

# ALABAMA STATE BOARD OF AUCTIONEERS

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## MINUTES Special Called Board Meeting March 31, 2009

The Alabama State Board of Auctioneers met on Tuesday, March 31, 2009, at the Board offices in Montgomery for the purpose of conducting Board business. Those in attendance were as follows: Mr. Tommy Barnes, Chair; Mr. Ken Garner, Vice-Chair; Mr. Buddy Ray, Secretary; Mr. Johnny Vetra, Member; Mr. Bryant Wood, Member; and Mr. Bryan C. Knox, Member. Mr. Mark Lane, Member and Mr. David Starnes, Member, were 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; Ms. Dana Billingsley, Board Counsel and Mr. Carl Mike James, 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](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. Warren administered the Oath of Office to Mr. Bryan C. Knox.

Mr. Warren presented an Interagency Agreement for Investigator Services between the Alabama State Board of Auctioneers and the Alabama Electrical Contractors Board for the Board's consideration, to be effective March 31, 2009 to September 30, 2009.

Mr. Garner made a motion to approve the Interagency Agreement as presented. The motion was seconded by Mr. Wood and unanimously approved by the Board.

Mr. Warren then gave a brief update on status of the Board's proposed legislation in the Alabama House and Senate.

Mr. Warren also provided a Consent Order for the Board's consideration concerning Respondent James D. McGalliard. Under the terms of the Order, Mr. McGalliard will surrender his Alabama auctioneer license for violations of Ala. Code §§ 34-4-29(c) (4), (9) and (10) (1975 as amended) - failing to account for or remit money belonging to others and engaging in improper, fraudulent or dishonest dealings and in conduct which demonstrates bad faith, dishonesty, incompetency, or untruthfulness. Mr. Garner made a motion to accept the Consent Order as presented. The motion was seconded by Mr. Ray. With Mr. Vetra abstaining, the motion was unanimously passed by the Board.

At approximately 9:25 a.m., the Board entered into Administrative Hearings with the Honorable Julia Weller presiding as the Administrative Law Judge.

The first hearing concluded at approximately 10:20 a.m.

The Board recessed at 10:25 a.m.

At approximately 10:55 a.m., the Board reconvened for a second hearing, concluding at 10:59 a.m.

At approximately 11:00 a.m., the Board entered into its final administrative hearing.

The hearing concluded at approximately 12:45 p.m.

The next regularly scheduled meeting is April 9, 2009 at 9:00 a.m.

At approximately 12:48 p.m., there being no further business, Mr. Ray made a motion to adjourn the meeting. The motion was seconded by Mr. Knox and unanimously carried by the Board.

Respectfully Submitted,



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Tommy Barnes, Chair



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Ken Garner, Vice Chair