

MINUTES

South Carolina Auctioneer's Commission
Board Meeting
10:00 A.M., February 23, 2004
Synergy Business Park
Kingstree Building
110 Centerview Drive, Room 108
Columbia, South Carolina

Rebecca Frierson, Chairman, of Newberry, called the regular meeting of the S.C. Auctioneer's Commission to order at 10:00 a.m. Other Commission members present for the meeting included: Archie Moody, Vice Chairman, of Darlington; Harriett McCoy, of Hopkins; and Fred Mullis, of Lancaster.

Staff members participating during the meeting included: Lenora Addison-Miles, Program Coordinator; Sandra Dickert, Administrative Assistant; and Larry Hall, Investigator.

Meeting Called to Order

Ms. Frierson 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. She noted that a quorum was present.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Approval of the August 18, 2003 and November 17, 2003 Meeting Minutes

MOTION

Mr. Moody moved to approve the minutes from the November 17, 2003 meeting. Ms. McCoy seconded the motion, which motion carried.

MOTION

Mr. Mullis moved to approve the minutes of the August 18, 2004 meeting. The motion was seconded by Ms. McCoy and carried unanimously.

Chairman's Remarks - Rebecca Frierson

Ms. Frierson asked Ms. Miles if Ms. Jelonek had mailed the expungement record and the petition she had indicated she could provide. Ms. Miles replied negatively. Ms. Frierson asked Ms. Miles to send a letter to Ms. Jeloneck asking for this information.

Ms. Frierson stated the Commission has previously discussed and determined that the incomplete applications to teach continuing education should be summarily denied until the Commission has received all of the information. She further stated she believes the Commission should begin enforcing this action.

Ms. Frierson stated the state auctioneer's association convention would be held on April 23, 2004 at the Clarion Town House Hotel and that the national auctioneer's convention would be held in Madison, Wisconsin from July 12-17, 2004.

Program Coordinator's Remarks - Lenora Addison-Miles

Ms. Miles presented the members with a list of new licensees since the last meeting. She stated that staff has issued licenses to 25 new licensees. (This list is herewith attached as Addendum A to the permanent record retained at the Commission office and hereby becomes a permanent part of this record.) She further stated that there are currently 1,075 licensed auctioneers and 169 auction firms.

Ms. Miles stated that the exams results from the December 4, 2003 examination indicate that there were 21 candidates, 9 of which failed. She indicated average score was 70 with 57% passing. She indicated she has received feedback from auctioneering schools that they are not sure how their students are performing on the exam, she has begun to issue exam statistics to the schools showing the average exam score for their students. She went on to say the statistics only go to those schools that had students take that exam. (A copy of this memo is herewith attached to the permanent record retained at the Commission office as Addendum B and hereby becomes a permanent part of this record.)

Ms. Miles stated that on February 9, 2004 she met with the vice-president of marketing for the Professional Credential Services, Inc., (PCS), which provides computer testing for the Pennsylvania Auctioneer Commission. She presented the members with general information from the company. (This document is attached to the permanent record retained at the Commission office as Addendum C and hereby becomes a permanent part of this record.) She indicated a rough estimate cost to establish a 75 -100-question exam would be \$10,000 - \$15,000. She went on to say that a maintenance fee (at a much lower fee) would be applied to update questions after test development. She noted she has received an email from a representative from the State of Pennsylvania giving favorable remarks toward the company.

Ms. Frierson asked Ms. Miles to conduct further research on this matter.

Ms. McCoy stated she would like to see the Commission begin computer testing and hopes that the funding could be found for this endeavor. She recommended that the whole Commission should be involved in the computer-based exam and that a limited confidential committee be formed to develop the question database.

Ms. Miles reminded the members to complete the Statement of Economic Interest forms and to return the document to the Ethics Commission no later than April 15, 2004.

Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions given during the February 23, 2004 meeting.

Legislative Update, If Needed, Legislative Liaison Office

There was no legislative update given during the February 23, 2004 meeting.

Unfinished Business

Ms. McCoy asked staff and the Commission if anyone is currently auditing the subject matter being taught at the schools. Ms. Frierson replied negatively. A brief discussion ensued.

MOTION

Ms. McCoy made a motion, seconded by Mr. Mullis and unanimously carried, that Ms. Miles send a letter to the accredited auctioneering schools to obtain the credentials for the schools, syllabus and other warranted information so the Commission can determine what is being taught in the schools.

New Business

1. NALLOA Membership

Ms. Frierson presented the members with information regarding the NALLOA membership. She further stated it is her understanding that the full Commission could join NALLOA.

Ms. Miles stated the Commission is currently a member and that the dues were paid in November 2003. She further stated the last information she received was from the previously held national meeting. She noted she had presented this information to the members at a previous meeting.

2. National Auctioneers' Association Annual Convention

Ms. Frierson stated she would like for all of the Commission members to attend the national convention in Madison, Wisconsin. Ms. McCoy stated she might be in Michigan at that time.

3. House Bill H4478

Ms. Frierson stated there is an individual in the lower part of the state who does not wish to attend continuing education courses. She went on to say that she had informed the individual that the law would have to be changed to exempt him from attending the continuing education courses. (A copy of this Bill is herewith to the permanent record retained at the Commission office attached as Addendum D and hereby becomes a permanent part of this record.)

On December 17, 2003 a bill, sponsored by Representative John Snow, Representative John Altman and Representative Herb Kirsh was pre-filed to exempt individuals who are 65 years old or older and have been licensed 25 years or more from attending continuing education courses. The bill was introduced in the House of Representatives on January 13, 2004 and referred to the Committee on Labor, Commerce and Industry.

4. Southeastern School of Auctioneering - Instructor Approval Request

Ms. Frierson stated the documentation received from Southeastern School of Auctioneering in regard to approving Ken Schaub as an instructor is incomplete. Mr. Larry Meares, President of Southeastern School of Auctioneering, is asking that the Commission approve Mr. Schaub as an instructor on appraisals. (A copy of this request

and pertinent information is herewith to the permanent record attached as Addendum E retained at the Commission office and hereby becomes a permanent part of this record.)

MOTION

Mr. Mullis moved the Commission table this matter until further information is received. Ms. McCoy seconded the motion, which carried unanimously.

Discussion Items

Mr. Larry Hall stated he received a complaint regarding an auction during which video poker machines were being sold. He further stated he issued a citation to an out-of-state auction firm and auctioneer for unlicensed practice. He indicated the citation levied a \$1,000 fine, which was paid on-site.

The Commission briefly discussed articles for the newsletter. Suggestions for articles included a disclaimer indicating that licensed auctioneers who allow their licenses to be used as a front for an unlicensed bid caller, will result in the automatic loss of license. Ms. Frierson suggested that Ms. McCoy meet with the appropriate personnel regarding the layout of the newsletter.

Mr. Hall stated he would begin conducting inspections of the auction firms. He indicated he would no longer be an investigator for the Commission, however, he would continue to conduct inspections. He noted Kathy Stephens would be the investigator, however, he does not know when this change would take effect.

Public Comments

There were no public comments made during the February 23, 2004 meeting.

Executive Session

The Commission did not enter into executive session.

Adjournment

There being no further business to be discussed at this time, Mr. Moody moved the meeting be adjourned. The motion was seconded by Ms. McCoy and unanimously carried. The February 23, 2004 meeting of the SC Auctioneer's Commission adjourned at 11:05 a. m.