



Alabama State Board of Auctioneers

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MINUTES

Board Meeting

January 10, 2017

The Alabama State Board of Auctioneers met on Tuesday, January 10, 2017, at the Board offices in Montgomery. Those in attendance were Mr. Bryant Wood (Chair), Michael Langford (Vice Chair), Mr. Bryan Knox (Secretary), Mr. Erskine Valrie (member), Mr. Pete Horton (member), Mr. Chad Curvin (member) and Mr. Keith McDaniel (member). Member not in attendance was Ms. Christie Ray. Also present were Mr. Keith Warren (Executive Director), Ms. Dana Billingsley (Board Counsel) and Ms. Renee' Reames (Executive Secretary to Mr. Warren and recording secretary). The Board, consisting of a quorum, continued with a voting meeting. The meeting was called to order at 9:00 a.m. by Mr. Wood.

The regularly scheduled meeting was advertised on the Board's web site, www.auctioneer.alabama.gov, and the Secretary of State's website, www.sos.alabama.gov in accordance with the Alabama Open Meetings Act. The Pledge of Allegiance was recited by attendees and a word of prayer was given at the opening of the meeting. Mr. Warren gave the opening statement concerning Roberts Rules of Order and the Alabama Open Meetings Act.

Mr. Wood presented a copy of the October 18, 2016 Board meeting minutes for the Board's approval. A copy of the minutes was submitted to the Board members prior to the meeting for their review. Mr. Knox made a motion to approve the October minutes as presented. The motion was seconded by Mr. Langford and unanimously approved by the Board.

Mr. Warren introduced Mr. Gregg L. Smith, licensed apprentice auctioneer with Granger Thagard & Associates (GTA). Mr. Smith presented to the Board information concerning a real estate auction that was held in 2013 by GTA and advertised as an absolute auction. He reported that GTA was sued for breach of fiduciary duty in this matter. He presented information concerning the auction, indicating that it was advertised that the property could be purchased before the auction in accordance with the terms of the auction. He reported that the local civil court ruled against GTA. Mr. Smith asked the Board to consider filing an amicus brief on their behalf regarding the absolute auction/false advertising rules, if the case was appealed to the Alabama Supreme Court. Mr. Wood indicated that the Board would take this information under consideration and Mr. Smith asked the Board to notify him of their decision.

Mr. Warren presented the Executive Director's Report. The report included the financial activities of the Board for the period ending December 31, 2016, along with a report on the total number of licensees and expired licenses. Mr. Warren also reported on the number of complaints received and investigated in FY 2016 and FY 2017 (report is available for viewing in the Board's official Book of Minutes).

Mr. Warren reported on administrative activities stating that the revised reciprocal agreements had been mailed to reciprocal state licensing boards requesting acceptance of reciprocal state CE hours. He also reported that adjustments were continuing to be made to the new licensee database and Board identification cards were being reprinted and he requested individual photographs from the Board members for the ID cards. Mr. Warren reported that study guides for the auctioneer examination and apprentice auctioneer examination needed to be revised. He recommended that information be prepared on the examination process and components, and rather than a detailed study guide, he would prepare an outline of topics to present to the Board. Mr. Warren also presented the Administrator's Report of activities.

Ms. Billingsley presented the Legal Counsel Report. She reported that a draft of some frequently asked questions with answers had been prepared to post on the Board's website. Mr. Warren reported that he was reviewing these and they would be present at a future Board meeting.

The Board discussed the matter of advertising absolute auctions and the members commented on the importance of maintaining the reputation of the auction business and licensed auctioneers.

Ms. Billingsley reported that she had reviewed other states' requirements for Recovery Funds and Surety Bonds and has obtained models for the Board's consideration. She indicated that few states still required surety or fiduciary bonds. It was the consensus of the Board to consider this matter in 2018 as proposed legislation to compensate complainants for damages through the use of these funds.

Ms. Billingsley commented on Board training previously offered through the Alabama Department of Examiners of Public Accounts and she gave a brief overview to the members about Board responsibility and authority.

Mr. Warren reported that the Technology Committee report consisted of the work being done on the licensee database, which was discussed earlier in the meeting.

Mr. Warren commented on obtaining a presenter at the upcoming Continuing Education program. He explained that a formal RFP is required to obtain these professional services. The Board discussed sponsoring the education program in conjunction with the Alabama Association meeting. Mr. Knox made a motion to authorize the Executive Director to register the Board as a sponsor at the upcoming convention of the Alabama Auctioneer Association. The motion was seconded by Mr. Langford and unanimously approved by the Board.

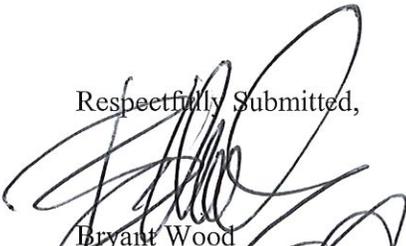
The Board members indicated interest in continuing with centrally located CE training programs in 2017.

The Board members discussed Board terms in accordance with §34-4-50 and updated information on the Board's website to include current list of members, officers and Board-approved meeting minutes.

The next meeting of the Board is scheduled April 18, 2017 at 9:00 a.m.

There was no further business and Mr. Langford made a motion to adjourn the meeting. The motion was seconded by Mr. McDaniel and unanimously approved by the Board. Mr. Wood adjourned the meeting at 11:12 a.m.

Respectfully Submitted,




Bryant Wood
Chair

Keith E. Warren
Executive Director

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