

MINUTES

South Carolina Auctioneers' Commission Meeting

10:00 a.m., November 16, 2021
Virtual/Teleconference Commission Meeting

Tuesday, November 16, 2021

1. Meeting Called to Order

Matthew J. Holiday, Chairperson, of Spartanburg, called the regular meeting of the South Carolina Auctioneers' Commission to order at 10:00 a.m. Other commissioners present for the meeting included: Julian R. Dixon, Jr., Vice-Chairperson, of Sumter, Joseph B. Burns, of Swansea, and Lisa K. Davey, of Sumter.

James Bryan Hope, of Ninety Six, joined the meeting at 10:10 a.m. as a non-voting member.

Staff members participating in the meeting included: Donnell Jennings, Advice Counsel, Office of Advice Counsel; Shayla Hayes, Office of Disciplinary Counsel; Alexis Bell, Disciplinary Counsel, Office of Disciplinary Counsel; Amy Holleman, Administrator; and Rodney Pigford, Chief Investigator, Office of Investigations and Enforcement.

Members of the public attending the meeting: William Christopher Vaughn.

A. Public Notice

Mr. Holiday 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. The meeting will be held via video and teleconference. Members of the public who wish to attend may do so by telephone. For telephone logon information, please email contact.auctioneer@lir.sc.gov.

2. Introduction of Commission Members

The Commission members introduced themselves.

3. Approval of Excused Absences

All members of the Commission were present.

4. Approval of Agenda

Mr. Holiday called for a motion to approve the agenda.

MOTION: Mr. Burns made the motion, seconded by Ms. Davey to approve the November 16, 2021 agenda. The motion carried unanimously.

5. Approval of Minutes from the August 10, 2021 and November 10, 2021 meeting

The Commission members reviewed the minutes. Mr. Holiday called for a motion.

MOTION: Mr. Burns made a motion, seconded by Ms. Davey to approve the August 10, 2021 and November 10, 2021 minutes. The motion carried unanimously.

6. Remarks – Mathew J. Holiday, Chairperson

Mr. Holiday recognized Mr. Victor Julio Avendano for his years of dedicated service to the public and the South Carolina Auctioneers' Commission.

7. Administrator's Remarks – Amy Holleman

A. Financial Report

Ms. Holleman informed the Commission that the cash balance on October 31, 2021 was \$822,317.56 and the Recovery Fund balance was \$136,519.95.

Ms. Holleman informed the Commission that the renewal period ended on September 30, 2021.

Ms. Holleman informed the Commission that staff mailed approximately 160 cease and desist to licensees that did not renew by September 30, 2021.

Ms. Holleman informed the Commission of Mr. Ivan Broadwell's resignation as a professional member of the Investigative Review Board effective November 30, 2021.

8. Reports

A. Investigative Review Committee (IRC) - Rodney Pigford

Mr. Pigford asked that the Commission review and approve the November 5, 2021 Investigative Review Committee Report recommending a formal complaint for case 2021-9; issue a cease and desist for case 2021-18; and a letter of caution for cases 2021-13, 2021-14, and 2021-11.

Mr. Holiday called for a motion in this matter.

MOTION: Mr. Dixon made a motion to approve the Investigative Review Committee's recommendation. Mr. Burns seconded the motion, which carried unanimously.

B. Office of Investigation and Enforcement (OIE) – Rodney Pigford

Mr. Pigford presented the OIE report as information only. There were 18 complaints received between January 1, 2021 and November 8, 2021. There are two active investigations and three closed.

C. Office of Disciplinary Counsel Report (ODC) – Shayla Hayes

Ms. Hayes introduced the new, disciplinary counsel, Alexis Bell. Ms. Hayes presented the November 15, 2021 ODC Report as information only: two open cases, two pending hearings/agreements. There were seven cases closed since January 1, 2021.

9. Consent Agreement

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

A. Case No.: 2021-10

Ms. Hayes presented the Consent Agreement to the Commission. The Board reviewed the agreement.

Mr. Holiday called for disposition on the Consent Agreement or a motion to go into Executive Session to seek legal advice.

MOTION: Mr. Burns made the motion, seconded by Ms. Davey that the Commission adopt the Consent Agreement and grant the Administrator permission to affix the Commission Chairperson's signature to the Consent Agreement.

10. A. Apprentice Auctioneers' Application

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

1. William Christopher Vaughn

Mr. William Christopher Vaughn appeared before the Commission on his own behalf.

Ms. Holleman informed the Commission that the application is complete and that due to over twenty-five thousand dollars (\$25,000) staff was unable to approve the application. The Commission's credit collection guidelines are that applicants with over one-thousand dollars (\$1,000) in consumer and/or twenty-thousand dollars (\$25,000) in medical debt collection must appear before the Commission.

Mr. Vaughn explained that he accumulated the medical debt due to extensive medical treatment received as a result of a major accident. The Commission questioned Mr. Vaughn regarding this matter.

After concluding that there were no other statements and/or questions, Mr. Holiday called for a disposition in this matter.

MOTION: Ms. Davey made the motion and Mr. Burns seconded that the Commission approves the apprenticeship application. Mr. Holiday called for a discussion. The Commission discussed the matter. The motion did not carry.

The Commission discussed modification of the motion.

MOTION: Mr. Dixon made an amendment to the motion, seconded by Ms. Davey, that the Commission approves the apprenticeship application and that prior to approving the applicant's Auctioneers' license he must submit evidence that a resolution has been agreed upon and action taken to pay this outstanding medical collection. The motion carried unanimously.

11. Credit Report Task Force Recommendation

Mr. Holiday presented the Commission's Credit Task Force recommended that the Commission grants the Administrator the authority to approve consumer collection debt up to one-thousand dollars (\$1,000) and medical collection debt up to ten thousand dollars (\$10,000), since ten thousand dollars (\$10,000) is the upper limit for a claim to the recovery fund.

MOTION: Mr. Holiday made a motion, seconded by Mr. Dixon to accept the Credit Task Force recommendations. The motion carried unanimously.

12. Public Comments (no votes taken)

There were no comments from the public.

13. Executive Session

14. Return to Public Session

15. Adjournment

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

MOTION: Mr. Burns made a motion, seconded by Mr. Dixon to adjourn the Commission meeting. The motion carried unanimously.

Mr. Holiday, after ensuring there being no further business to discuss, adjourned the November 16, 2021 meeting of the South Carolina Auctioneers' Commission at 10:50 a.m.

The next scheduled Commission meeting for the South Carolina Auctioneers' Commission is **March 22, 2022**.