



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.