

ALABAMA STATE BOARD OF AUCTIONEERS

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MINUTES Board Meeting January 11, 2007

The Alabama State Board of Auctioneers met on Thursday, January 11, 2007 at the Board offices in Montgomery for the purpose of conducting Board business. Those in attendance were as follows: Mr. Tommy Barnes, Chair; Mr. Gene Motes (Vice-Chair); Mr. Chip Pearce, Member; Mr. Wayne Thorn, Member; Mr. Buddy Ray, Member; Mr. Ken Garner, Member; Mr. Mark Lane, Member; and Mr. David Starnes, Member. The Board, consisting of a quorum, continued with a voting meeting. Also present were Mr. Keith Warren, Executive Director; Ms. Hope Paulene, Executive Assistant; Ms. Dana Billingsley, Board Counsel; and Mr. Dennis Trammell, Board Investigator.

The meeting was called to order at approximately 9:00 a.m.

The meeting was advertised on the Board's website, www.auctioneer.alabama.gov, as well as the Secretary of State's website, www.sos.state.al.us.

Mr. Barnes welcomed the new Board Members: Mr. Garner, Mr. Lane, and Mr. Starnes and asked them to introduce themselves to the Board.

Ms. Paulene administered the Oath of Office to Mr. Garner, Mr. Lane, and Mr. Starnes.

The Chair opened the floor for nominations for Secretary. Mr. Motes made a motion nominating Mr. Ray for Secretary, and the motion was seconded by Mr. Pearce and unanimously carried by the Board.

Mr. Pearce made a motion electing Mr. Ray as Board Secretary, and the motion was seconded by Mr. Thorn and passed by acclamation.

The Chair opened the floor for nominations for Vice-Chair. Mr. Motes made a motion nominating Mr. Thorn for Vice-Chair, and the motion was seconded by Mr. Pearce and unanimously carried by the Board.

Mr. Garner made a motion electing Mr. Thorn as Board Vice-Chair, and the motion was seconded by Mr. Ray and passed by acclamation.

The Chair opened the floor for nominations for Chair. Mr. Thorn made a motion nominating Mr. Barnes for Chair, which was seconded by Mr. Ray and unanimously carried by the Board.

Mr. Pearce made a motion electing Mr. Barnes as Chair, and the motion was seconded by Mr. Thorn and passed by acclamation.

Mr. Thorn made a motion to dispense with the reading of the minutes from October 12, 2006 and to accept them as submitted. The motion was seconded by Mr. Pearce, and unanimously carried by the Board.

Ms. Billingsley also reminded the Board that the Rules and Regulations Committee (Ms. Billingsley, Mr. Ray and Mr. Thorn) needed to meet after the meeting to discuss possible "housekeeping" matters for the current rules and regulations.

Mr. Barnes presented the Chair's report. Mr. Barnes expressed that he wishes the Board to move forward with the pending legislation during the next regular session beginning March 6, 2007.

Mr. Warren delivered the Executive Director's report, which consisted of the following topics: a) Ms. Billingsley's amended contract for review in February by the Contract Review Oversight Committee and b) detailed financial report. (This report is available in the Official Book of Minutes).

Ms. Billingsley presented the Board Counsel's report. She informed the Board that the final orders for Mr. Charles Whitt and Mr. Danny Phillips had been mailed and, as of the date of this meeting, neither individual had complied with the terms of those orders, including remitting the fines ordered by the Board. Ms. Billingsley will proceed to seek an Order of Judgment from Montgomery County Circuit Court converting the Board's Orders against Charles Whitt and Danny Phillips into an order of judgment which can then be filed as lien in probate court against each individual's property.

Ms. Billingsley also instructed the new Board members on the basics of the complaint process and administrative hearings.

The Board discussed pending legislation.

Mr. Ray made a motion requesting an Attorney General's Opinion as to whether the Board's law confers jurisdiction over the activities of internet auction listing service providers and consignment shops. The motion was seconded by Mr. Pearce, and unanimously carried by the Board.

Mr. Barnes informed the Board that the Texas Auctioneers Board is requiring all Texas licensed Auctioneers to take Texas Board Approved Continuing Education Classes. Mr. Barnes stated that he believes the Board's reciprocal licensure agreement with Texas requires Texas to accept licensee CEUs from Alabama. Ms. Billingsley said that she would contact the Texas Board's counsel for additional clarification of their requirements for CEUs.

Mr. Thorn made a motion for the Board to offer one free, six hour Continuing Education Class in August to licensees at a location in Prattville, AL. There will be a pre-registration deadline one month in advance of the class. Mr. Warren will coordinate the location. The motion was seconded by Mr. Starnes and unanimously carried by the Board.

The Chair called for a Special Meeting on February 8, 2007 @ 9:00 a.m. for the review of proposed legislation and a Consent Order.

Mr. Warren informed the Board of the Winter Seminar for NALLOA, which will be held in Tucson, Arizona from February 11-13, 2007. He also informed the Board that to increase attendance and participation, NALLOA will be granting free expenses to one Board representative per state. Mr. Barnes informed the Board that he wishes to attend the meeting, with NALLOA paying for his expenses.

The next regularly scheduled meeting is April 12, 2007 at 9:00 a.m.

At approximately 10:45 a.m., there being no further business, Mr. Thorn made a motion to adjourn the meeting. The motion was seconded by Mr. Ray and unanimously carried by the Board.

Respectfully Submitted,


Tommy Barnes, Chair


Mr. Wayne Thorn, Vice-Chair