



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

**Commission Meeting Minutes for November 20, 2023
First Floor Conference Room 1-B
Davy Crockett Tower**

The Tennessee Auctioneer Commission met on November 20, 2023, in the first-floor conference room of the Davy Crockett Tower in Nashville, Tennessee. The following business was transacted:

COMMISSION MEMBERS PRESENT: Ed Knight, Larry Sims and Kimball Sterling

COMMISSION MEMBERS ABSENT: Jeff Morris and Dwayne Rogers.

STAFF MEMBERS PRESENT: Roxana Gumucio, Anna Matlock (participated remotely), Laura Martin and Robert Hunter

ROLL CALL

Director Gumucio called the meeting to order at 9:01 a.m. Director Gumucio took roll and established that a quorum was present. She explained that a member of the public may provide comments as they relate to the agenda. This opportunity is added at the end under new business.

NOTICE OF MEETING

Director Gumucio read the notice of the meeting into the record as follows: "Notice of the November 20, 2023, meeting of the Auctioneer Commission including date, time and location has been noticed on the website since May 17, 2022; additionally, this month's agenda has been posted on the website since November 15, 2023".

AGENDA

Mr. Kimball made a motion to adopt the agenda as written. This was seconded by Mr. Knight. The motion passed unanimously.

AUGUST MINUTES

Mr. Kimball made a motion to adopt the minutes from the August meeting as written. This was seconded by Mr. Sims. The motion passed unanimously.

APPLICATION REVIEW

Director Gumucio presented an application for an affiliate auctioneer who started the process in January 2023 but never submitted the requirements for the training time to begin and that application to be approved. Mr. Hunter sent several follow up emails asking for the pending items but there was no response. The PSI exam results were never provided and by now, the exam results

would be more than six months old. The applicant reached the office in September asking what to do next and apologized for the lack of response. The recommendation is to have this applicant start the process from the start including the affiliate exam.

Mr. Sims made a motion to move forward with the recommendation and have the applicant reapply from the start. This was seconded by Mr. Knight. The motion passed unanimously.

EDUCATION REVIEW

Director Gumucio presented six (6) separate online continued education classes offered by Cornerstone-edu.com. All are three hours classes: 1) How to communicate with professionalism, Tact, & Diplomacy; 2) Auction Marketing Trends for 2024; 3) Auction Negotiation Strategies for the TN Auctioneer Part 2; 4) Auction Negotiation Strategies for the TN Auctioneer Part 1; 5) Marketing Ethics and the Professional Tennessee Auctioneer; 6) Helping the Tennessee Auctioneer, Dealing with Difficult People.

Mr. Knight made a motion for the Commission to accept the courses as presented by Mr. James Drury. This was seconded by Mr. Sims. The motion passed unanimously.

DIRECTOR'S REPORT

Budget Report

Director Gumucio presented the final financial information for Fiscal year 22-23. The Auctioneer Commission added an additional \$25,498 making the reserve balance \$519,508. The current Educational Fund balance is \$208,932. Reports for FY23-24 reflect the program as of September has a deficit of \$2,569 leaving at \$516,939.

LEGAL REPORT (*Presented by Anna Matlock*)

- 1. 2022008241**
Opened: 4/11/2022
Type of License: Principal Auctioneer
First Licensed: 3/18/2010
Expires: 12/28/2023
History: None

This matter was administratively opened. Respondent is a licensee. Administrative staff selected Respondent in a random continuing education audit for the previous quarter. Respondent failed to respond to the notice. This complaint was then opened on March 1, 2022.

On April 6, 2022, Respondent answered the complaint stating they have had health issues related to their spine from an automobile accident and are undergoing complications from infection. Respondent states they can now complete their continuing education if needed but have not been able to work for several months and have provided a list of their medications. This matter was referred to the Legal Division on April 11, 2022. During the August 16, 2021, meeting the Commission voted that administrative staff would send an agreed order and citation for One Hundred Dollars (\$100.00) and close the complaint. Therefore, Counsel recommends, Respondent be assessed a One Hundred Dollar (\$100.00) Agreed Citation and this matter be dismissed.

Recommendation: One Hundred Dollar (\$100.00) Agreed Citation.

Commission Decision: The Commission voted to accept counsel's recommendation.

New Information: Counsel contacted Respondent by phone to resolve their case and spoke directly to their spouse. Respondent's spouse informed Counsel that Respondent's health is still poor, and Respondent does not intend to continue within the industry or renew their license in December of this year. Therefore, Counsel recommends this matter be closed and flagged. Should Respondent choose to renew their license in the future, Respondent would be required to satisfy the terms of the Agreed Citation prior to licensure renewal.

New Recommendation: Close and flag.

New Commission Decision: The Commission voted to accept counsel's recommendation.

Mr. Knight motioned to accept the legal report, which was seconded by Mr. Sims. The motion passed unanimously.

New Business

Director Gumucio asked if anyone in the public, participating in person or remotely using Teams, had comments as they relate to the agenda. There were no comments provided.

ADJOURNMENT

There being no new business, Mr. Sterling made a motion to adjourn the meeting. This was seconded by Mr. Sims. The motion passed unanimously. The meeting adjourned at 9:25 am.