

Minutes
Georgia Auctioneers Commission
February 4, 2008

The Georgia Auctioneers Commission held its regular meeting on February 4, 2008 at 237 Coliseum Drive, Macon, Georgia. Chairman Norman Echols called the meeting to order at 10:02 a.m.

A quorum was established with members present being: Norman Echols, Mark Manley, Paul Brower, Terry Hansford, and Charles Gay.

Others present were Tanja Battle, Deputy Division Director; Scarlett Elliot, Assistant Attorney General; JoAnn Lyde, Application Specialist; Laurie Elander, Board Secretary.

Approval of Minutes:

Mr. Hansford moved, Mr. Gay seconded, and the Commission voted to approve the minutes of the December 3, 2007 meeting.

Sonya Williams and Meredith Kendall reviewed sanctions that the Board may utilize when disciplining an applicant or licensee.

Charlie Gay suggested Continuing Education Providers should submit attendance reports to the Board so that the Board would have a way of confirming licensees' compliance with the Continuing Education hours required by Law.

Mr. Manley moved, Mr. Hansford seconded, and the Board made the decision to send a letter to the Continuing Education Providers requesting attendance reports be submitted to the Board.

Executive Session:

Mr. Manley moved to enter into Executive Session to deliberate on applications, complaints, and investigations, as authorized by OCGA §§ 43-1-2 (k) and 43-1-19 (h). Mr. Gay seconded the motion. The motion was carried by Mr. Hansford, Mr. Echols, Mr. Manley, Mr. Gay, and Mr. Brower. The Board concluded Executive Session in order to vote on the matters discussed and to continue with the public session.

Applications:

Mr. Manley moved, Mr. Hansford seconded, and the Commission voted to approve the decisions on applications as presented and discussed during Executive Session.

Mr. Manley moved, Mr. Hansford seconded, and the Commission voted to ratify the licenses issued since the December meeting. The following licenses were issued and ratified:

License Number	Name	License Type
ACNR002332	AJ Ross Auctions, LLC	Auctioneer Company- Non Resident
AU-C002740	Fun Lake Inc	Auctioneer Company
AU-C002741	Real Estate Auction Division, Inc.	Auctioneer Company

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AU-C002742	Absolutely Sold Auction Service Inc	Auctioneer Company
AUNR003083	Smith, Jimmie Lee	Auctioneer-Non Resident
AUNR003084	Hinson, Rickey D	Auctioneer-Non Resident
AUNR003085	Rogers, Dustin Bracky	Auctioneer-Non Resident
AUNR003086	Zetelski, Ann Marie	Auctioneer-Non Resident
AUNR003087	Vilsmeier, Frederick Russell	Auctioneer-Non Resident
AUNR003088	Fields, Edward Owen	Auctioneer-Non Resident

Complaints:

AUCT040026: Mr. Manley moved, Mr. Brower seconded, and the Commission voted to refer the case to the Attorney General's office for a consent order.

AUCT070027: Mr. Manley moved, Mr. Hansford seconded, and the Commission voted to close the case with a letter of concern.

AUCT080016: Mr. Manley moved, Mr. Hansford seconded, and the Commission voted to refer the case to the Cognizant member for further review.

AUCT060006 & AUCT070014: Mr. Manley moved, Mr. Gay seconded, and the Commission voted to close these cases.

Board Orders:

Mr. Manley moved, Mr. Gay seconded, and the Commission made the decision to accept the consent order for Lofton G. McDonald.

Mr. Manley moved, Mr. Gay seconded, and the Commission made the decision to accept the consent order for Harold M. Jackson.

Other Business:

The Commission reviewed the documents submitted by the following:

Charles R. Easler II
J. P. King Auction Company, Inc.
Myron C. Bowling

Mr. Manley moved, Mr. Hansford seconded, and the Commission made the decision to deny the request submitted by Hilarie B. Manion.

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Mr. Manley moved, Mr. Hansford seconded, and the Commission made the decision to oppose the proposal to amend Chapter 6 of Title 43.

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 6 of Title 43 of the Official Code of Georgia Annotated, relating to auctioneers, so as to provide that an auctioneer who has a valid license shall be authorized to call an auction for the sale of real estate if a licensed real estate broker, associate broker, or salesperson is present at such auction and handles the actual closing of the sale of such property; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 6 of Title 43 of the Official Code of Georgia Annotated, relating to auctioneers, is amended by revising subsection (b) of Code Section 43-6-9, relating to license requirement for auctioneers and apprentice auctioneers, as follows:

"(b) It shall be unlawful for any licensed auctioneer or apprentice auctioneer to act in such capacity in the sale of real property unless such auctioneer or apprentice auctioneer shall also be licensed as a real estate broker, associate broker, or salesperson under Chapter 40 of this title; provided, however, that any auctioneer or apprentice auctioneer who was licensed as such by this state prior to July 1, 1978, and who, prior to December 31, 1984, submits proof to the commission that he has been auctioning real property for five years or more immediately prior to the date of application shall not be required to meet the provisions of this subsection but such person shall not thereby be construed to be a real estate broker, associate broker, or salesperson under Chapter 40 of this title has a valid license issued pursuant to this chapter shall be authorized to call an auction for the sale of real estate if a licensed real estate broker, associate broker, or salesperson is present at such auction and handles the actual closing of the sale of such property."

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There being no further business, the meeting adjourned at 02:30 p.m.

Minutes approved at the April 14, 2008 meeting