

MINUTES

South Carolina Auctioneer's Commission
Board Meeting

10:00 A.M., February 27, 2006

Synergy Business Park
110 Centerview Drive, Kingtree Building, Room 108
Columbia, South Carolina

James G. Blocker, Chairman, of Walterboro, called the meeting to order at 10:00 a.m. Other members present included: Archie Moody, Vice Chairman, of Darlington; George Martin, of Pelzer; Fred Mullis, of Lancaster; and Patsy Towery, of Columbia.

Staff members participating in the meeting included: Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Sandra Dickert, Administrative Assistant; Lenora Miles, Administrator; and Linda Owens, Administrative Assistant.

Members of the public attending the meeting included: T. Michael Bailey, Jayson Barrington, Ivan Broadwell, Claus Lang, Thomas Moss, William J. Platt, III, Chuck Wood, and Sandy Wood.

Meeting Called to Order

Mr. Blocker announced that public notice of this meeting was properly posted at the S. C. Auctioneer Commission office, Synergy Business Park, Kingtree Building 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.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Invocation

Mr. Blocker delivered the invocation.

Approval of the November 7, 2005 Meeting Minutes

MOTION

Mr. Moody moved the Commission accept the minutes of the November 7, 2005 meeting as printed. Mr. Mullis seconded the motion, which carried unanimously.

Chairman's Remarks – James Blocker

Mr. Blocker welcomed Mr. Mullis back to the meeting after an absence for surgery. He thanked Ms. Miles for attending the Auctioneer's convention in Greenville. He stated he heard several favorable comments in regard to her attendance at the meeting.

Administrator's Remarks – Lenora Miles

Ms. Miles stated there were 14 candidates who sat for the December 2, 2005 exam. She further stated ten of the 14 candidates passed. She indicated the average score was 77 and noted the

high score was 95 and the low score was 54. She went on to say the next regularly scheduled exam is scheduled for March 10, 2006. She went on to say she and Ms. Owens attended the South Carolina Auctioneer's convention in Greenville in January 2006. Ms. Miles states staff is happy to have Mr. Mullis attending the meetings again.

*Advisory Opinions, If Needed, Office of General Counsel
Legislative Update, If Needed, Legislative Liaison Office*

There were no advisory opinions or legislative updates given during this meeting.

Unfinished Business

There was no unfinished business to be discussed at the February 27, 2006 meeting.

New Business

1. Review/Approval of Applications

a. T. Michael Bailey

Michael Bailey is applying for licensure as an auctioneer. He passed the exam in December 2005; however, staff could not approve his application due to issues with his credit report. (Mr. Bailey's application is herewith attached and becomes a permanent part of the record retained at the Commission's office.)

Michael Bailey appeared before the Commission at this time. He briefed the Commission regarding his credit report. He noted he does not understand where one of the unpaid medical is from. He presented documentation indicating two of the matters have been paid and noted he is making payments to the federal government regarding his taxes.

MOTION

Mr. Moody moved the Commission discuss this matter in executive session. The motion was seconded by Mr. Martin and unanimously carried.

b. Jayson P Barrington

Mr. Barrington is applying for licensure as an auctioneer. Staff could not approve his application due to issues with his credit report. (Mr. Barrington's application is herewith attached and becomes a permanent part of this record retained at the Commission's office.)

Jayson Barrington appeared before the Commission at this time. He briefed the Commission regarding his credit report. He noted some of the bills have already been paid and the rest would be paid with his tax refund. He indicated he suffered a heart attack within the last few years.

Ms. Dantzler questioned Mr. Barrington regarding the insufficient fund checks on his SLED report. He stated he managed a floral business for approximately eight years. He indicated the checks were on a business account and not on his personal checking account.

MOTION

Mr. Martin made a motion, seconded by Mr. Mullis and unanimously carried, that the Commission discuss in executive session.

c. *William J Platt, III*

Mr. Platt is applying for licensure as an auction firm and appeared before the Commission in November 2005 regarding his credit report. Based on those items and the action taken by the SC Real Estate Commission, the commission denied Mr. Platt licensure until such time as he could provide proof he would be affiliated with a reputable licensed auctioneer. Ms. Miles stated a letter from Mr. Michael Dopson, a licensed auctioneer, was included with Mr. Platt's application. The letter states that Mr. Dopson would be responsible for the proceeds of the auction firm for a certain period of time. Mr. Dopson's license is currently in good standing. (Mr. Platt's application is herewith attached and becomes a permanent part of the record retained at the Commission's office.)

William J. Platt, III appeared before the Commission at this time and answered questions from the Commission members.

MOTION

Mr. Moody moved the Commission discuss this matter in executive session. The motion was seconded by Mr. Martin and unanimously carried.

2. Examination Request

a. *Cookie Lockhart*

Cookie Lockhart is requesting the Commission's approval to take the exam and to forego the apprenticeship and/or auction school. Ms. Lockhart's letter indicates she has 40 years of experience as an auctioneer in Colorado, although Colorado does not license auctioneers. (Ms. Lockhart's letter is herewith attached and becomes a permanent part of the record retained at the Commission's office.)

MOTION

Mr. Martin moved the Commission discuss this matter in executive session. Mr. Moody seconded the motion, which carried unanimously.

