



Andy Beshear
GOVERNOR

Jacqueline Coleman
LIEUTENANT GOVERNOR

PUBLIC PROTECTION CABINET
Kentucky Division of Real Property Boards
Kentucky Board of Auctioneers
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Frankfort, KY 40601
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Ray A. Perry
SECRETARY

DJ Wasson
DEPUTY SECRETARY

KENTUCKY BOARD OF AUCTIONEERS
Full Board Meeting
September 11, 2024
Mayo-Underwood Building and Video Conference

BOARD MEETING MINUTES

A meeting of the Kentucky Board of Auctioneers (“Board”) was held via Microsoft Teams videoconference, September 11, 2024, and at 500 Mero Street, Conference Room 133CE, Frankfort, KY 40601.

Members Present

Danny Ray Ford, Chairperson
Gregory Johnson
Bill Patrick
GeMonee Brown

Staff Present

Tracy Carroll, Executive Director
Gerald Florence, Deputy Executive Director
Patrick Riley, General Counsel
René Rogers, Staff Attorney III
Seth Branson, Procedures Development Specialist I
Scott Pieratt, Administrative Board Coordinator
Andrea Helton, Paralegal

Call to Order

Danny Ray Ford, Chairperson, called the meeting of the Kentucky Board of Auctioneers to order at 9:40 a.m. EST. Members Johnson, Ford, Brown, and Patrick were present, and a quorum was established.

Approval of the August 14, 2024, Meeting Minutes

Chairperson Ford moved to approve the August 14, 2024; board meeting minutes as presented. Member Brown seconded the motion. Having all in favor, the motion carried.

Kentucky Division of Real Property Boards Update

Executive Director, Tracy Carroll, thanked everyone for coming to the Board meeting then asked for a moment of silence in memory of September 11, 2001. After reflection Deputy Executive Director, Gerald Florence, went on to report the budget had a balance of \$766,073.69 in the Board account. The Research and Recovery Fund has a balance of \$630,538.56.

Deputy Executive Director Florence, reported on staffing roles to the Board and presented an organizational workflow chart on how the staff is allocated. The Board was informed that there would be an additional investigator and a seasonal administrative specialist hired soon.

Kentucky Division of Real Property Boards Legal Update

General Counsel, Patrick Riley, advised that legal counsel is prepared to assist in the drafting and submission of any recommendations that the Board would like to make to the Secretary of the Public Protection Cabinet. Member Johnson motioned to have legal staff draft a briefing document regarding the statutory changes and provide this document to the Board for review; Member Bill Patrick second the motion. Having all in favor, motion carried.

Chairperson Ford requested that a briefing leaflet be drafted to address the concerns associated with the National Association of Realtors (“NAR”) settlement agreement to be provided to KBOA Members. Staff Attorney III, René Rogers, advised the Board that no laws or statutes have changed in Kentucky due to the NAR settlement agreement. The NAR settlement agreement was a agreement between private parties and not a change in the laws of Kentucky.

Old Business – Complaint

Member Johnson, made a motion that the board take the following actions:

KBA 23-001, KBA 23-002, KBA 23-005, KBA 23-006, KBA 24,001 issue a combined agreed order. Regarding KBA 24-008 Member Johnson recommended that the Board take no action at this time and requested further review. Member Patrick second the motion. Having all in favor, motion carried.

Online Proctored Exam

Board Coordinator, Scott Pieratt, reported since the last update on August 14, 2024, seven (7) people had taken the exam. Of those, six (6) individuals passed and one (1) failed the exam.

Previously at the August 14, 2024, board meeting, General Counsel Patrick Riley inquired about the standard pass rate for the past 2 years. The results were as follows: from August 1/2022 till August 1/2023 the Pass-fail rate was 53.1%. From August 1/2023 till August 1/2024 the pass rate has improved to 63%. Deputy Executive Director, Florence, stated this percentage is a higher pass rate than other boards under the authority.

Closed Session

Member Johnson motioned to go into closed session pursuant to KRS 61.815 and KRS 61.810 (1)(c) and (j) to discuss proposed or pending litigation and deliberate on combined individual adjudications in the following matters: KBA 23-001, KBA 23-002, KBA 23-005, KBA 23-006, KBA 24-001, KBA 24-002, KBA 24-005, KBA 24-006, KBA 24-009, and KBA 24-010 at 10:17 a.m. EST. Member Patrick seconded the motion. Having all in favor, the motion carried.

Reconvene in Open Session

Chairperson Ford motioned to reconvene in open session. The motion was seconded by Member Brown. Having all in favor, the motion carried. Chairperson Ford resumed the full Board meeting at 10:46 a.m. EST and welcomed everyone back in attendance.

Motions from Closed Session

The Board voted on the following motions: In Re the combined matter of KBA 23-001, KBA 23-002, KBA 23-005, KBA 23-006, and 24-001 the Board was updated on the progress of an agreed order, with a six-month licensure suspension and a letter of reprimand be placed in the license file. Member Johnson motioned to refer for further investigation regarding the following matters: KBA 24-002, KBA 24-005, KBA 24-009 and KBA 24-010. The motion was seconded by Member Patrick. Having all in favor, the motion carried. In the matter of KBA 24-006-Member Johnson motioned to send a copy of complaint to the Florida Board of Auctioneers. The motion was seconded by Member Patrick. Having all in favor, the motion carried.

New Business

Chairperson Ford stated the Board is to draft a staffing memorandum and recommendations that will be presented to the Secretary's Office of the Public Protection Cabinet. Chairperson Ford further requested recommendations from the members of the Board. General Council Riley reiterated his willingness to support the Board in drafting the recommendations to the Office of the Secretary.

Public Comments

No public comments

Upcoming Meeting

The next regular meeting of the Board is scheduled for October 9, 2024.

Approval of Per Diem and Travel Expenditures

Chairperson Ford moved to approve per diem and travel expenditures for the Complaints Review Committee and the full Board meeting held on September 11, 2024. Member Patrick seconded the motion. Having all in favor, the motion carried.

Meeting Adjournment

Chairperson Ford motioned to adjourn the meeting. Member Patrick seconded the motion. Having all in favor, the motion carried. Chairperson Ford adjourned the meeting at 10:58 a.m. EST.

Pursuant to KRS 324B.060, I, Tracy Carroll,
Executive Director of the Kentucky Real Estate Authority
(KREA), have reviewed and Approved the expenditures for the meeting
of the Kentucky Board of Auctioneers (the Board) held on September 11, 2024. This
Approval is based upon my review of the expenditures as described in the minutes and in
greater detail as on file with the KREA. I did not review, nor did I participate in
discussions, deliberations, or decisions regarding the actions taken by the Board at this
meeting related to individual disciplinary matters, investigations, or applicant reviews.
The Board approved the minutes of its September 11, 2024, meeting, at its meeting held on
October 09, 2024.

Tracy Carroll 1/21/2025
Executive Director Date