

MINUTES
SOUTH CAROLINA AUCTIONEERS' COMMISSION

**Conference Call Commission Meeting
May 7, 2001**

The Kingstree Building
110 Centerview Dr., Room 111
Columbia, South Carolina

Mr. Archie Moody, Chairman, of Darlington called the meeting of the S. C. Auctioneers Commission to order at 10:00 A.M. with a quorum participating in the meeting. Other members participating during the meeting were: Mr. Jeffrey Shaw, of West Columbia; Ms. Rebecca Frierson, of Newberry; and Mr. Fred Mullis, Lancaster.

Staff members participating during the meeting included: Ms. Lou Ann Pyatt, Administrator; Ms. Jackie Carter, Administrative Assistant; Ms. Janet Scott, Administrative Coordinator; Mr. Larry Hall, Investigator; and Mr. Richard Wilson, staff attorney.

Members of the public audience included: Mr. Raymond Taylor, Southfield, Michigan; Mr. Wendell M. Ashley, Jr., Buck Ashley Auctioneers; Mr. Robert B. Brown, Carolina Auction Sales, LLC; and Mr. Charles R. Easler.

All votes by the Commission reported in these minutes were unanimous unless otherwise indicated.

Approval of the February 26, 2001 Minutes

Mr. Shaw moved the commission approve the minutes as presented. Mr. Mullis seconded the motion, which passed unanimously.

Chairman's Remarks

Chairman Moody welcomed everyone to the meeting.

Administrator's Remarks

1. Information Items:

List of Licenses Issued

Ms. Pyatt presented a list of auctioneering licenses issued since the last commission meeting. (The list is attached as Addendum A) She indicated

there were 19 auctioneer, 8 auction firms and 2 apprentice auctioneer licenses issued. Also, license renewal applications were mailed out last week.

2. Legislative Update

Ms. Pyatt stated if there are no objections, the proposed regulations would become law following the May 11, 2001 deadline date and they will be published in late summer.

3. Advisory Opinions, Office of General Counsel

Mr. Richard Wilson, staff attorney, stated there would be no advisory opinions given during the May 7, 2001 meeting of the S. C. Auctioneers' Commission.

Old Business

There was no old business discussed.

New Business

Ms. Jackie Carter presented a summary of application information for individuals scheduled to appear before the commission at this meeting. (The summary is attached as Addendum B)

Request for approval of Auctioneers

1. Michael Edward Wiggers, Jr.

Mr. Michael Edward Wiggers, Jr. did not appear before the commission.

Request for approval of Reciprocal Auctioneers

a. Mark Henry Limbo

Mr. Mark Henry Limbo did not appear before the commission.

b. Clarence Edward Peeler

Mr. Clarence Edward Peeler did not appear before the commission.

c. Raymond James Taylor

Ms. Carter informed the commission of Mr. Raymond James Taylor's credit report, which is why he is appearing before the commission today. Mr. Taylor presented a statement indicating the account had been paid in full. Mr. Taylor was unable to list all the states where he is currently licensed other than Florida and Louisiana. He indicated he is licensed in two other states, but could not recall their names. The letter of reciprocity from the

Florida State Board indicated he received his initial license through reciprocity. Mr. Taylor stated his current residence was 5617 Tangerine Avenue South, Gulfport, Florida. Mr. Taylor was employed by Park West Galleries in Southfield, Michigan in 1995. Mr. Taylor was unable to explain why the letter of reciprocity stated that he was licensed through reciprocity since he is a resident of the state of Florida.

Ms. Frierson moved the commission discuss this matter in executive session. Mr. Shaw seconded the motion, which unanimously passed.

Request for Approval of Auction Firm Licenses

a. Buck Ashley Auctioneers' (Wendell Milford Ashley, Jr.)

Ms. Carter informed the commission of Wendell Milford Ashley, Jr.'s credit report, which is why he is appearing before the commission today. Mr. Ashley is applying for a firm license to sell horses and will be conducting business as Buck Ashley Auctioneers'. Mr. Ashley explained that his bankruptcy was due to his construction company building speculative homes in the Anderson area and not being able to sell the homes because of the slow down in the new home market. His auctioneer will be Rodney Lee, a licensed S. C. auctioneer.

