

# ALABAMA STATE BOARD OF AUCTIONEERS

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## MINUTES Board Meeting April 10, 2008

The Alabama State Board of Auctioneers met on Thursday, April 10, 2008, at the Board offices in Montgomery for the purpose of conducting Board business. Those in attendance were as follows: Mr. Tommy Barnes, Chair; Mr. Chip Pearce, Member; Mr. Ken Garner, Member; Mr. David Starnes, Member; Mr. Bryant Wood and Mr. Johnny Vetra, Member. Members not present were Mr. Buddy Ray, Member and Mr. Mark Lane, 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; and Ms. Dana Billingsley, Board Counsel.

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](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 10, 2008 and to accept them as submitted. The motion was seconded by Mr. Garner, and unanimously carried by the Board.

Mr. Garner made a motion to dispense with the reading of the minutes from March 17, 2008 and to accept them as submitted. The motion was seconded by Mr. Starnes, and unanimously carried by the Board.

On behalf of the Board, Mr. Warren presented Mr. Wayne Thorn with a plaque of appreciation for his five years of service to the Board.

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

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

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

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

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

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

Mr. Warren delivered the **Executive Director's** report, which consisted of the following topics: a) financial update, b) newsletter publication, c) legislation, d) NALLOA conference report, and e) the upcoming NAA July Meeting.

Mr. Warren, Mr. Vetra, Mr. Barnes, and Mr. Pearce are tentatively scheduled to attend the NAA Conference & Show, which is being held in Nashville, TN from July 7-12, 2008.

Ms. Billingsley presented the Board Counsel's report. She informed the Board that the Alabama Real Estate Commission wishes for the Board to provide an article for its upcoming newsletter regarding real estate brokers and others who use the word "auction" to stimulate bids. She and Mr. Warren will be meeting with the Alabama Real Estate Commission in the future to discuss educating licensees, as well as how to better protect the public.

Mr. Pearce delivered an update on the Board's proposed consumer awareness campaign. He has drafted some advertisements for ALA-SCAN, which he will circulate to the Board via email for their comments. Each member is to bring his thoughts/comments to the next regularly scheduled board meeting for discussion.

Mr. Wood was appointed by Mr. Starnes to serve on the Continuing Education Committee.

Ms. Paulene delivered her report to the Board, which included activity stats and a reminder that Statements of Economic Interests are due by April 30, 2008 to the Ethics Commission.

Ms. Billingsley addressed the Board regarding the legislation.

Mr. Warren delivered his report regarding the Legislative Public Meeting that was held on April 7, 2008 in Gadsden, AL. He will be collecting comments/questions from all of the Legislative Public Meetings and bring those back to the Board for its review and response at the July meeting. In addition, he will draft the Bullet Points of the legislation in laymen's terms.

Mr. Wood made a motion to revise the legislation after the comments have been provided and reviewed by the Board at the July's meeting. The motion was seconded by Mr. Vetra, and unanimously carried by the Board.

The Board reviewed the Recommendation from Administrative Law Judge Milt E. Belcher in the matter of James "Jimmy" Robinson.

For the record, each Board Member read the recommendation in its entirety and the transcript was made available for Mr. Wood's reading, since he was not present for the hearing.

Mr. Pearce made a motion to accept the recommendation in its entirety as presented denying Mr. Robinson's application to licensure. The motion was seconded by the Mr. Vetra and unanimously carried by the Board.

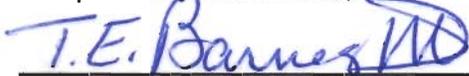
Mr. Wood made a motion for licensees to be granted their old license number once it has expired. However, according to Code of Alabama, 1975 § 34-4-21 (e) "If a licensee elects not to pay the penalty and renew his or her license, he or she shall submit an application, pay the examination fee, and take the examination required for new licensees." Upon this discovery, Mr. Wood retracted his motion.

Mr. Pearce made a motion for Ms. Billingsley and Mr. Warren to draft a rule addressing this issue and present it to the Board at the July meeting.

The next regularly scheduled meeting of the Board is July 31, 2008 at 9:00 a.m.

At approximately 10:30 a.m., there being no further business, Mr. Garner made a motion to adjourn the meeting. The motion was seconded by Mr. Wood and unanimously carried by the Board.

Respectfully Submitted,



Tommy Barnes, Chair



Keh Garner, Vice Chair