



# North Dakota Association of REALTORS®

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## 2006-2007 BOARD OF DIRECTORS

**PRESIDENT**  
Joe Frenzel, CCIM, GRI

**PRESIDENT ELECT**  
Tate Cymbaluk, GRI

**VICE PRESIDENT**  
Dave Lanpher, ePRO, GRI, QSC

**PAST PRESIDENT**  
Dewey Uhlir, ABR, CRS, GRI

**NATIONAL DIRECTORS**  
Scott Louser, ABR/M, CRB, CRS, ePRO, GRI  
Perry Weekes, GRI

**LOCAL BOARD  
REPRESENTATIVES**

**Badlands:**  
Diana Zietz, ABR, CRS, GRI

**Bismarck/Mandan:**  
John VanMiddlesworth, GRI  
Doug Schonert, GRI  
Vicki Roller, CRS, GRI, RMM

**Bois de Sioux:**  
Kathy Hammer, CRS, GRI

**Fargo/Moorhead:**  
Daryl Braham, GRI  
Brenda Martinson, ABRM, GRI  
Lyn Dwyer, GRI  
Steve Lunde, CRS, GRI  
Mark Mason, ABR, CRS, GRI  
Stephanie Sarabakhsh, ABR

**Grand Forks:**  
Rita Schuster, ABR, CRS, GRI  
Patsy Dombovy-Vasquez

**Jamestown:**  
Candice Dempsey, GRI

**Minot:**  
Judy Hoskin, GRI  
Carrie Montoya

**Williston:**  
Burnetta Fagerland, ABR, ABRM, GRI

**EXECUTIVE VICE PRESIDENT**  
Claus Lembke, CAE  
[Claus@ndrealtors.com](mailto:Claus@ndrealtors.com)

**ASSISTANT AE/OFFICE MANAGER**  
Jill Beck  
[Jill@ndrealtors.com](mailto:Jill@ndrealtors.com)

**ADMINISTRATIVE ASSISTANT**  
Moni Krantz  
[Moni@ndrealtors.com](mailto:Moni@ndrealtors.com)

Minutes

Board of Directors Meeting

December 1, 2006

Ramkota Inn, Bismarck ND

**Present:** Joe Frenzel, Tate Cymbaluk, Dave Lanpher, Dewey Uhlir, Scott Louser, Perry Weekes, Diana Zietz, John VanMiddlesworth, Doug Schonert, Vicki Roller, Kathy Hammer, Daryl Braham, Brenda Martinson, Steve Lunde Lyn Dwyer, Mark Mason, Steph Sarabkhsh, Rita Schuster, Patsy Dombovy-Vasquez, Candice Dempsey, Judy Hoskin

**Absent:** Carrie Montoya and Burnetta Fagerland

**Guests:** Nancy Deichert, Judy Gehrke, John Colter, Mike McEown, Pat Jergenson, Ron Volk, Sharon Lunski, Lynnell Rude, DeAnne Mason

**Staff:** Claus Lembke, Moni Krantz and Jill Beck

President Joe Frenzel called the meeting to order.

Scott Louser led in the Pledge of Allegiance and gave the invocation.

Those in attendance introduced themselves.

The Year End (2005-06) Financial Report was given by Lynnell Rude, Mahlum and Goodhart. She stated that the association's net assets have grown by about \$50,000 and that we are on target with our policy of having 6-12 months of budget in reserves.

Minutes from September 14, 2006 were reviewed and approved as presented. (M/S/C)

Financial Statement – Claus Lembke reviewed the financial statement for the first 2 months of the year and explained that we are on target for the first two months of our fiscal year.

North Dakota Real Estate Commission Report – Pat Jergenson,  
 Secretary/Treasurer – license renewal has started; website is under way and hope to have up after the first of the year; updating forms and trust account manual and now have form for those putting their license in escrow. Have several issues in the Agency bill for legislature including salesperson incorporating to include broker associates, spouses and teams, title change for Pat from Secretary/Treasurer to Executive Director and changing that closing statements for only party you



represent will be required to be kept in your files. The Attorney General's office is drafting bill on background checks.

