



Alabama State Board of Auctioneers

2777 Zelda Rd

Montgomery, AL 36106

Phone: 334-420-7235

Fax: 334-263-6115

Email: auctioneers@warrenandco.com

Website: www.auctioneer.alabama.gov

MINUTES Board Meeting January 20, 2015

The Alabama State Board of Auctioneers met on Tuesday, January 20, 2015, at the Board offices in Montgomery. Those in attendance were as follows: Mr. Ken Garner (Chair), Mr. Bryant Wood, Mr. Bryan Knox, Mr. Michael Langford, Mr. Erskine Valrie, Ms. Christie Ray, Mr. Keith Baldwin and Mr. Pete Horton. The Board, consisting of a quorum, continued with a voting meeting. Also present were Mr. Keith Warren (Executive Director), Ms. Dana Billingsley (Board Counsel), Hope Paulene (Administrative Assistant), Mr. Mike James (Investigator) and Ms. Renee' Reames (Executive Secretary to Mr. Warren).

The meeting was called to order at 9:04 a.m.

The regularly scheduled meeting was advertised on the Board's web site, www.auctioneer.alabama.gov, and the Secretary of State's website, www.sos.state.al.us, in accordance with the Alabama Open Meetings Act. Mr. Garner welcomed members present at the meeting. The Pledge of Allegiance was recited by attendees and a word of prayer was given at the opening of the meeting. Mr. Warren gave the opening statement concerning Roberts Rules of Order and the Alabama Open Meetings Act.

The copy of the October 8, 2014 Board meeting minutes was submitted to the Board prior to the meeting for their review. Ms. Ray made a motion to dispense with the reading of the minutes and to accept the October meeting minutes as presented. The motion was seconded by Mr. Langford and unanimously approved by the Board.

Mr. Warren presented the Executive Director's Report to include financial activities and fund balance as of December 31, 2014 (report is available for viewing in the Board's official Book of Minutes). Also included in his report were the total number of licensees and number of complaints received and closed.

Mr. Warren reported that an applicant, who had a criminal background from an occurrence over 17 years ago, had applied to take the apprentice exam. The applicant was a 2014 graduate from an auctioneer school and had submitted the name of a licensee/sponsor, who resided out-of-state. Mr. Knox made a motion to approve the applicant to take the apprentice exam, pending the name of an in-state sponsor being submitted. The motion was seconded by Ms. Ray and was approved by the majority of the Board, with Mr. Wood abstaining from the vote.

Ms. Billingsley presented the Legal Counsel Report. She reported on the Board's consideration to file a lien on real property held by Tom Wieck in Kentucky. After further discussion of time and effort to identify such property, Mr. Langford made a motion to let the matter rest and reconsider the matter of Tom Wieck in 12 months. The motion was seconded by Ms. Ray and unanimously approved by the Board.

Mr. Warren recommended the final adoption of Appendices 1 to the Board's Rules concerning Background Check Fee. He reported that no comments had been received from the public concerning this published rule. Mr. Valrie made a motion to approve Appendices 1 as a Final Rule. The motion was seconded by Mr. Horton and unanimously approved by the Board.

Mr. Warren reported that the Technology Committee had considered proposals about developing and maintaining the licensee database and updating the website to allow online applications and electronic communications throughout the applicant and licensee renewal process. The Board discussed the estimated expense to the Board and to Warren and Company, Inc. for this service, to be provided by a State approved vendor. Mr. Warren reported that he would have more information to present at the next Board meeting.

Mr. Warren presented a proposal for the digitization of records (paper conversion) by Business Systems & Consultants, Inc. (BSC). He explained that there would be a one-time cost to the Board for this conversion and Warren & Company would accept the ongoing maintenance cost. Following a review of the proposal, discussion about the conversion process, and cost for transportation of records and scanning, Mr. Wood made a motion to proceed with the digitization of records by BSC not to exceed \$8,322.80. The motion was seconded by Mr. Langford and unanimously approved by the Board.

The Board discussed the licensee renewal process in FY 2015, and Mr. Wood made a motion to increase the renewal licensing fees by \$25 effective July 1, 2015 for FY 2016 license renewals. The motion was seconded by Mr. Knox and unanimously approved by the Board.

Mr. Warren reported on behalf of the Legislative Committee that the Board consider increasing the disciplinary fines from \$200 minimum fine per violation to a minimum of \$500 per violation, with a maximum of \$2500 per violation. This would require a change in the statute.

