



Andy Beshear
GOVERNOR
Jacqueline Coleman
LIEUTENANT GOVERNOR

PUBLIC PROTECTION CABINET

Kentucky Real Estate Authority
Kentucky Board of Auctioneers
500 Mero Street, 2NE09
Frankfort, KY 40601
Phone: (502) 782-0722

Ray A. Perry
SECRETARY

September 14, 2022
9:30 A.M.

BOARD MEETING MINUTES

A meeting of the Board of Auctioneers was held via Zoom videoconference, September 14, 2022, and at 500 Mero Street, Conference Room 229NE, Frankfort, KY 40601.

MEMBERS PRESENT

Ronald Kirby, Jr.
Gregory Johnson
Bill Patrick
Danny Ray Ford

KENTUCKY REAL ESTATE AUTHORITY

Robert Astorino, Executive Director
Jacob Walbourn, General Counsel, Public Protection Cabinet (PPC)
Pam Samples, Board Coordinator
Hannah Carlin, Deputy Executive Director
Rene Rogers, Staff Attorney III
Aaliyah Boller, Intern
Steve Hoskins, Investigator

Call to Order:

- Board Chair Kirby called a meeting of the Kentucky Board of Auctioneers to order at 9:44 A.M. Members Kirby, Johnson, Ford, and Patrick were present, and a quorum was established.

Approval of the August 2022 Meeting Minutes:

- Member Johnson moved to approve the August 10, 2022, board meeting minutes. Member Patrick seconded the motion. All in favor, the motion carried.

Executive Director Comments:

- Director Robert Astorino addressed the Board and complimented the Board and Board staff on its operations. Director Astorino updated the Board on investigator staffing, with input from Jacob Walbourn. Director Astorino informed the Board of changes to Kentucky Real Estate Authority staffing, including the departure of the fiscal coordinator, and Director Astorino's retirement.

New Business/Old Business/Miscellaneous Matters

- **Proctored exams through KCTCS:**

Board Coordinator Pam Samples reported that since the last update on August 10, 2022, six (6) people have taken the exam; four (4) passed and two (2) failed. A total of 75 people have signed up to take the exam since January 2022, with more people registered to take the exam soon.

- **2022 Renewal update:**

Board Coordinator, Pam Samples, reported that 1,475 active licensees had renewed, and 110 licensees had not renewed. Ms. Samples stated she has sent out three (3) email reminders to licensees that had not renewed that they are now in Inactive-Non-Renewal status until they pay the renewal fee or until December 31, 2022, at which point their licenses will expire. Ms. Samples indicated she will continue sending email reminders. As of the date of this meeting, Ms. Samples reported the Board had a total of 1475 active licensees.

- **Exam questions and study guide:**

Chairman Kirby stated he had spoken to some educators about teaching correct information in pre-licensing classes. Mr. Kirby would like the board members to look at the Board's informational study guide to see if they see anything that needs to be updated.

- **Board review of application of Dennis Badger & Associates continuing education application and course approval:**

Member Johnson moved to approve this course for three (3) hours of continuing education credit for Auctioneers, Member Patrick seconded the motion. All in favor, the motion carried.

- **Letter from E.M.:**

E.M. requested to have his Apprentice license reinstated. E.M.'s license has been expired since 6/30/2009. Member Ford moved that E.M. must take the 12-hour pre-licensing course and then apply to take the exam again, Member Patrick seconded the motion. All in favor, the motion carried.

- **Statute and Regulation discussion and review:**

Chairman Kirby inquired regarding a new statute that gave the Board emergency suspension and subpoena powers. PPC General Counsel, Jacob Walbourn told the Board members that that statute went into effect on July 14, 2022. He told the Board that they would have to get the regulation changed and this goes through a process. Deputy Executive Director, Hannah Carlin generally described the regulation process and informed the Board that General Counsel, August Pozgay would be back in the office next week and he would work on this with Staff Attorney Rene Rogers. Member Johnson spoke about other statute and regulation changes he thought should be brought before the legislative session in 2023 to address some platforms that are now being used.

Closed Session

- Chairman Kirby moved to go into closed session, pursuant to KRS 61.815 and KRS 61.810 (c) and (j) to discuss proposed or pending litigation and deliberate on individual adjudications: to discuss the matter of alleged activities of escrowed licensee J.C. Member Johnson seconded the motion. All in favor, the motion carried, and the Board moved into closed session.
- Member Ford moved for the Board to come back into regular session, Member Patrick seconded the motion. All in favor, the motion carried.
- Member Ford moved for legal counsel to send a Cease-and-Desist letter to J.C. and copy the online platform he is using to conduct illegal auctions, as well as the County Attorney where he resides, and to indicate that further legal action will be taken if J.C. does not stop the activity. Member Johnson seconded the motion. All in favor, the motion carried.

Meetings for 2022

- October 12, 2022

Approval of Timesheets:

- Member Johnson made a motion to approve timesheets, and Member Patrick seconded the motion. All in favor, the motion carried.

Meeting Adjournment

- Member Ford moved to adjourn, and Member Patrick seconded the motion. With no further business to discuss, Board Chairman Kirby adjourned the meeting at 11:06 A.M.

Pursuant to KRS 324B.060, I, Natalie W. Brawner, Executive Director of the Kentucky Real Estate Authority (KREA), have reviewed and Approved the expenditures for the meeting of the Kentucky Board of Auctioneers held on September 14, 2022. Although I was not present at this meeting, my 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 of the Board taken at the meeting held on September 14, 2022, related to individual disciplinary matters, investigations, or applicant reviews.


KREA Executive Director

Date: 12/5/2022