Ms. Frierson moved that this matter be discussed in executive session. Mr. Shaw seconded the motion, which unanimously passed.

b. Carolina Auction Sales LLC (Robert Brull Brown)

Ms. Carter informed the commission of Robert Brull Brown's criminal record report. Mr. Brown is applying for a firm license for Carolina Auction Sales, LLC. Mr. Brown indicated he plead guilty to one count of the Hobbs Act, during the "Lost Trust" investigation. Also, his Broker-in-charge license was revoked and his Insurance License was suspended. Mr. Brown's licenses have been reinstated. He stated a stalking charge against him was dismissed. He also stated a collection amount for a medical bill that appeared on his credit report was the result of a dispute with the insurance company.

Mr. Mullis moved to approve the application for licensure. Ms. Frierson seconded the motion, which unanimously passed.

Public Comments

Mr. Larry Hall, Investigator stated that Mr. Charles R. Easler was placed on

probation on January 15, 2000 as a result of a consent order for violations of not having a clear title at an auction. Mr. Easler held an auction in October 2000, and as a result of not paying over auction funds within the required time frame, Mr. Easler's license was suspended. The amount that has not been paid is \$82,000. Mr. Hall stated that he received numerous calls from individuals who were unable to obtain clear titles on items they purchased at Mr. Easler's auction. Also, Mr. Hall received a complaint from a Greeleyville bank regarding a \$2,000,000 loan. Mr. Easler is appearing before the commission to request that his license be reinstated.

Mr. Easler appeared before the commission.

Mr. Easler stated he submitted a cashier check to Mr. Powell for \$82,000. However, Mr. Easler did not submit proof to the commission that the amount was paid. Mr. Easler stated that Mr. Powell had not submitted clear title to equipment that is currently located at his auction facility. Furthermore, Mr. Easler stated he submitted to Mr. Hall a judgment from an Horry County judge to hold approximately \$40,000 of Mr. Powell's auction proceeds that is to be given directly to Martin & Martin Auctioneers. Mr. Easler stated he and his partner, Mr. Tom Christenson currently have a note at the Bank of Greeleyville for \$2,000,000 and that the amount owed on the note is approximately 20 days over due. Mr. Easler is requesting his license be reinstated so that he can continue conducting business in order to pay bills.

Ms. Frierson moved to discuss this matter in executive session. Mr. Shaw seconded the motion, which unanimously passed.

Ms. Frierson stated that at the last continuing education seminar she received requests from licensees for a commission newsletter and that it contain information such as disciplinary action taken against licensees. Ms. Pyatt said a newsletter could be produced with the assistance and feed back from commission members. Chairman Moody appointed Ms. Frierson to serve on a newsletter committee and work on a draft for the commission's approval.

The commission congratulated Mr. Shaw on the continuing education seminar he recently conducted. The next continuing education seminar conducted by LLR will be on May 21, 2000 in Florence, SC.

Executive Session

Mr. Shaw moved the commission enter executive session to discuss disciplinary matters. Mr. Mullis seconded the motion, which unanimously passed.

Open Session

Mr. Moody noted for the record that no votes were taken during the time the commission was in executive session.

Raymond James Taylor

Ms. Frierson requested information from Mr. Taylor regarding ownership of Park West Galleries and his employment status with the company. Mr. Taylor stated he is an employee of Park West Galleries and that the company currently holds a South Carolina auction firm license. Ms. Frierson stated that Mr. Taylor must verify that he is licensed as an auctioneer in his home state of Florida and that he must verify other states where he currently holds auctioneer licenses. Upon receipt of the requested information, Ms. Frierson moved a license be issued to Mr. Taylor. Mr. Mullis seconded the motion, which unanimously passed.

Buck Ashley Auctioneers' (Wendell Milford Ashley, Jr.)

Mr. Shaw moved to grant Mr. Ashley a one-year probationary license and that at the end of one-year, he produce at his expense a current updated credit report and that he comply with the escrow account requirement. Mr. Ashley will not be required to appear before the commission after the one-year probationary period unless other credit problems occur. Ms. Frierson seconded the motion, which unanimously passed.

Charles R. Easler

Chairman Moody recused himself from voting in this matter and turned the meeting over to Mr. Shaw. Mr. Shaw stated that Mr. Easler must submit verification of payment of the \$82,000. Also, he must submit additional information regarding the status of the bank note. The commission will not take any action regarding issuing a license until the requested information is received and the matter is resolved.

Chairman Moody stated the next commission meeting would be held on August 6, 2001.

Adjournment

There being no further business, Chairman Moody adjourned the meeting at

11:05 A.M.