STATE OF FLORIDA DEPARTMENT OF REVENUE PROPERTY TAX OVERSIGHT CERTIFIED FLORIDA APPRAISER ADMISSIONS AND CERTIFICATIONS COMMITTEE The above entitled Meeting convened at 2450 Shumard Oak Boulevard, Tallahassee, Florida on the 2nd day of October, 2018, commencing at 9:30 a.m. ORIGINAL Reported by: JEFFREY R. BABCOCK Court Reporter

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APPEARANCES:
   BRANDI GUNDER, CHAIR
MARK HAMILTON, ESQUIRE
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    PATRICK CREEHAN, ESQUIRE
    PATTI KIGHT
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    TELEPHONIC APPEARANCES:
 5
    MEGHAN MILLER
    KELLY MCLANE
 6
    OSBORN PARKER
    MITCH BURKE
    TIM PARKER
    PAUL POLK
    LEIGH BARFIELD
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    ATTENDEES:
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    SARA CUCCHI
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PROCEEDINGS

MS. GUNDER: Welcome to the Certified Florida Appraiser Admissions and Certifications Committee, my name is Brandi Gunder, I am the Director of the Property Tax Oversight Program and the Chair for today's proceedings. The Committee, as a public board, is subject to the Government in the Sunshine laws, and therefore the Committee's meetings are required to be open to the public and properly noticed. This applies to any gathering of two or more Committee members where there is discussion about a matter that could come before the Committee for action.

I would like to disclose that I called

Ms. Kathy Crawford and Mr. Pedro Garcia on the morning
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Naturally there were questions regarding the reasoning
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Mr. Hamilton is here with us today as well as staff from the Property Tax Oversight program within the Department of Revenue, will our staff members please introduce themselves by stating their names and titles?

MS. KIGHT: Patti Kight, I'm the Process

1 Manager in Property Tax Oversight. 2 MR. CREEHAN: Patrick Creehan --3 MS. MILLER: Meghan Miller the Training 4 Director with Property Tax Oversight. 5 MR. CREEHAN: Patrick --6 MS. MCLANE: Kelly McLane --7 MS. GUNDER: Go ahead, Kelly. 8 MS. MCLANE: Sorry, Kelly McLane, Training 9 Coordinator. 10 MR. CREEHAN: Patrick Creehan, Deputy 11 Director. 12 MR. HAMILTON: Mark Hamilton, General Counsel. 13 14 MS. GUNDER: Thank you. If you are part of the public participating by telephone and wish to 15 16 submit a written comment, please send an email to 17 ptotraining@floridarevenue.com. In the subject line of your email, please use October 2nd Committee 18 19 Meeting, we are monitoring that email account during the meeting and will read aloud all comments we 20 21 receive during the meeting. If you prefer to speak, 22 please state that in your email and we will unmute the 23 telephone and recognize you for comment. 24 I'd like to welcome Mr. Mitch Burke, the Gulf 25 County Property Appraiser; Ms. Rebecca Morris-Haid,

1 the Jackson County Property Appraiser; and Mr. Paul 2 Polk, the Charlotte County Property Appraiser to the 3 Committee. Meghan Miller, Secretary of the Committee, 4 will you please call the roll? 5 MS. MILLER: Brandi Gunder? 6 MS. GUNDER: Here. 7 MS. MILLER: Leigh Barfield? (inaudible) Barfield? Osborn Barker? 8 9 MR. BARKER: Here. 10 MS. MILLER: Mitch Burke? MR. BURKE: Here. 11 12 MS. MILLER: Kathy Crawford? Kathy Crawford? Pedro Garcia? 13 14 MR. GARCIA: Here. 15 MS. MILLER: Raymond McIntyre? Raymond McIntyre? Rebecca Morris-Haid? Tim Parker? 16 17 MR. PARKER: Here. 18 MS. MILLER: Paul Polk? 19 MR. POLK: Here. 20 MS. GUNDER: Thank you. According to Rule 12-9.002(3) Florida Administrative Code, five members 21 22 of the Admissions and Certification Committee 23 constitute a quorum; Meghan, do we have a quorum? MS. MILLER: 24 Yes. MS. GUNDER: Thank you. Our first order of

