



Alabama State Board of Auctioneers

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MINUTES Board Meeting April 17, 2019

The Alabama State Board of Auctioneers met on Wednesday, April 17, 2019 at the Board office in Montgomery. Those in attendance were Mr. Pete Horton (Board Chair), Mr. Mike Fisher (Vice Chair), Mr. Erskine Valrie (Secretary), Mr. Keith McDaniel (member), Mr. Chad Curvin (member), and Mr. Chip Pearce (new member). Member not in attendance were Mr. John Gray (member) and Mr. Michael Langford (member). Also present were Mr. Keith Warren, Executive Director, Mr. Bill Garrett (Assistant Attorney General), Ms. Hope Childers (Board Administrator) and Ms. Renee' Reames (recorder). The Board, consisting of a quorum, continued with a voting meeting. The meeting was called to order at 9:00 a.m. by Mr. McDaniel, Vice Chairman. He introduced new Board member, Mr. Chip Pearce.

The regular 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. Warren administered the oath of office to Mr. Chip Pearce, new Board member. The other members welcomed Mr. Pearce to the Board.

Mr. Warren reported that the election of Board officers was due. Mr. McDaniel nominated Mr. Pete Horton as Board Chairman. The nomination was seconded by Mr. Pearce. There were no other nominations from the floor and the nomination was unanimously approved by the Board.

Mr. Curvin nominated Mr. Mike Fisher as Board Vice Chairman. The nomination was seconded by Mr. Horton. There were no other nominations from the floor and the nomination was unanimously approved by the Board.

Mr. Horton nominated Mr. Valrie as Board Secretary. The nomination was seconded by Mr. Fisher. There were no other nominations from the floor and the nomination was unanimously approved by the Board.

Chairman Horton presented a copy of the January 22, 2019 regular meeting minutes for the Board's approval. A copy of the minutes was distributed to the Board members prior to the meeting for their review. Mr. McDaniel made a motion to dispense with the reading of the minutes. The motion was seconded by Mr. Curvin and unanimously approved by the Board. Mr. Curvin made a motion to approve the January minutes as submitted. The motion was seconded by Mr. Valrie 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 March 31, 2019, along with a line item summary of expenses. Mr. Warren also reported on the number of licensees, as well as the number of complaints received and investigated during FY2019 and cases that had delinquent fines.

Mr. Valrie made a motion to approve the financial report as presented. The motion was seconded by Mr. Curvin and unanimously approved by the Board.

Ms. Childers presented the Administrator's report, which included a summary of examination statistics and licensing activities as of March 31, 2019.

Mr. Warren presented to the Board for their approval a copy of the proposed legislation to change the Board's statute. The Board discussed increasing the minimum amount of licensing fees and removing reference to establishing a Recovery Fund, etc. Mr. Warren explained that Board Rules would be created based on approval of these changes outlined in the proposed legislation. The Board discussed getting a sponsor for the legislative bill. Mr. Fisher made a motion to approve the final draft of the proposed legislation. The motion was seconded by Mr. McDaniel and unanimously approved by the Board.

Mr. Warren reported that he expected to have all of the reciprocity agreements with other states signed by the next Board meeting and commented on some issues with the differences in North Carolina's CE requirements.

Mr. Garrett reported that an application hearing was scheduled at 10:00 a.m. He explained that it was not a formal hearing and that the applicant asked to appear before the Board to consider her application for licensure. He explained the Board's jurisdiction in this matter regarding licensing and appeals.

Mr. Warren reported on the Board's interest to participate in the AAA continuing education conference as an advertising sponsor. Mr. Curvin made the motion that the Board participate as an advertising sponsor of the AAA continuing education conference if it is determined that the event is open to all licensees of the Board, free of charge, not just open to AAA members. The motion was seconded by Mr. Fisher and unanimously approved by the Board.

Mr. Warren reported on a conflict with the date of the Board's July meeting. Mr. McDaniel made a motion to move the July 9th meeting to July 16th at 9:00 a.m. The motion was seconded by Mr. Fisher and unanimously approved by the Board.

Chairman Horton called a 10-minute recess of the Board at 9:50 a.m.
Chairman Horton reconvened the business meeting of the Board at 10:03 a.m.

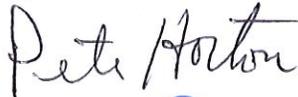
Mr. Garrett introduced the applicant, Ms. Tommie Lynn Morrison, to the Board, along with her attorney, Mr. James C. Pino. Mr. Garrett explained that due to the informality of the hearing, no Hearing Officer was present. Ms. Morrison's application was distributed to the Board and Attorney Pino explained that Ms. Morrison was requesting that her Auctioneer application be approved for licensure. He explained the circumstances regarding another case that he represented Ms. Morrison, while she was not a licensee of the Board, and stated that no activities in that case was related to an auctioneer's licensing. The Board members asked Ms. Morrison questions regarding the circumstances of the case. The Board also asked questions about other past legal litigations and if related to the auction business. Mr. Fisher made a motion that the Board adjourn into Executive Session for 20 minutes for the purpose of protecting the good name and reputation of an individual in the matter of Ms. Morrison's application. Mr. McDaniel seconded the motion. Mr. Garrett certified that the Executive Session could be called for this purpose. The following roll call votes were recorded on the motion: Mr. Mike Fisher, aye, Mr. Erskine Valrie, aye, Mr. Keith McDaniel, aye, and Mr. Chad Curvin, aye. Mr. Chip Pearce abstained as a recused member in this hearing. The Board adjourned into Executive Session at 10:40 a.m. The Board reconvened into regular session at 11:05 a.m.

Mr. Curvin made the motion to deny Ms. Tommie Lynn Morrison's application for licensure. The motion was seconded by Mr. Fisher and unanimously approved by the voting members of the Board, with Mr. Pearce abstaining as a recused member of the Board.

Chairman Horton announced that the next regularly scheduled meeting of the Board was July 16, 2019 at 9:00 a.m.

There was no further business by the Board and Mr. McDaniel made a motion that the meeting be adjourned. The motion was seconded by Mr. Fisher and unanimously approved by the Board. Chairman Horton adjourned the meeting at 11:10 p.m.

Respectfully Submitted,



Pete Horton
Board Chair



Keith E. Warren
Executive Director

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