Mr. Warren also recommended that the Board consider changing the statute concerning applicants whose applications are denied. The Rule currently required that a denial of an application would result in a hearing before the Board. He recommended that the Rule be changed to not require a hearing.

The Board considered the Legislative Committee's recommendation that the quorum requirement to conduct a Board meeting be changed to reflect the majority of currently appointed Board members.

After discussion of the Legislative Committee's recommendations, the Board agreed to review items previously discussed in earlier Board meetings and present these items for consideration.

Mr. Horton presented the Education Committee report. He thanked Ms. Ray for coordinating the recent continuing education program. Mr. Horton inquired about recommendations for topics at the next CE program.

Mr. Garner called a recess of the Board's business meeting at 10:03 a.m. for the Board members to participate in the Administrative Hearings. The recommendations from the Administrative Law Judge concerning these hearings would be considered at the April Board meeting.

Mr. Jerry Wood presided over the Administrative Hearing in the matter of Brian Svencer and convened the Administrative Hearing at 10:14 a.m. and adjourned the hearing at 11:13 a.m.

Mr. Garner reconvened the business meeting of the Board at 11:20 a.m.

The Board continued discussion of the Education Committee report and Mr. Wood made a motion to conduct the CE Program in September in the Birmingham area and obtain a speaker on the topic of UCCs. The motion was seconded by Mr. Knox and unanimously approved by the Board. Mr. Warren indicated that he would provide information about various venues in the Birmingham area for the Board's consideration at their next meeting and asked that the expenses for the CE program be finalized and approved by the July Board meeting.

Mr. Warren presented the Examination Committee report and indicated that the Committee had met with the examination proctor and have plans to complete the review process by webinar. The Committee members commented on the length of time required to complete the process of reviewing the individual questions and have the process completed by the April Board meeting. Mr. Warren indicated that the study guide would also need to be modified.

There was no formal report by the Disciplinary Committee; however, Ms. Billingsley reported on the outstanding fine by Conrad Green. It was the consensus of the Board to authorize Ms. Billingsley to file a lien against property held by Mr. Green.

The Board discussed the expiration of Board terms and Mr. Warren reported that Mr. Knox's and Mr. Langford's terms had expired and they were eligible for reappointment. He reported that Mr. Garner's term would expire in October and was not eligible to serve again. Mr. Warren reported that he would distribute a list of eligible licensees from Congressional District 5 for the Board members to review.

Ms. Ray reminded the Board members about the Alabama Auctioneers Association meeting to be held February 8-9, 2015 in Guntersville.

Mr. Warren reported that the Board's newsletter would be E-mailed to licensees and posted on the Board's website.

Mr. Warren proposed that the Board's investigator travel expenses, when investigating complaints, be reimbursed by the Board. Mr. Langford made a motion to approve the investigator's travel expenses be reimbursed by the Board. The motion was seconded by Mr. Knox and unanimously approved by the Board.

Mr. Warren reminded the Board members to complete their direct deposit forms for Board compensation to be paid.

Mr. Garner called a recess of the Board at 12:28 p.m. for lunch.

The Administrative Hearing concerning Michael Robuck was convened at 12:59 a.m. by Judge Jerry Wood and adjourned at 1:48 p.m.

The Administrative Hearing concerning Matthew Powell was convened at 1:57 p.m. by Judge Jerry Wood and adjourned at 2:57 p.m.

Mr. Garner reconvened the business meeting of the Board at 1:59 p.m.

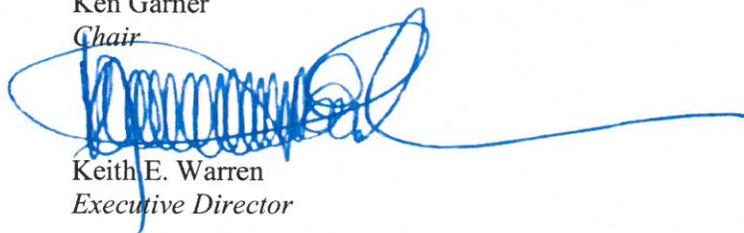
The next regularly scheduled meeting of the Board is April 21, 2015.

There was no further business of the Board and Mr. Garner adjourned the meeting at 3:00 p.m.

Respectfully Submitted,



Ken Garner
Chair



Keith E. Warren
Executive Director

/rr