015 Commission meetings will be held in Topeka.

Acting Director Salary

The Commission asked Ms. White to provide an acceptable salary range so that the information can be provided to the Governor's Office.

Upon a motion from Mr. Wuertz, seconded by Mr. Vaught, the meeting was adjourned. Motion carried unanimously.

Adjournment

Ms. Wenger adjourned the meeting at 12:47 p.m.