



## Alabama State Board of Auctioneers

2777 Zelda Rd

Montgomery, AL 36106

Phone: 334-420-7235

Fax: 334-263-6115

Email: [auctioneers@alstateboard.com](mailto:auctioneers@alstateboard.com)

Website: [www.auctioneer.alabama.gov](http://www.auctioneer.alabama.gov)

### MINUTES Board Meeting August 15, 2023

The Alabama State Board of Auctioneers met on Tuesday, August 15, 2023, at the Board's office located at 2777 Zelda Road in Montgomery. The meeting was advertised on the Board's website, [www.auctioneer.alabama.gov](http://www.auctioneer.alabama.gov), and the Secretary of State's website, [www.sos.alabama.gov](http://www.sos.alabama.gov), in accordance with the Alabama Open Meetings Act.

Members in attendance were Mr. Chad Curvin (Vice Chair), Mr. John Gray (Board Secretary), Ms. Angella Morgan (member), Mr. Keith McDaniel (member), Mr. Chip Pearce (member), Mr. Randall Grissett (member) and Mr. Scott Barnes (member). Member absent was Mr. Mike Fisher (Board Chair). Also in attendance were Mr. Keith Warren (Executive Director), Mr. Chris Moore (Legal Counsel), Mr. Cameron Elkins (new Legal Counsel), Ms. Hope Childers (Board Administrator), Mr. Mike James (Investigator), Mr. Dennis Trammell (Investigator), Ms. Karen Harlow (Legal Assistant), Ms. Lora Evans (Executive Assistant) and Ms. Renee' Reames (recording secretary). Vice Chairman Curvin called the meeting to order at 9:04 a.m. Mr. Warren called the Board roll and indicated that a quorum of the members was present to conduct business.

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

Approval of Meeting Agenda: Vice Chairman Curvin called for a motion to accept the meeting agenda. Mr. Pearce made a motion to approve the August 15, 2023, meeting agenda as presented. The motion was seconded by Mr. Gray and unanimously approved by the Board.

Approval of Minutes: Vice Chairman Fisher reported that a copy of the minutes from June 6, 2023, 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 minutes and approve the June minutes as presented. The motion was seconded by Mr. Pearce and unanimously approved by the Board.

Executive Director Report: Mr. Warren presented the Executive Director's Report, which included financial activities of the Board for the period ending July 31, 2023. He reported on the current number of licensees, to include a list of companies that had applied for a single-day license. Also included in the report were the results of applicant examinations and a list of activities performed by the staff since

the last Board meeting held in June. Mr. Warren reminded Board members that online renewal of licenses had begun in July. He reported on the number of complaints received during FY 2023 and provided a similar report for FY 2021 and FY 2022 complaints, along with a report on disciplinary fines during this same period (reports available in Official Book of Minutes). He distributed a copy of the complaint process and asked the members to review for discussion at the next meeting.

Mr. Warren reported that Chairman Fisher could not attend the Board meeting due to a conflict in schedule with the National Auctioneers Association, which Mr. Fisher served on the Board of Directors. He provided a copy of the summer edition of the Board's newsletter and announced that a copy had been sent to the licensees and posted on the Board's website. The Board discussed plans for the next newsletter publication in Fall 2023.

Mr. Warren reported that he and Mr. Pearce were presenters at the Troy University Auction School located in Dothan. Mr. Pearce reported that the Auction School was planning to add other speakers to their program.

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

Legal Counsel Report: Mr. Chris Moore introduced the Board's new Legal Counsel, Mr. Cameron Elkins. Mr. Moore reported that the Investigative Committee (IC) had met and had recommendations for the Board's approval. Mr. James commented on the discretion in reporting cases to the Board so that the members remained impartial in making future rulings on cases. He presented the recommendations of the IC in the following cases:

AUC 2023-003BR recommendation to issue a cease and desist letter.

AUC 2023-004BR recommendation to close the case due to insufficient evidence.

AUC 2023-006 recommendation to close the case due to no jurisdiction.

AUC 2023-005 recommendation to accept the withdrawal of the complaint by the complainant.

AUC 2023-007 recommendation to administratively close the complaint as not founded.

Mr. McDaniel made the motion to accept the recommendations of the Investigative Committee to close the cases as presented. The motion was seconded by Ms. Morgan and unanimously approved by the voting members, with Mr. Gray and Mr. Pearce recusing to vote as members of the Committee.

Mr. Warren reported that the Chief Examiner of Public Accounts had requested an Attorney General opinion regarding online auctions and the authority of the Board, and he would provide a copy to the Board when the AG opinion was received.

Rules Committee Report: Mr. Warren reported that the Rules Committee had no report to present at this time. The Board discussed reviewing other states' rules regarding online auctions and Mr. Warren reported that he would distribute Ohio's rules to the members to review.

Update on Association Activities: Mr. Pearce reported on activities planned at the upcoming annual Association meeting scheduled for August 28-29 in Gulf Shores.

#### OLD BUSINESS

Licensure Examination: Mr. Warren reported that he was working with PROV on finalizing the questions for the Auctioneer's exam and would keep the Board advised.

NEW BUSINESS

Approval of Renewal of Administrative Services Contract: Mr. Warren reported that the Board's Administrative Services contract with Smith Warren Management Services was in the 4<sup>th</sup> year. The contract was scheduled to expire in September, and he presented the contract for renewal in its final year. He explained that the Board would be working with the Board's Legal Counsel on developing specifications to accept RFPs by September 2024. Mr. Gray made the motion to approve the renewal of the Administrative Services contract for one year, with no contract changes. The motion was seconded by Mr. Pearce and unanimously approved by the Board.

OTHER BUSINESS AND ANNOUNCEMENTS

Next Board Meeting: Vice Chairman Curvin announced that the next regularly scheduled meeting was Tuesday, November 14, 2023, at 9:00 a.m.

Sunset Committee Meeting: Mr. Warren reported that the Board was scheduled to meet with the Legislature's Sunset Committee on August 24, 2023, and he encouraged the members to attend. He commented on a luncheon recently held at Smith Warren for the Sunset Committee members. He distributed to the members a copy of the audit report for review prior to the Committee meeting.

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. Vice Chairman Curvin adjourned the meeting at 10:08 a.m.

Respectfully Submitted,

  
Chad Curvin  
Board Vice Chairman

  
Keith E. Warren  
Executive Director

Approved on November 14, 2023 /rr Aw