

MINUTES OF THE STATE AUCTIONEERS COMMISSION
OHIO DEPARTMENT OF AGRICULTURE Seminar Room A
8995 E. MAIN STREET, REYNOLDSBURG, OH 43068
July 12, 2013

PRESENT:

Commissioner Steve Remias
Commissioner Doug Walton
Commissioner Gary Cain

James Patterson, Assistant Attorney General
Donna Brinker Potter, Auctioneer Program Manager

Members of the Public:

Harry Grafton
Peter Gehres, OAA Treasurer

Kathy Baber, Executive Director OAA

Meeting called to order @ 9:32am by Commissioner Gary Cain. All members of the commission are present except Chairman Schnaidt and Commissioner Milleson. Donna Potter gave a quick update on the status of Chairman Schnaidt.

Gary Cain asked the commission to take a moment to review the minutes from the last meeting. Commissioner Walton made a motion to approve the minutes as submitted. Commissioner Remias seconded. No further discussion noted. Motion carried by an affirmative vote of all members present.

First item on the agenda is apprentice requirements. Commissioner Cain asked that in light of two commissioners being absent and the Director not being available that the item be tabled to the next meeting. All members present concurred.

The next item on the agenda is the Auction Education Fund requests. Donna Potter reported that there were three requests from the OAA totaling \$23,520 and she stated that the spending authority for the current fiscal year is \$35,000. The first request is the fall seminar for \$6,750.00. Commissioner Cain moved to approve. Commissioner Remias seconded. No further discussion noted. Motion carried by all members of the commission present. The next request for consideration is the State Fair Bid Calling Championship. Ms. Potter pointed out that there were a couple of new items in the request from previous years. She noted that they were requesting \$500 in administration fees and \$500 for a professional photographer. The OAA requested a total of \$7,400 for the championship. Commissioner Walton moved to approve the request as submitted. Commissioner Remias seconded. No discussion noted. Motion carried with an affirmative vote of all members present. The next fund request is the OAA Publication for all licensees. The publication would be approximately 32 pages long with articles and other sources of information for licensees. Commissioner Cain asked if it would be possible to list all licensees. Peter Gehres replied that it would be cost prohibitive. He stated that the bulk of the costs were in the printing costs. He stated that he envisioned it being a resource for licensees to carry with them. Commissioner Walton said that he felt it was a good idea and moved to approve the request as submitted. Commissioner Remias seconded. No further discussion noted. Motion carried by an affirmative vote of all members present.

The next item on the agenda is the Enforcement Update. Donna Potter reminded the commission that it is renewal season. She stated that there were still approximately 330 licensees who still have not renewed: 225 auctioneers, 62 apprentices, 20 auction firms and 23 auctioneer corporations. The current total number of licensees is 3,313. She stated the cash balances for the auctioneer funds are as follows: Operating account: \$461,096.08; Auction Education Fund: \$253,074.87; and the Recovery Fund: \$1,151,731.07. She stated that the transfer from the operating account to the recovery fund was in the amount of \$40,274.02 which was not included in the balances given. She stated that for FY 2013, the department investigated 66 complaints. The department found the following instances: 5 no violations; 2 no actions taken; 5 voluntary compliances; 31

letters of instruction; 1 suspension; 1 civil penalty; 5 settlement agreements; 1 pending 119 hearing; 2 criminal referrals; 1 insufficient evidence; 1 license denial; 1 internet auction; 1 recovery fund claim; 10 notice of hearing letters were issued with one rescinded; and 8 cases were currently still active. Jim Patterson commented that one of the top issues continues to be commingling of funds/handling of client monies. Donna Potter stated that the top four issues were: 1. Trust account; 2. Aiding unlicensed persons/unlicensed activity; 3. Contract issues; and 4. Timely remittance of funds. Commissioner Walton asked if the OAA could use these areas as topics at their seminars. Peter Gehres stated that they would include articles about these areas in the fall publication. Donna Potter also thanked Steve Remias for his service to commission. This meeting is technically his last meeting before his term expires and he will not be seeking reappointment. Commissioner Cain also thanked him for his service as well.

Commissioner Cain asked for any other business before the commission. Kathy Baber invited the commission to attend the State Fair Championship on July 29, 2013. Commissioner Remias moved to adjourn the meeting. Commissioner Walton seconded. No further discussion noted. Meeting adjourned at 10:06 by an affirmative vote of all members present.

Approved Chairman