

Georgia Auctioneer Commission
Board Meeting Minutes – January 23, 2017
Professional Licensing Boards Division of the Secretary of State
237 Coliseum Drive, Macon, Georgia 31217

Members Present:

- Charlie Gay, Chair
- Stephen Burton
- Larry “Bo” Benton
- Rossie Ross
- Kim Hagen
- Roy D. Cates Sr., Vice-Chair

Others Present:

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

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

OPEN SESSION:

Charlie Gay, Chair, noted a quorum was present, called the meeting to order at 10:16 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:

Bo Benton moved, Rossie Ross seconded, and the Board voted unanimously to approve the January 23, 2017 agenda.

Minutes:

Bo Benton moved, Rosie Ross seconded, and the Board voted unanimously to approve the November 14, 2016 Open Meeting minutes and Executive Session minutes.

Ratification List:

Licenses Issued: 11-09-16 thru 01-19-2017 (Total –17):

License #	Licensee
AU-C003075	Royal Sea LLC
AU-C003076	Xome Inc
AU-C003077	Florida Georgia Auction Services Inc
AU-C003078	Euro Auctions USA LLC
AU004269	Ollie L Gonzales
AU004270	Morgan Jasper Marlowe
AU004271	James Frederick Parker
AU004272	Steve Kline Ryals
AU004273	Eric Roderick Baham

License #	Licensee
AU004274	Joseph Stell Johnston
AU004275	Georgia Sue Landry
AU004276	Francine Marie Bethune
AU004277	Zachary Michael Hill
AU004278	Jake Austin Willcox
EXEMPT	Georgia Farmers Auction LLC
EXEMPT	HWY 41 Auction
EXEMPT	SELSA LLC

Bo Benton moved, Rossie Ross seconded, and the Board voted unanimously to ratify the licenses issued between meetings in accordance with Board Rules and Policies.

Public Hearing:

A public hearing was held by the Georgia Auctioneers Commission on January 23, 2017, to allow the licensee the opportunity to address fines and/or complaints with the Commission. The hearing was held at the office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia. The Chair, Charlie Gay, called the hearing to order at 10:30 a.m.

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AU003897 Kenneth L. Byrd Charlie Gay and Bo Benton recused

Having determined the facts were proven, Kim Hagan moved, Rossie Ross seconded and the motion carried to revoke Mr. Byrd's license. A written decision will follow. Betsy Cohen represented the Attorney General's Office.

EXECUTIVE SESSION:

Stephen Burton moved, Rossie Ross seconded, and the Board voted unanimously to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2 (k) and 43-1-19 (h), for the purpose of discussing and reviewing an application, complaint cases, and to hear the Attorney General's report.

At the conclusion of the Executive Session, Charlie Gay 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 moved, Kim Hagen seconded, and the Board voted unanimously in favor of the motion to accept the following recommendations made during Executive Session:

Application:

Application # 2647841 R.D.C. – Auctioneer – tabled for an appearance before the Board.

Complaints:

AUCT170021 – Refer to Inspections to offer a Cease and Desist Order.

AUCT170022 & AUCT170023 – Send a letter of concern to licensee. Must settle with the customer within 30 days: Return unsold items and remit funds for items sold. Report back to the Board, possible revocation if non-compliant.

AUCT170024, AUCT170025, AUCT170026, & AUCT170031 – tabled for an appearance before the Board. Offer a Cease and Desist Order.

AUCT170030 – Send a letter of concern to register as exempt or apply for a license within 30 days.

Attorney General's Report – David Stubins:

Bo Benton moved, Rossie Ross seconded and the Board voted unanimously in favor of the motion to accept the Attorney General's report and recommendations, as presented in executive session.

AUCT160004 – hearing scheduled.

Application # 2631530 – closed.

Legal advice – inspections imposing fines for violations.

Other Business:

Laws & Rules Review – Tabled.

O.C.G.A. – 43-1-34 – Tabled.

Reciprocal agreement with Alabama – Kim Hagen moved, Steve Burton seconded, and the Board voted unanimously to accept the agreement as presented.

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Applicant by exam would like to reinstatement by reciprocity - Applicant cannot reinstate, but would be allowed to apply for a new license by reciprocity.

Troy University – the board voted to allow administrative approval of the auction school when the application is complete.

The Board discussed creating a policy – under what conditions Inspections can offer a Cease and Desist Order. David Stubins will review the law and advise.

Review the Rules and Laws relative to the grace period allowed to transfer a license when an auction company's owner is deceased.

The Board recommended reviewing approved Auction Schools.

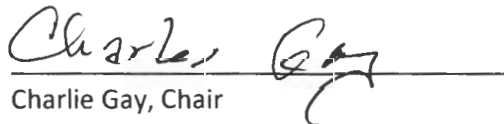
The next meeting of the Georgia Auctioneer Commission will be held Monday, March 27, 2017 at 10:00 a.m. at 237 Coliseum Drive, Macon, Georgia.

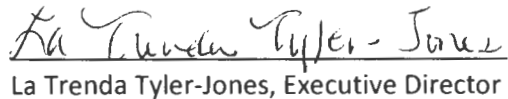
There being no further business, Charlie Gay declared the meeting adjourned at 2:00 p.m.

Minutes prepared by: Sandy Barboza, Board Support Specialist

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

Minutes were approved on: 3/27/17


Charlie Gay, Chair


La Trenda 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.

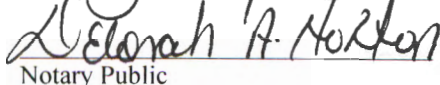
1. I am the presiding officer of the Georgia Auctioneer Commission.
2. I am over the age of 18 and in other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and subject to penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On **January 23, 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.


PRESIDING OFFICER

Sworn to and subscribed before me this 23rd

Day of JANUARY 2017


Notary Public