business today is the approval of the March 13th, 2018 1 2 Certified Florida Appraiser Admissions and 3 Certifications Committee, do I have a motion to 4 approve the March 13th, 2018 Committee meeting 5 minutes? Please state your name if you make a motion. 6 Oz Barker, so moved. MR. BARKER: 7 MS. GUNDER: Thank you, do I have a second --8 or I have motion by Mr. Oz Barker, do I have a second? 9 MR. GARCIA: Second --10 UNIDENTIFIED SPEAKER: I'll second it. 11 MS. GUNDER: Thank you, that was Mr. Garcia? MR. GARCIA: 12 Yes. 13 MS. GUNDER: Thank you, I have a second by 14 Mr. Garcia, all those in favor signal by saying aye. 15 (Chorus of ayes.) MS. GUNDER: All opposed --16 17 MS. BARFIELD: Leigh showed up. 18 MS. GUNDER: I'm sorry? 19 MS. BARFIELD: I said Leigh showed up, sorry. 20 MS. GUNDER: Oh, okay, thank you. 21 opposed signal by saying nay. All right, thank you. Our next item of business is the presentation 22 23 and recommendation of applicants. Thank you for your 24 patience in getting this Committee scheduled, the program wanted to make sure this Committee was 25

adhering to Rule 12.9 of the Florida Administrative Code.

As that rule chapter states, completed applications are required to be submitted to the Department and the duties of the Committee are to screen all applicants for certification and recommend to the Department those applicants who qualify for professional designations.

The list of applicants, along with the completed applications, were posted on the Department's website and sent to each of you last week. There's a check list at the front of each application to assist you in your review of the applicants, this check list has a certification criteria as required in Rule 12-9. Meghan, will you please list the requirements of the Certified Florida Appraiser, Certified Florida Evaluator, and Certified Cadastralist of Florida designations?

MS. MILLER: The qualifications for the Certified Florida Appraiser and Certified Florida Evaluators professional designations include at least two years of experience with the Florida property appraiser's office or tax collector's office, or the Florida Department of Revenue; at least 120 hours of approved education and current employment with the

Florida county property appraiser or tax collector's office, or the Florida Department of Revenue. The Certified Florida Appraiser designation is reserved for the county official.

Qualifications for the Certified Cadastralist of Florida include at least two years of experience with the Florida property appraiser's office or the Florida Department of Revenue; at least 150 hours of approved education; and current employment with the Florida property appraiser's office or the Florida Department of Revenue.

MS. GUNDER: Thank you, Meghan. Do any Committee Members have anything they wish to discuss about the applicant's credentials? Hearing no discussion, does the public have any comments on any of the applicants? And again, if you're attending by telephone, please send us an email so we can recognize you, that email is ptotraining@floridarevenue.com. And I -- we have someone in the audience that wishes to speak.

MS. CUCCHI: Yes.

MS. GUNDER: Do you mind coming to the podium? Good morning.

MS. CUCCHI: Good morning. May name is Sara Cucchi and I am a private citizen and property

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taxpayer in the State of Florida, I'm not an attorney and I am not a tax representative. I appear here today without any compensation whatsoever of any type, my interests in this matter are solely those of a property taxpayer in this state.

I have concerns about the operation and actions of DORPTO's property appraiser certification committee, these concerns are summarized as follows:

Number one, for over 40 years, until sometime in 2014, the DORPTO certification committee conducted secret, unnoticed meetings contrary to Florida's sunshine laws.

Number two, at those secret, unnoticed meetings, the DORPTO committee considered, decided, and voted to approve the certifications of many property appraisers, property appraiser staff, and DOR employees.

Number three, at some of those secret meetings, the DORPTO Committee considered and decided upon invalid certification criteria.

Number four, at later meetings, DORPTO's

Committee applied those invalid certification criteria
in deciding to grant certifications to applicants even
after the Joint Legislative Administrative Procedures

Committee notified DORPTO that its certification

criteria are full of un-promulgated rules.

