

STATE OF SOUTH CAROLINA  
DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BEFORE THE AUCTIONEERS' COMMISSION

IN THE MATTER OF )  
 )  
BOARD DISCUSSIONS )  
 )  
 ) TRANSCRIPT OF DISCUSSIONS  
 )  
 )  
 )  
 )

Given before Gary A. Haygood, Professional Court Reporter and Notary Public in and for the State of South Carolina, on Monday, May 7, 2012, at the offices of the South Carolina Department of Labor, Licensing and Regulation, 110 Centerview Drive, Columbia, South Carolina.

Reported by:  
Gary A. Haygood

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A P P E A R A N C E S

Board Members: James G. Blocker (Chair)  
Victor J. Avendano (Vice Chair)  
Joseph B. Burns  
Matthew J. Holiday  
Michelle J. Pinkney

For the State: N/A

For the Respondent: N/A

Advising the Board: James Saxon, Esquire (LLR)

Also present: Lenora Addison-Miles, Administrator  
Theresa Gardner, Program Assistant  
DeLeon Andrews, IRC  
Other guests as introduced

Reported by: Gary A. Haygood

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2	Exhibit	Letter from
	No. 1	Mr. Edward H. Paxton
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1 PROCEEDINGS

2 (On record 10:00 a.m. May 7, 2012.)

3 MR. BLOCKER: Ladies and gentlemen, according to my  
4 watch it's ten o'clock. I'll call this  
5 meeting to order. If you would notice here  
6 that everything has been published. The  
7 notice of this meeting has been published, the  
8 meeting to be held this morning. It's been  
9 provided to all interested persons and  
10 organizations and news media, as requested.

11 And if you would join me in the pledge to  
12 our flag, please.

13 (Participants stand and recite the Pledge of Allegiance.)

14 MR. BLOCKER: May we pray.

15 (Mr. Blocker gives invocation.)

16 MR. BLOCKER: Thank you. We don't have anybody  
17 absent today, so we don't have to approve any  
18 absences.

19 Do I hear a motion that we approve the  
20 minutes from the last meeting, since we have  
21 them and have read them, I hope?

22 MR. HOLIDAY: Motion we approve them.

23 MR. BLOCKER: Second?

24 MS. PINKNEY: Second.

25 MR. BLOCKER: Any discussion? (No response.) All

1 in favor of approving, say aye.

2 BOARD MEMBERS: Aye.

3 MR. BLOCKER: So ordered. We welcome all of you  
4 here this morning. It's good to see some of  
5 our people from the Auction Association.  
6 Always glad to have you. Didn't I see Mike  
7 come in a while ago?

8 (Mike Harper raises his hand.)

9 MR. BLOCKER: Yeah, Mike, good to have you. The  
10 rest of you, we're glad to have you. And I  
11 want to welcome our new attorney, Mr. Jamie  
12 Saxon. Welcome, sir.

13 MR. SAXON: Thank you. Good to be with you.

14 MR. BLOCKER: We'll be leaning on you very much.

15 MR. SAXON: Lenora will keep me in line.

16 MR. BLOCKER: We'll be leaning on you. Any mistake  
17 we make, we push it to the lawyer. Yeah.

18 MR. SAXON: That's what I'm here for.

19 MR. BLOCKER: Because we're perfect.

20 (Laughter.)

21 MR. SAXON: In every way.

22 MR. BLOCKER: In every way.

23 MR. SAXON: That's what Lenora and Theresa say.

24 MR. BLOCKER: Yeah. Once we got that out, we're  
25 ready to go now. Ms. Miles has left us?

1 MS. GARDNER: She'll be right back.

2 MR. BLOCKER: Okay. I didn't know she had walked  
3 out.

4 (Ms. Addison-Miles returns.)

5 MR. BLOCKER: You're the lady of the hour, ma'am.

6 MS. ADDISON-MILES: Me?

7 MR. BLOCKER: Yes.

8 MS. ADDISON-MILES: Okay. I'm sorry. Okay. Our  
9 March 9th examination results, there were  
10 eight auctioneer candidates, and six passed  
11 the exam. We had an average score of 78. We  
12 also had one apprentice candidate.

13 The next exam is scheduled for June 8th.  
14 There are currently 1,011 auctioneers and 160  
15 auction firms licensed through June 30th of  
16 2013.

17 The March 2012 cash balance report  
18 reflects a Recovery Fund balance of  
19 \$121,876.85. The Auctioneer Commission cash  
20 balance is \$1,004,312.32. Thank you.