Pat also mentioned that discussion held the day prior in regards to enforcing minimum services took her off guard and that, yes, the Commission can initiate complaints but they need factual information to proceed. They will be having a meeting in February and invited anyone to attend.

Legal Update – Casey Chapman was unable to attend but sent letter and recommends a procedural change on arbitration procedures whereby either the Grievance Committee or the Hearing Panel need to review if state law has been violated to the extent that the complainant loses the right to seek recovery of any commission dollars. Will be put on agenda for Professional Standards Taskforce for their next meeting.

Dakota CRS Chapter – Diana Zietz, President Elect – Working with NDAR staff on main goal of getting Chapter organized. Will be working on strategic plan and budget in the next few weeks. In New Orleans at Convention Marcie Roggow was awarded the Medallion Award.

CCIM Chapter – Judy Gehrke, Administrator – Annual meeting will be in January and they now have listings online separate from residential listings.

NAR Directors Reports – written and filed and will be posted on website.

### **LOCAL BOARD REPORTS:**

Badlands BOR – Diana Zietz – market has slowed but still good. Currently have 63 single-family homes for sale, \$117,000 average price with 89 days on the market.

Bismarck Mandan BOR – John VanMiddlesworth – hosted CRS course and Code of Ethics course in October, conducted annual planning retreat where the theme “Raising the Bar” was set. Will be printing professional courtesies and encouraging education and professional development in their monthly newsletter.

Bois de Sioux BOR – Kathy Hammer – Requesting name change of their board, market is also slower but good, Christmas party is on December 8<sup>th</sup> and they will be buying gifts for the needy and will be holding REALTOR<sup>®</sup> safety course in January.

Fargo-Moorhead Area AOR – Daryl Braham – Have DVDs available on major functions at convention and thanked everyone for their participation at the Convention; conducted food drive and gathered 1,700 pounds of food and \$1,200 in cash; held a mini Planning Retreat where they educated new Directors on their role and did some brainstorming for what they want to accomplish. Will be having dues increases this year.

Grand Forks BOR – Rita Schuster – Currently working on updating forms and the BOR is sponsoring 6 families and providing a Christmas for them – they buy the gifts and decorations.

Jamestown BOR – Candice Dempsey – Their market is holding, also conducting food drive and have annual fundraiser and Christmas party coming up.

Minot BOR – Judy Hoskin – market is down and also is raising money for the Salvation Army and members are also ringing the bells at their Salvation Army kettles.

## **COMMITTEE REPORTS**

Executive Committee – Claus Lembke – budget and financial reports were reviewed; reviewed decision made from Hearing Panel and concurred that proper procedures were implemented. Also reviewed a Conflict of Interest Policy form that our accountants recommend we approve – a copy was handed out and it will be put on the agenda for the January meeting.

Also recommended changing the RPAC Fundraising Chair from a two-year position to a one-year due to the interest in the position. Motion made to approve (M/S/C).

Claus also reported that the ND Apartment Association (NDAA) had contacted NDAR about helping with their lobbying efforts – Claus stated that he already follows all bills that affect them because it also has an impact on many of our members. Motion made to have staff, President Joe and Political Affairs Leadership put proposal together and present to the NDAA. (M/S/C)

Also discussed issue where NDAR has been notified that the Minot BOR is not holding indoctrination courses for new members or following the requirement of the COE within 6 months of joining. Recommend that procedures be initiated at the January 30 meeting to start the process of revoking the Charter of the Board if processes are not in place.

Education Committee: Tate Cymbaluk, Director at Large – Reported that NDAR will not be sponsoring Spring Caravan as the consensus was that there has been a lot of education and we don't want to be competing with the local boards. Also hope to have rookie course ready to make presentation at the January meetings. An outline is being gathered for the Legislative Impact Day to apply for 2 hours CE.

Equal Opportunity Taskforce: Daryl Braham – Added verbiage to Task Force job description as follows: “To provide information regarding the ND Fair Housing laws and assist and promote local Equal Opportunity Committees in disseminating information of the National Association of REALTORS® policy regarding their responsibilities to its members and the public without regard to race, color, religion, sex, handicap, familial status, or national origin”. Moved to approve as presented (M/S/C).

Taskforce also established three goals for upcoming year and will work on forging relationships with local Fair Housing and equal opportunity entities.

