

**MINUTES**  
**South Carolina Auctioneers' Commission**  
**Meeting**

10:00 a.m., May 16, 2011  
Synergy Business Park  
110 Centerview Drive, Kingstree 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 10:00 a.m. Other members participating in the meeting included: George Martin, vice chairman, of Pelzer; Wendell Christopher, of Roebuck; Archie Moody, of Darlington and Patsy Towery, of Columbia.

Staff members participating in the meeting included: Lenora Addison-Miles, Administrator; Sheridan Spoon, Assistant General Counsel; Theresa Garner, Program Assistant; and Bobby Taylor, OIE Investigator.

**Public Notice**

Mr. Blocker announced that public Notice of this meeting was properly posted at the S. C. Auctioneer's 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.

**Approval of Excused Absences**

All members were present.

**Approval of the February 28, 2011 Meeting Minutes**

**MOTION**

Mr. Moody made a motion the Commission approve the February 28, 2011 meeting minutes 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**

Mrs. Addison-Miles reported to the Commission that LLR had an internal reorganization in March, which included a reduction in force. This resulted in the return to the previous board structure, and all licensing functions have been returned to the individual boards. The Office of Licensure and Compliance (OLC), and the Customer Care Center have been dissolved.

The March 11, 2011 examination results were as follows; there were 12 auctioneer candidates and 11 passed. The average score was 82, the high score was 93, and the low score was 62. The next examination is scheduled for June 10, 2011.

Online renewal notices were mailed the first week of May and as of Friday, 37 firms and 100 auctioneers have renewed online. There are 138 auction firms that are still "Active in Renewal", their licenses will expire on June 30, 2011, and 953 auctioneers.

The Notice of Drafting was published on April 22, 2011 stating the Commission's intent to update the regulations with regards to Continuing Education. Also, there is a House Resolution congratulating auctioneer, William "Bill" Yonce on his induction into the National Auctioneers' Association Hall of Fame on July 15, 2010.

The April 2011 Cash Balance Report shows \$112,018 in the Recovery Fund, and \$874,536 in the Auctioneers' account.

Mrs. Addison-Miles introduced Assistant General Counsel, Sheridan Spoon, who was sitting in for Christa Bell, and Theresa Garner, who was recording the minutes.

Chairman Blocker asked Mrs. Miles to give a further explanation of the board's restructure. Mrs. Miles stated over the past two years the licensing functions were handled by the Office of Licensure and Compliance (OLC), who took all of the licensing staff and issued all licenses and renewals. The boards did not have any control over those functions. Under the new administration, OLC was dissolved. Some of the staff came back to the boards, all of the licensing functions including initial licensing and renewals came back to the boards, and the boards are processing everything.

Chairman Blocker stated he had the privilege three weeks ago to meet with the Agency Director, Catherine Templeton. He stated she was a very smart lady and interested in what was going on with the agency. He said it was a good meeting.

## **Unfinished Business**

### IRC Report – December 29, 2010

The December 29, 2010 IRC report was present by Bobby Taylor. Case #2010-15 was presented and recommended for dismissal because the case was unfounded. Mr. Taylor informed the Commission OIE has received seven complaints, and two have been closed.

### **MOTION**

Mr. Martin made a motion to accept the December 29, 2010 IRC report. Mrs. Towery seconded the motion which carried unanimously.

## **New Business**

### Review/Approval of Application via Examination

#### *Richard Allen Jackson*

On February 24, 2011, the Commission received an application from Mr. Jackson. Mr. Jackson's credit report contained unpaid collection accounts that exceed the \$500 limit as set by the Commission. He passed the exam on March the 11, 2011, and his file is complete.

Mr. Jackson addressed the Commission and explained that he went through his credit report and saw that he had some bad credit ratings. One account is for First National Collection Bureau in the amount of \$2,552. (This information was given to Advice Counsel and entered as part of the record). Mr. Jackson said his sister is trying to help him get his credit straightened out. He has already paid \$1,121 towards his debt payment, and will start making monthly payments of \$194.24. He will have five (5) payments after that; then it will be paid off. He has

another one for First National Collections in the amount of \$4,316 and he has paid \$2,539.85. (This information was entered as part of the record). He will pay five monthly payments of \$507.97 and that debt will be paid off. He said he also owes Houston Funding \$3,961, due to a motorcycle accident, which was not his fault. Houston Funding will be setting up monthly payments for him. He stated Discover Card has been written off and closed. He has been unable to get in touch with Dish Network.

**MOTION**

Mrs. Towery made a motion the Commission take this matter under consideration during executive session. Mr. Martin seconded the motion which carried unanimously.

*John A. Young*

On February 23, 2011 the Commission received an application from Mr. Young. His credit report contained unpaid collection accounts that exceed the \$500 limit as set by the Commission. He passed the exam on March 11, 2001, and his file is complete.

