

MINUTES

South Carolina Auctioneer's Commission

Board Meeting

10:00 A.M., February 26, 2002

Synergy Business Park

110 Centerview Drive, Kingstree Building, Room 108

Columbia, South Carolina

Mr. Archie Moody, Chairman, of Darlington, called the regular meeting of the S. C. Auctioneers' Commission to order at 10:00 a.m., with a quorum present. Other members present during the meeting included: Rebecca Frierson, of Newberry and Fred Mullis, of Lancaster.

Harriett McCoy, of Hopkins, was granted an excused absence. Jeffrey Shaw, Vice Chairman, of West Columbia was absent.

Staff members present during the meeting included: Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Sandra Dickert, Administrative Assistant; Larry Hall, Investigator; Dwight Hayes, Interim Administrator and Jackie Meggie, Administrative Assistant.

Mr. Moody announced the meeting was being held in accordance with Section 30-4-80 of the S. C. Freedom of Information Act 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 at the two main entrances of the Kingstree Building.

Invocation

Mr. Moody delivered the invocation.

Approval of the November 5, 2001 Meeting Minutes

MOTION

Ms. Frierson moved to accept the minutes of the last meeting. Mr. Mullis seconded the motion, which carried unanimously.

Chairman's Remarks

Mr. Moody welcomed all present.

Interim Administrator's Remarks

Mr. Hayes presented the members with a list of new licenses issued since the last meeting. He noted 32 licenses were issued.

Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions given during the February 26, 2002 meeting.

Legislative Update, If Needed, Legislative Liaison Office

There was no legislative update given during the February 26, 2002 meeting.

Action Items

Old Business

Mr. Moody presented staff with a continuing education course he will be involved in. He questioned staff regarding continuing education form to be returned.

New Business

1. Review/Approval of Applicants

Boyce Allen Brasington, III

Mr. Brasington's credit report reflects three collection accounts and two I-9 accounts. His SLED report indicated four arrests. He has successfully passed the Auctioneers' exam with a score of 81.

Mr. Brasington explained the items on his credit report.

He will be conducting estate auctions and will be auctioning real estate and personal property.

MOTION

Ms. Frierson moved to discuss this matter in executive session. The motion was seconded by Mr. Mullis and unanimously carried.

b. Billy E. Eaton

Mr. Eaton's credit report reflects two collection accounts and four R-9 accounts. He has successfully passed the Auctioneers' exam with a score of 75. He had been previously licensed; however, he allowed his license to expire. He would like to reinstate his license at this time.

Mr. Eaton explained the items on his credit report

MOTION

Ms. Frierson moved the commission continue its discussion on Mr. Eaton in executive session. Mullis seconded the motion, which carried unanimously.

Artamus Barron Nichols

Mr. Nichols has successfully passed the Auctioneers' exam with a score of 81. His SLED report indicates he has been arrested for voluntary manslaughter.

Mr. Nichols explained his voluntary manslaughter conviction. He was self-employed in construction at the time of the incident.

MOTION

Ms. Frierson moved the commission continue its discussion on Mr. Nichols in executive session. The motion was seconded by Mr. Mullis and unanimously carried.

Robert Carl Stutler

Mr. Stutler's SLED report reflects an Assault and Battery conviction. He successfully passed the Auctioneer's exam with a score of 81.

Mr. Stutler explained the Assault and Battery conviction found on his SLED report.

MOTION

Ms. Frierson moved the commission continue its discussion on Mr. Stutler in executive session. Mr. Mullis seconded the motion, which carried unanimously.

James Danny Sullivan

Mr. Sullivan's credit report reflects ten collections accounts and four R-9 accounts. He has successfully passed the Auctioneer's exam with a scored of 86.

Mr. Sullivan explained the accounts on his credit report.

MOTION

Ms. Frierson moved the commission continue its discussion on Mr. Sullivan in executive session. The motion was seconded by Mr. Mullis and unanimously carried.

Patricia Ann West

Ms. West's credit report reflects seven collection accounts and four R-9 accounts. She has successfully passed the Auctioneer's exam with a score of 86.

Ms. West explained the accounts on her credit report and the assault matter found on her SLED report.

MOTION

Mr. Mullis moved the commission continue its discussion on Ms. West in executive session. Ms. Frierson seconded the motion, which carried unanimously.

