

**AUCTIONEERS BOARD MEETING
MINUTES**

The Virginia Auctioneers Board met on November 1, 2016, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Larry Linkous
Travis Lee
Linda Terry

Board member Michael Phillips was not present for the meeting.

Board staff present for all or part of the meeting were:

Marian Brooks, Board Administrator
Bonnie Davis, Administrative Assistant

Agency staff present for all or part of the meeting were:

Jay W. DeBoer, Director
Michelle Couch, CAR
Sarah Towell, CAR
Sam Thomason, Adjudication

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

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

Call to Order

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

**Emergency Evacuation
Procedures**

Ms. Terry moved to approve the agenda as amended. Mr. Lee seconded the motion which was unanimously approved by members: Linkous, Lee, and Terry.

Approval of Agenda

Ms. Terry moved to approve the August 29, 2016, Board meeting minutes. Mr. Lee seconded the motion which was unanimously approved by members: Linkous, Lee, and Terry.

Approval of Minutes

Public Comment Period – There were no public comments.

Public Comment Period

Regarding **File Number 2017-00277, Alvin E. Yoder**, was present to address the Board. The Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference and the presiding officer's recommendation. Ms. Terry moved to accept the recommendation of the presiding officer and approve Mr. Yoder's application for licensure. Mr. Lee seconded the

**File No. 2017-00277,
Alvin E. Yoder
IFF (Schroeder) –
Licensing**

motion which was unanimously approved by members: Linkous, Lee, and Terry.

Regarding **File Number 2016-02223, John Lewis Brinkley**, the Board members reviewed the Consent Order as seen and agreed to by Mr. Brinkley. Ms. Terry moved to accept the Consent Order which cites the following violation of the Board's regulations: 18VAC25-21-150.G. For this violation, Mr. Brinkley agrees to pay the following monetary penalties: \$250.00 for the violation; and \$150.00 in Board costs, for a total monetary penalty of \$400.00. Mr. Lee seconded the motion which was unanimously approved by members: Linkous, Lee, and Terry.

**File No. 2016-02223,
John Lewis Brinkley,
t/a PCA Antiques
Consent Order –
Disciplinary**

Board members were provided financial statements for informational purposes.

**Review of Board
Financial Statements**

Ms. Brooks provided the licensee counts as of October 1, 2016: Auctioneers 1,237 and Firms 264.

Other Business

Ms. Brooks presented material from the National Auctioneers Association (NAA). She stated the 2015 report provides information regarding state licensure and on-line auctions. The Board members discussed on-line auctions specifying their thoughts and concerns; primarily consumer protection. Ms. Brooks stated that staff will research the states with VA reciprocal agreements and determine what processes they have implemented.

Ms. Brooks stated that the Regulatory Exemption Action that was filed to conform with the provisions of HB 1259 of the 2016 General Assembly becomes effective November 2, 2016. Board members were provided with a copy of the revised regulations.

Ms. Brooks mentioned the Regulatory Fast-Track filed for the Public Participation Guidelines should be effective, if there are no complications, January 12, 2017.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest
Forms**

There being no further business, the meeting adjourned at 10:24 a.m.

Adjourn

Larry Linkous, Chair

Jay W. DeBoer, Secretary