21 MR. BLOCKER: Thank you. Do we have any unfinished  
22 business to carry over from the last meeting?

23 MS. ADDISON-MILES: No, sir.

24 MR. BLOCKER: No unfinished business. Our new  
25 business then. Our Investigative Review

1                   Committee, IRC.

2                   MR. ANDREWS: How are you doing today, sir?

3                   MR. BLOCKER: Fine, sir.

4                   MR. ANDREWS: Do y'all have any questions about any  
5                   of those in the IRC report?

6 (Board members review report.)

7                   MR. BLOCKER: I don't have any questions. Do any  
8                   of y'all have questions? (No response.)

9                   MR. ANDREWS: Okay. And then also our cases for  
10                  this year, we have currently ten active cases.  
11                  We have closed nine this year also.

12                  MR. BLOCKER: Y'all have been busy.

13                  MR. ANDREWS: Yes, we have. Thank you very much.

14                  MR. BLOCKER: Thank you, sir. Next is a Letter of  
15                  Caution.

16                  MS. ADDISON-MILES: We need to vote on the IRC  
17                  report.

18                  MR. BLOCKER: Oh, okay, excuse me. All in favor of  
19                  the report? Make a motion?

20                  MR. SAXON: Somebody make a motion and a second.

21                  MR. BURNS: So move to approve the report.

22                  MR. BLOCKER: Do we have a second?

23                  MR. AVENDANO: I'll second.

24                  MR. BLOCKER: All in favor, say aye.

25                  BOARD MEMBERS: Aye.

1 MR. BLOCKER: Thank you, Lenora.

2 MS. ADDISON-MILES: Yes, sir.

3 MR. BLOCKER: Okay.

4 MS. ADDISON-MILES: The Letters of Caution, we have  
5 been instructed to have our boards discuss and  
6 vote on who will actually sign Letters of  
7 Caution and the dismissals. As you can see  
8 from the IRC report, we did have a couple of  
9 cases to be dismissed and a couple for Letters  
10 of Caution.

11 In the past the dismissal letters, which  
12 inform the Complainant and the Respondent that  
13 the case is dismissed because there's no  
14 evidence of a violation of the Practice Act,  
15 those have been signed by the Administrator.  
16 And the Letters of Caution, which dismisses  
17 the case but advises the licensee to be  
18 mindful of specific actions or practices,  
19 those have been signed by the Chairman. We  
20 would like for the Board to vote on who they  
21 would prefer to sign these letters. And both  
22 letters do explain to the Complainant and the  
23 Respondent that the ultimate decision  
24 regarding the disposition of the case was made  
25 by the full Commission. So you would still

1 get the IRC report. We just need you to  
2 determine if you want to continue the way with  
3 the Chairman signing the Letter of Caution, or  
4 if you want the Chairman to sign them all. It  
5 just depends. It's up to the Board.

6 MR. BLOCKER: What's your pleasure?

7 MR. HOLIDAY: I think you need to sign the Letter  
8 of Caution, continue to do so.

9 MS. ADDISON-MILES: I agree.

10 MR. SAXON: I think the way it is is fine, don't  
11 you?

12 MS. ADDISON-MILES: I agree, yes.

13 MR. BLOCKER: I didn't know there was a problem  
14 with it.

15 MS. ADDISON-MILES: No, it's not a problem.

16 MR. SAXON: There's not. They just wanted it on  
17 the record.

18 MS. ADDISON-MILES: They just want it on the  
19 record.

20 MR. BLOCKER: Okay. I hadn't heard that. All  
21 right. Do I hear a motion?

22 MR. HOLIDAY: How would we word the motion?

23 MR. SAXON: The motion would be to continue the  
24 current practice of having the Administrator  
25 sign Letters of Dismissal and the Chairman

1 sign Letters of Caution.

2 MR. HOLIDAY: I move to continue --

3 MR. SAXON: You can just say I move that.

4 MR. HOLIDAY: I move that.

5 MR. SAXON: And, Mr. Haygood, can you get that?

6 MR. BLOCKER: Will somebody second that?

7 MS. PINKNEY: I second that.

8 MR. BLOCKER: Okay. Any discussion? (No  
9 response.)

10 MR. SAXON: What I should say, Matt, is that the --  
11 is that the motion you intended?

12 MR. HOLIDAY: Yes, sir.

13 MR. SAXON: Okay.

14 MR. BLOCKER: Okay. We continue as we were. All  
15 in favor, say aye.

16 BOARD MEMBERS: Aye.

17 MR. BLOCKER: Next we have is the review of  
18 applications via examination. Ms. Miles.

19 MS. ADDISON-MILES: Yes, sir. Do you have your  
20 script there?

21 (10:09 a.m. - 10:43 a.m. -- Application Appearances, which  
22 have separate transcripts.)

