

AUCTIONEERS BOARD MEETING

MINUTES

The Virginia Auctioneers Board met on October 7, 2004, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

Mark T. Motley
Amy R. Pence
James H. Perkinson
Samuel K. Updike
Erlita Joanne Wang

Staff present for all or part of the meeting were:

Louise Fontaine Ware, Director
Sandra Whitley Ryals, Chief Deputy Director
Karen W. O'Neal, Deputy Director of Licensing and Regulations Division
Mark N. Courtney, Executive Director
Marian H. Brooks, Regulatory Board Administrator
Sharon M. Sweet, Director of Education and Examinations
Trisha L. Henshaw, Administrative Assistant

Eric Gregory, Assistant Attorney General from the Office of the Attorney General, was present for a portion of the meeting.

Finding a quorum of the Board present, Mr. Updike, Chair, called the meeting to order at 10:04 a.m.

Call to Order

Mr. Perkinson moved to approve the agenda as written. Ms. Wang seconded the motion which was unanimously approved by members: Motley, Pence, Perkinson, Updike, and Wang.

Approval of
Agenda

Ms. Wang moved to approve the minutes from the July 8, 2004, Board meeting as written. Mr. Motley seconded the motion which was unanimously approved by members: Motley, Pence, Perkinson, Updike, and Wang.

Approval of Minutes

Mr. Motley moved to approve the minutes from the July 20, 2004, Auctioneers Examination Workshop. Ms. Wang seconded the motion which was unanimously approved by members: Motley, Pence, Perkinson, Updike, and Wang.

Ms. Pence moved to approve the minutes from the September 23, 2004, Informal Fact-Finding Conference. Ms. Wang seconded the motion which was unanimously approved by members: Motley, Pence, Perkinson, Updike, and Wang.

Public Comment Period – No comments were made to the Board members.

Public Comment

Ms. Sweet spoke to the Board members regarding the status of the auctioneers examination. Ms. Sweet indicated that, after entering into a contract with PSI to administer the examination, two examination development workshops were held. As of October 1, 2004, PSI began administering the examination at various sites around the state.

Update on Examination

Mr. Perkinson moved to adopt the following meeting dates for 2005:

Set 2005 Meeting Dates

January 20, 2005
April 14, 2005
July 7, 2005
October 6, 2005

Ms. Pence seconded the motion which was unanimously approved by members: Motley, Pence, Perkinson, Updike, and Wang.

Mr. Perkinson moved to adopt the following resolution for service for Mr. James L. Guffey, former Deputy Director of Enforcement for the Department:

Adoption of Resolution

James L. Guffey

WHEREAS, James L. Guffey did faithfully and diligently serve the Auctioneers Board from 1983 to 2004;

WHEREAS, James L. Guffey did devote generously of his time, talent and leadership to the Board;

WHEREAS, James L. Guffey did endeavor at all times to serve the citizens of the Commonwealth, and the members of this Board; 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 seventh day of October 2004, that **James L. Guffey** 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 and how much he will be missed on his retirement.

Mr. Motley seconded the motion which was unanimously approved by members: Motley, Pence, Perkinson, Updike, and Wang.

The Board members were provided with the Board's financial statements for July 2004 for informational purposes.

Review Financial Statements

The Board members were provided with the Fall 2004 draft of the Auction Digest newsletter. Ms. Brooks asked that the Board members review the newsletter and provide any comments they may have by October 15, 2004.

Other Business

Ms. Brooks asked the Board members to be cautious and aware of other vehicles in the parking areas provided by the Department.

The Board members discussed various questions they have received recently regarding continuing education requirements.

Mr. Gregory, Board counsel, provided the Board members and various Department staff with training on the Conflict of Interests Act.

Training on Conflict of Interests Act

Mr. Courtney provided the Board members with information regarding the continuing education requirements that must be established by the Board pursuant to § 54.1-603.1 of the Code of Virginia. The Board members were provided with draft regulations prepared by staff pertaining to the continuing education requirements, as well as comments received from members of the public before and during the Notice of Intended Regulatory Action (NOIRA) public comment period. After reviewing the draft regulations, Mr. Courtney provided information regarding the next steps in the regulatory review process. After discussion, Mr. Perkinson moved to adopt the amended draft regulations as proposed. Ms. Pence seconded the motion which was unanimously approved by members: Motley, Pence, Perkinson, Updike, and Wang.

Consider Adoption of Proposed Regulations for Continuing Education

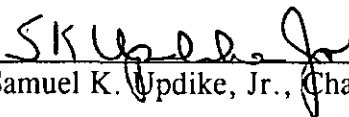
Additionally, Mr. Perkinson moved to authorize staff to make minor changes as needed, in consultation with the Chair, in order to obtain the necessary approvals from the appropriate agencies. Mr. Motley seconded the motion which was unanimously approved by members: Motley, Pence, Perkinson, Updike, and Wang.

Conflict of Interest forms were completed by all members present.

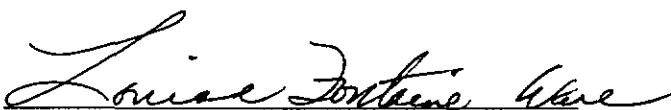
Conflict of Interest
Forms

There being no further business, the meeting was adjourned at 12:36 p.m.

Adjourn



Samuel K. Updike, Jr., Chair



Louise Fontaine Ware, Secretary

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

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

1. Name: Samuel K. Updike, Jr.
2. Title: Member
3. Agency: Auctioneers Board
4. Transaction: Board Meeting on October 7, 2004
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

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

AUCTION BOARD

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

SK Updike Jr
Signature

Oct 7, 2004
Date

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

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

1. Name: James H. Perkinson
2. Title: Member
3. Agency: Auctioneers Board
4. Transaction: Board Meeting on October 7, 2004
5. Nature of Personal Interest Affected by Transaction: _____

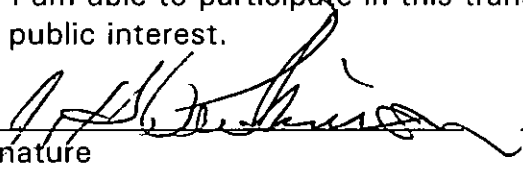
6. I declare that:

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

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

Signature

Date

 10-7-04

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

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

1. Name: Mark T. Motley
2. Title: Member
3. Agency: Auctioneers Board
4. Transaction: Board Meeting on October 7, 2004
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

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

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

Signature

Date

10/17/04

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: Erlita Joanne Wang
- 2. Title: Member
- 3. Agency: Auctioneers Board
- 4. Transaction: Board Meeting on October 7, 2004
- 5. Nature of Personal Interest Affected by Transaction: None

6. I declare that:

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

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

Ejwang
Signature

Oct. 7, 2004
Date

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

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

- 1. Name: Amy Reynolds Pence
- 2. Title: Member
- 3. Agency: Auctioneers Board
- 4. Transaction: Board Meeting on October 7, 2004
- 5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

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

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

Amy R. Pence
Signature

10/7/04
Date