

**Minutes for Used Motor Vehicle Dealers Division
November 17, 2004**

The Used Car Division of the State Board of Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers met on November 17, 2004 at 237 Coliseum Drive, Macon, Georgia and held its regular meeting. Diana Waldrop, Chairperson, called the meeting to order at 10:15 AM.

A quorum was established with the following board members present being: Diana Waldrop, Chairperson; Donny Riner, Cognizant Board Member; John Tansey, Board Member; Jack Gantz, Board Member; Dewell Sanford, Board Member; Jeff Wilkinson, Board Member; Doug Hooper with the Department of Motor Vehicle Safety and Phil Nowicki with the Governor's Office of Consumer Affairs.

Others present were: Steve Lindsey, Executive Director; Ajay Gohil, Board Attorney and Kathy Bradley, Board Secretary.

Approval of Minutes: Mr. Gantz moved to approve the Minutes of the September 15, 2004 Meeting. Mr. Nowicki seconded the motion. Motion carried.

Approval of Agenda: Mr. Riner moved to adopt the Agenda for today's November 17, 2004 Meeting. Mr. Wilkinson seconded the motion. Motion carried.

Executive Session:

Mr. Hooper moved to enter into Executive Session to deliberate on applications, complaint matters, and to receive information on the Attorney General Report. Mr. Sanford seconded the motion. Ms. Waldrop, Mr. Tansey, Mr. Gantz, Mr. Riner, Mr. Wilkinson, and Mr. Nowicki carried the motion unanimously.

Attorney General Report:

Mr. Ajay Gohil, Board Attorney, presented cases to the Board.

Applications:

Mr. Steve Lindsey, Executive Director, presented a list of all applications that had been reviewed and licenses issued since the last board meeting.

Complaints:

Mr. Donny Riner, Cognizant Board Member, presented cases to the Board.

Investigative Reports:

Ken Woods, Area Supervisor presented investigative reports to the Board.

Appointments:

License holders appeared to appeal their inspection fines.

Open Session:

Diana Waldrop declared Open Session.

Investigative Reports:

Mr. Wilkinson made a motion to close and flag case UMVD030082.
Mr. Hooper seconded the motion. Motion carried.

Mr. Wilkinson made a motion to close case UMVD030133.
Mr. Gantz seconded the motion. Motion carried.

Mr. Hooper made a motion to send case UMVD040038 to the Attorney General's Office for Consent Order with condition to convey title.
Mr. Nowicki seconded the motion. Motion carried.

Mr. Sanford made a motion to accept Voluntary C & D for James Collins.
Mr. Norwicki seconded the motion. Motion carried.

Attorney General's Report:

Mr. Tansey made a motion to accept the first payment for Big Boys Auto Sales Inc.
Mr. Nowicki seconded the motion. Motion carried.

Mr. Wilkinson made a motion to accept the Consent Order for Shanan's Auto Sales.
Mr. Gantz seconded the motion. Motion carried.

Mr. Sanford made a motion to accept the Consent Order and full payment for Mark's Car Store.
Mr Tansey seconded the motion. Motion carried.

Mr. Riner made a motion to accept the Consent Order and partial payment for The Car Store.
Mr. Wilkinson seconded the motion. Motion carried.

Mr. Hooper made a motion to accept the Consent Order and full payment for Car Works.
Mr. Riner seconded the motion. Motion carried.
Mr. Riner made a motion to accept the Consent Order and partial payment for Paul's So Easy Auto Sales Inc.
Mr. Gantz seconded the motion. Motion carried.

Mr. Gantz made a motion to accept the Consent Order and full payment for Salek Motors USA, Inc with a 30-day followup inspection.

Mr. Wilkinson seconded the motion. Motion carried.

Mr. Tansey made a motion to accept the Consent Order and partial payment for TPBN Inc dba Credit Union Auto Sales.

Mr. Nowicki seconded the motion. Motion carried.

Mr. Riner made a motion to accept the Voluntary Surrender of the license for Marks Mercedes Sales LLC.

Mr. Hooper seconded the motion. Motion carried.

Mr. Nowicki made a motion to close case UMVD040085

Mr. Wilkinson seconded the motion. Motion carried.

Mr. Gantz made a motion to close case 3501010971 and followup with a 30-day inspection.

Mr. Wilkinson seconded the motion. Motion carried.

Mr. Sanford made a motion to flag and close case UMVD3501010970.

Mr. Tansey seconded the motion. Motion carried.

