



Andy Beshear
Governor

Kerry B. Harvey
Secretary

Ray A. Perry
Deputy Secretary

Public Protection Cabinet
Kentucky Board of Auctioneers
Mayo-Underwood Building
500 Mero Street, 2NE09
Frankfort, KY 40601
<https://auctioneers.ky.gov>

Robert Astorino, Executive Director
Kentucky Real Estate Authority

John Hardesty, General Counsel
Kentucky Real Estate Authority

June 9, 2021
9:00 A.M.

BOARD MEETING MINUTES

A Meeting of the Board of Auctioneers was held via video teleconferencing on Wednesday, June 12, 2021 under the special meetings provisions as set forth in KRS 61.823 in response to the Covid-19 pandemic.

MEMBERS PRESENT

Cliff-Ed Irvin
Gregory Johnson
Ronald Kirby Jr.
Danny Ray Ford
Clarence Yancey

KENTUCKY REAL ESTATE AUTHORITY

Pam Samples, Board Administrator
Tatum A. Herrington
John L. Hardesty, General Counsel
Robert Astorino, Executive Director
Brian Travis, Investigator

CALL TO ORDER AND GUEST WELCOME

Board Chair Irvin called a meeting of the Kentucky Board of Auctioneers to order at 9:03 A.M. Members Irvin, Johnson, Kirby, Ford and Yancey were present, and a quorum was established.

NEW BOARD ADMINISTRATOR INTRODUCTION

- Pam Samples introduced herself to the Board members as the new Administrative Coordinator.

Executive Director Comments

- Director Robert Astorino addressed the Board and commended Tatum Herrington for her work while in transition to hire a new Board Administrator. Mr. Astorino also stated that Pam Samples had been hired to be the new Board Coordinator for the Board of Auctioneers. Mr. Astorino addressed the Board about the June 10, 2021 exam. Pam Samples stated there were 25 applicants to take the exam. Mr. Astorino talked about the next test being held online and he would get an update from Jennifer Franklin as to when this will be ready.

Legal Update

- General Counsel Hardesty gave the Board an update about 2 indictments on anti-trust claims.
- General Counsel Hardesty spoke about the end of the State of Emergency and when it is declared over, all Auctioneers, Apprentices, Auction House Operators, and Limited Livestock Auctioneers would only have 30 days beyond that date to be in compliance before their licenses were cancelled.
- Mr. Hardesty spoke about once the State of Emergency was declared over that we would have to comply with the Open Meetings Act and have a designated place for the public to come for future meetings. Mr. Hardesty will update the Board members once the date has been decided.
- General Counsel Hardesty and Investigator Travis gave an update regarding the Facebook auctions and the difficulty they are having reaching out to these individuals or groups.

Approval of Minutes

- Member Ford made a motion to approve the May 12, 2021 Board meeting minutes. The motion was seconded by member Yancey. With all in favor, the motion carried.

New Business/Old Business/Miscellaneous Matters

- **End of the State of Emergency**

Board Chair Irvin talked about exams going forward after the State of Emergency ends. He would like to hold an exam in August if they are able to get the online testing set up by then. Director Astorino said he would get an update on where we stand on that.

- **June 10, 2021 exam and requests**

Board Coordinator Pam Samples stated that 25 people have requested to take the exam and confirmation letters had been sent.

- **Renewals/Continuing Education Completions Update**

As of June 1, 2021, it shows that 576 people had still not completed their continuing education or Core classes.

Ms. Herrington stated that the education providers are not always putting in the correct information when sending in continuing education. Some are using the old numbers instead of the six-digit license number and names are not matching up to what we have in the system. This may be the way the licensees are signing up for their courses.

- **Correspondence from Everett Everage, Jr.**

Member Johnson made a motion stating Mr. Everage would need to complete the core course and six-hours of continuing education and retake the auctioneer exam. Member Kirby seconded the motion. All in favor, the motion carried.

- **Correspondence from Steve Henry of the Kentucky Auction Academy**

Member Ford made a motion to approve waiving the late fee for the licensee due to provider error. The motion was seconded by member Kirby. With all in favor, the motion carried.

- **Correspondence from Scott Neal**

Member Kirby made a motion that he take the Core class and six-hours of continuing education and retake the exam. The motion was seconded by member Johnson. With all in favor, the motion carried.

- **Correspondence from Rylan Shea**

Member Johnson made a motion that he pay the license fee for the reciprocal license application. The motion was seconded by member Johnson. With all in favor, the motion carried.

- **Correspondence from Nathan Cherry**

It was determined that he had taken the proper class and there was no need to take any action.

- **Correspondence from Joseph Cook**

Member Kirby made a motion that the late fee would not be waived. The motion was seconded by member Johnson. With all in favor, the motion carried.

Next scheduled exam

- Director Astorino stated there is not a scheduled exam as we are still waiting to hear when this will be available online.

General Legal Update

- **Federal Indictment regarding 18-011**

Legal

- In accordance with the requirements of KRS 61.810(1)(c) and (j) the Board went into closed session at 10:39 AM, member Ford made a motion to enter executive session. Member Kirby seconded the motion. All in favor, the motion carried.
- At 11:05 AM, member Johnson made a motion to enter open session. Member Kirby seconded the motion. All in favor, the motion passed.

- Member Ford made a motion to continue case 18-011 which is held in abeyance. Member Kirby seconded the motion. All in favor, the motion passed.
- Board Chair Irvin stated he would like to see new legislation seeking emergency suspension powers as well as subpoena power. Member Johnson made a motion to approve this, member Kirby seconded the motion. All in favor, the motion carried.

August meeting

- **August 11, 2021**

Approval of Timesheets

- Member Ford made a motion to approve timesheets, and member Kirby seconded the motion. All in favor, the motion carried.

Meeting Adjournment

- Member Kirby made a motion to adjourn, and member Ford seconded the motion. With no further business to discuss, Board Chair Irvin adjourned the meeting at 11:25 A.M.

I, Robert Astorino, Executive Director of the Kentucky Real Estate Authority, have reviewed and pursuant to KRS 324B.060, have Approved the expenditures of the Kentucky Board of Auctioneers as described in these attached minutes.

Meeting Date: June 9, 2021.

I have not reviewed, nor did I participate in discussions, deliberations, or decisions regarding, the actions of the Board as it relates to individual disciplinary matters, investigations, or applicant reviews.



Robert Astorino, KREA Executive Director

Date: June 9, 2021

