




Interoffice Memorandum

December 1, 2020

TO: County Commissioners  
FROM: Mayor Jerry L. Demings   
SUBJECT: Managerial Appointment – Administrative Services Department  
**CONSENT AGENDA ITEM – December 1, 2020**

I am pleased to announce the appointment of Ms. Mindy Cummings as Manager of the Real Estate Management Division. This Division is responsible for acquiring property needed for all Orange County infrastructure projects. In addition, the division is responsible for leasing services, coordinating abatement and demolition of buildings and structures, and performing surplus property sales.

Ms. Cummings holds a Juris Doctor, Certificate in Environmental and Land Use Law from the University of Florida. As a law partner in Big Sky, Montana she specialized in Planning, Land Use, Real Estate, Community Association, Corporate and Non-Profit law.

Ms. Cummings has 19 years of experience representing and presenting development and zoning applications before local boards and commissions, as well as 14 years of service, collectively, as a member of the County Planning and Zoning Commission in Big Sky.

Ms. Cummings' appointment will be effective, December 14, 2020, pending Board approval. Her starting annual salary will be \$108,014, and her resume is attached.

**Action Requested:** Confirmation of the Mayor's managerial appointment of Mindy Cummings as Manager, Real Estate Management Division.

Attachments

JLD/ak

c: Byron W. Brooks, AICP, County Administrator  
Carla Bell Johnson, AICP, Acting Assistant County Administrator  
Anne Kulikowski, Director, Administrative Services Department  
J. Ricardo Daye, Human Resources Director

# Mindy Tucker Cummings

Real Estate Professional

1005 Aruba Drive, Orlando, FL 32806

PH: 406-581-8727

mcnlawbigsky@outlook.com



Accomplished professional in land use law and regulation, planning, acquisition, parks/recreation and large-scale development. Key member of planning team for large-scale resort developers working with attorneys, engineers, surveyors, architects, design professionals, and planning officials to produce overall development plans, planned unit developments, subdivisions and secure entitlements. Ensured compliance with applicable land development codes for applications submitted to local governing bodies. Implemented smooth transitions from developer to community members. General Counsel for non-profit with focus on land acquisition and donation for large scale parks, trails and recreational development projects. Posses juris doctorate degree with a certification in environmental and land use law. Pursuing a Masters in Urban & Regional Planning through the online program at the University of Florida. Applicant for the GIS certification. AICP certification will be sought.

- 19 years representing and presenting development and zoning applications before local boards and commissions
- 14 years, collectively, as a member of the county planning and zoning commission (6 years) and chair of local zoning advisory board (8 years)
- Strong leadership and team management skills
- Excellent communication, negotiation and interpersonal skills
- Ability to work with stakeholders to build consensus on highly controversial issues

## Education

### **Juris Doctor**

University of Florida College of Law, Gainesville, Florida

### **Certificate in Environmental and Land Use Law**

University of Florida College of Law, Gainesville, Florida

### **Master of Urban and Regional Planning**

University of Florida, College of Design, Construction and Planning, Gainesville, Florida  
(Ongoing Studies)

### **Bachelor of Arts, Double Major in Sociology and Anthropology**

University of Florida, Gainesville, Florida

Honors graduate, Phi Beta Kappa, Golden Key National Honor Society, Alpha Delta Pi Sorority

## Skills

Effective Written and Verbal Communication  
Project Management  
Public Speaking  
Negotiation  
Policy and Regulatory Development  
Consensus Building  
Proficient in Microsoft Office Suite  
Understanding of ARC GIS

## Affiliations

American Planning Association  
Congress for New Urbanism  
Montana State Bar  
Florida State Bar (inactive currently)  
Community Association Institute

## Professional Experience

Mindy Tucker Cummings  
PH: 406-581-8727  
mcnlawbigsky@outlook.com

### **MINDY T. CUMMINGS, P.C., Big Sky, Montana 2003-Present**

#### **Partner**

Law practice specializing in Planning, Land Use, Real Estate, Community Association, Corporate and Non-Profit law. Represent developers in large and small scale development projects from inception, planning, entitlement and construction; represent parties in real estate transactions for commercial and residential properties; represent local businesses in formation, drafting corporate documents, contracts, business transactions, and employment matters; advise property owners on land use issues; represent residential and commercial owners' associations in redrafting covenants, design regulations, policies, enforcement and facilitated association to homeowner communication.

### **BIG SKY COMMUNITY ORGANIZATION, Big Sky, Montana 2005-2010; 2019- Present**

#### **General Counsel and Project Manager**

Provided legal support as staff attorney to the Board of Directors and several standing committees. Managed special projects including: assuring operational compliance with federal, state, and local laws; served as legal/technical resource for all issues relating to policy and other documents directing governance; provided review and made recommendations to the Board regarding all contracts; assisted with the acquisition of additional park land and subdivision exemption application; assisted with recreational programming and camps; made application for reduction or exemptions from real property taxes for company assets; drafted contracts and easements as needed.

### **MB MT & CH SP ACQUISITION LLC, Big Sky, Montana 2013-2014**

#### **Staff Attorney**

Team member with the Planning and Development division for the existing Moonlight and Spanish Peaks resort developments. Contributor to planning applications and presentations. Provided general legal advice and draft contracts, agreements, easements and licenses for operations and development. Managed special projects including: revisions and drafting to existing subdivision and condominium governing documents; review and revision of applicable design guidelines; development and implementation of a master owners' association; negotiation and settlement of delinquencies; risk management; draft and provide support on county applications (Madison and Gallatin Counties) advise on real estate transactions

### **MT MOONLIGHT BASIN RESORT OPS, LLC, Big Sky, Montana 2011-2013**

#### **Staff Attorney**

Team member with the Moonlight Basin Planning and Development Department for the existing Moonlight resort development and eventual transition to and implementation of a master owners association, as well as assisted in the asset sale to new ownership. Managed special projects including analysis of all governing documents for existing developments in Moonlight; analysis of transition from developer to master owners association; drafted pertinent documents for transition (contracts, deeds, easements, 501c4 application, resolutions); reviewed budgets and reserve analysis; drafted county planning applications; drafted master declaration of covenants, bylaws, articles of incorporation; provided legal support for implementation of rural improvement districts for roads and infrastructure; assisted in negotiations of proposed legislation in the 2011 Montana legislative session regarding private transfer fees; tracked pertinent federal legislation regarding private transfer fees; researched and reviewed pertinent legislation and case law regarding condominium and home owners association laws.

### **BIG SKY OWNERS ASSOCIATION, INC., Big Sky, Montana 2005-2013**

#### **Staff Attorney**

Provided legal support as staff attorney to the Board of Directors and several standing committees. Managed special projects including: assuring operational compliance with federal, state, and local laws; served as legal/technical resource for all issues relating to covenants, policy development, design regulations and other documents directing governance; provided review and made recommendations to the board regarding all contracts; filed FCC license applications for TV and radio translators; resolved jurisdictional questions; drafted request for proposals and contract for five year BSOA snow plow contract; contributed written content for quarterly newsletter; drafted contracts, easements, and liens; worked with outside counsel; updated governing documents for BSOA and sub-associations under BSOA's jurisdiction.