

**AUCTIONEERS BOARD MEETING
MINUTES**

The Virginia Auctioneers Board met on July 18, 2017, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Linda Terry
Betty Bennett
Michael Phillips
Andrew Smith

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

Marian Brooks, Board Administrator
Bonnie Davis, Administrative Assistant

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

Jay W. DeBoer, Director
Bonnie Adams, Director, Complaint Analysis & Resolution
Michelle Couch, Complaint Analysis & Resolution
Tyler Weimorts, Post-Adjudication and Licensing Specialist
Free Williams, Adjudication Specialist

Elizabeth Peay, Assistant Attorney General was present from the Office of the Attorney General.

Ms. Terry, Chair, called the meeting to order at 10:01 a.m.

Call to Order

Ms. Terry advised the Board of the emergency evacuation procedures.
Ms. Brooks stated that Ms. Nobsch sends her regrets.

**Emergency Evacuation
Procedures**

Ms. Brooks requested the DPOR staff audience introduce themselves.

**Introduction of
Audience**

Mr. Phillips arrived to the meeting at 10:03 a.m.

**Arrival of Board
Member**

Ms. Bennett moved to approve the agenda. Mr. Smith seconded the motion which was unanimously approved by members: Bennett, Phillips, Smith, and Terry.

Approval of Agenda

Mr. Smith moved to approve the April 19, 2017 Board meeting minutes.
Ms. Bennett seconded the motion which was unanimously approved by members: Bennett, Phillips, Smith, and Terry.

Approval of Minutes

There was none.

Public Comment Period

Regarding File Number 2017-00383, Shumate Auctions LLC, the Board members reviewed the Consent Order as seen and agreed to by Ms. Shumate. Ms. Bennett moved to accept the Consent Order which cites the following violations of the Board's regulations: 18VAC25-21-110.A.1.a (Count 1); 18VAC25-21-110.A.2, 4, 6, 7, & 8 (Count 2); 18VAC25-21-110.B (Count 3); 18VAC25-21-120 (Count 4); 18VAC25-21-150.F (Count 5); 18VAC25-21-150.G (Count 6); and 18VAC25-21-180.4 (Count 7). For these violations, Ms. Shumate, agrees to pay \$250 for the violation contained in Count 1; \$250 for each of the five violations contained in Count 2; \$250 for the violation contained in Count 3; \$250 for the violation contained in Count 4; \$400 for the violation contained in Count 5; \$500 for the violation contained in Count 6; \$600 for the violation contained in Count 7; and \$150 in board costs, for a total monetary penalty of \$3,650. In addition for violations of Count 5, 6, & 7, Ms. Shumate agrees to one (1) year probation of her license and to complete at least three (3) hours of Board-approved continuing education pertaining to Business Practices and provide proof of attendance and successful completion within twelve (12) months of the effective date of this Order. Mr. Phillips seconded the motion which was unanimously approved by members: Bennett, Phillips, and Terry. As the presiding board member, Mr. Smith and was not present for the discussion or vote.

File No. 2017-00383,
Shumate Auctions LLC

Regarding File Number 2017-00830, Bryan A. McDaniel, the Board members reviewed the Consent Order as seen and agreed to by Mr. McDaniel. Mr. Smith moved to accept the Consent Order which cites the following violations of the Board's regulations: 18VAC25-21-110.A (Count 1); and 18VAC25-21-180.4 (Count 2). For these violations, Mr. McDaniel, agrees to pay \$300 for the violation contained in Count 1; \$500 for the violation contained in Count 2; and \$150 in board costs, for a total monetary penalty of \$950. Mr. Phillips seconded the motion which was unanimously approved by members: Phillips, Smith, and Terry. As the presiding board member, Ms. Bennett and was not present for the discussion or vote.

File No. 2017-00833,
Bryan A. McDaniel

Regarding File Number 2017-00504, Barton Scot Long, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference and the presiding Board member's recommendation. Mr. Smith moved to accept the recommendation of the presiding officer that the file be closed with a finding of no violation of Count 1: 18VAC25-21-110.A and Count 2: 18VAC25-21-180.4. Mr. Phillips seconded the motion which was unanimously approved by members: Phillips, Smith, and Terry. Former Board member Samuel Updike was the presiding officer. Ms. Bennett and was not present for the discussion or vote.

File No. 2017-00504,
Barton Scot Long

Board members were provided financial statements for informational purposes.

Review of Board
Financial Statements

Ms. Terry provided the licensee counts as of June 1, 2017: Auctioneers 1174 and Firms 252.

Other Business

Conflict of Interest forms were completed by all members present.

Conflict of Interest
Forms

There being no further business, the meeting adjourned at 10:09 a.m.

Adjourn


Linda Terry, Chair


Jay W. DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Linda Terry
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting July 18, 2017

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

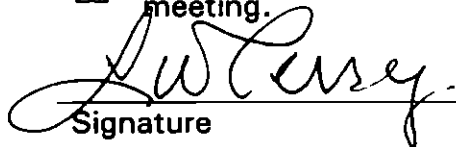
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

7/17/17
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Betty Bennett
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting July 18, 2017

5. I have a personal interest in the following transaction:

Bryan A. McDaniel
Barton Scott Long

Nature of Personal Interest Affected by Transaction:

worked on Disciplinary cases

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Betty A. Bennett
Signature

7/18/2017
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Michael Phillips
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting July 18, 2017

5. I have a personal interest in the following transaction:

N/A

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

MSP
Signature

7/18/17
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Andrew Smith
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting July 18, 2017

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

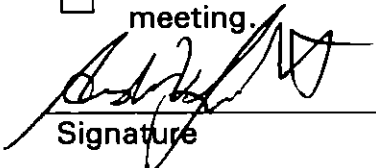
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this
meeting.



Signature

7/18/17

Date