

AUCTIONEERS BOARD MEETING
TENTATIVE Agenda
July 12, 2022, 10:00 a.m.
Department of Professional & Occupational Regulation
804-367-8514

1. Call to Order
2. Emergency Evacuation
3. Announcements
4. Approval of Agenda
5. Approval of Minutes: January 11, 2022 Board Meeting
6. Public Comment Period*
7. Fee Adjustment
8. Regulatory Review
9. Licensed Population
10. Review of Financial Statements
11. Board Member Conference – October 13 – October 14, 2022
12. Financial Disclosure Statements
13. Other Business
14. Conflict of Interest Forms / Travel Vouchers
15. Adjourn

NEXT MEETING TENTATIVELY SCHEDULED FOR October 4, 2022

* Five minute public comment, per person, with the exception of any open disciplinary or application files.

** Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8510 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

- **Call to Order**
- **Emergency Evacuation Instructions**
- **Announcements**

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Materials contained in this agenda are proposed topics for discussion
And are not to be construed as regulation or official board position

AUCTIONEERS BOARD MEETING MINUTES

The Virginia Auctioneers Board met on January 11, 2022, at 10:00 a.m. at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia 23233.

The following members were present for all or part of the meeting:

Betty Bennett (Auctioneer)
Douglas Sinclair (Auctioneer)
Andrew Smith (Citizen Member)
Angela Smith-Mackey (Citizen Member)
Linda Terry (Auctioneer)

Staff present for all or part of the meeting were:

Mary Broz-Vaughan, Director
Tom Payne, Deputy Director
Kate Nosbisch, Executive Director
Bonnie Davis, Administrative Assistant
Laticia Logan, Legal Analyst, Complaint Analysis and Resolution

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

Mr. Smith, Chair, called the meeting to order at 10:06 a.m.

Call to Order – Roll Call

Mr. Smith advised the Board of the emergency evacuation.

Emergency Evacuation

Ms. Nosbisch welcomed Tom Payne, Deputy Director Licensing and Compliance.

Introductions

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

Approval of Agenda

Ms. Bennett moved to approve the September 21, 2021 Board meeting minutes. Mr. Sinclair seconded the motion which was unanimously approved by members: Bennett, Sinclair, Smith, Smith-Mackey and Terry.

Approval of Minutes

There were no members of the public present to comment.

Public Comment Period

Ms. Terry recused her self from the meeting for discussion and deliberation of the file.

Recusal of Board Member

Regarding **File Number 2021-00897, Phoebus Antiques and Auctions Gallery Inc.**, the Board members reviewed the Consent Order as seen and agreed to by Ms. Wolpin. Mr. Sinclair moved to accept the Consent Order which cites the following violation of the Board's regulations: 18VAC25-21-180.4 (Count 1) and 18VAC25-21-185.A (Count 2). For these violations, Ms. Wolpin agrees to pay the following monetary

File Number 2021-00897, Phoebus Antiques and Auctions Gallery Inc.

penalties: \$400.00 for the violation contained in Count 1; \$400.00 for the violation contained in Count 2; and \$150.00 in Board costs, for a total monetary penalty of \$950.00. Ms. Smith-Mackey seconded the motion which was unanimously approved by members: Bennett, Sinclair, Smith, and Smith-Mackey.

Ms. Terry returned to the meeting.

Return of Board Member

Revised Regulations

Mr. Smith provided the licensee counts as of December 1, 2021: Auctioneers 1,027 and Firms 233.

Licensed Population

Board members were provided financial statements for informational purposes.

Review of Board Financial Statements

Ms. Nosbisch stated that board members should have received an email regarding their Financial Disclosure Statements needed to be completed by February 1, 2022.

Financial Disclosure Statements

Ms. Nosbisch reported that all board members have completed their Conflict of Interest Act training.

Other Business

Conflict of Interest forms and Travel Vouchers were completed by all members present.

Conflict of Interest Forms / Travel Vouchers

There being no further business, the meeting adjourned at 10:13 a.m.

