

**MINUTES**  
**South Carolina Auctioneers' Commission**  
**Commission Meeting**  
**10:00 A.M., August 17, 2009**  
**Synergy Business Park**  
**110 Centerview Drive, Kingtree Building, Room 108**  
**Columbia, South Carolina**

**Meeting Called to Order**

James Blocker, chairman, of Walterboro, called the regular meeting of the Auctioneers' Commission to order at 10:11 a.m. Other members participating in the meeting included: George Martin, vice chairman, of Pelzer; Wendell Christopher, of Roebuck; and Archie Moody, of Darlington.

Staff members participating in the meeting included: Lenora Addison-Miles, Administrator; Deleon Andrews, Investigator; Sharon Dantzler, Deputy General Counsel; Sandra Dickert, Administrative Assistant; Suzanne Hawkins, Assistant General Counsel; Connie Huffstetler, Customer Care Center, and Jamie Saxon, Hearing Advice Attorney.

Members of the public attending the meeting included: Marion Galphin, Gail Gibson, and Barry Thornton.

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**

**MOTION**

Mr. Martin made a motion the Commission excuse Patsy Towery, of Columbia, from this meeting. Mr. Moody seconded the motion, which carried unanimously.

**Approval of the May 18, 2009 Meeting Minutes**

**MOTION**

Mr. Christopher made a motion the Commission approve the minutes of the May 18, 2009 meeting. Mr. Moody seconded the motion, which carried unanimously.

**Chairman's Remarks – James Blocker**

Mr. Blocker welcomed everyone to the meeting. He thanked staff for the preparations for the meeting. He attended the NAOLLA meeting in July 2009.

**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 there were 14 exam candidates during the June 5, 2009 exam. Eleven of the 14 candidates passed the exam. The average score was 76, with two individuals scoring a high score of 90 and the low score was 54. The next exam is scheduled for September 4, 2009.

As August 14, 2009 911 auctioneers and 137 firms have renewed licensure through 2011. There are 257 auctioneers and 47 firms which have not yet renewed. In the 2007 renewal period 973 auctioneers and 146 firms had renewed by August and lapsed license notices were mailed to 19 auction firms and 146 auctioneers.

During the May 2009 meeting the Commission had requested information regarding the number of licensees who obtained online continuing education. Eighteen licensees participated in online continuing education classes provided by Novalis and 37 licensees participated in online continuing education courses provided by All Star Training between July 1, 2007 and June 30, 2009. This amount represents six percent of the total number of licensees which took online continuing education classes.

*c. Customer Care Center Overview – Connie Huffstetler*

Mrs. Connie Huffstetler, supervisor of the Customer Care Center, briefed the Commission regarding the customer care center.

**Unfinished Business**

There was no unfinished business for discussion during this meeting.

**New Business**

A. Approval of the August 14, 2009 IRC Report

Mr. DeLeon Andrews briefed the Commission regarding the August 14, 2009 IRC report.

**MOTION**

Mr. Martin made a motion the Commission approve the August 14, 2009 IRC report. Mr. Moody seconded the motion, which carried unanimously.

**\*\*Recovery Fund Hearing in the Matter of Melvyn Duane Salter\*\***

This matter was recorded by a certified court reporter in order to provide a verbatim transcript in accordance with the law.

**MOTION**

Mr. Martin made a motion the Commission pay Ms. Gouldin the money from the recovery fund. Mr. Christopher seconded the motion, which carried unanimously.

B. Review / Approval of Application via Examination

*a. Marion C. Galphin*

The Commission has received an auctioneer licensure application dated March 9, 2009 from Marion Galphin. Mr. Galphin passed the exam in June 2009. His credit report reflects two collection accounts and tax liens.

In 2004 Mr. Galphin was informed by the bank that the bookkeeper had embezzled monies from the company. Some time later, while on the telephone with the bank he received a call from a

sister-in-law informing him his son had been killed in a vehicle accident while running an errand. His father died shortly after his son passed. He suffered from clinical depression for a long time. The tax liens occurred after the businesses closed. He noticed on the criminal history report that he was charged with carrying a weapon, which is an error. The malicious injury charge in December 2004 occurred when an individual went to his house and he dented the individual's vehicle.

**MOTION**

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

*b. Barry Thornton*

On May 22, 2009 the Board received an auctioneer's licensure application from Barry Thornton. He passed the auctioneer exam in June 2009. Mr. Thornton's credit report reflects a delinquent account and a write off account. His criminal history report reflects a fraudulent check charge. In a written statement to the Commission he states the check has been paid in full.

Mr. Thornton presented a document dated August 13, 2009 from BB&T stating he is making payments on the account and the arrangement is being kept satisfactory.

**MOTION**

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

**C. Licensure by Reciprocity**

*a. James Reid Leonard. III*

Mr. Leonard has applied for licensure by reciprocity with North Carolina. He was licensed in North Carolina in April 2002. His license verification from North Carolina reflects his North Carolina license expired June 30, 2009, Mrs. Addison-Miles verified with the North Carolina Commission that the license has been renewed in North Carolina and is in good standing. He answered no to the question concerning liens, claims or judgments; however, his credit report contains a write-off account. Mr. Leonard was unable to attend this meeting but provided the Commission with a written statement regarding the matter on his credit report.

**MOTION**

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

**D. Review / Approval of Course Updates**

*a. All Star Professional Training, Inc.*

On June 30, 2009 the Commission received a request from All Star Professional Training, Inc. seeking the Commission's approval of an additional four hour online course for auctioneer continuing education. The request included course material, outline, quizzes, instructor qualifications and resume, company resume, and a sample copy of the certificate of completion.

**MOTION**

Mr. Moody made a motion the Commission approve the additional four-hour online course. Mr. Martin seconded the motion, which carried unanimously.

**E. Continuing Education Requirement for CE Providers**

Mrs. Miles stated during the last meeting the Commission had indicated they wanted the providers to provide a one-hour continuing education class on ethics and law. She needs clarification on whether the law course should be South Carolina law. Mr. Blocker replied affirmatively.

### **Public Comments**

No public comments were made during this meeting.

### **Executive Session**

#### **MOTION**

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

### **Return to Public 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 no official action was taken during executive session.

*Marion Galphin*

#### **MOTION**

Mr. Christopher made a motion the Commission grant Mr. Galphin licensure and that the license be placed on three years of probation. Mr. Martin seconded the motion, which carried unanimously.

*Barry Thornton*

#### **MOTION**

Mr. Martin made a motion the Commission grant Mr. Thornton licensure, that the license be placed on two years of probation and that Mr. Thornton provide the Commission, at his own expense, with an updated credit history report during each year of the probation period. Mr. Moody seconded the motion, which carried unanimously.

*James Reid Leonard. III*

#### **MOTION**

Mr. Martin made a motion the Commission grant licensure to Mr. Leonard. Mr. Christopher seconded the motion, which carried unanimously.

### **Adjournment**

#### **MOTION**

There being no further business, Mr. Martin made a motion the meeting be adjourned. Mr. Moody seconded the motion, which carried unanimously.

The August 17, 2009 meeting of the S.C. Auctioneer's Commission adjourned at 11:50 a.m.