Number five, at today's meeting, DORPTO's

Committee apparently intends to repeat its application
of invalid certification criteria that were decided
out of the sunshine, and which also appear to be
un-promulgated rules.

Number six, numerous statutes require DORPTO to perform oversight and enforcement duties on Florida county tax roles; however, DORPTO has not provided any statutory authority for DORPTO's continual practice of allowing property appraisers to determine and control the assessment oversight certification of DOR employees, which allows the fox to guard the hen house and creates conflicts of interest.

Number seven, Florida Statute Section 145.10 gives monetary benefits to property appraisers who receive a Florida appraiser certification; however, DORPTO has not provided any statutory authority for DORPTO's continual practice of allowing property appraisers to determine and control their own certifications which creates obvious ongoing cases --

MS. GUNDER: Excuse me, just a reminder to mute your phones if you're not speaking, we have some background noise. Sorry, go ahead.

MS. CUCCHI: However, DORPTO has not provided

any statutory authority for DORPTO's continual practice of allowing property appraisers to determine and control their own certifications which creates obvious ongoing cases of financial self-interest and conflicts of interest.

Number eight, each of the CFE certification applicants being considered here today were required to sign an application form attesting to the applicant's adherence to a code of ethics; however, DORPTO failed to post on its website a copy of this code of ethics as part of the meeting materials required by Section 120.525(2) Florida Statutes.

Number nine, in response to a request for a copy of the DORPTO Committee's code of ethics, yesterday DORPTO provided a copy of the minutes from a 1973 secret, out-of-the-Sunshine meeting; these minutes appear to be an un-promulgated rule. At today's meeting, DORPTO's Committee apparently intends to further apply this invalid code of ethics in approving the certification of each of the 51 CFE applicants.

Number ten, DOR rules provide for the DORPTO director to consider and approve certification exam challenges before an applicant challenges an exam; however DORPTO's Committee agenda for todays meeting

shows that DORPTO has transferred this decision-making duty to a committee of property appraiser instead.

This only perpetuates the appearance of a conflict of interest.

Number 11, one or more of the members of this Certification Committee were selected in a secret process to serve on this Committee. These types of secret processes destroy public trust.

In conclusion, I recommend that to avoid further destruction of public trust, DORPTO and this certification should suspend all certification activities until DORPTO demonstrates that any and all violations of public trust have been identified and cured. Thank you for allowing me to make comments today.

MS. GUNDER: Thank you. Meghan or Kelly, have we gotten any email requests to speak?

MS. MILLER: No.

MS. GUNDER: Okay, hearing no additional comments or discussion of the credentials, the Committee will now vote to recommend the applicant list. Do I have a motion for recommendation of the applicants? Again, please state your name when making the motion.

MS. CRAWFORD: Madam Chair?

MS. GUNDER: Yes?

MS. CRAWFORD: This is Kathy Crawford --

MS. GUNDER: Good morning.

MS. CRAWFORD: -- County Property Appraiser's office, I have joined the meeting at 9:37, so if you could allow the record to reflect that.

MS. GUNDER: Yes, ma'am. Is there a motion to recommend the applicants? Hearing none, one last time, is there a motion for the recommendation of the applicants?

MR. GARCIA: Pedro Garcia, a motion.

MS. GUNDER: Thank you, Mr. Garcia, is there a second?

MR. PARKER: Tim Parker, second.

MS. GUNDER: Thank you, Mr. Parker. All in favor signal by saying aye.

(Chorus of ayes.)

MS. GUNDER: All opposed, signal by saying nay. With no opposition, let the record reflect that the Committee has recommended all applicants for certification. Congratulations to the new Certified Florida Evaluators and Certified Cadastralists of Florida. The professional designees will receive documentation of their certification from the Department, and that concludes today's agenda for the

Certified Florida Appraiser Admissions and Certifications Committee meeting. Again, thank you all very much for your patience and leadership. are adjourned. (The proceedings were adjourned at 9:47 a.m.)

CERTIFICATE OF REPORTER

I, JEFFREY R. BABCOCK, do hereby certify that I was authorized to and did report the foregoing proceedings, and that the transcript, pages 1 through 15, is a true and correct record of my stenographic notes.

