



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 July 15, 2014

The Alabama State Board of Auctioneers met on Tuesday, July 15, 2014, at the Board offices in Montgomery. Those in attendance were as follows: Mr. Ken Garner (Chair), Mr. Bryan Knox, Mr. Michael Langford, Ms. Christie Ray, Mr. Erskine Valrie, Mr. Keith Baldwin and Mr. Pete Horton. Board member not in attendance was Mr. Bryant Wood. 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. Mike James (Investigator) and Ms. Renee' Reames (Executive Secretary to Mr. Warren).

The meeting was called to order at 9:05 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 April 15, 2014 minutes of the regularly scheduled meeting was submitted to the Board prior to the meeting for their review. Mr. Valrie made a motion to correct the minutes in the second paragraph of page 1, to indicate that Mr. Wood welcomed the members, and to dispense with the reading of the minutes and to accept the April meeting minutes as amended. The motion was seconded by Ms. Ray and unanimously approved by the Board.

Mr. Warren presented the Executive Director's Report to include financial activities and fund balance as of June 30, 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 recommended that the Board review the contents of the examination for auctioneer and consider inviting the examination representative to a Board meeting. The Board discussed delaying the starting time of the October Board meeting to accommodate the exam representative attending the meeting.

Mr. Warren inquired about the Board's interest in proposing changes to the statute at the upcoming legislative session. Mr. Garner asked the Legislative Committee members to present at the next meeting recommendations for the Board's consideration.

Mr. Warren requested articles from the Board members for the Board's newsletter. He indicated that he would request from NAA the article on equipment UCC liens.

Mr. Warren reported that the State Comptroller's office has requested that travel reimbursement checks to the Board be paid by direct deposit. Forms were distributed to the Board members for them to complete and return to the Executive Director.

Ms. Billingsley presented the Legal Counsel Report. She reported that the respondents in the WMTY, Inc. complaint case had paid their fines, and that she would prepare a lien on the property of the following respondents since they have not paid their fines after reminder notices had been mailed to: Mr. Paul White, Mr. Conrad Green and Mr. Tom Wieck. The Board discussed the cost in filing legal notices, and Mr. Horton made a motion authorizing Mr. Baldwin to call these individuals to discuss their complying with Board action. The motion was seconded by Ms. Ray and unanimously approved by the Board.

Ms. Billingsley reported on notifications mailed to Mr. Wieck and the Board discussed contacting the real estate and auction company of a similar name in Nebraska to determine if they are associate with Mr. Wieck.

Ms. Billingsley also reported that Mr. Green had paid a portion of his fine and the remainder was still outstanding.

Ms. Billingsley reported that Mr. White's fine remained outstanding as well.

Following the report, Mr. Horton withdrew his motion and Ms. Ray agreed. Mr. Knox made a motion to authorize the Board Counsel to write the Nebraska Board of Real Estate concerning Mr. Wieck and that Mr. Baldwin be authorized to call Mr. White and Mr. Green, giving them a final date to comply. The motion was seconded by Mr. Valrie and unanimously approved by the Board.

Mr. Warren reported that the proposed Rule, Appendix 1, Fees, had been published for public comment and no comments were received. Mr. Langford moved that the proposed Rule be adopted as a Final Rule. The motion was seconded by Mr. Baldwin and unanimously approved by the Board.

Mr. Warren presented proposed Rule 150-X-1-.2(c) stating that the fee would be equivalent to the Alabama licensing fee or greater if licensing fee in another reciprocating state was greater.

Mr. Garner called a 15 minute break at 10:00 a.m.

Mr. Garner reconvened the Board meeting at 10:15 a.m.

Following discussion by the Board concerning the proposed Rule 150-X-1-.02(c), Ms. Billingsley recommended the Rule be modified to state a fee at the same or greater amount. Mr. Horton made a motion to approve the proposed Rule as amended. The motion was seconded by Ms. Ray and unanimously approved by the Board.

Mr. Warren presented the Administrative Services Contract for annual renewal. He indicated that modifications to the contract would require rebidding. Ms. Ray moved that the Board adjourn into Executive Session, for approximately 30 minutes, to discuss the good name and reputation of Warren and

Company. The motion was seconded by Mr. Horton. Ms. Billingsley agreed with the purpose of the Session and the following votes were counted: Mr. Bryan Knox, aye; Mr. Michael Langford, aye; Ms. Christie Ray, aye; Mr. Erskine Valrie, aye; Mr. Keith Baldwin, aye; and Mr. Pete Horton, aye.

The Board adjourned into Executive Session at 10:43 a.m.

The Board reconvened out of Executive Session at 11:08 a.m.

Mr. Knox made a motion to approve the annual renewal of the Administrative Services contract with Warren and Company for one year. The motion was seconded by Ms. Ray and unanimously approved by the Board.

Ms. Ray reported on the Technology Committee activities and indicated that an RFP had been released to create and maintain the licensee database. She reported that only one proposal had been received, from Lexicom, and the Technology Committee had discussed during a conference call to rebid the services and amend the RFP to obtain background information on the companies responding to the RFP. Mr. Warren reported that he would request a list of vendors registered for this service and they would be notified about the RFP stating a deadline of September 16, 2014 to receive proposals.

Mr. Warren reported that he would be working with the Legislative Committee to prepare for the upcoming legislative session. The Board discussed not having jurisdiction over online auctions when bids are not physically called on an auction block. The Board agreed that they would continue to monitor activities in other states concerning online auctions to see if there are changes.

Mr. Warren reported that the 2015 Board meeting scheduled would be presented at the next meeting for the Board's approval. The Board members agreed that meeting on Tuesdays was convenient and preferred meeting in the second week of the month beginning at 9:00 a.m.

The next regularly scheduled meeting of the Board is October 14, 2014.


There was no further business of the Board and Mr. Horton made a motion to adjourn the meeting. The motion was seconded by Mr. Langford and unanimously approved by the Board.

Mr. Garner adjourned the meeting at 12:01 p.m.

Respectfully Submitted,



Ken Garner
Chair



Keith E. Warren
Executive Director

/rr