



Alabama State Board of Auctioneers

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MINUTES Board Meeting October 10, 2017

The Alabama State Board of Auctioneers met on Tuesday, October 10, 2017 at the Board offices in Montgomery. Those in attendance were Mr. Bryant Wood (Chair) and Mr. Michael Langford (Board Vice Chair), Mr. Erskine Valrie (member), Mr. Pete Horton (member), Mrs. Christie Ray (member), Mr. Keith McDaniel (member) and Mr. Chad Curvin (member). Member not in attendance was Mr. Bryan Knox (Board Secretary). Also present were Mr. Keith Warren (Executive Director), Mrs. Dana Billingsley (Board Counsel), Ms. Jennifer Love (Legal Assistant) 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 July 18, 2017 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. Valrie made a motion to approve the July minutes as presented. The motion was seconded by Mr. McDaniel and unanimously approved by the Board.

Mr. Warren presented the Executive Director's Report (report available for viewing in the Board's official Book of Minutes). The report included the financial activities of the Board for the period ending September 30, 2017, along with a line item summary of expenses. He reported on the number of licensees as of September 30th, as well as the number of complaints received and investigated during FY 2017.

Mr. Warren presented the Administrator's report of activities, noting the number of individual who had taken and had not passed the examinations. Mr. Warren indicated that he would review this

information for a follow-up report to the Board. Also reported was the number of licenses not renewed by September 30th.

Mr. Warren reported on the recent National Auctioneer License Law Officials Association (NALLOA) conference, which included discussions about forming a task force to address regulating online auctions. This matter would be addressed further by the Board later in the meeting when the Board planned to discuss a request to the Attorney General's Office for an Advisory Opinion.

Mrs. Billingsley presented the Legal Counsel Report. She presented a Consent Agreement concerning James Ricky Bobo for the Board's approval. Mrs. Ray made a motion to approve the Consent Agreement as presented, which included a \$1,000 fine for violations and fully reimbursing the bidder involved in the complaint. The motion was seconded by Mr. Langford and unanimously approved by the Board.

Mrs. Billingsley also presented a draft letter addressed to the Attorney General requesting an advisory opinion concerning certain online auctions constitute public auctions with the definition of "auction business" under the Auctioneer License Act. The Board discussed auction professionals and references to "persons and company auction technology" terminology. The Board also discussed that "public outcry" was not defined. Mr. Warren indicated that he would be advised verbally by the AG's office prior to the written decision, should be the Board wish to withdraw the letter. Mr. Horton made a motion to approve the request letter to the Attorney General. The motion was seconded by Mr. Curvin and unanimously approved by the Board.

Mrs. Ray reported on Continuing Education activities, reporting that two CE programs had been held since the last Board meeting, which were hosted by the State Association. Mr. Warren reported that, in addition to the CE hours earned by attendees at these programs, the Board members earned CE hours for their service on the Board. The Board continued discussions in support of sponsorship role for the 2018 CE activities of the State Association. Mrs. Ray made a motion that the Board approve sponsorship to the Alabama Association to continue CE programs for Alabama licensees. The motion was seconded by Mr. Horton and unanimously approved by the Board.

Mrs. Billingsley reported on Legal Counsel's activities to obtain signed updated Reciprocity Agreement with other states. She reported that continued work was needed in obtaining Agreements.

Mrs. Billingsley presented changes to Rule 150-X-1-.02 Application for Auctioneer's License. She explained that some states did not have apprentice programs, but had comparable requirements and recommended changes to this Rules. Mr. Horton made a motion to approve the changes to Rule 150-X-1-.02 as presented. The motion was seconded by Mr. McDaniel and unanimously approved by the Board.

Mrs. Billingsley also presented changes to Rule 150-X-1-.11 Violations, adding the statement about failing to abide by or complying with terms of a Board order or consent agreement. Mrs. Ray made the motion to approve the changes to Rule 150-X-1-.11 as submitted. The motion was seconded by Mr. Valrie and unanimously approved by the Board.

The Board further discussed changing the Board statute for maximum fees and fines for violations. Mr. Warren indicated that he would present proposed legislation to the Board at the next meeting.

Mr. Warren presented the proposed 2018 dates to hold Board meetings. The Board discussed changing the July meeting date and it was the consensus of the Board to publish the following meeting dates of the Board: January 16, April 10, July 10 and October 16.

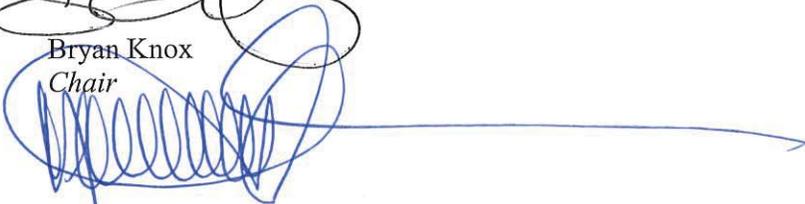
The next meeting of the Board is scheduled Tuesday, January 16, 2018 at 9:00 a.m.

There was no further business and Mr. Horton made a motion to adjourn the meeting. The motion was seconded by Mrs. Ray and unanimously approved by the Board. Mr. Wood adjourned the meeting at 10:20 a.m.

Respectfully Submitted,



Bryan Knox
Chair



Keith E. Warren
Executive Director

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