23 MR. HOLIDAY: Counselor, since something was  
24 brought up in the gallery, could you just take  
25 a moment to explain our role as Commissioners

1 and how people aren't supposed to discuss  
2 complaints with us prior to.

3 MR. SAXON: We'll discuss that in Executive  
4 Session.

5 MR. HOLIDAY: Okay. But I thought you need to  
6 instruct the gallery not to talk to us.

7 MR. SAXON: Well, I assume the galley knows.

8 MR. HOLIDAY: Even during a break.

9 MR. SAXON: If the gallery does not know, do not  
10 speak with any Commission member or with me or  
11 any staff member during any break or at any  
12 time when we're not in session. And, of  
13 course, the Commissioners know not to speak to  
14 anybody else either, including each other  
15 unless we are in session.

16 MR. BLOCKER: In my case on this, how could I have  
17 handled that any better? I mean, the man just  
18 called me and said I want to talk to you about  
19 so and so.

20 MR. SAXON: And you should --

21 MR. BLOCKER: And I said what is it about?

22 MR. SAXON: On advice of counsel, I cannot talk to  
23 you. Click. It's not -- it doesn't sound  
24 very nice, I know.

25 MR. BLOCKER: But I did say to the gentleman when

1 he called --

2 MR. SAXON: So you blame it -- you blame it on your  
3 attorney, so that I take --

4 MR. BLOCKER: I told you that earlier.

5 MR. SAXON: So that I take the heat, and you don't.

6 MR. BLOCKER: But, I mean, he just came right on,  
7 you know, before you could say --

8 MR. HOLIDAY: For the record, I think Mr. Blocker  
9 did the right thing and explained the  
10 situation.

11 MR. BLOCKER: But I wanted to make it --

12 MR. SAXON: Well, the problem is, that's illegal.

13 Right or not, it's illegal for him to --

14 MR. HOLIDAY: I mean, to disclose this.

15 MR. SAXON: Oh, yes, absolutely. Absolutely. And  
16 this happens, because people don't always know  
17 that you can't just call --

18 MR. BLOCKER: I had no way of cutting him off, I  
19 mean.

20 MR. HOLIDAY: I think you did the right thing.

21 MR. SAXON: That happens to lawyers, too.

22 MR. BLOCKER: Does it?

23 MR. SAXON: Yes.

24 MR. BLOCKER: But this gentleman here got a little  
25 bit peeved at me. You can't even talk about

1                   it? No, sir. I didn't blame it on you. If I  
2                   had known --

3           MR. SAXON: You can. You can. Feel free. And  
4                   that goes for all of you.

5           MR. BLOCKER: Let's move right along then to,  
6                   section E is review of continuing education  
7                   courses, Nashville Auction School. They've  
8                   got like four different courses; is that  
9                   right, Lenora?

10          MS. ADDISON-MILES: Yes, sir. Nashville Auction  
11                   School has submitted four courses for  
12                   continuing education approval. Each course  
13                   provides three hours of CE. Nashville Auction  
14                   School is also an approved school for our 80  
15                   hour prelicensing requirement.

16          MR. BLOCKER: I read the outlines of them. I  
17                   didn't read them word for word. But I know  
18                   Nashville School, and I'm pretty well familiar  
19                   with what they do. And I see no problem with  
20                   it myself. What do you think?

21          MR. HOLIDAY: I learned a little bit. And I make a  
22                   motion to accept them.

23          MR. BLOCKER: Do I hear a second?

24          MR. AVENDANO: I'll second.

25          MR. BLOCKER: Now, let's discuss it. Any

1 discussion on it?

2 MR. HOLIDAY: I think they do a good job.

3 MR. BLOCKER: They're very reputable and do a good  
4 job. And like I say, they've already been  
5 approved. So any other discussion on it? (No  
6 response.) All in favor of the motion that we  
7 approve, say aye.

8 BOARD MEMBERS: Aye.

9 MR. BLOCKER: So ordered. And proposed regulation.  
10 That's document number 4263, Continuing  
11 Education Exemption. Is that the age bracket  
12 deal?

13 MS. ADDISON-MILES: Yes, sir. The Commission  
14 submitted a proposed change to the regulations  
15 that would have exempted certain licensees  
16 from the CE requirement. Our office received  
17 a letter dated April 20, 2012 from the Senate  
18 Labor, Commerce, and Industry committee,  
19 requesting that the Commission withdraw the  
20 document, citing that our statute does not  
21 give the Board such authority and provides for  
22 no such exemption.