Applications:

Mr. Riner made a motion to approve application for ABC Auto.

Mr. Nowicki seconded the motion. Motion carried.

Mr. Wilkinson made a motion to approve Ralph's Auto Sales

Mr. Riner seconded the motion. Motion carried

The following licenses were issued from September 15, 2004 to November 16, 2004.

Mr. Sanford made a motion to accept all licenses issued.

Mr. Riner seconded the motion. Motion carried.

License # Name of Business

UCAR035378	Buy-Right Enterprises Inc
UCAR035379	Southwest Motorsports LLC
UCAR035380	Regis Car Corp
UCAR035381	McKenzies Used Cars Inc.
UCAR035382	Candler Auto Barn Inc.
UCAR035383	Southern Star Automotive, Inc
UCAR035384	Southern Star Automotive, Inc
UCAR035385	America's Best Car Store
UCAR035386	Sparks Cars
UCAR035387	Dalton Motor Sales
UCAR035388	L W Benton Company Inc
UCAR035389	Autorama of Paulding
UCAR035390	Adam's Auto & Tire Sale
UCAR035391	Antique Cars of Augusta
UCAR035392	Hiz II Com Auto Sales
UCAR035393	Truck Town

UCAR035394 Fye's Auto Brokers
UCAR035395 Sportsman Auto Sales Inc
UCAR035396 Pate Auto Sales
UCAR035397 Woodard Sales
UCAR035398 Oasis Motors
UCAR035399 Payless Car Sales
UCAR035400 MCS Auto
UCAR035401 Gaide Automotive Group
UCAR035402 Ahmidco Used Auto Sales Inc
UCAR035403 Auto Cash Sale
UCAR035404 Archer Auto Sales LLC
UCAR035405 ITP Auto Brokers LLC
UCAR035406 Value Auto Sales LLC
UCAR035407 Southern Sales of GA, Inc
UCAR035408 Uptown Auto Sales
UCAR035409 Roberson Liquidation Center
UCAR035410 Fat Daddy's Auto Sales
UCAR035411 Sandy's Auto Sales
UCAR035412 Auto Genesis
UCAR035413 EFX Motorsports
UCAR035414 285 Motorsports, Inc
UCAR035415 Valle Hermoso Auto Sales & Repair
UCAR035416 LG & M Trading Co LLC
UCAR035417 Horton Automotive
UCAR035418 Integrity Auto Sales
UCAR035419 Affordable Automotive Group
UCAR035420 Halter Auto Sales
UCAR035421 EZCarbuy
UCAR035422 Hotlanta Luxury Auto Rentals, LLC
UCAR035423 Ready Ride Auto Sales LLC
UCAR035424 Brown Motor Company
UCAR035425 Southport Auto Brokers, LLC
UCAR035426 Gold Dust Luxury Auto
UCAR035427 Prestige Auto Exchange
UCAR035428 Lawson's Car Depot
UCAR035429 Tri-County Used Auto Sales
UCAR035430 Precision Automotive Concepts Inc
UCAR035431 Hott Wheels Auto Brokers, Inc
UCAR035432 AC&C Auto LLC
UCAR035433 RIM Inc
UCAR035434 Compton Automotive
UCAR035435 Equity Auto Brokers LLC
UCAR035436 Browne's Auto Consulting Co
UCAR035437 John Herbert Realty, Auction and Auto Sales
UCAR035438 R and W Auto
UCAR035439 Worth Co. Motors, LLC
UCAR035440 Route 66 Auto Sales Inc
UCAR035441 Drive Time
UCAR035442 Posey Auto Sales
UCAR035443 Pruitt Auto Sales
UCAR035444 Atlas Car and Truck Rental and Sales, LLC

