

MINUTES
South Carolina Auctioneer's Commission
Board Meeting
10:30 A.M., February 26, 2007
Synergy Business Park
110 Centerview Drive, Kingtree Building, Room 111
Columbia, South Carolina

James G. Blocker, Chairman, of Walterboro, called the meeting to order at 10:31 a.m. Other members present included: George Martin, Vice Chairman, of Pelzer; Archie Moody, of Darlington; and Patsy Towery, of Columbia.

Staff members participating in the meeting included: Lenora Addison-Miles, Administrator; Sandra Dickert, Administrative Assistant; Linda Owens, Administrative Assistant; and Lynne Rogers, General Counsel.

Members of the public attending the meeting included: Adam Koenigsberg, Robyne Hertel, David Wall, and David Wall, Jr.

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 Excused Absences

Mrs. Addison-Miles stated Mr. Mullis would not be attending today's meeting due to illness.

MOTION

Mr. Moody moved the Commission approve an excused absence for Mr. Fred Mullis. Mr. Martin seconded the motion, which carried unanimously.

Approval of the November 6, 2006 Meeting Minutes

MOTION

Mr. Martin made a motion, seconded by Mr. Moody and unanimously carried, that the Commission approve the minutes from the November 6, 2006 meeting as presented.

Chairman's Remarks – James Blocker

Mr. Blocker welcomed everyone to the meeting.

Administrator's Remarks – Lenora Addison-Miles

Advisory Opinions, If Needed, Office of General Counsel

Legislative Update, If Needed, Legislative Liaison Office

There were no advisory opinions or legislative update given during the February 26, 2007 meeting.

Mrs. Addison-Miles stated the Legislative Audit Council is conducting a review of the Auctioneers' Commission. She went on to say the agency is cooperating fully with the Council's request for information and staff would let the Commission members know of the Council's outcome.

Mrs. Addison-Miles presented the members with Statement of Interest Forms. She stated these forms must be completed by each member and returned to the State Ethics Commission by Monday, April 16, 2007. She noted failure to file the form by the deadline would result in penalties beginning at \$100.00. She went on to say a Statement of Economic Interest Form has been mailed to Mr. Mullis.

Mrs. Addison-Miles stated the last exam was administered on December 8, 2006. She went on to say there were 16 auctioneer candidates, of which 12 passed the exam. She further stated the average score was 75, with a high score of 88 and a low score of 61. She said the next exam is scheduled for March 9, 2007.

Unfinished Business

There was no unfinished business for the February 26, 2007 meeting.

New Business

Review/Approval of Applications via Examination

a. Adam Koenigsberg

Adam Koenigsberg is applying for licensure as an auctioneer and an auction firm via examination. He passed the exam in December 2006. Mr. Koenigsberg's application could not be approved at staff level due to issues noted on his credit report.

Adam Koenigsberg appeared before the Commission at this time. Mr. Koenigsberg stated he was unaware of two of the items on the credit report until he was contacted by the Commission's staff. He noted he has since paid these two items and presented receipts to account for the payments. He further stated his attorney continues to work with the credit card companies. He said he took a position as an art auctioneer out of the country last year and entrusted an individual to pay the bills. He noted when he came back the bills were higher than he could afford. He went on to say the two tax liens stem from the 1980s and he has been attempting to resolve the liens with the IRS for the past 18 years. He said his accountant is working on a compromise with the IRS. He provided his accountant's name and address to the Commission.

MOTION

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

b. David Wall, II

David Wall, II is applying for licensure as an auctioneer via examination. He passed the exam in December 2006. Mr. Wall's application could not be approved at staff level due to issues noted on his credit report.

David Wall, II appeared before the Commission at this time. Mr. Wall stated he has gone through two divorces and most of his money has gone toward legal fees. He further stated he would be a bid caller and would not be handling money. He went on to say he has a full time job with the McDonalds organization and would be working auctions on a part time basis. He continued by saying he was employed with the SC Department of Corrections for close to five years and was going to transfer to the Arkansas Department of Corrections; however, there was no job for him when he arrived. He said he is attempting to consolidate the debts into one payment by April 2007.

David Wall, Sr., stated he would be handling the financial aspects of the business and that his son would be a bid caller only.

MOTION

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

c. Oliver Wright, Jr.

Mrs. Addison-Miles stated Mr. Wright took the exam in December 2006; however, he did not pass the exam at that time. She further stated staff notified Mr. Wright by mail in November 2006 that staff could not approve his application due to issues noted on his credit report. She said that she placed his application on today's agenda should he successfully pass the exam given in March he would not have to wait until the May 2007 meeting to appear before the Commission. She went on to say she notified Mr. Wright that the Commission would be discussing his application during today's meeting.

Oliver Wright did not appear at this meeting.

The Commission determined it would not discuss Mr. Wright's application until such time that he appeared at a meeting.

Review/Approval of Applications via Reciprocity

a. William E. Harper

William Harper is applying for licensure via reciprocity from Texas. His auctioneer's license in Texas is current and in good standing. Mr. Harper's criminal history report shows there was a deferred judgment regarding a felony drug charge in 2003.

William Harper did not appear at this meeting.

During discussion on this matter it was noted that the order was not a certified copy.

MOTION

Mr. Moody moved the Commission grant Mr. Harper licensure contingent upon receipt of a certified copy of the court order. Mrs. Towery seconded the motion, which carried unanimously.

Approval of Auction School

a. World Wide College of Auctioneering

The Commission received a request for approval of the World Wide College of Auctioneering. The request included a list of current instructors and a course curriculum.

MOTION

Mr. Moody moved the Commission approve the World Wide College of Auctioneering. Mr. Martin seconded the motion which carried unanimously.

Public Comments

There were no public comments made during the February 26, 2007 meeting.

Executive Session

MOTION

Mr. Moody made a motion, seconded by Mr. Martin and unanimously carried, that the Commission enter executive session.

Return to Open Session to Report on Executive Session

MOTION

Mr. Moody moved the Commission return to public session. Mr. Martin seconded the motion, which carried unanimously.

Mr. Blocker noted for the record that no motions were offered or made during executive session.

Adam Koenigsberg

MOTION

Mr. Moody made a motion, seconded by Mrs. Towery and unanimously carried, that the Commission issue a license to Mr. Koenigsberg, that the license be placed on probation for one year, and that he report to the Commission in one year to show progress on his credit report.

David Wall

MOTION

Mr. Martin moved the Commission issue Mr. Wall a restricted license to call bids only for his father, that his father is to handle all money, and if he wants to call bids for another company he must appear before the Commission for permission. Mrs. Towery seconded the motion, which carried unanimously.

Election of Officers

Chairman

Mrs. Towery nominated Mr. Blocker as chairman.

Mr. Moody moved the nominations be closed. Mr. Martin seconded the motion, which carried unanimously.

Vice Chairman

Mr. Moody nominated Mr. Martin as vice chairman. Mrs. Towery seconded the motion, which carried unanimously.

Adjournment

MOTION

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

The February 26, 2007 meeting of the SC Auctioneer's Commission adjourned at 11:50 a.m.