

## MINUTES

South Carolina Auctioneer's Commission

Board Meeting

10:00 A.M., May 28, 2002

Synergy Business Park

110 Centerview Drive, Kingstree Building, Room 108

Columbia, South Carolina

Mr. Moody called the regular meeting of the S.C. Auctioneer's Commission to order at 10:00 a.m. Other members participating in the meeting included: Jeffrey Shaw, Vice Chairman, of West Columbia; Rebecca Frierson, of Newberry; Harriett McCoy, of Hopkins; and Fred Mullis, of Lancaster.

Staff members participating during the meeting included: Sandra Dickert, Administrative Assistant; Larry Hall, Investigator; Dwight Hayes, Interim Administrator; and Rick Wilson, Deputy General Counsel, LLR-Office of General Counsel.

Members of the audience included: Robert W. Murdaugh and Ronald W. Priest.

Mr. Moody announced that public notice of this meeting was properly posted at the S. C. Auctioneer Commission office, Synergy Business Park, Kingstree Building, Room 108 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. He also noted that a quorum was present.

### Invocation

Mr. Moody delivered the invocation.

### Approval of the February 26, 2002 Meeting Minutes

Mr. Shaw moved the minutes be approved as presented. Mr. Mullis seconded the motion, which carried unanimously.

### Chairman's Remarks

Mr. Moody welcomed all of the members to the meeting.

### Interim Administrator's Remarks

Mr. Hayes presented the members with a listing of new licenses issued since the last meeting. He noted that 33 licenses have been issued. (This list is herewith attached at Addendum A.)

Mr. Hayes stated that the license renewals are going smoothly. He noted that staff has renewed the licenses of approximately one-third of the auctioneers and one-third of the auction firms.

Mr. Hayes stated that due to some miscommunication between staff there are two individuals appearing before the commission today regarding the review and approval of their applications. He also stated that he had received a request from an auctioneer, Deborah C. Jelonek, to address the commission, under Public Comments, regarding her license.

#### Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions given during the May 28, 2002 meeting.

#### Legislative Update, If Needed, Legislative Liaison Office

There was no legislative update given during the May 28, 2002 meeting. Mr. Hayes informed the commission that the agency has hired Ms. Lisa Maseng as the new legislative liaison.

#### Action Items

##### Unfinished Business

There was no unfinished business discussed during the May 28, 2002 meeting.

##### New Business

##### Review/Approval of Applicants

##### Robert W. Murdaugh

Mr. Murdaugh is applying for an auctioneer's license. He scored 73 on the auctioneer's exam and is appearing before the Commission regarding his credit report. Mr. Murdaugh's credit report indicates two judgements and two I9 accounts. (Mr. Murdaugh's application is herewith attached as Addendum B.)

Mr. Murdaugh presented a letter from BB&T indicating that account has been paid in full. He indicated that the matter involving Enterprise Bank of Walterboro stems from his divorce and was paid in full last week. He went on to say he had been involved in a wreck and the judgements in his name stem from the wreck. He indicated this matter is currently in litigation.

#### MOTION

Ms. McCoy moved the Commission discuss this matter in executive session. Ms. Frierson seconded the motion, which carried unanimously.

##### Ronald W. Priest

Mr. Priest is applying for an auctioneer's license. He passed the exam with a score of 83. Mr. Priest's credit report indicates three R9 accounts, one O9 account and several medically related judgements and his SLED report indicates an arrest for unlawfully obtaining a controlled substance. (Mr. Priest's application is herewith attached as Addendum C.)

Mr. Priest briefly explained a medical condition which required him to retire as a policeman and which left his wife in control of the finances. He was unaware of the items

on his credit report. He also explained that due to the medical condition he would have to contact his physician and go to the emergency room for injections to ease the pain. On one occasion he was unable to contact his physician. He subsequently saw an emergency room physician who prescribed a controlled substance. He was arrested, plead guilty and served two years of probation. He voluntarily entered a thirty-day drug treatment program in 1988. He continued by saying that the physicians have indicated that as he ages the headaches will occur less frequently.

#### MOTION

Ms. Frierson moved the Commission discuss this matter in executive session. The motion was seconded by Mr. Shaw and unanimously carried.

#### Discussion Items

There were no discussion items discussed during the May 28, 2002 meeting.

#### Public Comments

Mr. Hayes stated that in a conversation with Ms. Jelonek, she had been seriously injured and not expected to live, in an accident at her place of business. She did not renew her license during the appropriate time due to the accident. He indicated she now wants the Commission to reinstate her license without requiring re-examination. He noted that Ms. Jelonek had intended to be at the meeting to ask the Commission to waive the re-examination. The Commission briefly discussed this matter and determined that it does not have the authority to waive the re-examination.

#### Executive Session

Ms. Frierson moved the Commission enter executive session to discuss the applicants. Mr. Mullis seconded the motion, which carried unanimously.

#### Return to Open Session to Report on Executive Session

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

#### MOTION

Ms. Frierson moved the Commission accept the consent agreement discussed in executive session. Mr. Shaw seconded the motion, which carried unanimously.

#### MOTION Robert W. Murdaugh

Ms. McCoy moved the Commission grant Mr. Murdaugh a license contingent him providing support documentation on the Enterprise Bank situation as well as the medical pleadings. The motion was seconded by Ms. Frierson and unanimously carried.

#### MOTION Ronald W. Priest

Ms. Frierson moved the Commission grant Mr. Priest his license on probation indefinitely until he can meet the following conditions: (1) addressing the credit issues, but once he has addressed those issues he can appear before the Commission at any time to petition

the probationary status; (2) the other condition is that Mr. Priest work within a firm if he will be signing contracts or handling funds, but if he will be doing bid calling he will not be required to work within another auction firm. Mr. Mullis seconded the motion, which carried unanimously.

#### Adjournment

There being no further business to be discussed at this time, Ms. Frierson moved the meeting be adjourned. The motion was seconded by Ms. McCoy and unanimously carried. The May 28, 2002 meeting of the S.C. Auctioneer's Commission adjourned at 11:30 a.m.

The next meeting of the S.C. Auctioneer's Commission is scheduled for 10:00 a.m., August 5, 2002.