



Alabama State Board of Auctioneers

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MINUTES Board Meeting October 15, 2019

The Alabama State Board of Auctioneers met on Tuesday, October 15, 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. Hope Childers (Administrator), Ms. Jennifer Love (Legal Assistant), Mr. Mike James (Investigator) and Ms. Renee' Reames (recorder). Chairman Horton called the meeting to order at 9:02 a.m. Mr. Warren called roll and acknowledged that a quorum of the members was 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 July 16, 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. Fisher made a motion to dispense with the reading of the minutes. The motion was seconded by Mr. McDaniel and unanimously approved by the Board. Mr. Fisher moved that the July minutes be approved as submitted. The motion was seconded by Mr. McDaniel 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 September 30, 2019, along with a line item summary of expenses. He reported on the number of licensees, as well as the number of complaints received and investigated for FY 2019.

Mr. Warren reported that the meeting with the Sunset Committee went well and thanked the members for attending the Committee meeting. The Board discussed Board member terms. Mr. Warren indicated that he would contact Mr. Langford regarding his plans to remain on the Board.

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

Mr. Warren also presented the Administrator's report, which included a summary of examination statistics and licensing activities since the last Board meeting held in July.

Mr. Bill Garrett presented the Legal Counsel's Report. He recommended that the Board approve the consent agreement concerning case 2019-05, which included a reduced disciplinary fine totaling \$1250.00 for violations as an unlicensed individual. Mr. Warren reported that he met with the former licensee and he had paid his fine and he was in compliance with Board's licensure requirements. Mr. McDaniel made to approve the consent agreement as presented. The motion was seconded by Mr. Gray and unanimously approved by the Board.

Mr. Warren presented Appendix 1 Fees for the Board's approval as a Final Rule. He reported that no public comments were received regarding the change to Reciprocity Licensure Fee change. Mr. Gray made the motion to approve as Final Rule as presented. The motion was seconded by Mr. McDaniel and unanimously approved by the Board.

Chairman Horton presented an email inquiry regarding unlicensed persons designated in sales who could discuss and negotiate the terms of an agreement prior to the contract being executed by a licensed auctioneer. The Board reviewed the definition of an auctioneer listed in the Board's statute (§34-4-2) and determined that the sales individual is required to be licensed based on the function of negotiating and listing contracts, etc.

Mr. Warren reported that the law for Military Family Jobs Opportunity stipulated requirements for expediting licensing of spouses of military personnel. The presented a new Rule for the Board's approval, 150-X-1-.14 Application for Spouses of Active Duty Military Personnel. Following a review and discuss of the proposed Rule, Mr. Curvin made the motion to approve the proposed new Rule. The motion was seconded by Mr. McDaniel and unanimously approved by the Board.

Chairman Horton presented for the Board's approval the proposed Board meeting dates in 2020. The Board discussed a possible conflict in July and Mr. Valrie recommended that the following dates be approved: January 14th, April 14th, July 21st, and October 13th. The motion was seconded by Mr. McDaniel and unanimously approved by the Board.

The Board discussed proposed legislative changes to the Board's statute and discussions during the 2019 legislative session concerning the Board's proposed educational requirement of a high school diploma. It was the consensus of the Board that based on the function of operating a business and handling other individual's money, the proposed educational requirements were necessary. The Board agreed to review the proposed changes prior to the 2020 legislative session, to work on getting legislative support of the bill. Mr. Fisher agreed to speak with his legislative contact about sponsorship. The Board's Legislative Committee, comprised of Messrs. Fisher, Gray and Valrie discussed meeting prior to the Board's January meeting.

Mr. Pearce arrived at 9:32 a.m. due to delays in traffic.

The Board discussed changes by other states in regulating online auctions. Mr. Fisher indicated that he would provide NAA data to Mr. Warren on this matter.


Chairman Horton announced that the next regularly scheduled meeting of the Board was scheduled January 14, 2020 at 9:00 a.m.

There was no further business by the Board and Mr. Fisher 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 9:42 a.m.

Respectfully Submitted,



Pete Horton
Board Chair



Keith E. Warren
Executive Director

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