UCAR035445 Asia Auto Repair & Sales
UCAR035446 PG & L, Inc
UCAR035447 Harris Motors
UCAR035448 Simple Auto Solutions Inc
UCAR035449 S & J Auto Brokers LLC
UCAR035450 Commuters Auto Sales & Business Inc
UCAR035451 Speed Gears Inc
UCAR035452 4M Trading Inc
UCAR035453 Abidek International Inc
UCAR035454 Express Auto Sales
UCAR035455 Carman
UCAR035456 Action Automotive
UCAR035457 Silver Star Motors Inc
UCAR035458 C.U. Carfinders. Inc
UCAR035459 S & S Auto Sales
UCAR035460 American Motor Sales
UCAR035461 Tango Used Car Broker
Jeff Lawson Auto Sales Inc d/b/a Lawson Auto
UCAR035462 Sales
UCAR035463 Taylor Made Auto Sales
UCAR035464 Atlanta International Truck Sales & Export Inc.
UCAR035465 Georgia Classic Autos
UCAR035466 T.C. Motors
UCAR035467 Church's Motor Company, Inc
UCAR035468 T. H. Auto Broker
UCAR035469 Dollar Rent A Car & Car Sales
UCAR035470 Quickride Motors
UCAR035471 US Auto Sales, Inc
UCAR035472 Moore's Enterprises
UCAR035473 Cars International
UCAR035474 SAS Automotive Group
UCAR035475 Auto Sales & Credit
UCAR035476 Montae's Auto Sales
UCAR035477 Transport Equipment Co
UCAR035478 Trionit Motors
UCAR035479 Jenkins Financial Services, Inc
UCAR035480 B & W Auto Sales
UCAR035481 Coastal Empire Auto Sales
UCAR035482 Po Boy's Auto Sales
UCAR035483 Mitchell Autos
UCAR035484 Glenwood Auto Sales Inc
UCAR035485 Lost Mountain Auto and Truck Salvage
UCAR035486 Mid-Way Auto Sales
UCAR035487 Boatright Auto Sales, Inc
UCAR035489 Atlanta U/C Inc
UCAR035490 C & L Sales, Leasing, Trade Inc
UCAR035491 First Class Auto
UCAR035492 Kam's Auto Sales
UCAR035493 Mexicar
UCAR035494 Amigo Auto Sales Inc
UCAR035495 Caribbean Auto Sales Inc
UCAR035496 Bucal UP Auto

UCAR035497 Payless Car Sales
UCAR035498 Choice One Automotive Inc.
UCAR035499 Kingport Auto Sales Inc
UCAR035500 R & R Truck Sales
UCAR035501 R & R Truck Sales
UCAR035502 Dick Brown Auto Sales
UCAR035503 O'Dell Auto Brokers
UCAR035504 Stimus Auto Sales Inc
UCAR035505 JA Auto Sale
UCAR035506 Southern Sierra Auto
UCAR035507 Arnold Shedd Motor Company
UCAR035508 A to Z Auto Sales
UCAR035509 Auto Exchange of Georgia LLC
UCAR035510 Sun Valley Auto Sales
UCAR035511 Chickamauga Auto Center
UCAR035512 Dolphin Auto Sales & Service
UCAR035513 Benny's Ventures Inc
UCAR035514 Prime Auto Sales
UCAR035515 Southern Automotive Group Inc
UCAR035516 Hiner Auto Sales
UCAR035517 Specialty Motors
UCAR035518 Sell Em All Motors Inc
UCAR035519 Car Market Auto Sales Inc

Complaints:

Mr. Nowicki made a motion to send cases UMVD050219, UMVD050147, and UMVD050155 to Investigations.

Mr. Gantz seconded the motion. Motion carried.

Mr. Sanford made a motion to send the following complaints to Inspections:

UMVD050069, UMVD050070, UMVD050071, UMVD050072, UMVD050073, UMVD050074, UMVD050075, UMVD050076, UMVD050077, UMVD050078, UMVD050079, UMVD050080, UMVD050081, UMVD050083, UMVD050084, UMVD050085, UMVD050086, UMVD050087, UMVD050088, UMVD050089, UMVD050090, UMVD050093, UMVD050094, UMVD050095, UMVD050096, UMVD050097, UMVD050099, UMVD050100, UMVD050101, UMVD050102, UMVD050104, UMVD050105, UMVD050106, UMVD050107, UMVD050108, UMVD050109, UMVD050110, UMVD050111, UMVD050112, UMVD050113, UMVD050116, UMVD050117, UMVD050118, UMVD050119, UMVD050120, UMVD050121, UMVD050122, UMVD050123, UMVD050124, UMVD050125, UMVD050126, UMVD050128, UMVD050129, UMVD050130, UMVD050131, UMVD050134, UMVD050135, UMVD050136, UMVD050142, UMVD050145, UMVD050146, UMVD050147, UMVD050148, UMVD050149, UMVD050150, UMVD050151, UMVD050152, UMVD050153, UMVD050154, UMVD050155, UMVD050156, UMVD050157, UMVD050158, UMVD050159, UMVD050160,