23 MR. BLOCKER: So where does that leave us, Counsel?

24 MR. SAXON: Starting from scratch at another time  
25 perhaps when it's not an election year.

1 MR. BLOCKER: Okay.

2 MS. ADDISON-MILES: So, Counsel, do we need a vote  
3 to withdraw?

4 MR. SAXON: Yes.

5 MS. ADDISON-MILES: Okay.

6 MR. BLOCKER: Do we have to vote to withdraw?

7 MR. SAXON: Yes, sir.

8 MR. BLOCKER: But we don't want to withdraw.

9 MR. SAXON: Well, if you don't want to withdraw,  
10 you don't have to withdraw.

11 MR. BLOCKER: But if it's withdrawn, I mean, they  
12 are dictating to us, right?

13 MR. SAXON: If you would like to discuss this in  
14 Executive Session, I'll be happy to do that.

15 MR. BLOCKER: Okay.

16 MR. HOLIDAY: I make a motion to discuss it in  
17 Executive Session.

18 MR. BLOCKER: Do I hear a second?

19 MS. PINKNEY: Second.

20 MR. BLOCKER: We'll take it up then. All in favor  
21 of it, say aye.

22 BOARD MEMBERS: Aye.

23 MR. BLOCKER: So ordered. Okay. Thank you. And  
24 this is a letter from Mr. Edward Paxton.

25 MS. ADDISON-MILES: Yes, sir. Staff received a

1 letter from Edward H. Paxton for inclusion in  
2 the meeting minutes. And I think we've been  
3 advised by Counsel that we're going to submit  
4 this letter as an exhibit to the official  
5 transcript.

6 MR. SAXON: Right. And, Mr. Haygood, if you'll  
7 note our thanks to Mr. Paxton for sending us  
8 the letter. It will be published as an  
9 exhibit by you as part of the transcript and  
10 part of the minutes and posted on the website  
11 verbatim. We're not going to change -- we  
12 won't change a thing of his letter. It will  
13 be just as he wanted it to be.

14 (Whereupon, a Letter from Edward H.  
15 Paxton was marked Exhibit No. 1.)

16 MR. BLOCKER: Do we need to take action on that?  
17 Do we need to vote on it?

18 MR. SAXON: No, sir. If you would, Mr. Haygood,  
19 just let him know we appreciate his input in  
20 the minutes. That the Commission appreciates  
21 his input.

22 MR. BLOCKER: Next on our agenda is public  
23 comments. Do we have any comments from  
24 anybody? Yes.

25 MR. KEMPER: Comment on what's gone on so far?

1 MR. SAXON: Now is your time to talk.

2 MR. KEMPER: Now is my time to talk. Okay.

3 MR. SAXON: How about coming over to this table.

4 There's a microphone there. And that will  
5 help with the court reporter.

6 THE COURT REPORTER: Can he give his name, too,  
7 please?

8 MR. SAXON: Yes. If you'll give your full name and  
9 spell it for the court reporter, please.

10 MR. KEMPER: Okay. My name is Clarence Eugene  
11 Kemper, C-l-a-r-e-n-c-e. Middle name is  
12 Eugene, E-u-g-e-n-e. Last name, K-e-m-p-e-r.  
13 And I am a junior, J-r.

14 I started going to an auction,  
15 Bumgarner's Auction, back in August. I'm not  
16 complaining today at all. I'm just kind of  
17 letting you know what I've -- what I've seen.  
18 I'm an auctioneer, so this is just to tell  
19 their ability, I guess, to operate a barn.  
20 Even though it may not be on the record, I  
21 have three --

22 MR. SAXON: Everything you're doing right now is on  
23 the record.

24 MR. KEMPER: Okay, right. I've got three  
25 affidavits from the Magistrate Court where

1                   Bumgarner has been sued, I guess, from Ace  
2                   Used Cars, from Susan Queen, and John Daniels.

3                   MR. SAXON: Now, we cannot take those today, Mr.  
4                   Kemper.

5                   MR. KEMPER: Okay.

6                   MR. SAXON: If you would like to provide those to  
7                   the staff, they'll provide them to  
8                   investigators, and they'll take whatever steps  
9                   may be necessary.

10                  MR. KEMPER: Okay. I also have three letters of  
11                  complaints. I'm not the only person that has  
12                  been abused by these folks. One of the reason  
13                  I think --

14                  MR. SAXON: All right. Let me ask you to stop now.

15                  MR. KEMPER: Okay.

16                  MR. SAXON: And the reason I'm asking you to stop  
17                  is not because we don't want to hear you, we  
18                  do not want to taint the Commission members or  
19                  me.

