

MINUTES
South Carolina Auctioneer's Commission
Board Meeting
10:00 A.M., May 19, 2008
Synergy Business Park
110 Centerview Drive, Kingtree Building, Room 108
Columbia, South Carolina

Meeting Called to Order

James Blocker, chairman, of Walterboro, called the meeting to order at 10:35 a.m. Another member present for the meeting included: Wendell Christopher, of Roebuck.

Staff members participating in the meeting included: Lenora Addison-Miles, Administrator; DeLeon Andrews, Investigator; Sharon Dantzer, Deputy General Counsel; Sandra Dickert, Administrative Assistant; Linda Owens, Administrative Assistant; Maurice Smith, Investigator; and Sharon Wolfe, Investigator.

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

George Martin, vice chairman, Archie Moody and Patsy Towery were granted excused absences.

Approval of the February 25, 2008 Meeting Minutes

Approval of the minutes from the February 25, 2008 meeting was deferred to the August 18, 2008 meeting.

Chairman's Remarks – James Blocker

Mr. Blocker welcomed all present to the meeting. He apologized for the late start and for a quorum not being present.

Administrator's Remarks – Lenora Addison-Miles

Advisory Opinions, If Needed, Office of General Counsel

Legislative Update, If Needed, Legislative Liaison Office

Mrs. Addison-Miles stated there are currently 1,094 auctioneers and 165 auction firms licensed through June 30, 2009.

Mrs. Addison-Miles stated the last exam was administered on March 14, 2008. There were 22 auctioneer candidates and all 22 candidates passed the exam. She further stated the average score was 84 with the low score being 71 and the high score being 95. She noted the next exam is scheduled for June 6, 2008.

Unfinished Business

There was no unfinished business to be discussed during this meeting.

New Business

Approval of March 26, 2008 and the May 16, 2008 IRC Reports

Approval of the March 26, 2008 and the May 16, 2008 IRC reports was deferred to the August 18, 2008 meeting since there was no quorum for this meeting.

Mrs. Dantzler stated the applicants may waive their rights to a full Commission appearance and be heard by the two members present. She further stated the two Commission members would serve as a hearing panel and the panel must consult with at least one other member of the Commission prior to a final Commission order being issued. She went on to say if there is a negative outcome the applicant may request a reconsideration during the next Commission meeting.

Review/Approval of Applications via Examination

a. James Bradham

On December 17, 2007 the Commission received an auctioneer license application from James Bradham. Mr. Bradham passed the exam in March 2008. Mr. Bradham's credit report reflects two R9 accounts and three unpaid accounts totaling \$1,376. Mr. Bradham answered 'yes' to the question asking, "Are there any unpaid judgments of debt now outstanding against you?" His explanation in regard to this question states he has a tax liability for the IRS and the SC Department of Revenue for 2004. He paid approximately \$732 to the SC Department of Revenue on December 6, 2007 and has entered into a payment agreement with the IRS to pay approximately \$6,500.

James Bradham appeared before the Commission and waived his right to a full Commission appearance. He was sworn to give correct testimony.

The debts reflected on Mr. Bradham's credit report are the result of his divorce from his first wife in 2003. There was considerable marital debt of which he was unaware of some at the time. Family court decreed he would be responsible for half of the debt. The balance for which he was deemed responsible was consolidated to one credit card. Between the time of his divorce and now he changed professions and went out of commercial truck sales and into real estate. His income is less now than what it was at the time of the divorce decree. The Colleton County Family Court decreed that he pay child support that is equal and sometimes exceeds his monthly income, which has placed him in a position of not being able to pay other debts. On advice of counsel he makes payments in the following order: child support, taxes, secured debt, followed by unsecured debt. He has been in contact with the creditors and their collection agencies. He has filed a motion in family court for modification of child support payments and a hearing is scheduled for mid June 2008.

