

## AUCTIONEERS BOARD MEETING MINUTES

The Virginia Auctioneers Board met on September 21, 2021, 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)  
Linda Terry (Auctioneer)

Angela Smith-Mackey was not present at the meeting.

Staff present for all or part of the meeting were:

Mary Broz-Vaughan, Director  
Kate Nosbisch, Executive Director  
Bonnie Davis, Administrative Assistant  
Free Williams, Assistant Director, Adjudication  
Lauren Decker, Adjudication Specialist  
Ian Rose, Adjudication Specialist

Elizabeth Peay, Assistant Attorney General was not present from the Office of the Attorney General with regrets.

Mr. Sinclair, Chair, called the meeting to order at 10:00 a.m.

### Call to Order – Roll Call

Mr. Sinclair advised the Board of the emergency evacuation, and Ms. Nosbisch advised the Board of the COVID-19 safety procedures.

### Emergency Evacuation and COVID-19 Safety Procedures

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

### Approval of Agenda

Ms. Terry moved to approve the March 30, 2021 Board meeting minutes. Ms. Bennett seconded the motion which was unanimously approved by members: Bennett, Sinclair, Smith, and Terry.

### Approval of Minutes

There were no members of the public present to comment on matters other than the case files to be presented.

### Public Comment Period

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

### Recusal of Board Member

Ms. Nosbisch introduced Mr. Jerry Bruce, complaintant from South Carolina, whom provided background information involving the case.

### File Number 2020-01739, Pete J. Elliott

Regarding **File Number 2020-01739, Pete J. Elliott**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference as well as the Presiding Officer's recommendation. Mr. Smith moved to accept the recommendation which cites the following violations of the Board's regulations: 18VAC25-21-180.5 (Count 1), 18VAC25-21-110.A.4 (Count 2), and 18VAC25-21-100.A (Count 3). Ms. Bennett seconded the motion which was unanimously approved by members: Bennett, Sinclair, and Smith.

Ms. Nosbisch indicated there were no prior disciplinary actions against Mr. Elliott.

Mr. Smith moved to accept the Summary of the Informal Fact-Finding Conference as to the sanctions and impose the following: \$50.00 for the violation contained in Count 1; \$100.00 for the violation contained in Count 2; and no sanction for the violation contained in Count 3, for a total monetary penalty of \$150.00. Ms. Bennett seconded the motion which was approved by members: Bennett, Sinclair, and Smith.

Ms. Terry returned to the meeting.

**Return of Board  
Member**

Ms. Nosbisch opened the floor for nominations for Board Chair. Ms. Bennett nominated Mr. Smith as Chair. Mr. Sinclair seconded the motion. Mr. Smith accepted the nomination. Ms. Nosbisch asked if there were any additional nominations for Board Chair. There being none, Ms. Nosbisch closed the floor for nominations. The motion was unanimously approved by: Bennett, Sinclair, Smith, and Terry. By acclamation, Mr. Smith was name Board Chair.

**Election of Chair and  
Vice Chair**

Ms. Nosbisch opened the floor for nominations for Board Vice Chair. Mr. Smith moved to nominate Ms. Bennett as Vice Chair. Mr. Sinclair seconded the motion. Ms. Bennett accepted the nomination. Ms. Nosbisch asked if there were any additional nominations for Board Vice Chair. There being none, Ms. Nosbisch closed the floor for nominations. The motion was unanimously approved by members: Bennett, Sinclair, Smith, and Terry. By acclamation, Ms. Bennett was named Board Vice Chair.

Ms. Nosbisch presented the 2022 meetings dates. Mr. Smith moved to adopt the following meeting dates for 2022:

**Draft 2022 Meeting  
Dates**

January 11, 2022  
April 12, 2022  
July 12, 2022

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

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

1. Name: Douglas B. Sinclair  
2. Title: Board Member  
3. Agency: Auctioneers Board  
4. Meeting/IFF Date: Board Meeting January 11, 2022

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

N/A

Nature of Personal Interest Affected by Transaction:

N/A

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

N/A

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.

D B Sinclair  
Signature

1-11-22  
Date

October 4, 2022

Ms. Bennett seconded the motion which was unanimously approved by members: Bennett, Sinclair, Smith, and Terry.

Mr. Sinclair provided the licensee counts as of September 1, 2021:  
Auctioneers 1,031 and Firms 235.

**Licensed Population**

Board members were provided financial statements for informational purposes.

**Review of Board  
Financial Statements**

Ms. Broz-Vaughan stated that due to marijuana conviction changes in legislation, the language in the regulations needs to be adjusted to exclude misdemeanor marijuana drug convictions and this can be accomplished by an exempt regulatory action if filed within 90 days of enactment.. Mr. Stone moved that an exempt action be filed to make the necessary changes. The Board agreed by consensus.

**Other Business**

Conflict of Interest forms were completed by all members present.


**Conflict of Interest  
Forms**

Board members participated in mandatory Conflict of Interest Act training.

**Conflict of Interests Act  
Training**

There being no further business, the meeting adjourned at 11:02 a.m.

**Adjourn**



Douglas Sinclair, Chair



Mary Broz-Vaughan, 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 11, 2022

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:

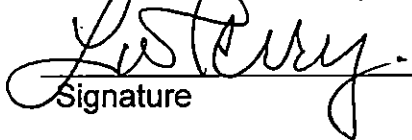
\_\_\_\_\_

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

1/11/22  
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 September 21, 2021

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

9/21/21  
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 September 21, 2021

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.

Betty A. Bennett  
Signature

9/21/2021  
Date

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

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

1. Name: Douglas B. Sinclair  
2. Title: Board Member  
3. Agency: Auctioneers Board  
4. Meeting/IFF Date: Board Meeting September 21, 2021

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.

Douglas B. Sinclair  
Signature

9.21.21  
Date



**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 September 21, 2021

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.

Linda Terry  
Signature

9/21/21  
Date