20                  MR. KEMPER: Okay.

21                  MR. SAXON: So if you would stop your remarks now.

22                  MR. KEMPER: Okay.

23                  MR. SAXON: Give what you have to Ms. Miles.

24                  MR. KEMPER: Okay.

25                  MR. SAXON: And she'll provide that to the

1           investigator, and the investigator and you can  
2           talk.

3           MR. KEMPER:   Okay.

4           MR. SAXON:   Because if this ever comes to a  
5           hearing, we don't want the Board to know too  
6           much, so that they can't hold a hearing.

7           MR. KEMPER:   Okay.

8           MR. SAXON:   If they have too much information  
9           beforehand, it's what's called being tainted,  
10          whichever is --

11          MR. KEMPER:   I don't want it tainted, that's for  
12          sure.

13          MR. SAXON:   All right.   So if you don't mind --

14          MR. KEMPER:   I don't mind.

15          MR. SAXON:   -- let's go through the proper  
16          channels.   And if you provide that to staff,  
17          it will go through those proper channels, and  
18          you'll be --

19          MR. KEMPER:   To her?

20          MR. SAXON:   Ms. Miles will be glad to take them  
21          now, and she'll get them to the proper -- she  
22          and I will get them to the proper people.

23          MR. KEMPER:   Okay, thank you.

24          MR. SAXON:   Thank you.

25          (Hand raised from gallery.)

1 MR. BLOCKER: Yes, ma'am?

2 MS. STONE: I have a few questions.

3 MR. BLOCKER: Come up and state your name.

4 MS. STONE: My name is Myra Stone, S-t-o-n-e.

5 MR. SAXON: Can you speak just a little bit louder?

6 MS. STONE: I'm sorry. I'm a little nervous. I'm  
7 a little aggravated.

8 MR. SAXON: Just be relaxed.

9 MS. STONE: Yeah. According to the website, LLR's  
10 website, when y'all receive a complaint, it's  
11 sent to the Commission to determine who  
12 investigates or who is investigated. And one  
13 of the questions that I have is, when did the  
14 LLR begin taking anonymous complaints?

15 MR. SAXON: That's not a question I can answer. As  
16 Advice Counsel, I'm not involved in that  
17 process. In fact, I purposely have to be  
18 uninvolved in it. Because were I to be  
19 involved, I'd be tainted, and I couldn't  
20 advise the Board. So I'm afraid --

21 MS. STONE: Okay. Well, where can I get -- where  
22 can I get the answers to that?

23 MR. BLOCKER: What was your question again?

24 MS. STONE: When did the LLR begin taking anonymous  
25 complaints? I was advised under law that I

1 have the right to face my accuser, and I have  
2 reason to believe that I'm being harassed by a  
3 certain person that has not only turned me in  
4 for several different false complaints to the  
5 LLR, but to other organizations, as well. Mr.  
6 Andrews investigated my auction firm and found  
7 that I was doing everything that I was  
8 supposed to be doing. But I'm continuously  
9 being harassed, not only by the Auction  
10 Commission, or whoever it is that apparently  
11 sent all this information to have me  
12 investigated, but they're telling me that I  
13 was turned in anonymously. And according to  
14 the website, you have to fill out the  
15 paperwork to send in a complaint.

16 Years ago when I had a problem with  
17 another auction, they told me they couldn't --  
18 Sharon Wolfe told me over the phone, we can't  
19 take any complaints over the phone. It has to  
20 be sent in by a letter with your name, so that  
21 if we need to contact you, you can  
22 substantiate what you've written. So now it's  
23 like the tables have turned, and I want to  
24 know why it's --

25 MR. SAXON: Well, there's not really a change in

1           that. I understand why you see that there has  
2           been. But I've been here five and a half  
3           years and as far as I know, we've always taken  
4           anonymous complaints. Am I -- is that your  
5           experience, Ms. Miles?

6           MS. ADDISON-MILES: Yeah. Because if someone sends  
7           in a complaint form, if there's no name on it,  
8           we still have to, you know, file a case and  
9           look into it.

10          MS. STONE: Well, I was told differently by Sharon  
11          Wolfe when I sent in a complaint.

12          MR. HOLIDAY: Well, Ms. Miles, could you help  
13          clarify that the Commission does not look at  
14          complaints?

15          MS. ADDISON-MILES: Right. The Commission does not  
16          review complaints. The complaints come in to  
17          LLR, and they go through the Office of  
18          Investigations and Enforcement. The  
19          Commission is not involved in the  
20          investigation of a complaint. Once it goes  
21          through that process, then it comes before the  
22          Board for a final disposition, such as our IRC  
23          report that the Board reviewed today.