Membership Committee: Rita Schuster, Chair – membership is at one of the all time highs with current paid members at 1,405. A Task Force was appointed to study the reporting format for Local Boards to report during state meetings. The Committee reviewed a presentation of TransactionDesk online system for tracking all aspects of a transaction. A sub-committee will look into the costs and feasibility of this. The Star Achiever award was discussed and will be brought back to the committee in January to check the value of the award.

RPAC Fundraising: Set goals for 2007 (same as 2006) and are also asking for funding for Chair Elect, Shirley Dukart, should she not be awarded a NAR Scholarship to attend the NAR Fundraising Seminar

in January in DC. It was moved to forward request to NAR Travel Grant Committee if needed with funding not to exceed \$1,700. (M/S/C)

At this point, Bismarck Mandan BOR Representative, Doug Schonert, publicly thanked RPAC for their support in his campaign for Burleigh County Commissioner along with Joe Frenzel in his race for Dickinson City Commission.

Political Affairs: Vicki Roller – Moved to support the ND Housing Finance Agency in their legislation that would broaden the HFA powers to enable them to assist in developing land and housing for communities that currently have an unmet need. (M/S/C)

Also discussed raising or removing the limit on E&O insurance to make it available and moved to support the removal of a limit of \$125. Also moved to support the ND Real Estate Commission in their legislation to broaden the incorporating of salesperson to include broker associate, spouses and teams; name change for Pat's position from Secretary/Treasurer to Executive Director and to change the requirement that brokers' files will only need to include forms that are from party they represented. Motion made to support these bills (M/S/C).

**Other Business:**

Transition Team Update – Joe Frenzel – Have approved final job description for EVP position and plan to interview Jill in January with intent to report to BOD at the January 30<sup>th</sup> meeting.

The Bois de Sioux BOR is requesting name change to the Wahpeton Breckenridge Area Board of REALTORS<sup>®</sup>. Moved to support the Bois de Sioux Board in their quest to have their name changed (M/S/C).

Joe presented the list of those he is asking to appoint to committees and it was moved to approve the list as follows:

RPAC Trustees (3 year term):

Steve Diederick, Bois de Sioux Board of REALTORS<sup>®</sup>

Jerry Youngberg, Grand Forks Board of REALTORS<sup>®</sup>

Scot Nething, Jamestown Board of REALTORS<sup>®</sup>

Barb Grande, Fargo Moorhead Area Assoc of REALTORS<sup>®</sup> (filling term of Ann Cichy through 2008)

Issues and Mobilization (3 year term):

Jim Dunavan, Grand Forks Board of REALTORS<sup>®</sup>

Jack Kavaney, Bismarck Mandan Board of REALTORS<sup>®</sup>

Scot Nething, Jamestown Board of REALTORS<sup>®</sup>

Dewey Uhlir, Fargo Moorhead Area Assoc of REALTORS<sup>®</sup> (filling term of Don Kilander through 2007)

Grievance Committee (3 year term):

Steve Schwab, Badlands Board of REALTORS<sup>®</sup>

Doris Hill, Jamestown Board of REALTORS<sup>®</sup>

President Joe briefed Board of Directors on his decision to appoint Larry Louser to fill Ann Cichy's term on the NAR RPAC Trustees at the National Convention in New Orleans.

Scott Louser, NAR Director also reported on some of things of interest from the NAR Convention:

The National Advertising Campaign is expanding and doing more radio and TV spots; NAR donated \$1,000,000 for new Martin Luther King Memorial in DC; he also made members aware of a scam regarding the Do Not Call laws in real estate office. Apparently someone is calling various real estate offices and asking for a copy of the office's Do Not Call Policy and asking that it be sent in a timely manner – if not done they file a law suit and then try to settle out of court for \$5,000. He made everyone aware that the law and sample office policy in regards to this is available through a link on the NDAR website. Also recently became aware that Federal Law mandates that if sales price is over \$350,000 the seller must provide the buyer with their social security number for tax reporting purposes – NAR's Federal Taxation Committee is looking into this and consequences that may occur.

Being no further business the meeting was adjourned.

Respectfully Submitted,

Jill Beck