3. Professional Credential Services Examination Proposal

Professional Credential Services, Inc. (PCS) has provided a proposal to the Commission to administer the auctioneer exam. Claus Lang, Vice President of Marketing with PCS, appeared before the Commission and made a presentation to the Commission. He noted the company currently administers exams in 11 states with 45 disciplines including Auctioneers in Pennsylvania and the Commonwealth of Virginia. (The Professional Credential Services, Inc. proposal is herewith attached and becomes a permanent part of the record retained at the Commission's office.)

MOTION

Ms. Towery made a motion, seconded by Mr. Mullis and unanimously carried, that the Commission discuss this matter in executive session.

4. Ratification of Mail Ballot – Terry Evans Education Center

On December 20, 2005 the Commission received a request from Ann Evans of the Evans Education Center seeking the Commission's approval of a six-hour auctioneer continuing

education course. Ms. Evans stated the course, Evaluating and Dealing with Bidders, would be presented in Orlando, Florida on February 18, 2006. The presenter would be Terry Evans. She included an outline of the course for the Commission's approval. Since the Commission would not be meeting again until February 27, 2006 staff mailed the pertinent information, along with a mail ballot, to the Commission members and asked that the Commission vote in approval or disapproval of the course. The Commission members voted in unanimous approval of the course.

MOTION

Mr. Moody moved the Commission ratify the mail ballot in regard to the Terry Evans Education Center. Mr. Mullis seconded the motion, which carried unanimously.

Public Comments

Ms. Sandy Wood questioned the Commission members regarding the Commission's ability to license an individual from an unlicensed state without that individual receiving the required classroom instruction or apprenticeship. Ms. Dantzler stated the statute states that an individual must receive 80 hours of classroom instruction or the substantial equivalent. She went on to say the question the Commission would consider in executive session would be the substantial equivalent of the South Carolina education requirement

Mr. Chuck Wood stated several states are regulating the listings on E-Bay because of the trusting of the funds. He questioned the Commission if South Carolina is moving toward regulating Internet auctions. Mr. Blocker stated he does not know of any movement in that direction in South Carolina. He further stated he hopes that Tennessee or Arkansas would break the ground in that area for South Carolina. Mr. Wood stated Tennessee now requires a licensed auctioneer to list items on E-Bay and is enforcing that law. Ms. Dantzler stated it took statutory action in Tennessee and would require statutory action in South Carolina.

Ms. Wood stated the auction firm she owns with her husband has been asked to possibly handle the reptile show and auction. She does not know of any requirements or regulations in regard to the auctioning of reptiles. She went on to say that they have stated for their protection, they have requested a veterinarian certification on each reptile. She asked if there are any regulations in regard to auctioning of reptiles. Mr. Blocker suggested contacting the Department of Natural Resources.

Executive Session

MOTION

Ms. Towery moved the Board enter executive session to discuss applications and the PCS proposal. The motion was seconded by Mr. Moody and unanimously carried.

Return to Open Session to Report on Executive Session

MOTION

Mr. Moody moved the Commission return to public session. The motion was seconded by Mr. Martin and unanimously carried.

Mr. Blocker noted for the record that no motions were offered and no votes were taken during executive session.

T. Michael Bailey

MOTION

Ms. Towery made a motion that the Commission approve Mr. Bailey for licensure, to be immediately placed in probationary status for one year after which time he is to appear before the Commission with written documentation showing what progress is being made on improving his credit report. Mr. Mullis seconded the motion, which carried unanimously.

Jayson P Barrington

MOTION

Mr. Martin moved to deny his license until such time as he provides documentation regarding the status of his credit report and the insufficient fund checks. Mr. Moody seconded the motion, which carried unanimously.

William J Platt, III

MOTION

Ms. Towery moved to approve for licensure, which is to be placed on indefinite probation, the terms of the probation include licensure for twelve months with Mr. Dopson as the licensed auctioneer, license #2080, that Mr. Dopson would be responsible for transferring of funds from auction firm to seller, and that Mr. Platt provide an annual credit report at the end of twelve month showing progress in clearing his credit report, and will come before the Commission at any time for any change of terms of the probation or in the business agreement. Mr. Moody seconded the motion, which carried unanimously.

Cookie Lockhart

MOTION

Mr. Moody moved the Commission allow Ms. Lockhart to take the exam and that the Commission approve written documentation showing at least 80 hours of classroom instruction from an accredited school and that she has graduated from CAI. Mr. Mullis seconded the motion, which carried unanimously.

Election of Officers

MOTION

Mr. Moody made a motion that Mr. Blocker remain in the office of chairman. Mr. Martin seconded the motion. Mr. Mullis moved the nominations be closed. Mr. Moody seconded the motion, which carried unanimously. Mr. Blocker was elected chairman by acclamation

Mr. Moody moved Mr. Martin be elected as vice chairman. Ms. Towery seconded the motion. Mr. Moody moved the nominations be closed. Mr. Mullis seconded the motion, which carried unanimously.

Adjournment

MOTION

There being no further business to be discussed by the Commission at this time, Mr. Moody moved the meeting be adjourned. Mr. Mullis seconded the motion, which carried unanimously.

The February 27, 2006 meeting of the SC Auctioneer's Commission adjourned at 12:44 p.m.