



## **Alabama State Board of Auctioneers**

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### **MINUTES Board Meeting January 22, 2013**

The Alabama State Board of Auctioneers met on Tuesday, January 22, 2013 at the Board offices located at 2777 Zelda Road, Montgomery, Alabama, for the purpose of conducting Board business. Those in attendance were as follows: Mr. Ken Garner (Chair), Mr. Bryant Wood, (Vice Chair), Mr. Bryan Knox (Secretary/Treasurer), Mr. Michael Langford, Member, Keith Baldwin, Erskine Valrie, and Pete Horton. Board members not in attendance were Ms. Christie Ray. The Board, consisting of a quorum, continued with a voting meeting. Also present were Mr. Keith Warren (Executive Director), Ms. Dana Billingsley (Board Counsel), Mr. Carl Mike James (Board Investigator), Hope Paulene (Executive Assistant) and Ms. Renee' Reames (Executive Secretary to Mr. Warren, joined meeting at 9:20 a.m.).

The meeting was called to order at 9:00 a.m. by Ken Garner, Chair.

The regularly scheduled meeting was advertised on the Board's web site, [www.auctioneer.alabama.gov](http://www.auctioneer.alabama.gov), and the Secretary of State's website, [www.sos.state.al.us](http://www.sos.state.al.us), in accordance with the Alabama Open Meetings Act. Mr. Garner welcomed members present at the meeting and Mr. Warren gave the opening statement concerning Roberts Rules of Order and the Alabama Open Meetings Act.

The oath of office was administered by Keith Warren to the following new Board members: Mr. Steven Keith Baldwin, Mr. Pete Horton and Mr. Erskine L. Valrie. The new members were welcomed by the Board members and staff.

The minutes of the December 10, 2012 meeting were submitted to the Board, prior to the meeting, for their review. Mr. Wood made a motion to dispense with the reading of the minutes and to accept the minutes as presented. The motion was seconded by Mr. Knox and unanimously approved by the Board.

Mr. Warren presented the Executive Director's Report to include financial activities and fund balance (report is available for viewing in the Board's official Book of Minutes).

The Board discussed the Attorney General's opinions concerning the Internet and exemptions, as it relates to legislative matters under consideration by the Board. Mr. Warren suggested a Legislative Committee be appointed and that these members meet with representatives of certain interest groups.

Ms. Paulene reported on the current number of licensees (report is available for viewing in the Board's official Book of Minutes).

Ms. Billingsley presented the Legal Counsel Report. She reported on the recommendations by the Administrative Law Judge (ALJ), Mr. James Jerry Wood, who presided over the hearing in the matter of Tom Wieck, dba Big Dawg Promotions, LLC. She reviewed with the Board the six (6) violations cited in his recommendation, along with a recommendation to fine Mr. Wieck a total of \$3000. She noted that this fine is limited by statute.

Mr. Wood made a motion to accept the Proposed Order on Findings of Fact and Conclusions of Law by Honorable J. Jerry Wood, which included a fine of \$500 per violation totaling \$3,000.00. In addition to the Proposed Order and Fine, the Board unanimously voted to assess an Administrative Fine of \$3,000.00 for a total fine from the Board of \$6,000.00 and to notify the states where Mr. Wieck is licensed and the national database of this Board's disciplinary action. The motion was seconded by Mr. Baldwin and unanimously approved by the Board.

Ms. Billingsley presented the Consent Agreement in the matter of Gregg Crow/AAA Realty and Auction, LLC. Mr. Knox made a motion to approve the Consent Agreement for said violations, to include a fine of Two Thousand Five Hundred Dollars (\$2,500.00) and orders Mr. Crow and AAA to cease and desist conducting auction business in this state until an Alabama Auctioneers License and Auction Company Licenses are obtained from this Board. The motion was seconded by Mr. Langford and unanimously approved by the Board.

Ms. Billingsley reported that there were some pending consent agreements based on the complaints received.

Mr. Warren indicated that he would like to add to the Executive Director report the complaint activities. Ms. Billingsley commented on the complaint process in regulating licensed and non-licensed individuals who hold themselves out to be auctioneers.

Mr. Warren reminded the Board members of the Board training session to be held on January 23, 2013, and he encouraged the Board members to attend.

Election of officers was held following the appointment of new members to the Board:

Mr. Wood nominated Mr. Knox as Secretary/Treasurer. There were no other nominations and the Board unanimously approved Mr. Knox as Secretary/Treasurer by acclamation.

Mr. Langford nominated Mr. Wood as Vice Chair. There were no other nominations and the Board unanimously approved Mr. Wood as Vice Chair by acclamation.

Mr. Wood nominated Mr. Garner as Chair. There were no other nominations and the Board unanimously approved Mr. Garner as Chair by acclamation.

The Board further discussed serving on the Legislative Committee and the Educational Committee. Mr. Garner acknowledged the following members to serve on the Legislative Committee: Mr. Wood, Mr. Langford, Mr. Knox and Mr. Valrie. Mr. Garner also acknowledged the following Board

members to serve on the Educational Committee: Mr. Wood, Mr. Horton, Ms. Ray and Mr. Baldwin. Mr. Garner agreed to serve on both Committees also.

Mr. Knox requested Board members contact him regarding their recommendations for presenters at the Alabama Association of Auctioneers' annual meeting to be held in March at Lake Guntersville.

The next regularly scheduled meeting of the Board is April 9, 2013, at 9:00 a.m.

There was no further business and Mr. Wood made a motion to adjourn. The motion was seconded by Mr. Horton and Mr. Garner adjourned the meeting at 10:06 a.m.

Respectfully Submitted,



Ken Garner  
*Chair*



Keith E. Warren  
*Executive Director*