24          MS. STONE: And so who decides when a complaint  
25          should be investigated?

1 MS. ADDISON-MILES: The Office of Investigations  
2 and Enforcement.

3 MS. STONE: Okay. So I should give these to you,  
4 because there's several --

5 MS. ADDISON-MILES: You want to file a complaint?  
6 You have information there for --

7 MS. STONE: I've got several different auctions  
8 that are going on right now that have been  
9 going on, that when I called to question them,  
10 I was told, no, you can't call it in. You  
11 have to send it in with your name and  
12 information.

13 MS. ADDISON-MILES: You can leave those here, and  
14 I'll forward them to the Office of  
15 Investigations and Enforcement.

16 MS. STONE: Why haven't I gotten a Letter of  
17 Caution or Dismissal, if the charges against  
18 me were found unfounded?

19 MR. SAXON: I'm afraid, ma'am, those are not  
20 questions the Board's able to answer. The  
21 Board is not involved in any way in the  
22 investigation process.

23 MR. BLOCKER: How do you feel that you're being  
24 harassed by the Board? I don't follow you  
25 there.

1 MS. HOWARD: Well, I think the assumption is that  
2 y'all are --

3 MR. BLOCKER: Ma'am, you'll have to -- we'll have  
4 to get you up here, if you're going to --

5 MS. HOWARD: I think the assumption is --

6 MR. BLOCKER: Who are you, ma'am?

7 MS. HOWARD: My name is Kelly Howard. I work for  
8 one of the auctions. The assumption is --

9 MR. BLOCKER: Work for who?

10 MS. HOWARD: Goose Creek Auction.

11 MR. BLOCKER: You're connected with this lady;  
12 that's what I'm trying to find out?

13 MS. HOWARD: Yes. Maybe there's a public  
14 misconception that we think that the  
15 Commission handles everything. And I think  
16 she clarified that a lot of it goes through  
17 the investigations. And maybe that's where we  
18 need to start to find the answers for what  
19 we're looking for. And maybe that's why  
20 coming through there continuously, we've been  
21 put off or what we feel is misled. And now as  
22 your attorney is saying, you're not allowed to  
23 answer these or you cannot answer these. Then  
24 what we need is direction as to where we get  
25 the answers from. And I do feel like you have

1 set us in the right direction. Do you agree?

2 MS. STONE: Uh-huh.

3 MS. HOWARD: Thank you.

4 MR. BLOCKER: Okay, thank you.

5 MR. HOLIDAY: Thank you.

6 MR. BLOCKER: Yes, Mike?

7 MR. HARPER: Mr. Chair, just in follow-up to what I  
8 wanted to say earlier, I'm not referring to  
9 any specific individual. By the way, my name  
10 is Mike Harper, Harper Auction and Realty. I  
11 just wanted to for the Board's information and  
12 for investigative information for this or any  
13 future situation, just because I used to work  
14 for Internal Revenue Service, I kind of know  
15 how the tax lien situation works. You can --  
16 you can request a certificate of nonattachment  
17 when tax liens are filed in a name, in your  
18 name, but yet you're not that individual.  
19 It's not uncommon. It happens a lot. And I  
20 know that the Internal Revenue does issue --  
21 you have to apply for it -- a certificate of  
22 nonattachment that says this is not you. The  
23 state probably does the same thing, just in  
24 case you guys are interested in that. It has  
25 nothing to do with anybody individually. I

1                   just wanted to mention it because that happens  
2                   a lot.

3                   MR. BLOCKER: Thank you.

4                   MR. HOLIDAY: Thank you, Mr. Harper.

5                   MR. BLOCKER: All right, Mr. Ligon.

6                   MR. LIGON: Thank you, sir. Randy Ligon. I'm  
7                   serving this year proudly as the president of  
8                   the South Carolina Auctioneers Association,  
9                   and just wanted to make just a couple of  
10                  comments. Nothing major today. Mike Harper,  
11                  who was just up here, is past president.  
12                  Appreciate Mike coming up also today.

13                  Just as a matter of information, we have  
14                  made some changes we wanted the Commission to  
15                  be aware of to put on your personal calendars,  
16                  gentlemen and Ms. Pinkney. The convention  
17                  this year has been moved to January the 11th  
18                  through the 13th, which is a new date and  
19                  time. It is -- in past years, you know, it  
20                  had been the last week of the month. It has  
21                  been moved back to the original bylaws date of  
22                  January 11th through 13th 2013. And we're  
23                  going to go to a new city this year, Myrtle  
24                  Beach. And we'll be sending you more  
25                  information on that. So just wanted to make a

1 note of that.

