

Georgia Auctioneer Commission
Meeting Minutes – December 4, 2017
Professional Licensing Boards Division of the Secretary of State
237 Coliseum Drive, Macon, Georgia 31217

Members Present:

- Charlie Gay, Chair (via teleconference)
- Stephen Burton
- Larry “Bo” Benton
- Kim Hagen
- Rossie Ross (via teleconference)

Others Present:

- La Trena Tyler-Jones, Executive Director
- David Stubins, Assistant Attorney General
- Laurie Elander, Licensing Supervisor
- Sandy Barboza, Board Support Specialist

Members Absent:

- Roy D. Cates Sr., Vice-Chair

Note: Visitors are excused during Executive Session unless scheduled for a personal appearance.

OPEN SESSION:

Bo Benton, Acting Chair, noted a quorum was present, called the meeting to order at 10:26 a.m. and declared the meeting to be “open” pursuant to the Open and Public Meeting Act, O.C.G.A. §§50-14-1 et seq.

Agenda:

Stephen Burton moved, Kim Hagen seconded, and the Commission voted to approve the December 4, 2017 agenda with an amendment to add an unscheduled appearance of J.T. Rowell and K.T. Otis.

Minutes:

Charlie Gay moved, Kim Hagen seconded, and the Commission voted to approve the September 25, 2017 Open Meeting minutes and Executive Session minutes.

Ratification List:

Licenses Issued: 09-19-2017 – 11-30-2017 - (Total 17):

Licensee	License #
AU-C003098	Auctions United Inc
AU-C003099	Oakwood's Arrow Auto Auction Inc
AU-C003100	Gleaton's
AU004341	James W Bryant, Jr
AU004342	Andrew Floyd Yoder
AU004343	Don Doak Lambert
AU004344	Jonathan Victor Savoy
AU004345	Joseph Minick Lanier
AU004346	Kenneth E Byrd

Licensee	License #
AU004347	Andrea Conner
EXEMPT	Red Door Auctions LLC
EXEMPT	Coastal Auction Team
EXEMPT	Southern Heritage Estate Auctions LLC
EXEMPT	Realty Hive LLC
EXEMPT	Countryside Equipment Auction Inc
EXEMPT	Sunset Auction Company Inc
EXEMPT	Florencia and Sons Auction

Charlie Gay moved, Kim Hagen seconded, and the Commission voted unanimously to ratify the licenses issued between meetings in accordance with Commission Rules and Policies.

Visitors:

The Commission welcomed visitors J. T. Rowell and K.J. Otis of Rowell Auctions.

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John Rowell – suggested standardized terms for a personal property contract; requested that the Commission consider adoption of standard contract. Discussion included possible penalties for failure to use standard contract, concern of slowing the system down legally (see 43-6-7), possible rule addition (55-5-01), and how this would be in the public's best interest.

Kim Hagen moved, Steve Burton seconded, and the Board approved the creation of a committee to investigate further and see if recovery funds could be used in this manner. Kim Hagen will chair the committee, and Rossie Ross, John Rowell, Charlie Gay, and La Trena Tyler-Jones will serve on the committee.

EXECUTIVE SESSION:

Stephen Burton moved, Kim Hagen seconded, and the Commission voted to enter into Executive Session at 11:10 a.m. in accordance with O.C.G.A. §§ 43-1-2 (k) and 43-1-19 (h), for the purpose of discussing and reviewing applications and complaints, and to hear the Attorney General's report.

The Executive Session of the Georgia Auctioneer Commission was closed at 1:39 p.m. by Charlie Gay, Chair, who then declared the meeting to be "open" pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq. No votes were taken during Executive Session.

OPEN SESSION:

Rossie Ross joined the meeting via teleconference.

Kim Hagen moved, Stephen Burton seconded, and the Commission voted to accept the following recommendations made during Executive Session:

Application:

Application # 2691824 – Jason Sumner Money – Auctioneer – approved.

Complaints:

AUCT170001 – refer to Attorney General's office for revocation of individual license for failure to comply with rules of escrow and untimely settlement.

AUCT170022 – refer to Attorney General for Final Decision to revoke license as complainant has not been compensated. Charlie Gay recused.

AUCT170034 – recommended close by Attorney General and rescind previous decision to issue consent order and reinstate license. Bo Benton recused.

AUCT180007 – refer to inspection – offer cease & desist if unlicensed and refer to the Federal Bureau of Alcohol, Tobacco, and Firearms. If unlicensed practice continues after cease and desist is offered, refer to law enforcement.

AUCT180009 – close - no violation found.

AUCT180011 – tabled – refer to investigations and the real estate commission.

AUCT180012 – close - no jurisdiction – refer to Used Motor Vehicle Dealers Board.

AUCT180013 – tabled – refer to Investigations for unlicensed practice.

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AUCT180014 – table – refer to Investigations to obtain a statement to see if restitution is warranted. If restitution is warranted, must be paid within 30 days of date confirmed. If not paid refer to the Attorney General to revoke license.

AUCT180015 – close – no violations.

AUCT180016 – close – refer to Used Motor Vehicle Dealers Board.

AUCT180017 – close – no violations – livestock exemption.

AUCT180019 – close -refer to the Used Motor Vehicle Dealers Board.

Attorney General's Report:

Provided a verbal status report.

AUCT170003, AUCT170022 – close; draft Final Decision to revoke license.

OPEN SESSION - Other Business:

Docketed Order:

Type	Name	License #	Complaint #	Docket #	City
Final Decision	Gregory S Childers	AU003562	AUCT170022	2017-1952	Ranger

Kim Hagen moved, Stephen Burton seconded, and the Commission voted to accept the docketed order as presented.

2018 Meeting Schedule:

Charlie Gay moved, Kim Hagen seconded and the Commission voted to approve the following meeting dates for 2018:

January 22, 2018

July 23, 2018

March 26, 2018

September 24, 2018

May 21, 2018

November 26, 2018

Meetings are scheduled to begin at 10:00 A.M.

The next meeting of the Georgia Auctioneer Commission will be held Monday, January 22, 2018 at 10:00 a.m. at 237 Coliseum Drive, Macon, Georgia.

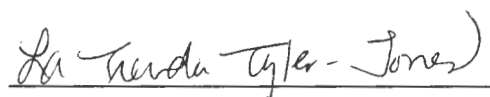
There being no further business, Bo Benton declared the meeting adjourned at 2:00 p.m.

Minutes prepared by: Sandy Barboza, Board Support Specialist

Minutes reviewed and edited by: La Trena Tyler-Jones, Executive Director

Minutes were approved on: 1/22/2018


Charlie Gay, Chair


La Trena Tyler-Jones, Executive Director

with express permission by
LaTrena Tyler-Jones, Executive Director

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 Charlie Gay, Chairman 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 Auctioneer Commission.
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 December 4, 2017 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. The legal authority for closure of this meeting was: O.C.G.A. 43-1-2(k).
4. 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.

Bo Benton
PRESIDING OFFICER

with express permission by
LaTrenda Tyler-Jones, Executive Director

Sworn to and subscribed before me this 4th
Day of December, 2017.

Notary Public

