

AUCTIONEERS REGULATORY REVIEW MEETING MINUTES

The Virginia Auctioneers Board met on October 4, 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)
Linda Terry (Auctioneer)

Board member, Angela Smith-Mackey, was not present with regrets.

Staff present for all or part of the meeting were:

Demetrios Melis, Director
Stephen Kirschner, LRPD Deputy Director
Kate Nobsch, Executive Director
Bonnie Davis, Board Operations Administrator
Breanne Henshaw, Administrative Coordinator

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

Ms. Bennett, Vice Chair, called the meeting to order at 10:03 a.m.

Call to Order

Ms. Bennett advised the Board of the emergency evacuation.

**Emergency
Evacuation**

Ms. Davis congratulated Ms. Bennett for her reappointment to the Board. Ms. Davis introduced Steve Kirschner to the Board as he is the new Deputy Director for the Licensing and Regulatory Programs Division.

Announcements

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

**Approval of
Agenda**

Ms. Terry moved to approve the July 12, 2022 Board meeting minutes and September 13, 2022 Regulatory Review meeting minutes. Mr. Sinclair seconded the motion which was unanimously approved by members: Bennett, Sinclair, and Terry.

**Approval of
Minutes July 12,
2022 and
September 13,
2022**

There were no members of the public present to comment.

**Public Comment
Period**

Ms. Bennett read the following resolution for consideration by the Board:

**Resolution –
Andrew W.
Smith**

Resolution for

Andrew W. Smith

WHEREAS, Andrew W. Smith, did faithfully and diligently serve as a member of the Auctioneers Board from 2016 to 2022;

WHEREAS, Andrew W. Smith, did devote generously of his time, talent and leadership to the Board;

WHEREAS, Andrew W. Smith, 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 fourth day of October 2022, that Andrew W. Smith, 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 her 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 members agreed to the resolution by consensus and thanked Mr. Smith for his service.

Ms. Davis presented the 2023 meeting dates.

**2023 Board
Meeting Dates**

January 10, 2023
April 11, 2023
July 11, 2023
October 3, 2023

Ms. Terry made a motion to accept the 2023 meeting dates. Mr. Sinclair seconded the motion which was unanimously approved by members: Bennett, Sinclair, and Terry.

Ms. Davis provided the licensee counts as of September 1, 2022: Auctioneers 1,020 and Auctioneer Firms 235.

**Licensed
Population**

Board members were provided financial statements for informational purposes.

**Review of
Financial
Statements**

The Board completed a line-by-line review of the regulations using the Regulatory Review Matrix Flowchart in order to determine the relevance of each regulation with Board Counsel. The Board reviewed regulation 18VAC 25-21-170 through 18VAC25-21-190. The Board agreed to hold on revising 18VAC25-21-185 as Ms. Nosbisch and Mr. Kirschner will contact other DPOR Boards for input if this language could be streamlined and placed in state for all boards per Director Melis' suggestion. During the review, there was discussion regarding the necessity of Continuing Education (CE). Director Melis inquired whether the CE in place assisted in protecting the health, safety, and welfare of the public as the regulations are intended to do. The Board discussed CE and agreed by consensus that it was not a necessity for licensure as it does not assist in protecting the health, safety, and welfare of the public.

Regulatory Review

Mr. Sinclair made a motion to support the elimination of the CE requirement that exists within statute § 54.1-603.1., as it does not help protect the health, safety, and welfare of the public. Ms. Terry seconded the motion which was unanimously approved by members: Bennett, Sinclair, and Terry.

The Board took a recess from 11:25 a.m. to 11:36 a. m.

Recess

The Board continued to complete a line-by-line review of the regulations with guidance from Board Counsel. The Board reviewed regulation 18VAC25-21-190 through 18VAC25-21-280.

Regulatory Review Continued

Ms. Terry made a motion for the Board to submit a Notice of Intended Regulatory Action (NOIRA) for the line-by-line revised regulations. Mr. Sinclair seconded the motion which was unanimously approved by members: Bennett, Sinclair, and Terry.

Ms. Terry provided a link to a court audio recording for educational purposes as it provided information on absolute auctions and reserve auctions.

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 1:24 p.m.

Adjourn


Betty Bennet, Vice Chair


Demetrios Melis, Secretary

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 October 4, 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:

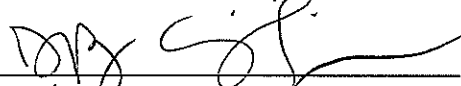
N/A

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.



Signature

10-4-22
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 October 4, 2022

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

Nature of Personal Interest Affected by Transaction:

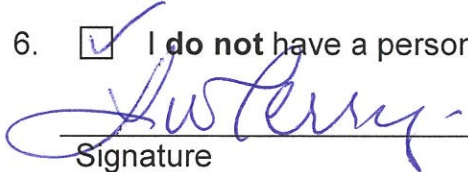
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

10/4/22
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 October 4, 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.

Betty Bennett
Signature

10/4/2022
Date