



Alabama State Board of Auctioneers

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MINUTES Board Meeting July 20, 2021

The Alabama State Board of Auctioneers met on Tuesday, July 20, 2021, at the Board office located at 2777 Zelda Road in Montgomery. Members in attendance were Mr. Pete Horton (Board Chair), Mr. Mike Fisher (Vice Chair participating virtually), Mr. Chad Curvin (member), Mr. John Gray (member), Ms. Angela Morgan (member) and Mr. Chip Pearce (member). Board member absent was Mr. Keith McDaniel (member). Also in attendance were Mr. Keith Warren (Executive Director), Mr. Dennis Trammell (Investigator) and Ms. Renee' Reames (recording secretary). Chairman Horton called the meeting to order at 9:00 a.m. and Mr. Warren called Board roll. Mr. Warren indicated that a quorum of the members was present to conduct business.

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. A word of prayer was given at the opening of the meeting and Mr. Warren gave the opening statement concerning Roberts Rules of Order and the Alabama Open Meetings Act. Chairman Horton welcomed everyone attending the meeting.

Approval of Minutes: Chairman Horton indicated that a copy of the minutes from the April 13, 2021, Board meeting was distributed to the members prior to the meeting for their review. Mr. Gray made a motion to dispense with the reading of the April minutes. The motion was seconded by Mr. Pearce and unanimously approved by the Board.

Mr. Pearce made a motion to approve the April meeting minutes as submitted. The motion was seconded by Mr. Gray and unanimously approved by the Board.

Executive Director Report: 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, 2021, along with a line-item summary of expenses. He reported on the number of licensees and the number of complaints received during FY 2021.

Administrator's Report: Mr. Warren presented the Administrator's Report, which included licensing activities accomplished since the last Board meeting held in April and a summary of licensure and examination statistics from this same period.

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

Legal Counsel Report: Mr. Warren reported that there was no Legal Counsel report at this time.

Election of Board Officers: Mr. Warren reported that election of officers was deferred from the last Board meeting and one vacancy still existed on the Board. Mr. Pearce made the motion that the current officers remain the same, with Mr. Horton as Board Chair and Mr. Fisher as Board Vice Chair, and the rotation of Board officers include seniority positions based on Board terms. The motion was seconded by Mr. Gray and unanimously approved by the Board.

Board Vacancy: The Board discussed candidates to serve in the consumer position on the Board that Mr. Valrie had held. Mr. Pearce made the motion to recommend to Governor Ivey that Mr. Grissett be appointed to fill the consumer position. The motion was seconded by Mr. Gray and unanimously approved by the Board.

The Board welcomed the opportunity for a representative of the Alabama Auctioneer Association to attend the regular meetings of the Board.

Discussion of Board Rules and Act 2021-438: Mr. Warren distributed to the Board members a copy of the Board's new statute, Act 2021-438, along with a copy of the current Rules. The Board discussed the omission of public outcry in the statute and discussed situations where potential violations were occurring based on the new statute. A notification process was discussed: educating licensees and the public, complaint process to include initial notification to potential violators (respondents in complaint cases) and creating a formal standard letter stating the Board's jurisdiction. Mr. Warren commented on the role of an Investigative Committee to review and make recommendations to the Board in resolving a complaint.

Mr. Warren explained the process of creating and modifying Board Rules, publishing rules for public comment and final adoption of the rule to become effective. The Board agreed that posting the rule changes and similar notifications on the Board's website would be beneficial in educating the licensees and public.

The Board discussed the benefits of creating a Rules Committee to begin the process of modifying the Board's rules and the following individuals were appointed: Messrs. Fisher and Pearce, Board Legal Counsel, Executive Director and a member of the Association. Ms. Morgan would serve as an alternate member. Mr. Warren reported that he would coordinate a meeting date and notify the Committee members.

Next Meeting: Chairman Horton reminded the members about the next Board meeting scheduled October 19, 2021. The Board discussed modifying the meeting date to September 14, 2021 to consider recommendations from the Rules Committee and to meet again November 12, 2021 to continue the Rules review and approval process. It was the consensus of the Board to cancel the October 19, 2021 meeting. Mr. Warren indicated that a meeting reminder would be sent to the members.

Adjournment: There was no further business by the Board and Mr. Pearce made a motion that the meeting be adjourned. The motion was seconded by Mr. Gray and unanimously approved by the Board. Chairman Horton adjourned the meeting at 10:41 a.m.

Respectfully Submitted,

Pete Horton
Board Chair

Keith E. Warren
Executive Director

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