Dated this 16th day of October 2018 at Tallahassee, Leon County, Florida.

JEFFREY BABCOCK

COURT REPORTER



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Dated this 16th day of October 2018 at Tallahassee, Leon County, Florida.

JEFFREY BABCOCK

COURT REPORTER



STATE OF FLORIDA DEPARTMENT OF REVENUE PROPERTY TAX OVERSIGHT

CERTIFIED FLORIDA APPRAISER ADMISSIONS AND CERTIFICATIONS COMMITTEE

The above entitled Meeting convened at 2450 Shumard Oak Boulevard, Tallahassee, Florida on the 2nd day of October, 2018, commencing at $9:30~a_{\pm}m$.

Reported by:

JEFFREY R, BABCOCK

Court Reporter

FOR THE RECORD REPORTING TALLAHASSEE, FLORIDA 850,222.5491

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MARK HAMILTON, ESQUIRE
PATRICK CREEHAN, ESQUIRE
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TELEPHONIC APPEARANCES:

MEGHAN MILLER KELLY MCLANE OSBORN PARKER MITCH BURKE TIM PARKER PAUL POLK LEIGH BARFIELD

ATTENDEES:

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FOR THE RECORD REPORTING TALLAHASSEE, FLORIDA 850 222 5491

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Counsel

Manager in Property Tax Oversight

MR, CREEHAN: Patrick Creehan -
MS, MILLER: Meghan Miller the Training

Director with Property Tax Oversight

MR, CREEHAN: Patrick -
MS, MCLANE: Kelly McLane -
MS, GUNDER: Go ahead, Kelly.

MS, MCLANE: Sorry, Kelly McLane, Training

Coordinator

MR, CREEHAN: Patrick Creehan, Deputy

Director

MR, HAMILTON: Mark Hamilton, General

MS. GUNDER: Thank you. If you are part of the public participating by telephone and wish to submit a written comment, please send an email to ptotraining@floridarevenue.com. In the subject line of your email, please use October 2nd Committee Meeting, we are monitoring that email account during the meeting and will read aloud all comments we receive during the meeting. If you prefer to speak, please state that in your email and we will unmute the telephone and recognize you for comment.

I'd like to welcome Mr. Mitch Burke, the Gulf

County Property Appraiser; Ms. Rebecca Morris-Haid,
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the Jackson County Property Appraiser; and Mr. Paul Polk, the Charlotte County Property Appraiser to the Committee, Meghan Miller, Secretary of the Committee, will you please call the roll? MS MILLER: Brandi Gunder? MS GUNDER: Here MS = MILLER: Leigh Barfield? (inaudible) Barfield? Osborn Barker? MR. BARKER: Here. 1.0 MS MILLER: Mitch Burke? 11 MR. BURKE: Here. 12 MS. MILLER: Kathy Crawford? Kathy Crawford? 13 MR. GARCIA: Here. 14 15 MS MILLER: Raymond McIntyre? Raymond McIntyre? Rebecca Morris-Haid? Tim Parker? 16 17 MR. PARKER: Here. 18 MS MILLER: Paul Polk? 19 MR POLK: Here 20 MS GUNDER: Thank you According to Rule 21 12-9,002(3) Florida Administrative Code, five members 22 of the Admissions and Certification Committee 23 constitute a quorum; Meghan, do we have a quorum? 24 MS. MILLER: Yes. 25 MS. GUNDER: Thank you, Our first order of

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Certified Florida Appraiser Admissions and Certifications Committee, do I have a motion to approve the March 13th, 2018 Committee meeting minutes? Please state your name if you make a motion; MR. BARKER: Oz Barker, so moved. MS. GUNDER: Thank you, do I have a second -or I have motion by Mr. Oz Barker, do I have a second? MR - GARCIA: Second --UNIDENTIFIED SPEAKER: I'll second it. MS GUNDER: Thank you, that was Mr Garcia? MR - GARCIA: Yes MS GUNDER: Thank you, I have a second by Mr. Garcia, all those in favor signal by saying aye. (Chorus of ayes.) MS GUNDER: All opposed --MS BARFIELD: Leigh showed up MS GUNDER: I'm sorry?

business today is the approval of the March 13th, 2018

MS. BARFIELD: I said Leigh showed up, sorry.

