

MINUTES
South Carolina Auctioneers' Commission
Meeting

10:00 a.m., May 7, 2012
Synergy Business Park
110 Centerview Drive, Kingtree Building Room 105
Columbia, South Carolina

NOTE: These minutes are a record of the motions and official actions taken by the Commission and brief summary of the meeting. A transcript of this meeting providing more detail will be available on the Commission's website: www.llr.state.sc.us/pol/auctioneers.

Meeting Called to Order

James Blocker, chairman, of Walterboro, called the regular meeting of the Auctioneers' Commission to order at 10:00 a.m. Other members participating in the meeting included: Matthew Holiday, of Spartanburg; Victor Avendano, of Mt. Pleasant; Michelle Pinkney, of Irmo; and Joseph Burns, of Swansea.

Staff members participating in the meeting included: Lenora Addison-Miles, Administrator; Jamie Saxon, General Counsel; Theresa Garner, Program Assistant; and DeLeon Andrews, OIE Investigator.

Public Notice

Mr. Blocker announced that public Notice of this meeting was properly posted at the S. C. Auctioneer's Commission Office, Synergy Business Park, Kingtree Building, 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.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Approval of Excused Absences

All members were present.

Approval of the February 27, 2012 Meeting Minutes

MOTION

Mr. Holiday made a motion to approve the February 27, 2012 meeting minutes as presented. Mrs. Pinkney seconded the motion which carried unanimously.

Chairman's Remarks – James Blocker

Mr. Blocker welcomed everyone to the meeting.

Administrator's Remarks – Lenora Addison-Miles

Mrs. Addison-Miles provided information regarding the March 9, 2012 auctioneer examination, the March 2012 cash balance report, and the number of active licensees.

Unfinished Business

There was no unfinished business.

New Business

Investigative Review Committee (IRC) Report – March 21, 2012

DeLeon Andrews, Investigator, presented the IRC report.

MOTION

Mr. Burns made a motion to accept the report. Mr. Avendano seconded the motion which carried unanimously.

Letters of Caution (LOC)

Mrs. Miles stated the board chairman currently signs Letters of Caution, and the Letters of Dismissal are signed by the administrator. She said, for the record, LLR needs board members to vote on who they want to sign the letters.

MOTION

Mr. Holiday made a motion to continue the current practice of having the board chair sign the Letters of Caution, and the board administrator sign the Dismissal letters. Mrs. Pinkney seconded the motion which carried unanimously.

Review/Approval of Application via Examination

Jimmy C. Rabon, Jr.

Mr. Rabon appeared before the Commission to give an explanation regarding his credit report.

MOTION

Mr. Avendano made a motion to discuss the matter in executive session. Mr. Holiday seconded the motion which carried unanimously.

Darlene Ann Bumgarner (Public Auction – Auction Firm)

Mrs. Bumgarner appeared before the Commission to give an explanation regarding her credit report.

MOTION

Mr. Burns made a motion to discuss the matter in executive session. Mrs. Pinkney seconded the motion which carried unanimously.

Review of Application via Reciprocity

Derek N. Johnson

Mr. Johnson did not appear before the Commission. Chairman Blocker recused himself from any votes on this matter.

MOTION

Mr. Holiday made a motion to discuss this matter in executive session. Mr. Avendano seconded the motion which carried unanimously.

Review of Continuing Education Courses – Nashville Auction School

Nashville Auction School submitted four online continuing education courses for Commission review and approval.

MOTION

Mr. Holiday made a motion to accept the continuing education courses presented by Nashville Auction School. Mr. Avendano seconded the motion which carried unanimously.

Proposed Regulation – Document No. 4263 (CE Exemption)

The Senate, Labor, Commerce and Industry Committee sent a letter requesting the Commission withdraw the document, which proposed an exemption from continuing education for certain licensees, because the governing statute does not give the board the authority to provide such exemptions.

MOTION

Mr. Holiday made a motion to discuss the matter in executive session. Mrs. Pinkney seconded the motion which carried unanimously.

Letter from Edward H. Paxton

The letter from Mr. Paxton was entered into public record. The letter was marked as Exhibit One and will be part of the official transcript.

Public Comments

Public comments were made by Clarence Kemper, Jr., Myra Stone, Kelly Howard, Mike Harper, and Randy Ligon.

Executive Session

MOTION

Mr. Burns made a motion to enter into Executive Session. Mr. Avendano seconded the motion which carried unanimously.

Return to Public Session

MOTION

Mr. Burns made a motion to return to public session. Mrs. Pinkney seconded the motion which carried unanimously. It was noted for the record that no votes or actions were taken while in executive session.

Jimmy C. Rabon, Jr.

MOTION

Mr. Avendano made a motion to grant Mr. Rabon a license without conditions. Mr. Holiday seconded the motion which carried unanimously.

Darlene Ann Bumgarner (Public Auction – Auction Firm License)

MOTION:

Mrs. Pinkney made a motion the board approves granting Mrs. Bumgarner a firm license with the conditions. Mr. Burns seconded the motion which carried unanimously.

Derek N. Johnson

MOTION

Mr. Holiday made a motion to grant Mr. Johnson's request for reciprocity with conditions. Mrs. Pinkney seconded the motion which carried unanimously.

Proposed Regulation – Document No. 4263 (CE Exemption)

MOTION

Mr. Holiday made a motion to withdraw the proposed regulation regarding continuing education exemption. Mr. Avendano seconded the motion which carried unanimously.

Adjournment

Mr. Burns made a motion to adjourn the meeting at 11:57 a.m. The motion was seconded by Mrs. Pinkney which carried unanimously.

The next meeting of the SC Auctioneers' Commission is scheduled for August 20, 2012.