

AUCTIONEERS BOARD MEETING MINUTES

The Virginia Auctioneers Board met on January 31, 2017, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Linda Terry
Betty Bennett
Andrew Smith

Board member Michael Phillips was not present for the meeting.

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

Kate Nosbisch, Executive Director
Marian Brooks, Board Administrator
Bonnie Davis, Administrative Assistant

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

Jay W. DeBoer, Director
Michelle Couch, CAR
Sarah Towell, CAR
Sam Thomason, Adjudication

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

Ms. Terry, Vice Chair, called the meeting to order at 10:04 a.m.

Call to Order

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

Emergency Evacuation Procedures

Ms. Brooks welcomed and introduced new Board members Betty Bennett and Andrew Smith. The Board members and staff introduced themselves to the new Board members.

Welcome and Introduction of New Board Members

Ms. Brooks informed the Board that a new chair needed to be elected. Ms. Bennett moved to nominate Ms. Terry as Chair. Mr. Smith seconded the motion which was unanimously approved by: Bennett, Smith, and Terry. Ms. Terry moved to nominate Ms. Bennett as Vice Chair. Mr. Smith seconded the motion which was unanimously approved by: Bennett, Smith, and Terry.

Election of Chair and Vice Chair

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

Approval of Agenda

Mr. Smith moved to approve the November 1, 2016, Board meeting minutes. Ms. Bennett seconded the motion which was unanimously approved by members: Bennett, Smith, and Terry.

Approval of Minutes

There were no public comments.

Public Comment Period

Regarding **File Number 2017-00595, William T. Bradley**, was present to address the Board. The Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript, exhibits, the Summary of the Informal Fact-Finding Conference, and the presiding officer's recommendation. Ms. Bennett moved to accept the recommendation of the presiding officer and to offer an Agreement for Licensure to include the following terms:

**File No. 2017-00595,
William T. Bradley**

- This Agreement for Licensure shall remain in effect for two years from the date the license is issued;
- Bradley acknowledges that he has read the Virginia regulations and statutes that apply to the Auctioneers Board;
- During the term of this Agreement for Licensure, Bradley shall not violate any law or regulation in any state or jurisdiction, related to the practice of auctioneering;
- Bradley is to immediately report (within 48 hours) to the Board if he receives notice of any disciplinary investigation;
- Bradley further agrees that any violation of the terms of this Agreement for Licensure shall be deemed a violation of Board Regulation 18VAC25-21-180.1.

The motion also includes that the Agreement for Licensure must be executed by Mr. Bradley and returned to the Board within 30 days of receipt. If Mr. Bradley declines or fails to comply with this requirement, then his license application will be denied. Mr. Smith seconded the motion which was unanimously approved by members: Bennett, Smith, and Terry.

Regarding File Number 2016-02490, Paul Quinn, Quinn & Sons Inc., the Board members reviewed the Consent Order as seen and agreed to by Mr. Quinn, Quinn & Sons Inc. Mr. Smith moved to accept the Consent Order which cites the following violations of the Board's regulations: 18VAC25-21-110.A.2 (Count 1); 18VAC25-21-110.A.4 (Count 2); 18VAC25-21-110.A.7 (Count 3); and 18VAC25-21-110.B (Count 4). For these violations, Mr. Quinn, Quinn & Sons Inc., agrees to pay \$250 for the violation contained in Count 1; \$250 for the violation contained in Count 2; \$250 for the violation contained in Count 3; \$250 for the violation contained in Count 4; and \$150 in board costs, for a total monetary penalty of \$1,150. In addition for violation of Count 4, Mr. Quinn, Quinn & Sons Inc., agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to a business

**File No. 2016-02490,
Paul Quinn, Quinn &
Sons Inc. d/b/a Quinn's
Auction Galleries**

related topic, not to include bid calling or working the ring, i.e. Auction Verdicts; Business Practices; Ethics, and provide proof of attendance and successful completion within twelve (12) months of the effective date of this Order. The course(s) must be completed in the classroom. Ms. Bennett seconded the motion which was unanimously approved by members: Bennett and Smith. As the presiding Board member, Ms. Terry was not present for the discussion or vote.

Regarding **File Number 2016-00678, Tom M. Weaver**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript, exhibits, the Summary of the Informal Fact-Finding Conference, and the presiding officer's recommendation. Mr. Smith moved to accept the Summary of the Informal Fact-Finding Conference as to the facts, which cites the following violations of the Board's regulations: 18VAC25-21-110.A.1.a (Count 1); 18VAC25-21-110.A.3 (Count 2); 18VAC25-21-110.A.7; (Count 3); 18VAC25-21-110.A.8; (Count 4); and 18VAC25-21-180.4 (Count 5). Ms. Terry seconded the motion which was unanimously approved by members: Smith and Terry.

File No. 2016-00678,
Tom M. Weaver

Ms. Brooks informed the Board that Mr. Weaver had no prior violations.