MS. GUNDER: Oh, okay, thank you. All
opposed signal by saying nay. All right, thank you.

Our next item of business is the presentation
and recommendation of applicants. Thank you for your
patience in getting this Committee scheduled, the
program wanted to make sure this Committee was

adhering to Rule 12.9 of the Plorida Administrative $\label{eq:code.2} \texttt{Code.2}$

As that rule chapter states, completed applications are required to be submitted to the Department and the duties of the Committee are to screen all applicants for certification and recommend to the Department those applicants who qualify for professional designations.

The list of applicants, along with the completed applications, were posted on the Department's website and sent to each of you last week. There's a check list at the front of each application to assist you in your review of the applicants, this check list has a certification criteria as required in Rule 12-9. Meghan, will you please list the requirements of the Certified Florida Appraiser, Certified Florida Evaluator, and Certified Cadastralist of Florida designations?

MS. MILLER: The qualifications for the Certified Florida Appraiser and Certified Florida Evaluators professional designations include at least two years of experience with the Florida property appraiser's office or tax collector's office, or the Florida Department of Revenue; at least 120 hours of approved education and current employment with the

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Florida county property appraiser or tax collector's office, or the Florida Department of Revenue. The Certified Florida Appraiser designation is reserved for the county official.

Qualifications for the Certified Cadastralist of Florida include at least two years of experience with the Florida property appraiser's office or the Florida Department of Revenue; at least 150 hours of approved education; and current employment with the Florida property appraiser's office or the Florida Department of Revenue.

MS, GUNDER: Thank you, Meghan. Do any Committee Members have anything they wish to discuss about the applicant's credentials? Hearing no discussion, does the public have any comments on any of the applicants? And again, if you're attending by telephone, please send us an email so we can recognize you, that email is ptotraining@floridarevenue.com. And I -- we have someone in the audience that wishes to speak.

MS. CUCCHI: Yes.

 $\label{eq:ms_def} \mathsf{MS}_{\circ} \ \mathsf{GUNDER}; \quad \mathsf{Do} \ \mathsf{you} \ \mathsf{mind} \ \mathsf{coming} \ \mathsf{to} \ \mathsf{the}$ podium? Good morning

 $\label{eq:msp} {\tt MS}, \ {\tt CUCCHI:} \quad {\tt Good morning}, \quad {\tt May name is Sara}$ ${\tt Cucchi}$ and I am a private citizen and property

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taxpayer in the State of Florida, I'm not an attorney and I am not a tax representative. I appear here today without any compensation whatsoever of any type, my interests in this matter are solely those of a property taxpayer in this state.

2.0

I have concerns about the operation and actions of DORPTO's property appraiser certification committee, these concerns are summarized as follows:

Number one, for over 40 years, until sometime in 2014, the DORPTO certification committee conducted secret, unnoticed meetings contrary to Florida's sunshine

Number two, at those secret, unnoticed meetings, the DORPTO committee considered, decided, and voted to approve the certifications of many property appraisers, property appraiser staff, and DOR employees.

Number three, at some of those secret meetings, the DORPTO Committee considered and decided upon invalid certification criteria.

Number four, at later meetings, DORPTO's

Committee applied those invalid certification criteria
in deciding to grant certifications to applicants even
after the Joint Legislative Administrative Procedures

Committee notified DORPTO that its certification

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criteria are full of un-promulgated rules $\ensuremath{\wp}$

Number five, at today's meeting, DORPTO's

Committee apparently intends to repeat its application
of invalid certification criteria that were decided
out of the sunshine, and which also appear to be
un-promulgated rules.

Number six, numerous statutes require DORPTO to perform oversight and enforcement duties on Florida county tax roles; however, DORPTO has not provided any statutory authority for DORPTO's continual practice of allowing property appraisers to determine and control the assessment oversight certification of DOR employees, which allows the fox to guard the hen house and creates conflicts of interest.

