

**AUCTIONEERS BOARD MEETING
MINUTES**

The Virginia Auctioneers Board met on January 16, 2013, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

William C. Bryant, III
George Daniel
Larry Linkous
Erlita Joanne Wang

Board staff present for all or part of the meeting were:

Kathleen R. Nosbisch, Executive Director
Marian Brooks, Board Administrator
Amy Goobic, Administrative Assistant

Agency staff present for all or part of the meeting were:

Gordon N. Dixon, Director
Mark N. Courtney, Senior Director, Regulatory and Public Affairs
Kristin Clay, Legal Analyst

There was no representative present from the Office of the Attorney General.

Finding a quorum of the Board present, Mr. Bryant, Chair, called the meeting to order at 10:03 a.m.

Call to Order

Mr. Bryant advised the Board of the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Mr. Linkous moved to approve the agenda. Mr. Daniel seconded the motion which was unanimously approved by members: Bryant, Daniel, Linkous and Wang.

Approval of Agenda

Mr. Daniel moved to approve the minutes from the following meeting:

Approval of Minutes

- October 10, 2012, Auctioneers Board Meeting

Ms. Wang seconded the motion which was unanimously approved by members: Bryant, Daniel, Linkous and Wang.

Public Comment Period – There were no public comments.

**Public Comment
Period**

Regarding **File Number 2012-02606, Harlowe-Powell Auction, Ltd.**, Board members reviewed the Consent Order as seen and agreed to by Harlowe-Powell Auction, Ltd. Mr. Linkous moved to accept the Consent Order which cites the following violation of the Board's regulations: 18VAC25-21-110 (Count 1). For this violation, Harlowe-Powell Auction, Ltd. agrees to the following sanctions: \$1,000.00 for the violation contained in Count 1; and \$150.00 in Board costs, for a total monetary penalty of \$1,150.00. In addition, Mr. Norman Dill, on behalf of Harlowe-Powell Auction, Ltd., agrees to complete six (6) hours of Board-approved continuing education. The continuing education hours will not count towards any hours required for renewal or reinstatement. Ms. Wang seconded the motion which was unanimously approved by members: Bryant, Daniel, Linkous and Wang.

File Number 2012-02606, Harlowe-Powell Auction, Ltd.

Regarding **File Number 2012-02722, Richard G. Graves**, Board members reviewed the Consent Order as seen and agreed to by Mr. Graves. Mr. Linkous moved to accept the Consent Order which cites the following violation of the Board's regulations: 18VAC25-21-110.A (Count 1). For this violation, Mr. Graves agrees to the following sanctions: \$500.00 for the violation contained in Count 1; and \$150.00 in Board costs, for a total monetary penalty of \$650.00. Ms. Wang seconded the motion which was unanimously approved by members: Bryant, Linkous and Wang. As the reviewing Board member Mr. Daniel was not present for the discussion or vote.

File Number 2012-02722, Richard G. Graves

Ms. Brooks provided details on the Governor's Regulatory Reform Initiative, explaining that the public comment period was an opportunity for feedback on any regulations that are thought unnecessary or burdensome. The public comment period ended December 5, 2012, the Board did not receive any comments. Additionally, staff had no recommendations at this time.

Regulatory Update

Ms. Brooks reminded the Board that the Governor's review of the proposed regulations was completed September 11, 2012, and the regulations were not approved. She further reminded the Board that at its October 10, 2012, meeting, the Board voted to remove regulation 18VAC25-21-95.B was removed, in order to refile the proposed regulations. The documents were amended and submitted to the Governor's office for review.

Board members were provided a comprehensive report of enforcement activity for informational purposes.

Review of Compliance and Investigations Division Activity

Board members were provided financial statements for informational purposes. Ms. Brooks reported that the Budget Director informed her that a fee increase would probably not be necessary until FY19 or later. Mr. Linkous requested clarification regarding acceptance of continuing

Review of Board Financial Statements

Other Business

education (CE) from other states if licensed via reciprocity. Ms. Brooks stated that in the proposed regulations, CE would be accepted from states with whom Virginia has a reciprocal CE agreement.

Ms. Brooks thanked Ms. Wang for continuing to serve on the Board, as her term expired June 30, 2012. There has not yet been an appointment made for her Board seat. Ms. Brooks further informed the Board that Marie Torrans, Citizen Member, resigned from the Board.

Ms. Brooks reported that she participated in a National Auctioneers License Law Officials Association (NALLOA) teleconference January 10, 2013. Ms. Brooks further reported that she and Ms. Nosbisch were invited to the Virginia Auctioneer's Association meeting January 11, but did not attend due to scheduling changes.

Ms. Brooks recognized National Auctioneers Day, April 18, 2013.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest
Forms**

There being no further business, the meeting was adjourned at 10:20 a.m.

Adjourn

William C. Bryant, III, Chair

Gordon N. Dixon, Secretary