

MINUTES

South Carolina Auctioneers' Commission Meeting

10:00 a.m., November 15, 2022
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 108
Columbia, South Carolina

Tuesday, November 15, 2022

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.

Commission Members Present:

Matthew J. Holiday, Chairperson, of Spartanburg
Julian R. Dixon, Jr., Vice-Chairperson, of Sumter
Lisa K. Davey, of Sumter
James Bryan Hope, of Ninety Six.
Joseph Burns, of Swansea attended via telephone

SCDLLR Staff Present:

Bob Horner, Advice Counsel, Office of Advice Counsel
Alexis Bell, Disciplinary Counsel, Office of Disciplinary Counsel
Amy Holleman, Administrator
Norma McAllister, Program Assistant
James Kemfort, Chief Investigator, Office of Investigations and Enforcement
Michael Smith, Investigator, Office of Investigations
Xavier Keitt, Media Resource Technician, Web Development Division

Members of the Public:

Tina Behles, Court Reporter, Capital City Reporting, LLC

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@llr.sc.gov.

2. Approval of Agenda

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

MOTION: Mr. Burns made the motion, seconded by Mr. Hope, which carried unanimously that the Commission approves the November 15, 2022 agenda.

3. Introduction of Commission Members

The Commission members introduced themselves.

4. Approval of Excused Absences

All members were present.

5. Approval of Minutes from the August 10, 2022 meeting

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

MOTION: Mr. Hope made a motion, seconded by Mr. Dixon, to approve the August 10, 2022 minutes without corrections. The motion carried unanimously.

6. Chairperson’s Remarks – Mathew J. Holiday

Mr. Holiday welcomed everyone to the meeting and thanked everyone for attending.

7. Administrator’s Remarks – Amy Holleman

A. Financial Report

Ms. Holleman informed the Commission that the cash balance on October 31, 2022 was \$569,850.74 and the Recovery Fund balance was \$126,051.10.

8. Reports

A. Investigative Review Committee (IRC) - James Kemfort

Mr. Kemfort asked that the Commission review and approve the October 18, 2022 Investigative Review Committee Report recommending a dismissal of cases 2022-15, 2022-17, and 2022-18; to dismiss with a Cease & Desist to case 2022.16, and file a formal complaint for case 2022-19..

Mr. Holiday called for a motion in this matter.

MOTION: Mr. Dixon made a motion, seconded by Ms. Davey, to approve the Investigative Review Committee’s recommendation. The motion carried unanimously.

B. Office of Investigation and Enforcement (OIE) – James Kemfort

Mr. Kemfort presented the OIE report as information only. There were 20 complaints received between January 1, 2022 and October 18, 2022. There are two active investigations.

C. Office of Disciplinary Counsel Report (ODC) – Alexis Bell

Ms. Bell presented the November 7, 2022 ODC Report as information only: two open cases, two pending hearings & agreements, and two closed since January 1, 2022.

Disciplinary Hearings

9. A. Consent Agreement

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

1. Case No.: 2021-17

Ms. Alexis Bell, Disciplinary Counsel, presented the Consent Agreement.

After ensuring if the Board had any questions or comments, Mr. Holiday called for a disposition in this matter.

MOTION: Mr. Dixon made a motion, seconded by Ms. Davey which carried unanimously that the Commission accepts the Consent Agreement.

New Business

10. Application Hearings

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

A. Online/Distance Learning for Pre-licensing Education

1. Missouri Auction School

The representatives of Missouri Auction School were unable to attend and asked to reschedule the hearing. The Commission granted the request.

11. Regulatory Review

Mr. Horner stated that, according to statute, every five years Boards/Commissions are required to conduct a Regulatory Review. The review should identify any regulation that unnecessarily burdens the pursuit of professional and occupational practice in the state or that no longer serves the purpose of promoting the health, safety and economic well-being of the public. It should identify any opportunities to amend the current regulations to better promote the health, safety, and economic well-being of the public and identify those that do not require either repeal or amendment because these will continue to promote the health, safety, and economic well-being of the public in the least restrictive manner.

The Commission discussed the matter and after ensuring there were no further questions/statements Mr. Holiday called for a motion.

MOTION: Mr. Dixon made a motion, seconded by Mr. Hope, which carried unanimously that the Commission finds that the current regulations sufficiently protect the public and are not burdensome to the licensee. The Commission does not plan to repeal and/or revise any regulations at this time.

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, which carried unanimously to adjourn the Commission meeting.

Mr. Holiday, after ensuring there being no further business to discuss, adjourned the November 15, 2022 meeting of the South Carolina Auctioneers' Commission at 10:20 a.m.

The next scheduled Commission meeting for the South Carolina Auctioneers' Commission is **March 28, 2022.**