

# ALABAMA STATE BOARD OF AUCTIONEERS

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## MINUTES Board Meeting April 12, 2007

The Alabama State Board of Auctioneers met on Thursday, April 12, 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. Wayne Thorn (Vice-Chair); Mr. Gene Motes, Member; Mr. Chip Pearce, Member; Mr. Ken Garner, Member; Mr. Mark Lane, Member; and Mr. David Starnes, Member. Mr. Buddy Ray, Member was not present. The Board, consisting of a quorum, continued with a voting meeting. Also present were Mr. Keith Warren, Executive Director; Ms. Hope Paulene, Executive Assistant; and Ms. Dana Billingsley, Board Counsel.

The meeting was called to order at approximately 9:02 a.m.

The meeting was advertised on the Board's website, [www.auctioneer.alabama.gov](http://www.auctioneer.alabama.gov), as well as the Secretary of State's website, [www.sos.state.al.us](http://www.sos.state.al.us).

Mr. Pearce made a motion to dispense with the reading of the minutes from January 11, 2007 and to accept them as submitted. The motion was seconded by Mr. Motes, and unanimously carried by the Board.

Mr. Garner made a motion to dispense with the reading of the minutes from February 8, 2007 and to accept them as submitted. The motion was seconded by Mr. Thorn, and unanimously carried by the Board.

Mr. Barnes presented the Chair's report.

Mr. Thorn made a motion that the Board adopt a policy, in which a consent order must be received in the Board office within forty-eight (48) hours of the date of the letter. The motion was seconded by Mr. Pearce, and unanimously carried by the Board.

Mr. Thorn made a motion to amend his motion, in which a consent order must be received in the Board office within fourteen (14) days of the date of the letter. The motion seconded by Mr. Pearce, and unanimously carried by the Board.

Mr. Warren delivered the Executive Director's report, which consisted of the following topics: a) filing of rules and regulations, b) online renewals, and c) financial update.

Mr. Pearce made a motion for the Board to pursue online renewals and gave Mr. Warren the authority to initiate the project with ISD. The motion was seconded by Mr. Lane, and unanimously carried by the Board.

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 has sought 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.

The Board discussed pending legislation and Mr. Warren informed them that it was introduced in the Senate only and it still needs a House Sponsor.

Mr. Warren informed the Board of the upcoming 2007 National Auctioneer Association Conference & Show beginning July 16, 2007 and ending July 21, 2007. He will be attending the business meeting presented by National Auctioneer License Law Officials Association during the convention. Mr. Thorn will be also in attendance of the NAA Conference & Show from July 16, 2007 to July 21, 2007.

Mr. Warren informed the Board that he had received Mr. Dennis Trammell's official letter of resignation as the Board's Investigator.

Mr. Motes made a motion that Mr. Warren prepare an Invitation to Bid for Investigative Services for delivery to the State of Alabama -Division of Purchasing, who will then mail those out to State Vendors in this category. All vendor responses will be returned to the Division of Purchasing, who will open those on the determined date.

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

Mr. Thorn and Mr. Starnes gave an update to the Board regarding the August 4, 2007 Board Sponsored Continuing Education Class. It will be held at the Montgomery Marriott Prattville Hotel & Conference Center at Capitol Hill. The

tentative schedule will be for the class to begin at 9:00 a.m. and end at 4:00 p.m. Tentative presenters are Ms. Dana Billingsley and Eddie Haynes. The last portion of the class will be open forum.

The Board office will mail out postcards to all licensees informing them of the event by May 3, 2007 and the second reminder/registration postcard will be mailed to them by July 2, 2007.

At approximately 10:24 a.m., the Board recessed.

At approximately 10:56 a.m., the Board reconvened.

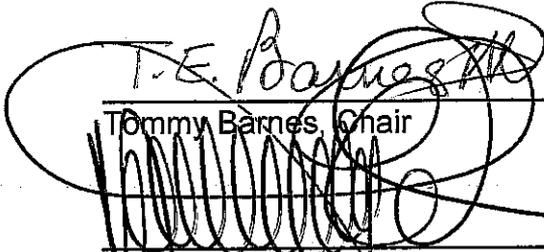
At approximately 10:20 a.m., the Board entered into an Administrative Hearing with the Honorable Milt Belcher presiding as the Administrative Law Judge.

The hearing concluded at approximately 11:52 a.m.

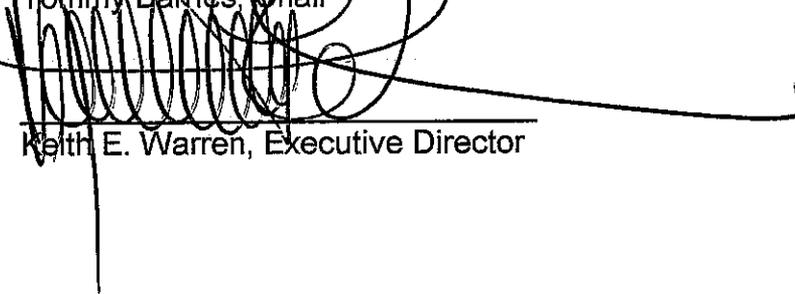
The next regularly scheduled meeting is July 12, 2007 at 9:00 a.m.

At approximately 12:00 p.m., there being no further business, Mr. Pearce made a motion to adjourn the meeting. The motion was seconded by Mr. Thorn and unanimously carried by the Board.

Respectfully Submitted,



Tommy Barnes, Chair



Keith E. Warren, Executive Director