Number seven, Florida Statute Section 145:10 gives monetary benefits to property appraisers who receive a Florida appraiser certification; however, DORPTO has not provided any statutory authority for DORPTO's continual practice of allowing property appraisers to determine and control their own certifications which creates obvious ongoing cases --

MS. GUNDER: Excuse me, just a reminder to mute your phones if you're not speaking, we have some background noise. Sorry, go ahead.

MS CUCCHI: However, DORPTO has not provided

any statutory authority for DORPTO's continual practice of allowing property appraisers to determine and control their own certifications which creates obvious ongoing cases of financial self-interest and conflicts of interest.

Number eight, each of the CFE certification applicants being considered here today were required to sign an application form attesting to the applicant's adherence to a code of ethics; however, DORPTO failed to post on its website a copy of this code of ethics as part of the meeting materials required by Section 120,525(2) Florida Statutes.

Number nine, in response to a request for a copy of the DORPTO Committee's code of ethics, yesterday DORPTO provided a copy of the minutes from a 1973 secret, out-of-the-Sunshine meeting; these minutes appear to be an un-promulgated rule. At today's meeting, DORPTO's Committee apparently intends to further apply this invalid code of ethics in approving the certification of each of the 51 CFE applicants.

Number ten, DOR rules provide for the DORPTO director to consider and approve certification exam challenges before an applicant challenges an exam; however DORPTO's Committee agenda for todays meeting

shows that DORPTO has transferred this decision-making duty to a committee of property appraiser instead. This only perpetuates the appearance of a conflict of interest,

Number 11, one or more of the members of this Certification Committee were selected in a secret process to serve on this Committee. These types of secret processes destroy public trust.

In conclusion, I recommend that to avoid further destruction of public trust, DORPTO and this certification should suspend all certification activities until DORPTO demonstrates that any and all violations of public trust have been identified and cured. Thank you for allowing me to make comments today.

MS. GUNDER: Thank you. Meghan or Kelly, have we gotten any email requests to speak?

MS MILLER: No.

MS. GUNDER: Okay, hearing no additional comments or discussion of the credentials, the Committee will now vote to recommend the applicant list. Do I have a motion for recommendation of the applicants? Again, please state your name when making the motion.

MS CRAWFORD: Madam Chair?

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MS GUNDER: Yes?

 MS CRAWFORD: This is Kathy Crawford --

MS GUNDER: Good morning.

MS. CRAWFORD: -- County Property Appraiser's office, I have joined the meeting at 9:37, so if you could allow the record to reflect that.

MS. GUNDER: Yes, ma'am. Is there a motion to recommend the applicants? Hearing none, one last time, is there a motion for the recommendation of the applicants?

MR. GARCIA: Pedro Garcia, a motion.

 $\label{eq:ms_sum} {\tt MS}_{\,,\,} \; {\tt GUNDER} \colon \quad {\tt Thank you}, \; {\tt Mr. \; Garcia, \; is \; there}$ a second?

MR PARKER: Tim Parker, second.

 $\label{eq:ms_sum} {\tt MS_GUNDER:} \quad {\tt Thank\ you,\ Mr.\ Parker:} \quad {\tt All\ in}$ favor signal by saying aye.

(Chorus of ayes;)

MS. GUNDER: All opposed, signal by saying nay. With no opposition, let the record reflect that the Committee has recommended all applicants for certification. Congratulations to the new Certified Florida Evaluators and Certified Cadastralists of Florida. The professional designees will receive documentation of their certification from the Department, and that concludes today's agenda for the

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Certified Florida Appraiser Admissions and Certifications Committee meeting. Again, thank you all very much for your patience and leadership. We are adjourned.

(The proceedings were adjourned at 9:47 a.m.)

CERTIFICATE OF REPORTER

5 I, JEFFREY R. BABCOCK, do hereby certify that I
6 was authorized to and did report the foregoing
7 proceedings, and that the transcript, pages 1 through 15,
8 is a true and correct record of my stenographic notes.

Dated this 16th day of October 2018 at Tallahassee, Leon County, Florida

JEFFREY BABCOCK
COURT REPORTER

FOR THE RECORD REPORTING TALLAHASSEE, FLORIDA 850.222.5491

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