



TENNESSEE AUCTIONEER COMMISSION
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243
615-741-1831

**Commission Meeting Minutes for August 17, 2020
Davy Crockett Tower**

The Tennessee Auctioneer Commission met on August 17, 2020 via a WebEx Teleconference. The following business was transacted:

COMMISSION MEMBERS PRESENT: Jeff Morris, John Thorpe, Randy Lowe, Kimball Sterling, and Dwayne Rogers

COMMISSION MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Roxana Gumucio, Glenn Kopchak, Anna Matlock, Shilina Brown, and Robert Hunter

ROLL CALL

Chairman Thorpe called the meeting to order at 9:02 a.m. Director Kopchak took roll and established that a quorum was present.

NOTICE OF MEETING

Director Kopchak read the notice of the meeting into the record as follows: "Notice of the August 17, 2020 meeting of the Auctioneer Commission was posted to the website on August 7, 2020."

STATEMENT OF NECESSITY

Anna Matlock read the statement of necessity into the record. Mr. Morris made a motion to adopt the statement of necessity as written. This was seconded by Mr. Thorpe. The motion carried by unanimous roll call vote.

AGENDA

Mr. Sterling made a motion to adopt the agenda as written. This was seconded by Mr. Thorpe. The motion carried by unanimous roll call vote.

MINUTES

Mr. Morris made a motion to adopt the minutes from the May meeting as written. This was seconded by Mr. Sterling. The motion carried by unanimous roll call vote.

DIRECTOR'S REPORT

Budget

Director Kopchak reminded the board that they discussed the budget through February at their last meeting so the budget discussion would primarily focus on the last three (3) months of March through June. For the benefit of the new member, Director Kopchak did provide a general review of FY20. Director Kopchak noted that the year ended with a net deficit of \$9,369. Although the program maintains a reserve balance of \$467,208, trending suggests that the program may continue in a month over month deficit at least in the near term due to a 40% decrease in revenue over the past 5 months. That decrease in revenue is partly due to the elimination of the firm license, a 34% decrease in initial applications due to COVID-19 across Regulatory Boards, and the lack of the online and virtual delivery platform of QE which has significantly impacted enrollment during this unprecedented time.

CE Seminars

Director Kopchak addressed the lack of online and virtual/synchronous course delivery. Mr. Sterling made a motion that the online and/or virtual/synchronous delivery option be made available to all CE and QE course providers and future CE Seminars. This was seconded by Mr. Lowe. The motion carried by unanimous roll call vote.

Rhessa Hanson from Nashville Auction School thanked the Commission and asked them to forward any topic recommendations or content to her so it can be added to the upcoming newsletter.

Online Course Guidelines

Director Kopchak outlined some online and virtual/synchronous guidelines that administration will consider when vetting courses for approval. Mr. Thorpe made a motion to allow administration to apply these guidelines when evaluating a course that will be offered either online or virtually/synchronous. This was seconded by Mr. Lowe. The motion carried by unanimous roll call vote.

LEGAL REPORT (*Presented by Shilina Brown*)

- 1. 2020024271**
Opened: May 4, 2020
Unlicensed
History: None

Complainant is a Tennessee resident and the Respondent is a Tennessee Resident. An anonymous complaint submitted against the Respondent for holding auctions on Tuesday and Saturday evenings at a barn type building in Tennessee. The Respondent also has a Facebook page advertising the auction. The Respondent does not hold an auctioneer license.

Recommendation: Letter of warning regarding T.C.A § 62-19-112(b)(12) and Tenn. Comp. R. & Reg. 0160-01-.20(2) for improper, fraudulent, incompetent, or dishonest dealings.

Decision: The Commission accepted counsel's recommendation.

CASES TO BE REPRESENTED

The following cases are being represented due to lack of subject matter jurisdiction:

- 1) 2020020751
- 2) 2020020761
- 3) 2020019481
- 4) 2019100041

Recommendation: Close

Decision: The Commission accepted counsel's recommendation.

Legislative Update

Ms. Matlock provided an update regarding the rules package that was approved by the Commission at the rulemaking hearing on February 24th. Those rules have since been approved by all relevant parties and have now been in effect since July 12th.

NEW BUSINESS

There was no new business presented.

ADJOURNMENT

Mr. Sterling made a motion to adjourn the meeting. This was seconded by Mr. Thorpe. The motion carried by unanimous roll call vote. The meeting adjourned at 9:32 a.m.