For the violation contained in Count 1, the recommended sanction is a monetary penalty of \$50.00. Ms. Terry moved to accept the sanction for Count 1. Mr. Smith seconded the motion which was unanimously approved by members: Smith and Terry. For the violation contained in Count 2, the recommended sanction is a monetary penalty of \$25.00. Ms. Terry moved to accept the sanction for Count 2. Mr. Smith seconded the motion which was unanimously approved by members: Smith and Terry. For the violation contained in Count 3, the recommended sanction is a monetary penalty of \$25.00. Ms. Terry moved to accept the sanction for Count 3. Mr. Smith seconded the motion which was unanimously approved by members: Smith and Terry. For the violation contained in Count 4, the recommended sanction is a monetary penalty of \$25.00. Ms. Terry moved to accept the sanction for Count 4. Mr. Smith seconded the motion which was unanimously approved by members: Smith and Terry. For the violation contained in Count 5, the recommended sanction is a monetary penalty of \$300.00. Ms. Terry moved to accept the sanction for Count 5. Mr. Smith seconded the motion which was unanimously approved by members: Smith and Terry.

As the presiding officer, Ms. Bennett was not present for the discussion or vote.

Board members were provided financial statements for informational purposes. Ms. Nosbisch noted that the Board is in good financial shape.

Review of Board
Financial Statements

Ms. Terry informed the Board that Board members, Will Farmer, Travis

Resolutions for Will

Lee, and Larry Linkous are no longer on the Board. Regrettably, Mr. Farmer, Mr. Lee and Mr. Linkous were unable to attend the meeting.

**Farmer, Travis Lee,
and Larry Linkous**

Ms. Terry read the following resolutions from the Auctioneers Board for former Board members, Will Farmer, Travis Lee, and Larry Linkous:

Resolution for
Will Farmer

WHEREAS, **Will Farmer**, did faithfully and diligently serve as a member of the Auctioneers Board from 2012 to 2016;

WHEREAS, **Will Farmer**, did devote generously of his time, talent and leadership to the Board;

WHEREAS, **Will Farmer**, did endeavor at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and the profession; and

WHEREAS, the Auctioneers Board wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Auctioneers Board this thirty-first day of January 2017, that **Will Farmer**, be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

The Board approved the resolution by consensus.

Ms. Terry read the following resolution:

Resolution for
Travis Lee

WHEREAS, **Travis Lee**, did faithfully and diligently serve as a member of the Auctioneers Board from 2013 to 2016;

WHEREAS, **Travis Lee**, did devote generously of his time, talent and leadership to the Board;

WHEREAS, **Travis Lee**, did endeavor at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and the profession; and

WHEREAS, the Auctioneers Board wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Auctioneers Board this thirty-first day of January 2017, that **Travis Lee**, be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

The Board approved the resolution by consensus.

Ms. Terry read the following resolution:

Resolution for
Larry Linkous

WHEREAS, **Larry Linkous**, did faithfully and diligently serve as a member of the Auctioneers Board from 2012 to 2016;

WHEREAS, **Larry Linkous**, did devote generously of his time, talent and leadership to the Board;

WHEREAS, **Larry Linkous**, did endeavor at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and the profession; and

WHEREAS, the Auctioneers Board wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Auctioneers Board this thirty-first day of January 2017, that **Larry Linkous**, be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

The Board approved the resolution by consensus.

Ms. Brooks provided the licensee counts as of January 1, 2017:
Auctioneers 1,198 and Firms 249.

Other Business

Ms. Brooks informed the Board members that effective January 1, 2017, the new exam vendor is PSI, which the Board has used in the past. Ms. Brooks recognized National Auctioneers Day, April 15. Ms. Brooks thanked all Board members for their time and expertise devoted to their profession and the Board.

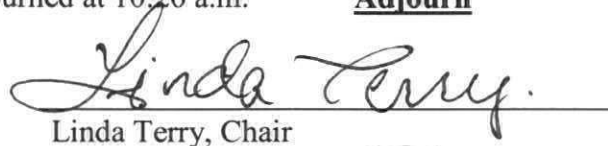
Ms. Nosbisch thanked the Board members for submitting their Statement of Economic Interest Disclosure Forms.

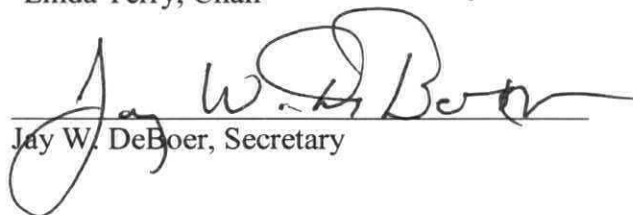
Conflict of Interest forms were completed by all members present.

**Conflict of Interest
Forms**

There being no further business, the meeting adjourned at 10:26 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 January 31, 2017

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

Nature of Personal Interest Affected by Transaction:

I was on the IFF for Quinn.

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.~~

Linda Terry
Signature

1/31/17
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 January 31, 2017

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

Tom Weaver case

Nature of Personal Interest Affected by Transaction:

part of the IFF for Mr Weaver

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

1/31/2017
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 January 31, 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:

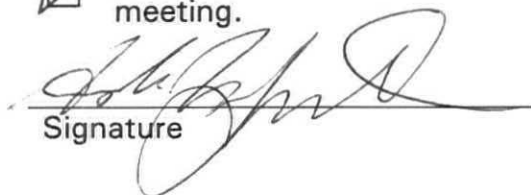
I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

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

Signature



Date

1/31/17