



Alabama State Board of Auctioneers

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MINUTES Board Meeting July 16, 2019

The Alabama State Board of Auctioneers met on Tuesday, July 16, 2019 at the Board office in Montgomery. Those in attendance were Mr. Pete Horton (Board Chair), Mr. Mike Fisher (Vice Chair), Mr. Erskine Valrie (Secretary), Mr. Keith McDaniel (member), Mr. Chad Curvin (member), Mr. John Gray (member) and Mr. Chip Pearce (member). Member not in attendance was Mr. Michael Langford. Also present were Mr. Keith Warren, Executive Director, Mr. Bill Garrett (Assistant Attorney General), Ms. Bettie Carmack (Board Legal Counsel), Ms. Jennifer Love (Legal Assistant), Mike James (Investigator) and Ms. Renee' Reames (recorder). Chairman Horton acknowledged that a quorum of the members was present and the meeting was called to order at 9:00 a.m. Guests were present.

The meeting was advertised on the Board's web site, www.auctioneer.alabama.gov, and the Secretary of State's website, www.sos.alabama.gov in accordance with the Alabama Open Meetings Act. 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.

Chairman Horton presented a copy of the April 17, 2019 regular meeting minutes for the Board's approval. A copy of the minutes was distributed to the Board members prior to the meeting for their review. Mr. Pearce made a motion to dispense with the reading of the minutes and to approve the April minutes as submitted. The motion was seconded by Mr. Gray and unanimously approved by the Board.

Mr. Warren presented the Executive Director's Report (report available for viewing in the Board's official Book of Minutes). The report included the financial activities of the Board for the period ending June 30, 2019, along with a line item summary of expenses. He indicated that the licensee renewal period opened on July 1, 2019 and reported on the number of licensees, as of June 30, 2019, as well as the number of complaints received and investigated during FY2019 and case that had a delinquent fine.

Mr. Valrie made a motion to approve the financial report as presented. The motion was seconded by Mr. Pearce and unanimously approved by the Board.

Mr. Warren also presented the Administrator's report, which included a summary of examination statistics and licensing activities as of June 30, 2019.

Mr. Warren reported that the proposed legislation to change the Board's statute was presented and made good progress through the last session of the Legislature. Mr. Mike Weeks, legislative liaison for Warren & Company, encouraged the members to attend future legislative meetings and Mr. Warren stated that the proposed legislative changes would be reviewed again prior to the next legislative session in 2020. The Board expressed their appreciation for the work by Representative Isbell for sponsoring the bill and to Mr. Weeks for his assistance.

Mr. Bill Garrett requested that Mr. James present the report on 4 complaint cases. Mr. James reported:

- Case 2019-008 Complaint regarding online auctions to be closed due to lack of jurisdiction.
- Case 2019-004 Complaint regarding unlicensed auctioneer to be closed with a consent agreement and disciplinary fine for violations.
- Case 2019-006 Complaint regarding unlicensed auctioneer to be closed with a cease and desist letter to the Respondent in the case.
- Case 2019-005 Complaint case regarding a former licensee to be closed with a consent order and disciplinary fine for violations.

Following a brief discussion of these case, Mr. Garrett indicated that the Consent Agreements would be presented to the Board for approval at a future meeting.

Mr. Garrett left the meeting at 9:20 a.m. due to a previous commitment and scheduling conflict.

Mr. Warren commented on the Board's action taken concerning Ms. Tommie Lynn Morrison's application for licensure. Mr. Fisher made the motion that the Board adjourn into Executive Session for 15 minutes to protect the good name and reputation of Ms. Morrison. The motion was seconded by Mr. Valrie and Chairman Horton called for a roll call vote of the members: Mr. Fisher, aye; Mr. Valrie, aye; Mr. McDaniel, aye; Mr. Curvin, aye; Mr. Gray, aye; and Mr. Pearce, aye. Ms. Carmack certified that the Executive Session could be called for this purpose. Chairman Horton adjourned the meeting into Executive Session at 9:25 a.m. by unanimous vote of the Board. The Board discussed the matter of Ms. Morrison's application for licensure and its previous decision in this matter. Mr. Valrie made the motion to adjourn into regular session. The motion was seconded by Mr. Pearce and unanimously approved by the Board. Chairman Horton called the meeting into regular session at 9:48 a.m.

Mr. Gray made the motion to rescind their motion to deny Ms. Tommie Lynn Morrison's application for licensure and to place the application on-hold until the pending civil case in Shelby County was completed and at such time, the matter would be reconsidered by the Board. The motion was seconded by Mr. McDaniel. Chairman Horton called for a roll call vote of the members: Mr. Fisher, aye; Mr. Valrie, aye; Mr. McDaniel, aye; Mr. Curvin, aye; Mr. Gray, aye; and Mr. Pearce, abstained. The motion passed by majority vote of the members, with one member abstaining.

Mr. Warren reported that the Board Rule concerning reciprocal application licensing fees was not consistent with the Board's authority to assess a fee that was comparable to the fee by the reciprocity state and he recommended that the fee schedule be modified. Mr. McDaniel made a motion to modify the Board's Rule and assess \$350 Reciprocal Licensure fee. The motion was seconded by Mr. Gray and unanimously approved by the Board. The Board discussed the fees charged by Mississippi.

Mr. Warren presented for the Board's approval the annual renewal of the Administrative Services Contract. Mr. Fisher made a motion to approve the Administrative Services Contract for another year at the current fee. The motion was seconded by Mr. Valrie and unanimously approved by the Board.

Mr. Warren reminded the Board members about the upcoming meeting with the Sunset Committee on October 3, 2019.

He also reported that he was asked by the Association to present the legal review presentation at its meeting in September.

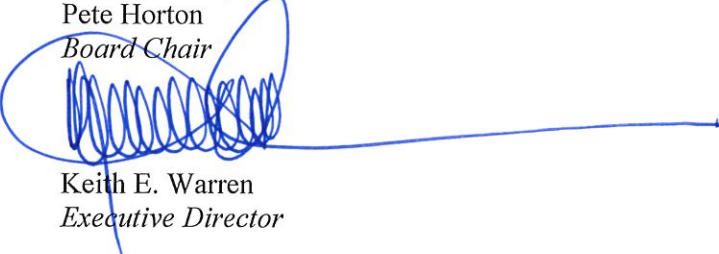
Chairman Horton announced that the next regularly scheduled meeting of the Board was scheduled October 15, 2019 at 9:00 a.m.

There was no further business by the Board and Mr. McDaniel made a motion that the meeting be adjourned. The motion was seconded by Mr. Pearce and unanimously approved by the Board. Chairman Horton adjourned the meeting at 10:05 p.m.

Respectfully Submitted,

Pete Horton

Pete Horton
Board Chair

A blue ink signature consisting of a large, circular scribble followed by a long horizontal line extending to the right.
Keith E. Warren
Executive Director

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