2 We have heard from -- our executive staff  
3 person told me this morning coming down here  
4 that our membership, which had dropped to a  
5 low of sixty some odd over a year ago last  
6 year is now back up to 126. So we appreciate  
7 the opportunity to grow the association, and  
8 it is growing.

9 A matter of interest to the Board from  
10 past meetings, the Commission has been kind  
11 enough to say to us that they were interested  
12 in us working together and being involved in  
13 the continuing education areas, as the  
14 Commission is interested in the education of  
15 all auctioneers in the state of South  
16 Carolina, of course. We are working on an  
17 education event that will be open to all  
18 thousand -- what was your latest?

19 MS. ADDISON-MILES: One thousand eleven.

20 MR. LIGON: One thousand eleven. I was looking --  
21 one thousand eleven, that's a good number.  
22 And, of course, the auction firms also. We  
23 are working to come up with an event. But  
24 when you plan an event for a thousand plus  
25 people, it's turned out to be a little more

1 complicated than we thought, so hence I do not  
2 have a report of detail, other than we are  
3 working on it. So we won't ask for anything  
4 from y'all until we get more details. But  
5 we're looking for -- to have some continuing  
6 education that would benefit the whole state.  
7 And we would appreciate the Commission's  
8 support in that when we are in a position to  
9 ask for it directly, which we are not today.

10 We, of course, welcome our new attorney,  
11 Mr. Saxon. We've got questions for you.  
12 We'll be calling on you, too, because we hope  
13 we can get your advice and counsel maybe a  
14 little bit on the side there.

15 And we appreciate the work of all the  
16 Commission and think it's important that the  
17 Commission be continued. And we certainly as  
18 an association will continue to work with our  
19 legislators. We had -- we had auctioneers'  
20 month the month of April. We had a reception,  
21 and we were introduced on the State House  
22 floor. And as you know as being appointed by  
23 the Governor's office, it's important that we  
24 all keep those lines of communication open.  
25 And so we are working and striving to do that.

1                   And lastly we have until Friday to input  
2                   or put in any information in our Bid Caller  
3                   publication newspaper for the membership. If  
4                   the Commission has anything they'd like to  
5                   have put out, we'd be welcome -- would welcome  
6                   any comments, commentary, or just statistics.  
7                   Lenora, I'll get some of those from you, and  
8                   we'll put those in since we've got a few days  
9                   left.

10                   MS. ADDISON-MILES: All right.

11                   MR. LIGON: It doesn't always line up with your  
12                   meeting and the deadline of the publication,  
13                   but we're going to find a way to put all that  
14                   together.

15                   Anything I can do for y'all? (No  
16                   response.) We appreciate you. Thank you very  
17                   much.

18                   MR. BLOCKER: Thank you. Anybody else? Any other  
19                   comments? (No response.) I'll entertain a  
20                   motion that we go into Executive Session then.  
21                   I believe it's next.

22                   MR. BURNS: So moved.

23                   MR. BLOCKER: Do I hear a second?

24                   MR. AVENDANO: Second.

25                   MR. BLOCKER: Second. All in favor we go into

1 Executive Session, say aye.

2 BOARD MEMBERS: Aye.

3 MR. BLOCKER: All right. We'll be going into  
4 Executive Session after a quick recess.

5 (11:00 a.m. - 11:49 a.m. -- Board in Executive Session.)

6 (11:50 a.m. - 11:53 a.m. -- Decisions of the Board on  
7 Application Appearances, which are included in the individual  
8 transcripts.)

9 MR. BLOCKER: Now we had number E, one other -- no.

10 MR. SAXON: Is that the regulation?

11 MR. BLOCKER: Yeah, that's F.

12 MR. SAXON: Well, I don't have an F.

13 (Sidebar conversation.)

14 MR. BLOCKER: The proposed regulation, document  
15 number 4263, Continuing Education. Read the  
16 letter because I don't have a copy of that.

17 MR. SAXON: All right. This is a letter from  
18 Senator Ryberg on the Senate Labor, Commerce,  
19 and Industry committee, addressed to LLR's  
20 director on April 20th of this year.

21 (As read) Dear Ms. Pisarik, Please  
22 accept this as the request of the LCI  
23 committee to withdraw document 4263 concerning  
24 the Auctioneers' Commission. The regulation  
25 proposes an exemption from continuing

1 education for certain licensees. The  
2 governing statutes give no such authority to  
3 the Board and provide for no such exemptions.  
4 Sincerely, W. Greg Ryberg.

