

**MINUTES**  
**S. C. Auctioneers' Commission**

**August 7, 2000**

The Koger Office Center

The Kingstree Building, Room 108

Columbia, South Carolina

Mr. Archie Moody, Chairman, of Darlington, called the August 7, 2000 meeting of the S. C. Auctioneers' Commission to order at 10:00 a.m., Monday, August 7, 2000. Other members of the Commission present at the meeting included: Fred Mullis, Vice-Chairman, of Lancaster; and Mr. Jeffrey Shaw, of West Columbia.

Members of staff participating during the meeting included: Lou Ann Pyatt, Administrator; Randall Bryant, Assistant Deputy Director, Office of Business and Related Services; Sharon Dantzer, Staff Counsel, LLR-Office of General Counsel; Robin Wilkes, Administrator, Office of Business and Related Services; Raymond Lee, Inspector, Office of Business and Related Services; Janet Scott, Administrative Coordinator; and Sandra Dickert, Administrative Assistant.

Mr. Moody announced the meeting was being held in accordance with the Freedom of Information Act [' 30-4-80(e)] by notice mailed to The State newspaper, Associated Press, WIS-TV and all other requesting persons, organizations, or news media. In addition, notice was posted on the bulletin boards located at both of the main entrances of the Kingstree Building where the board office is located.

**Invocation**

The invocation was given by Mr. Moody.

**Approval of the May 1, 2000 Meeting Minutes**

Mr. Shaw moved the Board approve the minutes of the May 1, 2000 meeting as presented. The motion was seconded by Mr. Mullis and carried unanimously.

**Chairman's Remarks**

The chairman gave no remarks at this time.

**Administrator's Remarks - Lou Ann Pyatt**

A. Proposed 2001 Commission Meeting Dates

Ms. Pyatt presented the members with proposed meeting dates for 2001. She is proposing the commission meet on the following dates:

February 26, 2001	May 7, 2001
August 6, 2001	November 5, 2001

Mr. Shaw moved the commission approve the proposed meeting dates as presented. Mr. Mullis seconded the motion, which carried unanimously.

B. Revised Application

Ms. Pyatt presented the members with a revised application and discussed the minor changes staff is making to the application.

Mr. Mullis moved the commission accept the revised applications as presented. The motion was seconded by Mr. Shaw and passed unanimously.

C. Review of Annual Budget and Proposed Fee Increase

Mr. Robin Wilkes, Administrator, Office of Business and Related Services, presented the members with copies of the financial records from the previous four years. He indicated the commission is currently operating in a deficit. He went on to say staff is proposing fee increases and presented the members with the proposed fee increases. He noted that with the fee increases, over a period of time, the commission would operate with a balanced budget.

Mr. Mullis moved the commission accept the proposed fee increases as presented. Mr. Shaw seconded the motion, which carried unanimously.

(D) Presentation of Proposed Regulations

Ms. Pyatt stated the legislative committee met on July 26 2000 to discuss rewriting the regulations to bring them up to date since the new practice act is now in place. She briefly went over the changes made by the committee.

Ms. Dantzler stated she doesn't think the regulations are controversial. She suggested that in section 14-9 the word 'as' after ruling be replaced with 'concerning'. The sentence would read "The commission will promptly dispose of any requests in letter form for declaratory rulings concerning the applicability of any statutory provision or of any rule or order of the Commission."

After a brief discussion, the board deferred a decision regarding this matter until a later time.

2. Information Items

A. Report of Renewals

Ms. Pyatt stated that as of today, staff has processed 508 auctioneer renewals and 150 auction firm renewals. She noted that there are 140 auctioneers and auction firms which were current through June 30 that have not yet renewed.

B. Continuing Education Classes

Ms. Pyatt stated there was no update on the continuing education classes.

C. List of Licenses Issued

Ms. Pyatt presented to the board a list of the new licensees.

(D) NALLOA News

Ms. Pyatt presented the members with copies of the NALLOA News and briefly went over the items of interest. She indicated the commission is being requested to participate in some of the national meetings and noted that the next annual meeting will be in Cancun, Mexico in February 2001.

Ms. Pyatt stated that Ms. Buzhardt is no longer on the commission as of July 24, 2000. She went on to say Ms. Julia Ashley has been nominated to take Ms. Buzhardt's position.

3. Legislative Update, If Needed, Legislative Liaison office

There was no legislative update give at this meeting.

4. Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions given during this meeting.