2. Review/Approval of Reciprocal Applicant

a. John Charles Stephenson

Mr. Stephenson is applying for licensure by reciprocity from the State of Pennsylvania. He was disciplined in Pennsylvania in 1995 as a result of the intentional alteration made on his license. His credit report reflects collection accounts.

Mr. Hayes gave the commission a brief background on Mr. Stephenson's actions regarding his licensure in Pennsylvania and the disciplinary actions taken in this matter.

MOTION

Ms. Frierson moved the commission continue its discussion on Mr. Stephenson during executive session. The motion was seconded by Mr. Mullis and unanimously carried.

Discussion Items

a. William M. Atkinson, SCAL #1970 - Disputing paying late renewal fee from the 2001 renewal period and re-taking the Auctioneer's exam

Mr. Atkinson was not present for the meeting.

b. Connie Michelle Frost - would like to request to take the firm exam for a third time within a month

Ms. Meggie stated she had asked Ms. Frost to send something in writing to the commission, however, she has not sent anything. She indicated Ms. Frost made a 66 on the first exam and a 60 on the second exam. She noted that

MOTION

Ms. Frierson moved the commission discuss this matter further in executive session. Mr. Mullis seconded, which carried unanimously.

Ms. Frierson stated Mr. Shaw has missed several meetings over the last year. She asked staff to review the minutes from the past year regarding Mr. Shaw's presence at the meetings.

Public Comments

There were no public comments made during the February 26, 2002 meeting.

Recess

The commission recessed for five minutes at 10:45 a.m.

Executive Session

Ms. Frierson moved the commission enter executive session to deliberate. The motion was seconded by Mr. Mullis and unanimously carried.

Return to Open Session to Report on Executive Session

Mr. Moody stated for the record that no motions were made and no votes were taken during the time the commission was in executive session.

Boyce Allen Brasington, III

MOTION

Ms. Frierson moved the commission issue a conditional license to Mr. Brasington on the condition he be on probation for two years with an annual review, that his AA sponsor send the commission quarterly written reports, that if a quarterly written report is not received by the commission his license would be immediately suspended until he appears before the commission to explain why the report was not sent. Mr. Mullis seconded the

motion, which carried unanimously.

Billy E. Eaton

MOTION

Ms. Frierson moved the commission grant Mr. Eaton a conditional license, that he serve a one-year probation, that he clean up or provide documentation that all of his credit problems have been satisfied to the commission within one year, that he not appear before the commission at the end of the one year probation if those documents have been received and the commission is satisfied those matters have been resolved. The motion was seconded by Mr. Mullis and unanimously carried.

Artamus B. Nichols

MOTION

Mr. Mullis moved that the commission grant Mr. Nichols a license. Mr. Frierson seconded the motion, which carried unanimously.

Robert Carl Stutler

MOTION

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

James Danny Sullivan

MOTION

Ms. Frierson moved the commission grant a conditional license to Mr. Sullivan, with one-year probation, that by the end of the one year that he has satisfied all of the debts or have provided the commission with documentation to show an agreement has been reached with the creditors, that he not be required to appear before the commission at the end of that year, and that he provide that documentation to the Department of Labor, Licensing and Regulation. Mr. Mullis seconded the motion, which carried unanimously.

Patricia Ann West

MOTION

Ms. Frierson moved the commission grant Ms. West a conditional license with a one-year probation, that the commission will need letters at the end of the year indicating she has satisfied the debts or how the matters were resolved, that she not be required to appear before the commission at the end of the one year probation. The motion was seconded by Mr. Mullis and carried unanimously.

John Charles Stephenson

MOTION

Ms. Frierson moved the commission summarily deny Mr. Stephenson's request for license and that the proper letter is issued to him confirming the commission's decision. Mr. Mullis seconded the motion, which carried unanimously.

Mr. Moody addressed the applicants regarding the practice of auctioneering.

Adjournment

There being no further business to be brought before the Commission at this time, Ms. Frierson moved the meeting be adjourned. Mr. Mullis seconded the motion, which carried unanimously. The February 26, 2002 meeting of the S.C. Auctioneers' Commission adjourned at 11:40 a.m.

The next meeting of the S.C. Auctioneers' Commission has been scheduled for May 28, 2002.