UMVD050161, UMVD050162, UMVD050163, UMVD050164, UMVD050165, UMVD050166, UMVD050167, UMVD050169, UMVD050170, UMVD050171, UMVD050173, UMVD050174, UMVD050175, UMVD050176, UMVD050177, UMVD050178, UMVD050180, UMVD050181, UMVD050182, UMVD050184, UMVD050185, UMVD050186, UMVD050187, UMVD050188, UMVD050189, UMVD050190, UMVD050191, UMVD050192, UMVD050193, UMVD050194, UMVD050195, UMVD050196, UMVD050199, UMVD050200, UMVD050201, UMVD050202, UMVD050203, UMVD050208, UMVD050209, UMVD050210, UMVD050211, UMVD050212, UMVD050213, UMVD050214, UMVD050215, UMVD050221, and UMVD050222,

Mr. Tansey seconded the motion. Motion carried.

Mr. Nowicki made a motion to send case UMVD050220 to Inspections and forward a copy to the Dept of Revenue Compliance Division.

Mr. Hooper seconded the motion. Motion carried.

Mr. Gantz made a motion to return cases UMVD050039, UMVD050201, UMVD050113, and UNVD050167 to Inspections.

Mr. Sanford seconded the motion. Motion carried.

Mr. Sanford made a motion to close the following cases: 3501020018, UMVD040085, UMVD040123, UMVD040176, UMVD040193, UMVD040253, UMVD040284, UMVD050002, UMVD050040, UMVD050058, UMVD050070, UMVD050076, UMVD050078, UMVD050086, UMVD050090, UMVD050095, UMVD050097, UMVD050103, UMVD050104, UMVD050112, UMVD050118, UMVD050119, UMVD050121, UMVD050123, UMVD050132, UMVD050143, UMVD050146, UMVD050152, UMVD050156, UMVD050162, UMVD050170, UMVD050176, UMVD050194, UMVD050195, UMVD050199, and UMVD050205.

Mr. Tansey seconded the motion. Motion carried.

Mr. Wilkinson made a motion to send bond information to the consumer and close the following cases: UMVD050154, UMVD050160, and UMVD050181.

Mr. Nowicki seconded the motion. Motion carried.

Mr. Hooper made a motion to send bond information to the consumer, flag and close case UMVD050087.

Mr. Sanford seconded the motion. Motion carried.

Mr. Tansey made a motion to send the following cases to the Attorney General's Office for revocation: UMVD0500336, UMVD050046, UMVD050051, UMVD050059, UMVD050069, UMVD050102, UMVD050108, UMVD050125, UMVD050126, UMVD050129, UMVD050131, UMVD050169, UMVD050189 and UMVD050043.

Mr. Wilkinson seconded the motion. Motion carried.

Mr. Hooper made a motion to send the following cases to the Attorney General Office for fine collection: UMVD050174, UMVD050041, UMVD050064, UMVD050099, UMVD050110, UMVD050116, UMVD050150, and UMVD050179.

Mr. Sanford seconded the motion. Motion carried.

Mr. Nowicki made a motion to send the following cases to the Attorney General Office for appropriate action: UMVD050185, UMVD050171, UMVD050124, and UMVD050075.

Mr. Gantz seconded the motion. Motion carried.

Mr. Sanford made a motion to accept Voluntary C & D Order and close the file on Green Auto Service.

Mr. Nowicki seconded the motion. Motion carried.

Mr. Gantz made a motion to accept Voluntary C & D Order and close the file on Robert Davis.

Mr. Wilkinson seconded the motion. Motion carried.

Mr. Tansey made a motion to accept Voluntary C & D Order and close the file on Horton Automotive Monroe LLC.

Mr. Gantz seconded the motion. Motion carried.

Mr. Nowicki made a motion to accept Voluntary C & D Order and close the file on Peachtree Car Wash & Lube.

Mr. Sanford seconded the motion. Motion carried.

Mr. Tansey made a motion to accept Voluntary C & D Order and close the file on Car Market Auto Sales.

Mr. Wilkinson seconded the motion. Motion carried.

Mr. Wilkinson made a motion to accept Voluntary C & D Order and close the file on Buddy's Automotive.

Mr. Nowicki seconded the motion. Motion carried.

Mr. Gantz made a motion to accept Voluntary C & D Order and close the file on Veals Tire Service.

Mr. Tansey seconded the motion. Motion carried.

Mr. Wilkinson made a motion to accept Voluntary C & D Order and close the file on Sparks Used Cars.

Mr. Nowicki seconded the motion. Motion carried.

Mr. Sanford made a motion to accept the Voluntary C & D Order for case Complete Transmission Service and re-inspect in 60-days.

