

BOARD DOCUMENT 07-02

INDIANA AUCTIONEER COMMISSION
MINUTES OF THE MEETING HELD
WEDNESDAY, FEBRUARY 21, 2007, 9:00 A.M.
INDIANA PROFESSIONAL LICENSING AGENCY
402 WEST WASHINGTON STREET, ROOM W064
INDIANAPOLIS, INDIANA 46204

COMMISSION MEMBERS PRESENT: Jimmie Yagle, Sr., Chairman
Douglas E. Harvey, Vice-Chairman
Jack Fife
Thomas Bauermeister
Earl Cornwell

STATE OFFICIALS PRESENT: Julie Alexander, Deputy Attorney
General

MINUTES COMPILED BY: Deborah Widemon, Director

**MINUTE NO. 07-08
CALL TO ORDER**

The meeting was called to order at 9:05 a.m., pursuant to the public notice posted at the principal office of the Commission at least forty-eight (48) hours prior to the meeting. A copy is attached and marked as **BOARD EXHIBIT 07-02A**.

**MINUTE NO. 07-09
ADOPTION OF THE AGENDA**

J. Fife moved to adopt the agenda. T. Bauermeister seconded the motion. Motion carried.

**MINUTE NO. 07-10
ADOPTION OF THE MINUTES JANUARY 17, 2007**

J. Fife moved to approve the minutes of the January 17, 2007 Commission meeting. D. Harvey seconded the motion. Motion carried.

**MINUTE NO. 07-11
PUBLIC HEARING - LSA DOCUMENT # 06-372
RE: PROPOSED RULE REGARDING LICENSING**

J. Yagle, Chairman of the Commission conducted the public hearing for LSA document # 06-372, the proposed rule regarding

auctioneer licensing. He asked for public comment on the rule and there were none.

J. Fife moved to adopt the rule as published. T. Bauermiester seconded the motion.

MINUTE NO. 07-12

GRANTING OR DENYING PETITION FOR REVIEW AND APPOINTMENT OF AN ADMINISTRATIVE LAW JUDGE

SAMUEL LENGACHER

RE: APPEAL OF DENIAL OF AUCTIONEER LICENSE BY EXAMINATION

The Commission reviewed Mr. Lengacher's timely petition of denial for licensure by examination. T. Bauemeister moved to grant the petition and to appoint Jack Fife as administrative law judge. D. Harvey seconded the motion. Motion carried.

ELDON MILLER

RE: APPEAL OF DENIAL OF AUCTIONEER LICENSE BY EXAMINATION

The Commission reviewed Mr. Miller's timely petition of denial for licensure by examination. T. Bauemeister moved to grant the petition and to appoint Jack Fife as administrative law judge. D. Harvey seconded the motion. Motion carried.

MINUTE NO. 07-13

REVIEW OF APPLICATIONS

CONTINUING EDUCATION COURSE SPONSOR

RE: KENTUCKY BOARD OF AUCTIONEERS

The Commission reviewed the continuing education course sponsor application for the Kentucky Board of Auctioneers. It was noted that the CE hours are 50 minutes and the statute requires that they are 60 minutes. After further discussion the Commission decided to accept the 50 minute hours.

The Commission requested that a proposed rule be introduced to change the 60 minute CE hour to 50 minutes.

J. Fife moved to approve the application. D. Harvey seconded the motion. Motion carried.

MINUTE NO. 07-14

OLD/NEW BUSINESS

NALLOA WINTER SEMINAR, FEBRUARY 11-13, 2007

Deborah Widemon, Director informed the Commission about the seminar she attended in Phoenix and the many topics of discussion, which included Auction Industry Regulatory Issues, Testing, ADA Guidelines for Testing, eBay and the latest

developments, and the Uniform Auction and Auctioneering Licensing Act (UAALA).

REVIEW OF EXAMINATION CANDIATES LISTS FOR NOVEMBER 8, 2006 and JANUARY 10, 2007

The Commission reviewed and noted the examination candidate lists. They also expressed concerns about candidates who have not been able to pass the exam after several attempts. The Commission discussed the possibility of having a seminar for all pre licensing course providers.

**MINUTE NO. 07-15
DISCUSSION**

POTENTIAL AMENDMENTS TO IC 25-30 AND TITLE 862 OF THE INDIANA ADMINSTRATIVE CODE

Julie Alexander, the commission advisor suggested that IC 25-6.1-8-8, Section 3 of the auctioneer statute be amended to delete the phrase "write of execution".

AUCTIONEER RECOVRY FUND

Julie Alexander, the Commission advisor, informed the Commission that she appeared in court in Perry Township on behalf of the Commission to vacate the order to disburse monies from the recovery fund in the matter of Glenn Marsh vs. Jeff Leak d/b/a Superior Auction. She further explained that the Indiana Auctioneer Commission has been made a party to the judgment.

**MINUTE NO. 07-16
ADJOURNMENT**

There being no further business, the meeting adjourned at 12:45 p.m.

DATE: _____

Jimmie Yagle, Chairman

ATTEST:

Deborah Widemon, Director

