



Alabama State Board of Auctioneers

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MINUTES Board Meeting April 12, 2022

The Alabama State Board of Auctioneers met on Tuesday, April 12, 2022, 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), Mr. John Gray (Board Secretary), Mr. Chad Curvin (member), Mr. Chip Pearce (member), Mr. Keith McDaniel (member), Ms. Angella Morgan (member) and Mr. Randall Grissett (member). Also in attendance were Mr. Keith Warren (Executive Director), Ms. Peggy Rossmanith (Board's Legal Counsel), Ms. Hope Childers (Board Administrator), Mr. Mike James (Investigator), and Ms. Renee' Reames (recording secretary). Chairman Horton called the meeting to order at 9:05 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 pledge of allegiance recited. 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 February 1, 2022, 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 February meeting minutes and approve the minutes as presented. The motion was seconded by Mr. Fisher and unanimously approved by the Board.

Executive Director Report: Mr. Warren presented the Executive Director's Report (report available in the Board's official Book of Minutes). The report included the financial activities of the Board for the period ending March 31, 2022. He reported on the current number of licensees and the number of complaints received during FY 2022. The members commented on the decline in the number of licensed apprentices in-state and the trend by other states to remove the apprentice licensure classification. Mr. Warren reported that the Alabama Office of Apprenticeship had been established and funding was available for some components of an apprenticeship program.

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

Proclamation for Erskine Valrie: Mr. Warren reported on the coordination efforts to present a Proclamation honoring Mr. Erskine Valrie and he indicated that he would keep the Board Chairman and members advised about meeting with the Valrie family to make the presentation.

Administrator's Report: Mr. Warren presented the Administrator's Report, which included licensing activities completed since the last Board meeting held in February, along with a summary of licensure and examination statistics from this same period. Mr. Warren explained about modifying the disciplinary report format on the Board's website through the Word Press platform. The Board inquired about licensure examination sites and Mr. Warren reported that it was time to bid the service through a Request for Proposals.

Applications: The Board discuss rule changes affecting the application process that would allow licensure verification from the domiciled state, rather than obtaining licensure verifications letters from each state that an individual held a license.

The Board discussed the single-day auction license (Rule 150-X-1-.02(k)) and agreed that the one auction day per calendar year was for the date of closing and not a one-event license.

Legal Counsel Report: Ms. Rossmanith reported that there were no open cases and new business to report.

Update on Association Activities: Mr. Pearce reported that CE training held in February. He indicated that the Association planned to post the training session on its website. He thanked Mr. Warren for his participation as a presenter. He also reported on plans for the Association's annual convention scheduled August 28-29, 2022.

Board Newsletter

Mr. Warren also reported on preparing an annual newsletter and he reminded the members about the May deadline for articles. The Board discussed several topics, to include an article on apprenticeships.

Collection of Disciplinary Fines: Ms. Rossmanith inquired about collecting outstanding disciplinary fines. The Board discussed employing a law firm to collect the fines vs. the Board's attorney. Mr. Fisher made the motion to secure an outside law firm through the Department of Finance to collect outstanding disciplinary fines. The motion was seconded by Mr. Curvin and unanimously approved by the Board.

Proposed Final Rule 150-X-1-.15 Application of Spouses of Active Duty Military Personnel: Mr. Warren presented the proposed new Rule 150-X-1-.15 for final adoption. He explained that no comments had been received from the public on the published proposed Rule. Mr. Fisher made the motion to approve the proposed new Rule 150-X-1-.15 as presented. The motion was seconded by Mr. McDaniel and unanimously approved by the Board.

Discussion of HB428: Mr. Warren reported that HB428, exempting computer-automated Internet auctions from licensure regulations, did not pass. The Board discussed providing information to the legislators about opposition to this proposed Bill. Ms. Rossmanith indicated that she could prepare a draft definition of online auction platform with emphasis on violation by stating or hold itself out as an auctioneer or auction.

New Law – Notice and Compliance Letter: Mr. Warren reported that he was drafting a letter to licensees and keeping a list of inquiries to inform them about the new rule changes. The Board discussed the need to notify licensees about the rule changes and the potential effects on business models and violations occurring during the transition period.

Next Board Meeting scheduled July 19, 2022: Chairman Horton reminded the members of the next Board meeting scheduled July 19, 2022 at 9:00 a.m. to be held at the Board's office.

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. McDaniel and unanimously approved by the Board. Chairman Horton adjourned the meeting at 10:32 a.m.

Respectfully Submitted,

Pete Horton
Board Chair

Keith E. Warren
Executive Director

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