

## **AUCTIONEERS BOARD MEETING**

### **MINUTES**

The Virginia Auctioneers Board met on January 22, 2009, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Betty A. Bennett  
William C. Bryant, III  
George A. Daniel  
Erlita Joanne Wang

Board member Amy Pence was not present at the meeting.

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director  
Kathleen R. Nobsch, Executive Director  
Marian H. Brooks, Board Administrator  
Emily Trent, Administrative Assistant  
Earlyne Perkins, Legal Analyst

Elizabeth Peay, Assistant Attorney General, was present at the meeting.

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

#### **Call to Order**

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

#### **Approval of Agenda**

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

#### **Approval of Minutes**

October 16, 2008, Auctioneers Board meeting.

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

**Public Comment Period** – There were no comments made to the Board.

#### **Public Comment**

Regarding **File Number 2008-03692, Donald Everette Sparks**, the Board members reviewed the Consent Order as seen and agreed to by Mr. Sparks. Mr. Daniel moved to accept the Consent Order which cites the following violations of the Board's regulations: 18 VAC 25-21-110 (Count 1) and 18 VAC 25-21-150 C (Count 2). For these violations, Mr. Sparks agrees to the following sanctions: \$250.00 for the violation

#### **File Number 2008-03692, Donald Everette Sparks**

contained in Count 1, \$500.00 for the violation contained in Count 2 as well as \$150.00 in Board costs for a total monetary penalty of \$900.00. Ms. Wang seconded the motion which was unanimously approved by members: Bennett, Bryant, Daniel and Wang.

Ms. Brooks updated the Board members on the status of the proposed fast track regulation for 18 VAC 25-21-150.

The Board members reviewed draft language regarding continuing education requirements for states which Virginia has reciprocal agreements. After review and discussion, Ms. Wang moved to approve the draft language outlining the continuing education requirements for renewal and reinstatement. Mr. Bryant seconded the motion which was unanimously approved by members: Bennett, Bryant, Daniel and Wang.

The Board members were provided with the Board financial statements for informational purposes.

After discussion, Mr. Daniel moved to nominate Ms. Bennett as the Board's representative in the selection of an examination vendor. Ms. Wang seconded the motion which was unanimously approved by members: Bennett, Bryant, Daniel and Wang.

Mr. Daniel informed the Board members of a conversation he had with a regulant regarding the reinstatement of his license. Mr. Daniel advised the regulant that he should contact Executive Director, Kathleen Nosbisch, or Board Administrator, Marian Brooks. No action was taken by the Board.

Mr. Daniel gave a brief overview of the Virginia Association of Auctioneer's (VAA) annual meeting. No action was taken by the Board.

Mr. Daniel moved to approve the following resolution for service for Mark Motley:

**Mark Motley**

WHEREAS, **Mark Motley** did faithfully and diligently serve as a member of the Virginia Auctioneers Board from 2004 to 2008;

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

WHEREAS, **Mark Motley** 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

**Update on Fast-Track  
Proposed Regulation  
18 VAC 25-21-150**

**Discussion of  
Reciprocal States'  
Continuing Education  
Requirements**

**Review of Financial  
Statements**

**Other Business**

WHEREAS, the Virginia 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 Virginia Auctioneers Board this twenty-second day of January 2009, that **Mark Motley** 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.

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

Ms. Wang moved to approve the following resolution for service for **Mark N. Courtney**:

**Mark N. Courtney**

WHEREAS, **Mark N. Courtney** has faithfully and diligently served as the Executive Director of the Virginia Auctioneers Board from 1994 to 2008;

WHEREAS, **Mark N. Courtney** has devoted generously of his time, talent and leadership to the Board;

WHEREAS, **Mark N. Courtney** has endeavored at all times to render assistance and advice to the Board with fairness and good judgment in the best interest of the citizens of the Commonwealth and these professions; and

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

WHEREAS, the Board would like to congratulate **Mark N. Courtney** upon his promotion to the position of Deputy Director of Licensing and Regulation;

NOW THEREFORE BE IT RESOLVED, by the Virginia Auctioneers Board this twenty-second day of January 2009, that **Mark N. Courtney** 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. Ms. Bennett seconded the motion which was unanimously approved by members: Bennett, Bryant, Daniel and Wang.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest  
Forms**

There being no further business, the meeting was adjourned at 10:27.

**Adjourn**

*Betty A. Bennett for  
William C. Bryant III*

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William C. Bryant, III, Chair

*Jay W. DeBoer*

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Jay W. DeBoer, Secretary

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

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

1. Name: Betty A. Bennett  
2. Title: Board Member  
3. Agency: Auctioneers Board  
4. Meeting/IFF Date: Board Meeting January 22, 2009

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

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Nature of Personal Interest Affected by Transaction:

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

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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

1/22/09  
Date

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

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

1. Name: William C. Bryant, III  
2. Title: Board Member  
3. Agency: Auctioneers Board  
4. Meeting/IFF Date: Board Meeting January 22, 2009

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

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Nature of Personal Interest Affected by Transaction:

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

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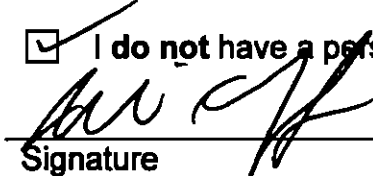
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

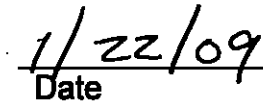
I did not participate in the transaction.

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

Signature



Date



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

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

1. Name: George A. Daniel
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting January 22, 2009
5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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

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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.

George A. Daniel  
Signature

Jan. 22, 09  
Date

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

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

1. Name: Amy Reynolds Pence  
2. Title: Board Member  
3. Agency: Auctioneers Board  
4. Meeting/IFF Date: Board Meeting January 22, 2009

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

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Nature of Personal Interest Affected by Transaction:

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

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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.

Amy R. Pence  
Signature

1/22/09  
Date



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

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

1. Name: Erlita Joanne Wang  
2. Title: Board Member  
3. Agency: Auctioneers Board  
4. Meeting/IFF Date: Board Meeting January 22, 2009

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

NONE

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

01/22/2009