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PUBLIC PROTECTION CABINET

Kentucky Division of Real Property Boards

Kentucky Board of Auctioneers

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KENTUCKY BOARD OF AUCTIONEERS

Full Board Meeting Minutes

December 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 on December 11, 2024, and at 500 Mero Street, Conference Room 247CE, Frankfort, KY 40601.

Members Present

Danny Ray Ford, Chairperson

Gregory Johnson

Bill Patrick

GeMonee Brown

Ronald Kirby

Staff Present

Tracy Carroll, Executive Director

Patrick Riley, General Counsel

Seth Branson, Procedures Development Specialist I

Scott Pieratt, Administrative Board Coordinator

Dréa Helton, Paralegal

Elizabeth Johnson, Project Manager

Call to Order

Chairperson Danny Ray Ford called the meeting of the Kentucky Board of Auctioneers ("Board") to order at 9:58 a.m. EST. Members Johnson, Ford, Brown, Kirby, and Patrick were present, establishing a quorum.

Minutes

Member Johnson moved to approve the November 13, 2024, meeting minutes as presented. Member Brown seconded the motion. With all in favor, the motion carried.

Kentucky Division of Real Property Boards Update

Executive Director Tracy Carroll thanked everyone for attending the Board meeting. She announced that the PPC has hired a new investigator, and he will be starting on December 16, 2024. Executive Director Carroll reported that the budget was as presented in the board packet and totals were as follows: Board of Auctioneers had a balance of \$707,089.57 in the Board account, with the Research and Recovery Fund at \$644,019.53.

Kentucky Division of Real Property Boards Legal Update

General Counsel Riley stated that the Board will be starting the process of regulation changes at the beginning of the new year.

He announced the KAA will be holding a conference for all licensed Auctioneers at the Hyatt Regency Hotel in Lexington Kentucky on January 24-26, 2025. The Board will be a co-sponsor of this event, and licensed auctioneers will be offered Continuing Education classes and CORE courses. There will be a guest speaker at the convention with a charity auction to be held at the end of the festivities. Chairperson Ford asked Legal to deliver a summary of the NAR settlement at the KAA convention in January. Member Kirby requested advisement on the emergency hearing process for the Board under statute. Member Johnson requested advisement on the escalation clause provisions in certain real estate contracts.

Old Business – Complaint

Regarding Case KBA 24-007, Member Johnson recommended to request General Counsel to draft a letter to the Respondent's CEO to designate a Licensed Principal Auctioneer as the individual responsible for consignment sales and to CC all auctioneers.

Regarding KBA 24-012, Member Johnson recommended to dismiss.

Online Proctored Exam

Board Coordinator Scott Pieratt reported that since the last update on November 13, 2024, eleven (11) individuals took the exam. Of those, nine (9) passed and two (2) failed.

Closed Session

Member Johnson moved to enter closed session pursuant to the language below at 10:07 a.m. EST.

“A Board member may move for the Board to enter closed session, pursuant to KRS 61.815 and KRS 61.810(1)(c) and (j), with board staff and counsel, to discuss proposed or pending litigation and deliberate on individual adjudications in the items as listed in the above-listed committee reports including the following items: 24-007, 24-012, and Licensee Requests from D.G. and M.H. No action will be taken in closed session. All motions will be made when the Board reconvenes in open session.”

Seconded by Member Kirby. With all in favor, the motion carried.

Reconvene in Open Session

Member Johnson moved to reconvene in open session at 10:49 a.m. EST, seconded by Member Kirby. With all in favor, the motion carried.

Motions from Closed Session

- Member Johnson moved to grant the licensee request for D.G., seconded by Member Kirby. With all in favor, the motion carried.
- Member Johnson moved to grant the licensee request for M.H., seconded by Member Kirby. With all in favor, the motion carried.
- Member Johnson moved in KBA 24-007 for General Counsel to draft a letter to the Respondent's CEO to designate a Licensed Principal Auctioneer as the individual responsible for consignment sales and to CC all auctioneers, seconded by Member Kirby. With all in favor, the motion carried.
- Member Johnson moved in KBA 24-012 to dismiss, seconded by Member Kirby. With all in favor, the motion carried.

New Business

Chairperson Ford spoke about co-sponsoring the Kentucky Auctioneers Association ("KAA") Conference in January 2024. The co-sponsorship of the KAA conference has an expenditure of \$8,000 that has been funded from the KBOA Education and Recovery fund. All licensees are welcome to attend and participate in the continuing education offerings. The KAA convention will be held at the Hyatt Regency Hotel in Lexington, Kentucky on January 24-26, 2025.

General Counsel Riley confirmed requests for advisement on the escalation clause in real estate contracts, an update of statutes and regulations at the KAA Conference, and advisement on forms and regulations regarding escrow accounts.

Public Comments

No public comments were received.

Upcoming Meeting

The next regular meeting of the Board is scheduled for January 26, 2025.

Approval of Per Diem and Travel Expenditures

Member Johnson moved to approve per diem and travel expenses for the Complaints Review Committee and the full Board meeting held on December 11, 2024. Member Kirby seconded the motion. With all in favor, the motion carried.

Meeting Adjournment

Member Kirby motioned to adjourn the meeting. Member Johnson seconded the motion. With all in favor, the motion carried. Chairperson Ford adjourned the meeting at 10:59 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 December 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 December 11, 2024, meeting, at its meeting held
on January 26, 2025.

Tracy Carroll

Executive Director Date