5 MR. BLOCKER: Okay. Do I hear a motion on what we  
6 should do with that letter?

7 MR. SAXON: The question is to withdraw or not  
8 withdraw document 4263.

9 MR. HOLIDAY: I'd like to make a motion to  
10 withdraw.

11 MR. BLOCKER: The motion has been made that we  
12 withdraw it. Do we have a second for that?

13 MR. AVENDANO: I'll second it.

14 MR. BLOCKER: We have a second. Any other  
15 discussion? It's something that we can  
16 reenter. All in favor of the motion that we  
17 withdraw it, say aye.

18 BOARD MEMBERS: Aye.

19 MR. BLOCKER: Okay. Do we have any other  
20 business, Ms. Miles?

21 MS. ADDISON-MILES: No, sir.

22 MR. BLOCKER: Yes, Mr. Ligon.

23 MR. LIGON: On the last one that you just talked  
24 about, document 4263, is there anything we  
25 need to announce to the membership regarding

1                   that at this time? We don't want to jump the  
2                   gun on anything.

3                   MR. BLOCKER: I don't even think they know about  
4                   it.

5                   MR. LIGON: Well, that's what I'm worried about.  
6                   What should I tell them, if anything?

7                   MR. BLOCKER: Well, it's not coming up. I mean,  
8                   they won't bring it up. So it will have to be  
9                   reintroduced.

10                  MR. SAXON: It's public record, the document  
11                  itself. So if you wanted to share that with  
12                  them, I mean if the Board's fine with it,  
13                  there's no legal reason not to, and that it  
14                  has been withdrawn at the request of the  
15                  committee that would have to send it out.

16                  MR. LIGON: I guess the alarm bells, that's going  
17                  to send off, and maybe I'm misunderstanding.  
18                  Is this going to mean that some of our older  
19                  members are going to need to change their --

20                  MR. SAXON: Well, it means nothing has changed.

21                  MR. BLOCKER: Nothing has changed.

22                  MR. LIGON: Nothing has changed?

23                  MR. SAXON: This would have been a change.

24                  MR. BLOCKER: The proposal was -- the proposal was  
25                  when you turn 65 with 25 years of service, you

1                   didn't have to take continuing education  
2                   anymore.

3           MR. LIGON:   Right.

4           MR. BLOCKER:  In other words, an old dog don't  
5                   learn many new tricks.

6           MR. LIGON:  I would never say that about you.

7           MR. BLOCKER:  I said that.  But they said you can't  
8                   get it in, so we felt that it was the best  
9                   interest just to withdraw it, rather than have  
10                  it kicked out.  It wasn't going to happen.  
11                 That's what they're saying.  That's the way I  
12                 understand it; is that right, Counselor?

13          MR. SAXON:  That would be my interpretation.

14          MR. BLOCKER:  It wasn't going to happen.  So we  
15                 just withdrew it, and then we'll reintroduce  
16                 at the proper time, at another time, if the  
17                 Board still feels that way.

18          MR. LIGON:  Thank you.  I was just looking for  
19                 clarification.

20          MR. BLOCKER:  Anything else?  (No response.)  I'd  
21                 certainly entertain a motion that we adjourn.

22          MR. BURNS:  So moved.

23          MR. BLOCKER:  So moved.  Anybody object?  (No  
24                 response.)  I'll take a second.

25          MS. PINKNEY:  Second.

1 MR. BLOCKER: All in favor we adjourn, say aye.

2 BOARD MEMBERS: Aye.

3 MR. BLOCKER: It's so ordered.

4 (Whereupon, at 11:57 a.m., the  
5 proceeding in the above-entitled  
6 matter was concluded.)

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STATE OF SOUTH CAROLINA    )  
   )        CERTIFICATE  
 COUNTY OF GREENVILLE        )

Be it known that I, Gary A. Haygood, Professional Court Reporter and Notary Public in and for the State of South Carolina, took the foregoing Board discussions on Monday, May 7, 2012, at the offices of the South Carolina Department of Labor, Licensing and Regulation, 110 Centerview Drive, Columbia, South Carolina;

That the foregoing 34 pages constitute a true and accurate transcription of the proceedings and all testimony given at that time to the best of my skill and ability;

I further certify that I am not counsel or kin to any of the parties to this cause of action, nor am I interested in any manner of its outcome.

In witness whereof, I have hereunto set my hand and seal this 18th day of May 2012.

---

Gary A. Haygood  
 Notary Public for South Carolina  
 My commission expires January 26, 2019

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