

MINUTES
South Carolina Auctioneers' Commission
Commission Meeting
10:00 a.m., May 18, 2009
Synergy Business Park, Kingstree Building
110 Centerview Drive, Conference Room 108
Columbia, South Carolina

1. Meeting Called to Order -

James Blocker, chairman, of Walterboro, called the regular meeting of the Auctioneers' Commission to order at 10:06 a.m. Other members participating in the meeting included: Wendell Christopher, of Roebuck; Archie Moody, of Darlington; and Patsy Towery, of Columbia.

Staff members participating in the meeting included: Lenora Addison-Miles, Administrator; Deleon Andrews, Investigator; Sharon Dantzler, Deputy General Counsel; and Sandra Dickert, Administrative Assistant.

Members of the public attending the meeting included: Rebecca Emerson, Luke Hicks and Robin Lay.

Mr. Blocker announced that public notice of this meeting was properly posted at the SC Auctioneers' Commission office, Synergy Business Park, Kingstree 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.

2. [Approval of Excused Absences](#)

Mr. Blocker noted Mr. Martin was ill.

MOTION

Mr. Christopher made a motion, seconded by Mr. Moody and unanimously, carried that the Commission approve Mr. Martin's absence.

3. [Approval of the February 23, 2009 Meeting Minutes](#)

MOTION

Mrs. Towery made a motion, seconded by Mr. Moody and unanimously carried, that the minutes of the February 23, 2009 meeting be approved.

4. [Chairman's Remarks - James Blocker](#)

Mr. Blocker welcomed everyone to the meeting and thanked staff for their work in preparing for the meeting.

5. [Administrator's Remarks - Lenora Addison-Miles](#)

a. [Advisory Opinions, If Needed, Office of General Counsel](#)

No advisory opinions were given during this meeting.

b. [Legislative Update, If Needed, Legislative Liaison Office](#)

No legislative update was given during this meeting.

Mrs. Addison-Miles stated the letter to Senator Larry Martin from Ms. Youmans which was included in the members' agenda packages was for information only.

Mrs. Addison-Miles stated there were 12 auctioneer candidates for the March 13, 2009 exam. She further stated eight of the candidates passed the exam. She noted the average score was 77 with a high score of 95 and a low score of 54. She went on to say the next exam is scheduled for June 5, 2009.

Mrs. Addison-Miles stated information regarding the online renewals was mailed the first week of May by the Office of Licensure and Compliance. She further stated any inquiries the Commission may have should be directed to that office. She noted the paper renewals will be available on June 1st. She said anyone who wishes to renew by paper should contact Sally Green of the Office of Licensure and Compliance.

6. [Unfinished Business](#)

There was no unfinished business for discussion during this meeting.

7. [New Business](#)

A. [Approval of the March 24, 2009 IRC Report](#)

Mr. Deleon Andrews of the OIE briefed the Commission on the March 24, 2009 IRC report.

MOTION

Mrs. Towery made a motion, seconded by Mr. Christopher and unanimously carried, that the Commission approve the March 24, 2009 IRC report.

B. [Office of Licensure and Compliance Contact List](#)

Mrs. Addison-Miles stated the contact list is being presented to the members for their information. The members may contact the OLC staff if they have any questions regarding licensing.

C. [Review / Approval of Application via Examination](#)

a. [Luke Hicks](#)

On March 3, 2009 the Commission received an auctioneer license application by examination from Luke Hicks, Jr. Mr. Hicks passed the exam in March 2009. He answered no to the question asking, "Are there any unpaid judgments of debt now outstanding against you?" However, his credit report reflects unpaid collections accounts. Staff notified Mr. Hicks by letter dated March 12, 2009 that the Commission would review his application during this meeting and asked that he be present to answer questions from the members.

Luke Hicks was sworn to give correct testimony. He stated he thought the matters on the credit report pertained to a business. He is a bid caller for vehicles and heavy equipment for the State Division of General Services, Office of Surplus Property. He attended Southeastern School of Auctioneering. He raised children as a single parent and took care of his ailing mother. He had worked for the Department of Corrections; however, he resigned to take care of his ailing mother. The account with Citifinancial was a vehicle which was repossessed and has now been sold by the company. He has made arrangements to pay Time Warner and AT&T. He began working with Surplus Property in September 2007.

MOTION

Mr. Moody made a motion, seconded by Mrs. Towery and unanimously carried, that the Commission take this matter to executive session.

MOTION

b. [Rebecca Emerson - pending examination](#)

On November 25, 2008 the Commission received an auctioneer license application by examination from Rebecca Emerson. Ms. Emerson has requested to retake the exam in June 2009. She answered no to the question asking, "Are there any unpaid judgments of debt now outstanding against you?" However, her credit report reflects unpaid collection accounts. Staff notified Ms. Emerson by letter dated April 14, 2009 that the Commission would review her application during this meeting and asked that she be present to answer questions from the members.