The Commission deferred action on this matter until such time as other members of the Commission are contacted.

b. Jody Garmon

On February 25, 2008 the Commission received an auctioneer license application from Jody Garmon. Ms. Garmon answered 'no' to the question asking, "Are there any unpaid judgments of debt now outstanding against you?" However, her credit report reflects several unpaid accounts totaling \$6,309. Her criminal history report reflects an arrest and conviction for obtaining a controlled substance by fraud. She was sentenced to three years probation, which

began June 1, 1983 and fined \$300. Ms. Garmon's written explanation states she also plead guilty to simple assault. She was working as a registered nurse at the time and subsequently surrendered her nursing license, which was suspended for one year and was issued a conditional license for one year. Her nursing license was fully reinstated in 1985. Her nursing license has since been and is currently in good standing.

Jody Garmon appeared before the Commission and waived her right to a full Commission appearance. Ms. Garmon was sworn to give correct testimony.

Ms. Garmon was diagnosed and treated for breast cancer which has left her with high medical debts. She had four emergency operations over a five year span and was unable to work a good deal during that time. The physicians recommended drugs that were not covered under insurance for her treatment and she had to pay full retail price. She chose to purchase the drugs for treatment over paying the hospitals and physicians in a timely manner. She is making payments toward the bills. She took the auction class through Meares Auction School and passed the exam in March 2008. She would be conducting consignment auctions in a barn on her property.

The Commission deferred action on this matter until such time as other members of the Commission are contacted.

c. Oliver Wright, Jr.

On November 20, 2006 the Commission received an auctioneer license application from Oliver Wright, Jr. Mr. Wright answered 'no' to the question asking, Are there any unpaid judgments of debt now outstanding against you?" However, his credit report reflects several unpaid accounts totaling \$4,900 and one 15 account.

Oliver Wright appeared before the members at this time and waived his right to a full Commission appearance. He was sworn to give correct testimony.

Mr. Wright began a family farm business with his father and his brother in 1999, which has not faired well over the years. He is diabetic and has had surgery on his foot, which has resulted in being out of work for three and one-half years. He is now a school bus driver and makes \$13,000. Some of the debts on his credit report are from the business. He has paid the medical bills down some and continues to make payments. He, his father and his brother have agreed and are in the process of taking money out of his father's retirement account to pay the farm accounts reflected on his credit report. He has lived at his current address for the past 18 years and does not plan on moving out of state or out of the country. If licensed he would work as a contract auctioneer with other auctioneers so he would not be required to handle monies.

The Commission deferred action on this matter until such time as other members of the Commission are contacted.

Review / Approval of CE Courses and Provider – Novalis, Inc.

Novalis, Inc. submitted the following continuing education courses for the Commission's review and approval.

- a. Ethics & Professional Conduct for Auctioneers*
- b. Federal Laws Governing Auctioneers: A Focus on Labor, Sales & Firearms*
- c. Marketing Real Estate at Auction*

d. Using Technology: Internet Auctions, Tools & More

Approval of the continuing education courses and provider submitted by Novalis, Inc. was deferred to the August 18, 2008 meeting since there was not a quorum for this meeting.

CE Review – Tom Schatzman

The Commission deferred action in regard to Mr. Schatzman's continuing education to the August 18, 2008 meeting since there was not a quorum present for this meeting.

Advertising Requirements

The Commission deferred action in regard to the advertising requirements to the August 18, 2008 meeting since there was not a quorum present for this meeting.

Approval of 2009 Proposed Meeting Dates

The Board deferred voting on the proposed meeting dates for 2009 to the August 18, 2008 meeting as there was not a quorum present for this meeting.

Discussion Items

There were no discussion items for this meeting.

Public Comments

There were no public comments made during this meeting.

Executive Session

The Commission members present discussed their recommendations in regard to the applicants heard during this meeting. Confirmation of these actions will be held during the August 18, 2008 meeting.

Adjournment

The May 19, 2008 meeting of the SC Auctioneer's Commission adjourned at 10:50 a.m.