

MINUTES
South Carolina Auctioneer's Commission
Board Meeting
10:00 A.M., November 17, 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 10:08 a.m. Other members present for the meeting included: George Martin, vice chairman, of Pelzer; and Archie Moody, of Darlington.

Staff members participating in the meeting included: Lenora Addison-Miles, Administrator; Sharon Dantzler, Deputy General Counsel; Sandra Dickert, Administrative Assistant; Gwendolyn Green, Hearing Advice Attorney; Maurice Smith, Investigator, Office of Investigations; Ernest Spong, Attorney; and Sharon Wolfe, Investigator, Office of Investigations.

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.

Approval of Excused Absences

MOTION

Patsy Towery, of Columbia, was granted an excused absence.

Wendell Christopher, of Roebuck, was not present for the meeting.

Approval of the August 18, 2008 Meeting Minutes

MOTION

Mr. Moody made a motion the minutes be approved as presented. Mr. Martin seconded the motion, which carried unanimously.

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

Mrs. Addison-Miles stated there are currently, 1,126 individuals licensed as auctioneers and 172 licensed auction firms.

Mrs. Addison-Miles stated the last exam was administered on September 5, 2008. She further stated eight candidates took the exam and that seven candidates passed. She noted the high score was 89 and the low score was 67 with the average score being 77. The next exam is scheduled for December 5, 2008.

Mrs. Addison-Miles stated the members should have received a memo, dated October 1, 2008 regarding the 2009 special license plates. She noted the form and fees are due to staff no later than today.

Unfinished Business

There was no unfinished business to be discussed during the November 17, 2008 meeting.

New Business

Review / Approval of Application via Examination

a. Anthony McDonald

On August 21, 2008 the Commission received an auctioneer's license application from Anthony McDonald. Mr. McDonald passed the exam in September 2008. He answered 'no' to the question asking if there are currently any unpaid judgments of debt against him; however, his credit report reflects two unpaid accounts and six liens. His criminal history report reflects one misdemeanor charge, which was dismissed.

Anthony McDonald appeared before the Commission at this time and gave the following testimony.

In 2002 Mr. McDonald owned a corporation and had 14 employees. His wife became seriously ill and he hired his daughter-in-law to care for his wife. His wife died and he remarried several years later. In 2005 he realized someone was taking money. An IRS employee informed him he was behind in withholding taxes in the amount of \$40,000 to \$60,000. His daughter-in-law embezzled money; however, he could not take action against her since he signed the documents. In January 2008 he met with an IRS employee who suggested he close the business and liquidate the assets. He has placed the building and assets up for sale although it has not yet sold.

MOTION

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

b. Norman Thomas

On September 2, 2008 the Commission received an auctioneer license application from Norman Thomas. Mr. Thomas passed the exam in September 2008. His credit report reflects one outstanding judgment.

Norman Thomas appeared before the Commission at this time.

Mr. Thomas attempted to pay the judgment through Medicare several years ago; however, the physician's office refused to take payment. The attorney supposedly served documentation on him in regard to the judgment; however, he was never served with the documentation.

MOTION

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

Review / Approval of Application via Reciprocity

a. Pamela Thompson / Thompson's Auction and Realty

On March 13, 2007 the Commission received an auctioneer and auction firm license application from Pamela Thompson. Ms. Thompson answered 'no' to the question asking if there are

currently any unpaid judgments of debt against her; however, her credit report reflects three unpaid accounts and one lien. She is currently licensed in North Carolina. Staff notified Ms. Thompson in writing the Commission would be reviewing her application during this meeting.

Pamela Thompson did not appear before the Commission during this meeting.

MOTION

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

Review / Approval of CE Courses/Instructors - SCAA 2009 Convention

a. Overview of Probate Process – Judge Deborah Faulkner

On September 19, 2008 the Commission received a request from Darron Meares of Bowtie Benefit Auctions seeking the Commission's approval of a two-hour auctioneer continuing education course entitled 'Overview of Probate Process'. Mr. Meares included a full course outline for the Commission's review. Probate Judge Deborah Faulkner provided the information and she would be presenting the course. The course would only apply to those individuals attending the SCAA 2009 convention that are involved in the full two-hour session.

*b. Representing Trusts, Estates & Deceased Persons: What Real Estate Agents Should Know about Estate Administration and the Probate Process In S.C.
Presented by Harvey, Casterline & Vallini, LLP*

The Commission has received documentation regarding a continuing education course from Harvey, Casterline, & Vallini, LLP for the Commission's approval. The course, *Representing Trusts, Estates & Deceased Persons: What Real Estate Agents Should Know about Estate Administration and the Probate Process In S.C.*, is an interactive course geared toward helping the real estate professional to better represent their clients.

MOTION

Mr. Moody made a motion the Commission approve both of these courses as continuing education courses. Mr. Martin seconded the motion, which carried unanimously.

Public Comments

There were no public comments made during the November 17, 2008 meeting.

Executive Session

MOTION

Mr. Martin made a motion the Commission enter executive session to seek legal advice. Mr. Moody seconded the motion, which carried unanimously.

Return to Open Session

MOTION

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

Mr. Blocker noted for the record that the Commission took no official action during executive session.

Anthony McDonald

MOTION

Mr. Moody made a motion the Commission grant Mr. McDonald licensure, that the license be placed on two years probation, and that Mr. McDonald provide the Commission with an updated credit report at the end of each year. Mr. Martin seconded the motion, which carried unanimously.

Norman Thomas

MOTION

Mr. Moody made a motion the Commission grant Mr. Thomas licensure, that the license be placed on two years probation, and that Mr. Thomas provide the Commission with an updated credit report at the end of each year. Mr. Martin seconded the motion, which carried unanimously.

Pamela Thompson / Thompson Auction and Realty

MOTION

Mr. Moody made a motion the Commission grant Ms. Thompson licensure, that the license be placed on two years probation, and that Ms. Thompson provide the Commission with an updated credit report at the end of each year. Mr. Martin seconded the motion, which carried unanimously.

Hearings

In the Matter of Edward R. Hunnicutt

MOTION

Mr. Moody made a motion the Commission allow Mr. Hunnicutt to keep his license, that the license be placed on probation for two years, and that he pay a \$2,500 fine.

In the Matter of Boyce A. Brasington

MOTION

Mr. Martin made a motion the Commission revoke Mr. Brasington's license. Mr. Moody seconded the motion, which carried unanimously.

Adjournment

MOTION

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

The November 17, 2008 meeting of the S.C. Auctioneer's Commission adjourned at 12:35 p.m.