Mr. Young stated he did not know charges from a doctor's bill back in 2006 regarding a neck injury were on his credit statement until Mrs. Miles sent him a letter. He said his wife is looking into this matter and they will get it resolved. He stated he has never had any problems getting credit approval and was not aware he owed any money.

Advice Counsel, Sheridan Spoon, asked Mr. Young to explain a collection of \$201 for DirecTV. Mr. Young stated that he has had Dish Network for 20 years, and has never had DirecTV.

**MOTION**

Mr. Christopher made a motion the Commission take this matter under consideration during executive session. Mr. Moody seconded the motion which carried unanimously.

*Charles Bowen*

On March 3, 2011 the Commission received an updated application from Mr. Bowen. Mr. Bowen was originally licensed in 2005, his license lapsed in 2006, and he was reinstated in 2007. His license lapsed again in 2009. Mr. Bowen passed the exam on September 10, 2010. His credit report contains unpaid collection accounts that exceed the \$500 limit as set by the Commission. His application was reviewed by the Commission in 2006 due to credit, and a criminal history report. At that time the Commission voted to grant the license with one (1) year probation. His current file is missing an updated SLED report.

Mr. Bowen stated this was the first time he has heard he needed an updated SLED report. He stated he would have provided one if he had known. He said the only criminal record he had was driving under suspension when he was younger. He did not realize it but that penalty was the same as driving under the influence. He is no longer allowed to own a firearm because of this incident. The collection that is on his credit report is because he was married and divorced, and got bad credit and left it alone for ten years and when he applied for his auctioneer license he realized how bad his credit report was and spent \$6,000 to pay everything off. He had 15 or 20 tax liens against him that stemmed from a fireworks stand that he owned, and when he closed it down he failed to turn in a close of business. He presented copies of the tax lien satisfaction receipts. (Mr. Bowen requested these to be entered into record). All collections have been paid and were paid the first time he appeared before the commission; however, they were never recorded and reported to the credit agencies. Since then, he has submitted the information to all three reporting agencies. He said he has had excellent credit since he got his auctioneer license back. The only derogatory thing is a Verizon bill that he was not aware of

until he received a letter back from the Commission. He stated it was actually his brother's bill and his brother was supposed to appear on his behalf but was unable to attend the meeting. Mr. Bowen said he would be glad to forward a current SLED report to the Commission.

**MOTION**

Mr. Martin made a motion the Commission to take this matter under consideration during executive session. Mrs. Towery seconded the motion which carried unanimously.

**Public Comments**

There were no public comments.

**Executive Session**

**MOTION**

Mr. Christopher made a motion the Commission enter executive session. Mr. Moody seconded the motion which carried unanimously.

**Return to Public Session**

**MOTION**

Mr. Christopher made a motion the Commission return to public session. Mr. Moody seconded the motion which carried unanimously. Chairman Blocker noted for the record that no votes were taken or any decisions made while in executive session.

*Richard Allen Jackson*

**MOTION**

Mr. Martin made a motion to deny Mr. Jackson's request for a license until he can appear before the Commission and present documentation in the form of a mutually agreed upon plan of repayment from his creditors, and present a current credit report showing significant reduction in the amount he owes. Mr. Moody seconded the motion which carried unanimously.

*John A. Young*

**MOTION**

Mr. Christopher made a motion to grant Mr. Young's request for a license with the provisions that he will be placed on probation for one year, and he must submit written documentation, including a current credit report, showing all his debts have been paid in full or that there is a plan of repayment in place. Mr. Martin seconded the motion which carried unanimously.

*Charles K. Bowen*

**MOTION**

Mrs. Towery made a motion that the commission issue Mr. Bowen's license subject to Mr. Bowen providing a clean SLED report within 10 days. Furthermore, he must submit written documentation within six (6) months showing that his medical bills have been paid in full. He must also present documentation showing that his brother's Verizon bill has either been paid in full or that it has been removed from Applicant's credit history. Mr. Christopher seconded the motion which carried unanimously.

Mr. Christopher made a motion the Commission submit a letter to the House and Senate in support of Bill 5159 regarding automobile auctions. Mr. Moody seconded the motion which carried unanimously.

At the February 28, 2011 meeting, a motion was made to amend the existing regulations to allow continuing education exemption for those individuals who have 25 years experience in the

industry, and are 65 years of age or older. Administrator Lenora Miles asked the Commission if they would like to use the language from the Real Estate Commission to pattern their amendment. The commission was in agreement.

The Commission asked Mrs. Miles to notify other states of the Commission's intent to revise the regulations to include a continuing education exemption.

Mr. Moody stated he would be resigning his seat on the Commission but will remain until the Governor appoints a replacement.

### **Adjournment**

#### **MOTION**

Mr. Christopher made a motion the Commission adjourn the meeting. Mrs. Towery seconded the motion which carried unanimously.

The May 16, 2011 meeting of the SC Auctioneers' Commission adjourned at 11:36 a.m.

The next meeting of the SC Auctioneers' Commission is scheduled for August 22, 2011.