

MINUTES
South Carolina Auctioneers' Commission Board
Conference Call Meeting

10:00 a.m., August 15, 2016
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 108
Columbia, South Carolina

Monday, August 15, 2016

1. Meeting Called to Order

Victor Avendano, Chair, of Mt. Pleasant, called the regular meeting of the SC Auctioneers' Commission to order at 10:11 a.m. Other commissioners present for the meeting included: Matthew Holiday, Vice Chair, of Spartanburg; Joseph B. Burns, of Swansea; and Jamison Marchant, of Isle of Palms.

Staff members participating in the meeting included: Georgia Lewis, Advice Counsel, Office of Advice Counsel; Amy Holleman, Administrator; Norma McAllister, Program Assistant and Sharon Wolfe, Chief Investigator, Office of Investigation and Enforcement.

A. Public Notice

Mr. Avendano 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.

2. Introduction of Board Members and persons attending the meeting

Introductions were made of everyone in attendance.

3. Approval of Excused Absences

Michelle Pinkney, of Irmo was not in attendance.

MOTION

Mr. Holliday made a motion to approve the absent.

Mr. Marchant seconded the motion, which carried unanimously.

4. Approval of Minutes for the May 17, 2016 meeting.

Mr. Avendano called for approval of the May 17, 2016 minutes.

MOTION

Mr. Holiday made a motion to approve the minutes without corrections.

Mr. Marchant seconded the motion, which carried unanimously.

5. Chairman's Remarks – Victor Avendano

Mr. Avendano thanked everyone for attending.

6. Administrator's Remarks – Amy Holleman

Ms. Holleman stated that the Auctioneers' Commission currently has a cash balance of \$1,002,018.00 with a cash balance of \$114,067.39 in the Recovery Fund.

Ms. Holleman informed the Commission that calls have been received regarding online auctions. Also, recently, the Judge at the Administrative Law Court, granted an injunction in the case of revoked licensee James Wesley Flynn.

7. Reports

A. Investigative Review Committee (IRC) Report

Ms. Wolfe presented the August 5, 2016 IRC Reports for review.
Mr. Avendano called for a motion.

MOTION

Ms. Burns made a motion that the Commission accept the report as submitted.
Mr. Holiday seconded the motion, which carried unanimously.

B. Office of Investigation and Enforcement (OIE) Report – January 1, 2016 – August 5, 2016

Ms. Wolfe presented the OIE report as information.
19 complaints
18 closed cases
2 active cases

Mr. Avendano thanked Ms. Wolfe for the report.

C. Office of Disciplinary Counsel Report (ODC) Report

Ms. Holleman, on behalf of Tracey Perlman, presented the ODC Report as information.
Ms. Holleman reported 1 open case, 1 pending action, 0 pending Consent Agreements and/or Memorandum of Agreements, 0 pending hearings, 0 pending final order hearings, 0 pending final orders and 1 closed on or after May 16, 2016.

Mr. Avendano thanked Ms. Holleman for the report.

8. New Business

This proceeding was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

A. Schools, Continuing Education (CE) Providers, Sponsors, Instructors Committee

1. Review of application forms

The Commission had questions and concerns regarding the implementation of the new form. Will the continuing education form, in its' current state, allow for revisions? Ms. Holleman and Ms. Lewis agreed that the Commission will have the ability to make revisions, if necessary. Ms. Lewis suggested that if an extended time frame is required for the revision a FAQ can be placed on the Commission's website for an immediate response.

The Commission discussed the deadline date for submitting applications be changed to December 31, instead of November 1, which is currently on the application. The Commission agreed the form and changes should be implemented immediately.

The Commission questioned if approval of each class, school and or sponsor have to correspond with the Commission meetings. Ms. Holleman stated the approval does not.

The Commission suggested that each approval be for a limited time and would be required to complete a new application after a stated time. Ms. Holleman explained the initial approvals would be for a two year time frame, thereafter the school/sponsor/instructor will be required to submit a renewal application for approval, every two years.

The Commission voiced concerns regarding others questioning the continuing education changes and its' implementation. Ms. Lewis advised the Commission that if approached regarding any Commission matters to please redirect the person(s) to staff.

Mr. Avendano called for a motion to approve the continuing education forms, including changing the wording on the school application from "principle and school administrators" to "principal and school administrator". Also, changing the deadline for submission on all applications to December 31.

MOTION

Mr. Holiday made a motion to approve the South Carolina Auctioneers' Commission's form with the stated changes.

Mr. Marchant seconded the motion, which carried unanimously.

The Commission questioned as to whether the South Carolina Auctioneers' Association provided an update regarding the conference and the funding. Ms. Holleman informed the Commission that a report has not been received by SCAA.

9. Advice Counsel Review

No Advice Counsel Review

10. Executive Session (no executive session)

11. Adjournment

Mr. Avendano called for a motion to adjourn the meeting.

MOTION

Mr. Burns made a motion the Board adjourn the meeting.

Ms. Marchant seconded the motion, which carried unanimously.

Chair Avendano, after ensuring there being no further business to discuss, adjourned the August 15, 2016, meeting of the South Carolina Auctioneers' Commission adjourned at 11:14 a.m.

The next meeting of the South Carolina Auctioneers' Commission is scheduled for November 14, 2016, at 10:00a.m. at Synergy Business Park, 110 Centerview Drive, Kingstree Building Room 108, Columbia, South Carolina.