

MINUTES

South Carolina Auctioneer's Commission

Board Meeting

10:00 A.M., August 5, 2002

Synergy Business Park

110 Centerview Drive, Kingstree Building, Room 108

Columbia, South Carolina

Archie Moody, Chairman, of Darlington, called the regular meeting of the S.C. Auctioneer's Commission to order at 10:00 a.m. Other members present included Harriett McCoy of Hopkins.

Staff members included: Randall Bryant, Assistant Deputy Director; Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Sandra Dickert, Administrative Assistant; Dwight Hayes, Interim Administrator; Lenora Miles, Assistant Administrator; and Barry Moreland, Administrative Assistant.

Jeffrey Shaw, of West Columbia; Rebecca Frierson, of Newberry; and Fred Mullis of Lancaster were not present for the meeting.

Mr. Moody announced that public notice of this meeting was properly posted at the S. C. Auctioneer Commission office, Synergy Business Park, Kingstree Building, Room 108 and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. He noted that a quorum was not present.

Invocation

Mr. Moody delivered the invocation.

Approval of the May 28, 2002 Meeting Minutes

The approval of the minutes from the May 28, 2002 meeting was carried over to the next meeting.

Chairman's Remarks - Archie Moody

Mr. Moody welcomed all present to the meeting.

Assistant Deputy Director's Remarks - Randall Bryant

Introduction of Lenora Miles

Mr. Bryant stated the General Assembly has assigned another board, the Cemetery Board, to the agency and now falls under his direction. He further stated Mr. Hayes would now be the administrator of the Funeral Board and the Cemetery Board and that Ms. Lenora Miles has been assigned as the administrator for the Auctioneer's Commission.

Mr. Moody thanked Mr. Hayes for his service and welcomed Ms. Miles to the commission.

Interim Administrator's Remarks - Dwight Hayes

Mr. Hayes presented the members with a list of nine individuals licensed since the prior meeting. He noted that 947 individuals have renewed their licenses and that 127 individuals have not renewed their licenses. He also noted that 143 auction firms have renewed their licenses and that nine auction firms have not renewed their licenses.

Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions given during the August 5, 2002 meeting.

Legislative Update, If Needed, Legislative Liaison Office

There was no legislative update given during the August 5, 2002 meeting.

Introduction of Lisa Maseng, Legislative Liaison

Mr. Hayes stated Ms. Maseng is currently in another meeting and would be attending the meeting later.

Action Items

Unfinished Business

There was no unfinished business to be discussed.

New Business

Review/Approval of Applications

Application by Reciprocity

Rankin, Jr., Robert H.

Mr. Rankin is attempting to obtain his auctioneer's license by reciprocity with North Carolina. He has met all requirements, however, his credit report shows unpaid bills for \$141.00 and lists four liens.

Mr. Rankin addressed the four liens from 1997/1998. He brought the commission's attention to the fact that the liens are all in the same amount. He went to the Gaston County (North Carolina) Courthouse and indicated the liens are not on file with the county courthouse. He continued by saying he spoke with Equifax and discovered that he and his wife were assessed for payroll (withholding) taxes for four quarters. He indicated his wife had owned a computer business at one time and the payroll taxes in question were assessed after the business had closed. He said he was waiting on documentation from Equifax regarding this matter.

Mr. Hayes questioned Mr. Rankin regarding a collection account for the Gaston Emergency Services. Mr. Rankin stated the insurance company is disputing a portion of the charges for an emergency room visit.

Mr. Rankin stated he has been licensed in the State of North Carolina since May 1998.

Mr. Rankin's testimony was accepted as information during this meeting.

Application by Examination

Slater Jay T.

Mr. Slater is attempting to obtain his auctioneer's license by examination. He has passed the exam, however, his credit report shows four charged-off accounts.

Mr. Slater addressed the charged-off accounts that occurred during 1997. He indicated these accounts were during the time he was laid off from his job in Greenville. He noted that the accounts indicate a zero balance. He continued by saying all of the accounts have been paid. He indicated he recently borrowed (approximately eight months ago) \$600,000 in real estate loans. He continued by saying he is currently licensed as a realtor in South Carolina and is obtaining his broker's license in North Carolina. He indicated he has evidence that four accounts in question have been paid.

Mr. Slater's testimony was accepted as information during this meeting.

Coker, James R.

Mr. Coker is attempting to obtain his auctioneer's license by examination. He has passed the exam, however, his credit report shows two charged-off credit card accounts.

Mr. Coker presented evidence that the First USA credit card account has been paid. He indicated he is attempting to discover the holder of the other credit card account. He is also attempting to work with the insurance company on the medical account for Dr. Malcolm. He indicated that if this is the physician he saw with Dr. Nguyen's group, he paid the deductible on the day of his visit.

Per Mr. Coker's testimony his application was amended to answer "no" to questions 8, 9, 10, and 11. He also answered yes to question 12, which asks if he has ever been arrested. Mr. Coker's arrest record indicates he does not have an arrest record. Mr. Coker stated he was arrested in 1990 for DUI.

Mr. Coker's testimony was accepted as information during this meeting.

Coponen, Douglas

Mr. Coponen is attempting to obtain his auctioneer's license by examination. He has passed the exam, however, his credit report shows several liens and collection accounts.

Mr. Coponen has been attempting to locate the invoice for the \$5,791.00 lien in question on his credit report. He indicated he is not sure what the lien is for, however, he believes it may be a Nextel phone bill when he owned the concrete business. He further stated this business has since closed. He also stated he recently purchased a home and this lien did not come into question.

Ms. McCoy asked Mr. Coponen if he is still employed as a concrete contractor. Mr. Coponen stated he currently constructs houses with a company owned by his brother. He indicated his father has opened an auction firm and if, granted an auctioneer license, he would be working with this firm. He also stated that the name of the firm is The Auction Group.

Mr. Coponen's testimony was accepted as information during this meeting.

Jones, Michael W.

Mr. Jones is employed with the National Guard and was not available to attend the meeting. Mr. Moody asked that this matter be placed on the agenda for the next meeting.

Review/Approval of Reciprocal Agreement with Tennessee

Mr. Hayes stated the State of Tennessee is requesting a reciprocal agreement with South Carolina. He further stated this agreement would waive the exam for the applicants, however, all other requirements must be met prior to licensure in South Carolina. He continued by saying it appears that Tennessee is updating their records.

Review/Approval of Continuing Education Classes with Instruction by Raymond Lee

Mr. Lee is requesting to become a provider for auctioneer continuing education courses. He has been licensed as an auctioneer for three years and has been a guest instructor for the Southeastern School of Auctioneering, Midlands Technical College and an instructor for the commission's continuing education classes. The classes would begin in 2003.

Mr. Lee's request was taken as information during this meeting.

Since there was not a quorum present for the meeting, the information presented by the applicants, the information received regarding the reciprocity agreement with Tennessee and Mr. Lee's request to be a continuing education provider will be presented to the members during a conference call meeting. Staff was asked to contact the other members to set a conference call to discuss the items for a decision. Mr. Moody and Ms. McCoy indicated that Wednesday afternoon would be a good time for them.

Ms. McCoy questioned the amounts on the credit report requiring the applicants to be brought before the commission. Ms. Dantzler stated the commission would need to set the parameters of the criteria for staff to bring the applicants before the commission.

Public Comments

There were no public comments made during the August 5, 2002 meeting.

Adjournment

There being no further business to be discussed at this time, the meeting adjourned at 10:55 a.m.