

**AUCTIONEERS BOARD MEETING
MINUTES**

The Virginia Auctioneers Board met on January 15, 2019, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Betty Bennett (Auctioneer)
Douglas Sinclair (Auctioneer)
Andrew Smith (Citizen Member)
Ashla Roseboro (Citizen Member)
Linda Terry (Auctioneer)

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director
Kate Nosbisch, Executive Director
Bonnie Rhea Adams, Director, Compliance Analysis and Resolution
Linda Rhodenhiser, Legal Analyst, Compliance Analysis and Resolution
Susan Garbini, Legal Analyst, Compliance Analysis and Resolution
Bonnie Davis, Administrative Assistant

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

Mr. Smith, Chair, called the meeting to order at 10:01 a.m.

Call to Order

Mr. Smith advised the Board of the emergency evacuation procedures.

**Emergency Evacuation
Procedures**

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

Approval of Agenda

Ms. Bennett moved to approve the October 11, 2018 Board meeting minutes. Ms. Terry seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, Smith, and Terry.

Approval of Minutes

There was no public comment.

Public Comment Period

Ms. Nosbisch introduced the audience and DPOR staff, Bonnie Rhea Adams, Susan Garbini, Linda Rhodenhiser, and Kendall Bennett, Auctioneer.

File Review

Regarding File Number 2018-02805, Dale Wayne Fox, the Board members reviewed the Consent Order as seen and agreed to by Dale Wayne Fox, Sr. Ms. Roseboro moved to accept the Consent Order which cites the following violations of the Board's regulations: 18VAC25-21-110.A.2 (Count 1), 18VAC25-21-110.A.3 (Count 2), 18VAC25-21-

**File No. 2018-02805,
Dale Wayne Fox, Sr**

110.A.4 (Count 3), 18VAC25-21-110.A.7 (Count 4), 18VAC25-21-110.A.8 (Count 5), and 18VAC25-21-180.4 (Count 6). For these violations, Mr. Fox agrees to pay the following monetary penalties: \$75 for the violation contained in Count 1; \$75 for the violation contained in Count 2; \$75 for the violation contained in Count 3; \$75 for the violation contained in Count 4; \$75 for the violation contained in Count 5; \$400 for the violation contained in Count 6; and \$150 in board costs, for a total monetary penalty of \$925. In addition for the violations of Counts 1-5, Mr. Fox agrees to provide a copy of his current contract. Mr. Sinclair seconded the motion which was unanimously approved by members: Bennett, Roseboro, Sinclair, and Smith. As the presiding Board member, Ms. Terry was not present for the discussion or vote.

Ms. Nobsch reported that the General Assembly convened last Wednesday for a short session. No bills have been introduced that would affect this board. She mentioned HB2099 and HB2101 which affects other agency boards. Mr. DeBoer stated there is another bill that will be introduced which could abolish the Cosmetology Board and another bill regarding expunging disciplinary records after five years both of which would only affect DPOR. He also spoke about bills regarding Cease and Desist letters and how complaints are handled.

Ms. Nobsch stated the baseline catalog requirement of HB883 was filed in October as required. Mr. DeBoer stated there has been no new communication since the filing.

Board members were provided financial statements for informational purposes.

Ms. Nobsch attended the Virginia Auctioneers Association (VAA) convention last Friday with Mr. Smith. She stated it was surprising that almost all the exhibitors were online auction companies. She noted that to make a change to our regulations regarding online auctions, there must be a change in statutes. It was noted that the Board cannot regulate other states or countries, but companies in Virginia could be held to our regulations. Several auctioneers approached Ms. Nobsch at the convention expressing concerns regarding online auctions. It was shared that previously licensed auctioneers are only conducting online auctions and not renewing their licenses. It was noted that there are 49 less licenses than there were last December. Mr. Sinclair stated Florida and Illinois do regulate online auctions. Ms. Terry stated the VAA's trade show was smaller due to internet sales. She stated in 2017 Tranzon Fox Auctions online sales were 56% of the business. She stated she will report 2018 stats at the Board meeting in April.

Mr. Smith provided the licensee counts as of December 1, 2018: Auctioneers 1141 and Firms 250.

General Assembly Update

Mandatory Regulation Reduction

Review of Board Financial Statements

Other Business

Licensed Population

Ms. Nosbisch informed Board members that they should have received an email from the Virginia Conflict of Interest and Ethics Advisory Council regarding their yearly statement of economic interests (SEI). Ms. Nosbisch stated that completion of the SEI form is a requirement for Board members and that the online form must be completed by all Board members before February 1, 2019.

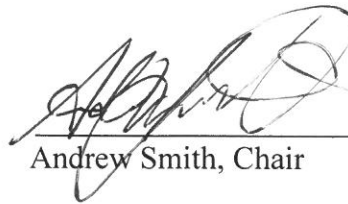
Statement of Economic Interest

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 10:41 a.m.

Adjourn



Andrew Smith, 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: Betty Bennett
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting January 15, 2019

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

N/A

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

Jan 15, 2019
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 January 15, 2019

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:

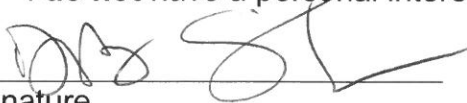
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Date

1-15-19

**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 January 15, 2019

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

Nature of Personal Interest Affected by Transaction:

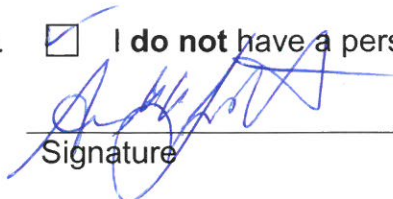
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

1/15/19

Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Ashla C. Hill Roseboro
2. Title: Board Member
3. Agency: Auctioneers Board
4. Meeting/IFF Date: Board Meeting January 15, 2019

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

No

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.

Ashla C. Hill Roseboro
Signature

01/15/2019
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 January 15, 2019

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 W. Terry
Signature

1/15/19
Date