Adjourn

Andrew Smith, Chair

Mary Broz-Vaughan, Secretary

➤ **Public Comment**

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- **Fee Adjustment**
- **Regulatory Review**
- **Licensed Population as of 6/1/22**
 - **Auctioneers 1,016**
 - **Auctioneer Firms 237**

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**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Auctioneers Board
954170**

2020-2022 Biennium

May 2022

| | May 2022 Activity | Biennium-to-Date Comparison | |
|---|----------------------|-----------------------------|-------------------------|
| | | July 2018 - May 2020 | July 2020 - May 2022 |
| Cash/Revenue Balance Brought Forward | | | 0 |
| Revenues | 2,220 | 81,800 | 74,304 |
| Cumulative Revenues | | | 74,304 |
| Cost Categories: | | | |
| Board Expenditures | 216 | 8,722 | 7,844 |
| Board Administration | 1,562 | 41,486 | 35,871 |
| Administration of Exams | 140 | 7,998 | 2,731 |
| Enforcement | 73 | 1,647 | 1,529 |
| Legal Services | 0 | 244 | 258 |
| Information Systems | 1,101 | 31,193 | 25,607 |
| Facilities and Support Services | 406 | 11,144 | 9,770 |
| Agency Administration | 746 | 18,913 | 16,948 |
| Other / Transfers | 0 | (1) | (0) |
| Total Expenses | 4,244 | 121,346 | 100,559 |
| Transfer To/(From) Cash Reserves | (2,024) | | (26,255) |
| Ending Cash/Revenue Balance | | | 0 |

| | | | |
|---------------------------------------|---------|---|----------|
| Cash Reserve Beginning Balance | 106,366 | 0 | 130,596 |
| Change in Cash Reserve | (2,024) | 0 | (26,255) |
| Ending Cash Reserve Balance | 104,341 | 0 | 104,341 |

| | |
|----------------------------|-------|
| Number of Regulants | |
| Current Month | 1,253 |
| Previous Biennium-to-Date | 1,376 |

Department of Professional and Occupational Regulation
Supporting Statement of Year-to-Date Activity
Auctioneers Board - 954170
Fiscal Year 2022

| | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Fiscal YTD Charges | Planned Annual Charges | Current Balance | Projected Charges at 6/30 | Projected Variance Favorable (Unfavorable) | |
|----------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|----------|--------------------|------------------------|-----------------|---------------------------|--|--------------|
| | | | | | | | | | | | | | | | | | Amount | % |
| Board Expenditures | 249 | 380 | 362 | 376 | 162 | 539 | 529 | 78 | 346 | 236 | 216 | 0 | 3,472 | 9,801 | 6,329 | 3,718 | 6,083 | 62.1% |
| Board Administration | 2,353 | 1,595 | 1,525 | 1,517 | 1,558 | 1,489 | 1,490 | 1,451 | 1,467 | 1,531 | 1,562 | 0 | 17,536 | 24,858 | 7,322 | 18,056 | 6,802 | 27.4% |
| Administration of Exams | 203 | 140 | 139 | 139 | 140 | 139 | 140 | 140 | 139 | 139 | 140 | 0 | 1,599 | 1,881 | 282 | 1,662 | 220 | 11.7% |
| Enforcement | 97 | 66 | 69 | 70 | 70 | 70 | 70 | 71 | 70 | 70 | 73 | 0 | 796 | 1,059 | 263 | 824 | 235 | 22.2% |
| Legal Services | 0 | 79 | 29 | 0 | 0 | 0 | 29 | -50 | 29 | 0 | 0 | 0 | 116 | 417 | 301 | 127 | 290 | 69.7% |
| Information Systems | 676 | 1,817 | 979 | 1,173 | 1,027 | 329 | 1,296 | 1,166 | 1,614 | 918 | 1,101 | 0 | 12,096 | 14,235 | 2,138 | 12,971 | 1,264 | 8.9% |
| Facilities / Support Svcs | 491 | 422 | 367 | 359 | 436 | 394 | 385 | 381 | 390 | 458 | 406 | 0 | 4,489 | 6,377 | 1,887 | 4,828 | 1,549 | 24.3% |
| Agency Administration | 1,017 | 698 | 644 | 831 | 676 | 746 | 719 | 750 | 866 | 851 | 746 | 0 | 8,545 | 12,544 | 3,999 | 8,863 | 3,681 | 29.3% |
| Other / Transfers | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Charges | 5,087 | 5,197 | 4,114 | 4,464 | 4,069 | 3,706 | 4,657 | 3,987 | 4,922 | 4,203 | 4,244 | 0 | 48,650 | 71,172 | 22,522 | 51,048 | 20,124 | 28.3% |

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- **Financial Disclosure Statements**
- **Other Business**
- **Conflict of Interest / Travel**
- Vouchers**
- **Adjourn**

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