Mr. Hooper seconded the motion. Motion carried.

Mr. Gantz made a motion to re-inspect case UMVD050111 in 60-days.

Mr. Tansey seconded the motion. Motion carried.

Mr. Sanford made a motion to send the following cases to the Governor's Office of Consumer Affairs: UMVD050081, UMVD050101, UMVD050109, UMVD050117, UMVD050151, and UMVD050161.

Mr. Gantz seconded the motion. Motion carried.

Other Business:

The Board approved the 2005 Used Motor Vehicle Dealer Board meeting dates to begin at 10 AM as follows:

January 19, 2005	July 20, 2005
March 16, 2005	September 21, 2005
May 18, 2005	November 16, 2005

Mr. Hooper made a motion to begin the process of requiring a licensing examination for used car dealers. Mr. Riner seconded the motion. Ms. Waldrop, Mr. Sanford, Mr. Gantz, Mr. Wilkinson, and Mr. Nowicki carried the motion. Mr. Tansey objected to an examination.

The Board members asked Mollie Fleeman to speak to the board on examination development processes. After hearing the extensive requirements to develop an examination, the Board Chairman appointed a committee to investigate requirements for developing a plan for implementing an examination for used motor vehicle dealers and parts dealers. The committee members are Donny Riner, Jeff Wilkinson, and Dewell Sanford. The Used Parts Division chairman will be asked to appoint members to represent the Used Parts Division on the committee.

The Board tabled discussion on educator training tapes submitted for review.

The Board requested of the attorney general representative that future Public Consent Orders for tag and title violation include language that the title must be processed within 30-days of the Consent Order.

Mr. Nowicki made a motion to approve the request from Juba Motors to release the license from probationary status.

Mr. Riner seconded the motion. Motion carried.

Mr. Wilkinson made a motion to deny the request from Kay Williams.

Mr. Riner seconded the motion. Motion carried.

Mr. Hooper made a motion to deny the request of FMCA Convention Services (out-of-state new and used RV dealers) to be able to offer vehicles for sale at the GA National Fairgrounds & Agricenter. The Board Law requires an established place of business as stated in OCGA 43-47-2(3).

Mr. Wilkinson seconded the motion. Motion carried.

Mr. Gantz made a motion to uphold the Inspection Citation for Car Find Network Inc and forward to the Attorney General's Office.

Mr. Sanford seconded the motion. Motion carried.

Mr. Tansey made a motion to waive the Inspection Citation for Dowda Towing & Trading Post, based on the board having no jurisdiction.

Mr. Hooper seconded the motion. Motion carried.

Mr. Nowicki made a motion to uphold the Inspection Citation for David Trapp Sales.
Mr. Tansey seconded the motion. Motion carried.

Mr. Wilkinson made a motion to waive the Inspection Citation for Hometown Auto Mart LLC.

Mr. Gantz seconded the motion. Motion carried.

Mr. Sanford made a motion to uphold the Inspection Citation for On Car Rental Car Sales.

Mr. Nowicki seconded the motion. Motion carried.

Adjournment:

There being no further business, the meeting was adjourned at 2:50 PM.

Diana R. Waldrop
Chairman

November 17, 2004
Date

Mollie L. Fleeman
Division Director
Professional Licensing Board

STATE OF GEORGIA

COUNTY OF BIBB

AFFIDAVIT SUPPORTING CLOSING OF PUBLIC MEETING

The Georgia Open Meetings Act, O.C.G.A 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specified exemptions relied upon. O.C.G. A. 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meetings in question.

Comes now Diana Waldrop, the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the Georgia State Board of Registration of Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers (Used Car Division).
2. I am over the age of 18 and in other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and subject to penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On November 17, 2004 this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of members present voted to close the meeting or a portion thereof of the following indicated reason(s). I hereby certify that that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.
4. The legal authority for closure of this meeting was: O.C.G.A. 43-1-2(k).
5. The subjects discussed and the underlying facts supporting the closing of this meeting are as follows:
Applications and other personal information submitted by the applicants; information, favorable or unfavorable, submitted by a reference source concerning an applicant; and deliberations of the Board with respect to an application, an examination, a complaint, an investigation, or a disciplinary proceeding.

FURTHER THE AFFIANT SAYETH NOT.

Diana R. Waldrop
PRESIDING OFFICER

Sworn to and subscribed before me this 17th
Day of November, 2004.

Kathy O. Bradley
Notary Public