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GOVERNOR
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PUBLIC PROTECTION CABINET

Kentucky Real Estate Authority
Kentucky Board of Auctioneers
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Ray A. Perry
SECRETARY

September 13, 2023
9:30 A.M.

BOARD MEETING MINUTES

A meeting of the Board of Auctioneers was held via Zoom videoconference, September 13, 2023, and at 500 Mero Street, Conference Room 229NE, Frankfort, KY 40601.

MEMBERS PRESENT

Ronald Kirby, Jr.
Gregory Johnson
Bill Patrick (In person)
Danny Ray Ford
GeMonee Brown

KENTUCKY REAL ESTATE AUTHORITY STAFF PRESENT

Hannah Carlin, Deputy Executive Director
August L. Pozgay, General Counsel
Seth Branson, Procedures Development Specialist I
Gerald Florence, Investigator
Rene Rogers, Staff Attorney III

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Call to Order

Board Chair Kirby called a meeting of the Kentucky Board of Auctioneers (the "Board") to order at 9:34 A.M. Eastern. Members Kirby, Johnson, Ford, Patrick, and Brown were present, and a quorum was established.

Approval of the August 9, 2023 Meeting Minutes

Member Brown moved to approve the August 9, 2023, board meeting minutes. Member Ford seconded the motion. All in favor, the motion carried.

KREA Update

Deputy Director Hannah Carlin informed the Board of a test scheduling issue at the KCTCS site in Henderson and that she was working to resolve that matter.

Legal Update

General Counsel Pozgay informed the Board he had two items to provide legal advice to the Board during closed session: application of D.W.D. and alleged unlicensed activity of J.V. in Brownsville, KY.

New Business/Old Business/Miscellaneous Matters

- **Proctored exams through KCTCS:** Deputy Director Carlin reported that since the last update on August 9, 2023, that nine (9) people have taken the exam; six (6) passed and three (3) failed. One (1) Principal and five (5) Apprentices had passed, one (1) Principal and two (2) Apprentices had failed.
- **2023 license renewal update:** Deputy Director Carlin reported that as of today 92 licensees were on the list for non-renewal, this was down from 95 that were reported at the August meeting. Board Coordinator, Pam Samples has sent five (5) renewal notices since July. Chairman Kirby stated he would like to know how many people didn't renew in previous years and would also like to have a quarterly financial update. Deputy Director Carlin indicated a financial update would be provided.
- **Update on Reciprocal Agreements and communication with Texas:** General Counsel Pozgay told the Board that Board Coordinator, Pam Samples had compiled information, and he was still working on this.
- **Auction Advertising:** At the request of Chairman Kirby, Auction Advertising will be placed on the October meeting Agenda for further discussion.

First Closed Session Announced

The motion by Member Ford and second by Member Brown to enter closed session carried at 9:47 A.M. Member Johnson immediately moved to reconvene in open session with second by Member Ford to ensure committee reports were provided before conducting closed session deliberations, and the motion carried.

Complaint Committee Report ("CRC")

The CRC, Members Johnson and Ford, met on September 13, 2023, and offered the following recommendations to the Board:

- **Complaint 23-003** - recommendation: to dismiss the complaint.
- **Complaint 23-004** – recommendation: to dismiss the complaint.
- **In Re: Anonymous letter concerning J.G.** – recommendation: assign for further investigation.

Closed Session

Member Ford moved 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 individual adjudications in the following: Complaints 23-003 and 23-004; In Re: Anonymous letter concerning J.G.; In Re: Application of D.W.D., In Re: Alleged Unlicensed Activity of J.V. in Brownsville, Kentucky; Education provider W.E.I. course material; and In Re: Application of A.G. Member Brown seconded the motion. All in favor, the motion carried, and the Board moved into closed session at 9:51 A.M.

Reconvene in Open Session:

The Board reconvened in open session at 10:24 A.M. on a motion from Member Johnson, seconded by Member Patrick, with all in favor.

- **Complaints 23-003 and 23-004:** With the Board having duly reviewed the written withdrawal request from the Complainant, Member Johnson moved to dismiss both complaints. Member Brown seconded the motion. All in favor, the motion carried.

- **In Re: Anonymous letter concerning J.G:** Member Johnson moved to assign to the Board investigator for investigation. Member Ford seconded the motion. All in favor, the motion carried.
- **Education provider W.E.I. course material:** Member Johnson moved to accept the letter and remove the education provider from the list of approved providers. Member Patrick seconded the motion. All in favor, the motion carried. Member Johnson moved to remove the education provider's courses from the list of Board-approved courses. Seconded by Member Ford. All in favor, the motion carried.
- **In Re: Application of A.G:** Member Johnson moved to approve the application for licensure. Member Brown seconded the motion. All in favor, the motion carried.
- **In Re: Application of D.W.D:** Member Johnson moved to accept a name-based background search due to the applicant's fingerprints not being readable. Member Ford seconded the motion. All in favor, the motion carried.
- **In Re: Alleged Unlicensed Activity of J.V. in Brownsville, KY:** Member Johnson moved to assign to the Board investigator for investigation. Member Ford seconded the motion. All in favor, the motion carried.

Upcoming Meeting

The next regular meeting of the Board has been set for October 11, 2023. Chairman Kirby appointed Member Patrick to serve on the CRC, and removed Member Ford from the CRC, for the meeting of the CRC scheduled for October 11, 2023, due to Member Ford's being unable to attend that meeting. Chairman Kirby indicated the assignment would be for that meeting only, such that Member Ford will be reappointed and Member Patrick will be removed from the CRC following the October 11, 2023, meeting of the CRC.

Approval of Per Diem and Travel Expenditures

Member Johnson moved to approve per diem and travel expenditures. Member Brown seconded the motion. All in favor, the motion carried.

Meeting Adjournment

Member Ford moved to adjourn the meeting. Member Brown seconded the motion. All in favor, the motion carried. Chairman Kirby adjourned the meeting at 10:34 A.M.

Pursuant to KRS 324B.060, I, Kristen Lawson,
Acting 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 13, 2023.

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 13, 2023
meeting, at its meeting held on October 11, 2023.

Kristen R. Lawson 11/14/2023

Executive Director Date