

AUCTIONEERS BOARD MEETING

MINUTES

The Virginia Auctioneers Board met on July 7, 2005, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

Amy R. Pence
James H. Perkinson
Samuel K. Updike

Board members Mark Motley and Erlita Joanne Wang were not present for the meeting.

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 Regulation Division
Mark N. Courtney, Executive Director
Marian H. Brooks, Board Administrator
Linda Jackson, Legal Assistant Supervisor
Earlyne Perkins, Legal Assistant
Michelle Gowen, Administrative Assistant

There was no representative from the Office of the Attorney General present at the meeting.

Finding a quorum of the Board present, Mr. Updike, Chair, called the meeting to order at 11:35 a.m.

Call to Order

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

Approval of
Agenda

Mr. Perkinson moved to approve the minutes from the January 20, 2005, Board meeting. Ms. Pence seconded the motion which was unanimously approved by members: Pence, Perkinson, and Updike.

Approval of Minutes

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

Public Comment

Ms. Brooks introduced Michelle Gowen as the new Administrative Assistant and Karen W. O'Neal introduced Amelia Guckenburg who is

Introduction of Staff

Ms. Brooks informed the Board members that the regulations adopted in October 2004, regarding continuing education are at the Secretary of the Commerce and Trade's office waiting on approval. Once the Secretary has approved them, they will then go to the Governor's office for approval.

Discussion of Continuing Education Requirements

Ms. Brooks discussed a letter the Board office received requesting that the Board enter into reciprocal agreements with additional states. After discussion, Mr. Perkinson moved to pursue reciprocal agreements with Arkansas, Wisconsin, Mississippi, New Hampshire, and Massachusetts. Ms. Pence seconded the motion which was unanimously approved by members: Pence, Perkinson, and Updike.

Consideration of Request for Additional Reciprocal Agreements

The Board members reviewed the 10-year-old reciprocal agreement between Virginia and Alabama as well as the proposed new reciprocal agreement from Alabama. Mr. Perkinson moved to accept the new agreement as written. Ms. Pence seconded the motion which was unanimously approved by members: Pence, Perkinson, and Updike.

Discussion of Alabama Reciprocal Agreement

The Board members discussed the possible interpretations of 18 VAC 25-21-120.B. After discussion, Mr. Perkinson moved to authorize staff to file a Notice of Intended Regulatory Action for a general review of the regulations. Ms. Pence seconded the motion which was unanimously approved by members: Pence, Perkinson, and Updike.

Interpretation of Regulation 18 VAC 25-21-120.B

Ms. Brooks mentioned that the Board may wish to delay elections due to the absence of Mr. Motley and Ms. Wang as well as the newly appointed member. After discussion, the Board members concurred to defer action until the next meeting on October 6, 2005.

Election of Officers

The Board members were provided with the May 2005 financial statements for informational purposes.

Review Financial Statements

Ms. Brooks informed the Board members that George Thomas Garten is the newly appointed Board member and that Ms. Pence has been re-appointed for another four year term.

Other Business

Linda Jackson, Legal Assistant Supervisor for the Licensing and Regulation Division, was introduced to the Board members.

The Board recessed for lunch from 12:26 p.m. to 1:15 p.m.

Lunch

Present to address the Board were: Wendell Everett Christopher; Lewis L. Harrison, President of Walnut Grove Auction & Realty, Inc., and

Walnut Grove Auction & Realty,

The Board recessed for lunch from 12:26 p.m. to 1:15 p.m.

Lunch

Present to address the Board were: Wendell Everett Christopher; Lewis L. Harrison, President of Walnut Grove Auction & Realty, Inc., and Frederick Gerson, Attorney. Before hearing their statements, Mr. Courtney asked Messrs. Christopher, Harrison, and Gerson if they agreed to allow Mr. Updike to remain in the room so that there would be a quorum. All present agreed that Mr. Updike would remain in the Board room for consideration of the licenses.

Walnut Grove
Auction & Realty,
Inc. – Agreement for
Licensure

Mr. Gerson provided the Board members with a brief statement regarding the Consent Orders from North Carolina assuring the Board that Walnut Grove operates with satisfactorily and complies with North Carolina's requirements. Mr. Gerson stated that both Mr. Harrison and Mr. Christopher were in concurred with the Board's Agreement for Licensure and requested that the Board grant the firm, as well as Mr. Christopher, with the appropriate licenses.

After reviewing the application and discussion, Mr. Perkinson moved to accept the Agreement for Licensure as written. Ms. Pence seconded the motion which was unanimously approved by members: Pence, Perkinson, and Updike.

After reviewing the application and discussion, Mr. Perkinson moved to accept the Agreement for Licensure as written. Ms. Pence seconded the motion which was unanimously approved by members: Pence, Perkinson, and Updike.

Wendell Everett
Christopher -
Agreement for
Licensure

Mr. Courtney informed the Board members that he spoke to Mr. Bolton earlier in the morning and Mr. Bolton had decided to withdraw from the Consent Order. Therefore, this matter will be referred to an Informal Fact-Finding conference.


File Number 2005-
01940, Frank E.
Bolton

Conflict of Interest forms were completed by all members present.

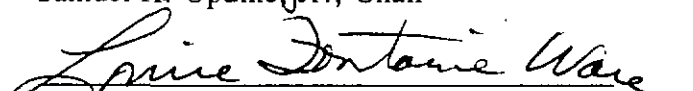
Conflict of Interest
Forms

There being no further business, the meeting was adjourned at 1:25 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: Amy Reynolds Pence
2. Title: Member
3. Agency: Auctioneers Board
4. Transaction: Board Meeting on July 7, 2005
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.

Amy R. Pence 7/7/05
Signature Date

**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 July 7, 2005
5. Nature of Personal Interest Affected by Transaction: None
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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 Regulatory Board

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

SK Updike Jr
Signature

July 7, 2005
Date