

NEBRASKA REAL ESTATE COMMISSION

July 22, 2010

VIDEO CONFERENCE LOCATIONS

**Nebraska Public Service Commission Library, Lincoln, NE,
Northeast Community College, Norfolk, NE,
Educational Service Unit #16 North Platte, NE,
and Omaha State Office Building, Omaha, NE**

Opening

Chairperson Gale convened a meeting of the Nebraska Real Estate Commission at 9:04 a.m. on July 22, 2010, in Nebraska Public Service Commission Library, 300 The Atrium, 1200 N Street, Lincoln and via video conference at Northeast Community College, Life Long Learning Center, Suite L, 601 East Benjamin Ave, Norfolk, NE; at Educational Service Unit #16; Distance Learning Rm., 1221 W 17th St., North Platte, NE; and at Omaha State Office Building; 1313 Farnam on the Mall, 2nd Floor, Conf Rm. #207, Omaha, NE. All of the members of the Real Estate Commission were present, with the exception of Commissioners Dover, Leisey and Ptak, who are absent and excused. Also present were Director Greg Lemon, Deputy Director for Education and Licensing Teresa Hoffman, and Administrative Assistant Monica Rut.

Notice of Meeting (Adopt Agenda)

Director Lemon presented a public notice and proofs of publication thereof relating to this meeting, all of which are attached to and made a part of these minutes. Chairperson Gale reported that all Commissioners had been notified of the meeting simultaneously, in writing, and that a proposed tentative agenda accompanied the notification.

Chairperson Gale pointed out to those in attendance that a public copy of the materials being used during the meeting were available to the public on the counsel table in the meeting room; that a copy of the Open Meetings Act was posted on the easel located in the west side of the meeting room and available at each video conference location; and that the procedures followed were in accordance with the Open Meetings Act. Chairperson Gale asked that guests sign the guest list.

Director Lemon noted that no agenda items had been added since the agenda was mailed to the Commissioners.

After review of the final agenda, a motion was made by Griess and seconded by Grady to adopt the final agenda as presented. Motion carried with Grady, Griess, Rouch and Gale voting aye, with Dover, Leisey and Ptak not participating or voting, being absent and excused.

Minutes of June 24, 2010

The minutes of the Commission meeting held on June 24, 2010, were considered. (Note: It was discovered that the Exhibit for this Agenda Item was incorrect. Commissioner Griess indicated that while Shannon Harner was present and representing CBSHome, she was actually referring to Homeservices of Nebraska, Inc, aka/Woods Bros Real Estate and Home Real Estate on page 9 during the conversion conversation. The Exhibit was corrected for attachment to these minutes.)

After review, a motion was made by Griess and seconded by Grady to approve the minutes as amended. Motion carried with Grady, Griess, Rouch and Gale voting aye, with Dover, Leisey and Ptak not participating or voting, being absent and excused.

Public Comment

Chairperson Gale asked the members of the audience if anyone wished to come forward to provide public comment on Commission related business. No audience member indicated a desire to come forward.

Approval of the Release of the Request for Proposals for the Errors & Omissions Insurance Plan

Approval of the Release of the Request for Proposals for the Errors and Omissions Insurance Plan

Director Lemon presented a Request for Proposals (RFP) for Errors and Omissions Insurance. A copy of said exhibit is attached to and made a part of these minutes. (Note: It was discovered prior to the meeting that the Exhibit for this Agenda Item was incorrect. The schedule of events had oral interviews/presentations and/or demonstrations beginning September 6 – 10 and the dates should reflect a September 7 begin date. The Exhibit was corrected for attachment to these minutes.)

Director Lemon noted that at the June Commission Meeting, the motion carried to reject all bids received regarding the Errors and Omissions Insurance RFP. He explained that the Request for Proposals (RFP) form and the process are prescribed by the State of Nebraska's Department of Administrative Services Purchasing Division. It was explained that the RFP had been redrafted with slight changes which included the ability for the Committee to gather additional information as needed and provided for an oral interview process. Director Lemon reviewed the chronology of the Request for Proposals process and discussed the dates of the RFP.

Commissioner Rouch noted the option to follow up with the vendor references was a positive addition and wanted to know at what stage the references could be contacted. Director Lemon indicated that the appropriate stage to contact references would be during the intent to award the contract to a vendor. Commissioner Rouch indicated that the references would potentially be contacted following the evaluation but prior to the oral interviews. Director Lemon concurred.

Chairperson Gale complimented the addition of the oral interview process and asked if the evaluators would have a uniform set of questions which would be asked of each vendor for transparency purposes. Director Lemon explained that the evaluation committee would have a scripted list of questions to be asked of the vendors.

A motion was made by Grady and seconded by Griess to approve and publish the Request for Proposals as amended. Motion carried with Grady, Griess, Rouch and Gale voting aye, with Dover, Leisey and Ptak not participating or voting, being absent and excused.

Appoint Evaluation Committee for Errors & Omissions RFP

Director Lemon discussed the dates and processes involved in awarding the contract for the Errors & Omissions Request for Proposals (RFP). Director Lemon explained that an evaluation committee was needed in order to score and evaluate the proposals received.

Chairperson Gale indicated that there had been individuals who had volunteered and/ or shown interest in participating on the evaluation committee. He recommended the appointment of Commissioner Rouch, Commissioner Griess, Beverly Anderson, Administrator of the Property and Casualty Division of the Nebraska Department of Insurance and former Commissioner Michael Poskochil.

After discussion, a motion was made by Grady and seconded by Rouch to approve the evaluation committee as recommended by Chairperson. Motion carried with Grady, Griess, Rouch and Gale voting aye, with Dover, Leisey and Ptak not participating or voting, being absent and excused.

Presentation of Stipulation and Consent Orders

Complaint 2009-052, Commission vs. William Daniel O'Brien

Director Lemon presented a Stipulation and Consent Order in the matter of Complaint 2009-052, Commission-vs. William Daniel O'Brien. A copy of said Order is attached to and made a part of these minutes.

After discussion, a motion was made by Griess and seconded by Grady to enter into the Order as presented. Motion carried with Grady, Griess, Rouch and Gale voting aye, with Dover, Leisey and Ptak not participating or voting, being absent and excused.

Future Meeting Dates

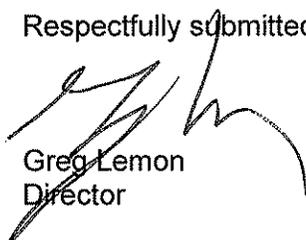
August 19-20, 2010 - Staybridge Suites, Lincoln
September 30-October 1, 2010 – Country Inn & Suites, Lincoln
October 28-29, 2010 – Hampton Inn & Suites, Lincoln
December 2-3, 2010 - Country Inn & Suites, Lincoln

Recesses and Adjournment

At 9:33 a.m., there being no further business to come before the Commission, a motion was made by Griess and seconded by Grady that the meeting adjourn. Motion carried with Grady, Griess, Rouch and Gale voting aye, with Dover, Leisey and Ptak not participating or voting, being absent and excused.

I, Greg Lemon, Director of the Nebraska Real Estate Commission, do hereby certify that the foregoing minutes of the July 22, 2010, meeting of the Nebraska Real Estate Commission were available for inspection on July 23, 2010, in compliance with Section 84-1413(5) R.R.S. 1943, of Nebraska.

Respectfully submitted,



Greg Lemon
Director

Guests Signing the Guest List

Kristen Anderson, Nebraska REALTORS® Association, Lincoln

Jarrold P. Crouse, Rice Insurance, Lincoln

Colleen Byelick, Secretary of State's Office, Lincoln