Rebecca Emerson was sworn to give correct testimony. She has several medical bills from hospitalization for breast cancer. She presented documentation in regard to making payment arrangements on these bills.

Mrs. Dantzler reviewed the documentation and stated it is a contract with a debt solution firm which is negotiating to pay the debts in an orderly fashion.

Ms. Emerson stated she would be taking over her father's small auction firm, who has become disabled.

MOTION

Mr. Moody made a motion, seconded by Mrs. Towery and unanimously carried, that the Commission take this matter to executive session.

D. [Review / Approval of Application via Reciprocity](#)

a. [Lamar Lankford](#)

On February 24, 2009 the Commission received an auctioneer license application by reciprocity from Lamar Lankford. Mr. Lankford is currently licensed by the Florida Auctioneers' Commission. Mr. Lankford answered no to the question asking, "Have there been any judgments, liens or claims filed against you in the last 5 years?" His credit report reflects unpaid collections accounts. Staff notified Mr. Lankford by letter dated March 3, 2009 that the Commission would review his application during this meeting and asked that he be present to answer questions from the members.

Mrs. Addison-Miles stated Mr. Lankford was coming from John's Island but would be unable to make the meeting due to possible severe weather. He had informed Mrs. Addison-Miles he would email a statement in regard to his situation; however, she has not yet received the email. She noted he also has credit issues.

The Commission determined it would take no action until he can provide an explanation to the Commission's satisfaction.

E. [Review / Approval of Course Updates](#)

a. [All Star Professional Training, Inc.](#)

Mrs. Miles stated All Star Professional Training is an approved continuing education provider and has provided the commission with an updated list of courses. She noted All Star Professional Training had received feedback from individuals asking for more courses

on topics such as ethics. She went on to say All Star and one other provider conduct online courses.

Discussion ensued in regard to sending a letter to the providers requiring they adjust their curriculum to include one hour of law and ethics.

Mrs. Towery reviewed the curriculum submitted by All Star Professional Training and found it to be satisfactory.

The Commission asked that they be provided with figures showing the number of individuals taking online continuing education courses and live continuing education courses.

MOTION

Mr. Moody made a motion, seconded by Mr. Christopher and unanimously carried, that the Commission require the providers include one hour of mandatory South Carolina law and ethics in the curriculum.

MOTION

Mrs. Towery made a motion, seconded by Mr. Christopher and unanimously carried, that the Commission approve All Star Professional Training's updated list of courses.

F. [Review / Approval of Course for Auctioneer CE Credit - James Mattox, Jr.](#)

a. [OSHA 10-Hour Construction Safety Workshop](#)

Mrs. Miles stated Mr. Mattox has submitted documentation seeking the Commission's approval of an OSHA 10-hour Construction Safety Workshop as hours for auctioneer continuing education.

Mrs. Dantzler stated this course is provided for the General Contractors. She further stated it would be hard to make a connection for this course as an auctioneer continuing education course.

MOTION

Mr. Moody made a motion, seconded by Mr. Christopher and unanimously carried, that the Commission deny the OSHA 10-hour construction safety workshop as an auctioneer continuing education course.

8. [Public Comments](#)

No public comments were made during this meeting.

9. [Executive Session](#)

MOTION

Mr. Moody made a motion, seconded by Mrs. Towery and unanimously carried, that the Commission enter executive session to seek legal advice.

10. [Return to Public Session](#)

MOTION

Mr. Moody made a motion, seconded by Mr. Christopher and unanimously carried that the Commission return to public session.

Mr. Blocker noted for the record that no official action was taken during executive session.

Luke Hicks

Mrs. Towery made a motion, seconded by Mr. Moody and unanimously carried that the Commission approve Mr. Hicks for licensure, that the license be placed on two years probation during which time he must auction only for state government until he shows progress in satisfying his credit report.

Rebecca Emerson

MOTION

Mrs. Towery made a motion, seconded by Mr. Christopher and unanimously carried that the Commission approve Ms. Emerson for licensure upon successful passage of the exam, that her license be placed on probation for two years and that each year during probation she must show progress in satisfying the accounts on her credit report.

Mrs. Miles stated she has received an email from a licensee regarding renewal. He completed auctioneer school in 2007. She further stated the regulations state individuals who have completed auctioneer school within one year of renewal would be deemed to have four hours of continuing education. She said this would be the first renewal period for this individual. She went on to say the individual is asking if he needs four hours of continuing education or if he is covered for the full eight hours of continuing education since licensure is renewed on a biennial basis. She continued by saying she has received the same question from individuals who completed auctioneer school in 2008. The Commission determined the individuals would need to take four hours of continuing education.

Mrs. Addison-Miles stated staff would ensure all licensees receive the correct information. Information will be placed on the Commission's web page and sent to the schools and the continuing education providers.

11. [Adjournment](#)

MOTION

Mrs. Towery made a motion, seconded by Mr. Christopher and unanimously carried that the meeting be adjourned.

The May 18, 2009 meeting of the SC Auctioneers' Commission adjourned at 11:30 a.m.