**Old Business**

Mr. Moody asked Ms. Pyatt if South Carolina applicants are able to obtain reciprocity licenses with the State of Georgia. Ms. Pyatt stated that South Carolina issues annual licenses and Georgia issues biennial licenses and that there can be reciprocal licenses issued. However, the problem arises when Georgia licensees want to use their continuing education hours that were obtained the year before for renewal purposes in South Carolina. She noted there

could be only some continuing education hours used.

## **New Business**

### 1. Action Items

#### A. Dudley T. Crenshaw

Ms. Pyatt stated Mr. Crenshaw has two convictions listed on his arrest record and that he is present to answer any questions the commission may have.

Mr. Crenshaw briefly discussed his criminal record.

After a brief discussion, the commission decided to discuss the matter further in executive session.

#### B. James H. Griffis

Ms. Pyatt stated Mr. Griffis has passed the exam and does not have a criminal record. However, he is present at today's meeting to answer any questions the commission may have regarding his credit report.

Mr. Griffis briefly discussed a bankruptcy disposition.

The commission determined it would discuss this matter in executive session.

#### C. Mari J. Jax

Ms. Pyatt stated Ms. Jax had some items on her credit report which the commission needed to review.

Ms. Jax briefly discussed her credit report.

The commission determined it would discuss this matter in executive session.

#### D. Jerry Russell Mullinax

Ms. Pyatt stated Mr. Mullinax has a criminal record including a pending charge.

Mr. Mullinax briefly discussed his criminal record.

The commission determined it would discuss this matter in executive session.

E. William Gary Sherfield

Ms. Pyatt stated Mr. Sherfield has an extensive criminal record.

Mr. Sherfield briefly discussed his criminal record with the commission.

The commission determined it would discuss this matter in executive session.

F. Charleston Auto Auction (Salvatore Fanelli)

Ms. Pyatt stated Mr. Fanelli has passed the exam, however, he has been arrested for money laundering.

Mr. Fanelli answered questions from the commission regarding his arrest.

The commission determined it would discuss this matter in executive session.

G. John Pressley Tyler

Ms. Pyatt stated Mr. Tyler has items on his credit report which the commission needed to review.

Mr. Tyler answered the commission's questions regarding his credit report.

The commission determined it would discuss this matter in executive session.

1. Board Member Orientation

Mr. Bryant reviewed board procedures with the commission members.

Ms. Dantzler gave an overview of procedures regarding complaints and hearings.

**Public Comments**

Ms. Pyatt presented Mr. Ivan Broadwell, former commission member and chairman, with a plaque for his years of service with the commission.

**Executive Session**

Mr. Shaw moved the commission enter executive session to discuss disciplinary actions. The motion was seconded by Mr. Mullis and carried unanimously.

**Public Session**

Upon returning to public session, Mr. Moody noted for the record that no votes were taken while the commission was in executive session.

Dudley T. Crenshaw

Mr. Shaw moved the commission grant Mr. Crenshaw a probationary license with the probation to run concurrent with his present probation. Mr. Mullis seconded the motion, which carried unanimously.

James H. Griffis

Mr. Shaw moved the commission grant Mr. Griffis a license. The motion was seconded by Mr. Mullis and passed unanimously.

William Gary Sherfield

Mr. Shaw moved the commission grant Mr. Sherfield a license with the understanding he must have an escrow account. Mr. Mullis seconded the motion, which carried unanimously.

John Pressley Tyler

Mr. Shaw moved the commission grant Mr. Tyler a license with a one-year probation. The motion was seconded by Mr. Mullis and passed unanimously.

Charleston Auto Auction (Salvatore D. Fanelli)

Mr. Mullis moved that Mr. Fanelli reappear before the Commission after the pending charges have been handled. Mr. Shaw seconded the motion, which carried unanimously.

Mari J. Jax

Mr. Shaw moved the commission grant Ms. Jax a license. The motion was seconded by Mr. Mullis and carried unanimously.

Mr. Shaw moved the commission approve the disciplinary action reports as presented. Mr. Mullis seconded the motion, which carried unanimously.

Mr. Shaw moved the commission allow the publication of the amended proposed regulations. The motion was seconded by Mr. Mullis and carried unanimously.

Jerry Russell Mullinax

Mr. Shaw moved the commission grant Mr. Mullinax a license. Mr. Mullis seconded the

motion, which carried unanimously.

It was noted for the record that Rebecca Frierson has an unexcused absence for today's meeting.

## **Adjournment**

There being no further business to be brought before the board, Mr. Shaw moved the meeting be adjourned. Mr. Mullis seconded the motion, which carried unanimously.

The August 7, 2000 meeting of the S. C. Auctioneers' Commission adjourned at 12:55 p.m.