



Andy Beshear
Governor

Ray Perry
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

Molly B. Cassady, General Counsel
Kentucky Real Estate Authority

December 8, 2021
10:00 A.M.

BOARD MEETING MINUTES

A Meeting of the Board of Auctioneers was held via video teleconferencing on Wednesday, December 8, 2021 under the special meetings provisions as set forth in KRS 61.823 in response to the Covid-19 pandemic.

MEMBERS PRESENT

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

KENTUCKY REAL ESTATE AUTHORITY

Robert Astorino, Executive Director
Molly B. Cassady, General Counsel
Brian Travis, Investigator
Pam Samples, Board Administrator

PUBLIC

Faye Rector

CALL TO ORDER AND GUEST WELCOME

Board Chair Kirby called a meeting of the Kentucky Board of Auctioneers to order at 10:12 A.M. Members Kirby, Irvin, Johnson, Yancey, and Ford were present, and a quorum was established.

Executive Director Comments

Director Robert Astorino addressed the Board about the change in Board Chairman, as Ron Kirby, Jr. had been voted to be the new Chairman. He spoke about the meeting he had with all the Board Chairs from all four Boards under KREA on December 7, 2021. He addressed the upcoming Kentucky Auction Associations convention that is going to be held in Lexington, KY in January of 2022 and that we would be able to hold our monthly meeting at the convention. He addressed the ongoing project of transitioning to an online exam with KCTCS and getting that contract signed and finalized.

Approval of Minutes

- Member Johnson made a motion to approve the October 13, 2021 Board meeting minutes. The motion was seconded by Member Ford. All in favor, the motion carried.

New Business/Old Business/Miscellaneous Matters

- **Proctored exam through KCTCS**

Board Coordinator Pam Samples gave a brief overview of how the test would be set up and how applicants would still have to apply like they always have, then be sent a confirmation letter to register online and choose the location and time they want to take the exam. There are 15 locations statewide through KCTCS that would be offering the exam. Ms. Samples informed the Board that she had sat in with Jennifer Franklin and Satish Akula and saw how the exam would work and they tested it and have a few things they need to fix. The exam is on track to begin the first of January 2022 and there are currently five applicants that have sent in applications to be registered.

- **Correspondence of Samuel Cox**

Member Irvin motioned to have Mr. Cox retake the pre-licensing course and the exam, Member Johnson seconded the motion. All in favor, the motion carried.

- **Discussion of Limited Livestock Licenses**

Board Chair Kirby asked Coordinator Samples how many Limited Livestock Auctioneers there are currently. Ms. Samples stated that there are currently 14, with 10 being active and 4 being Inactive-Escrow.

- **Clarification on online auctions and what license is required**

General Counsel Molly Cassady stated to the Board that she has written a draft interpretation of this and read this to the Board members. There is no difference in live and online auctions, when calling bids, you have to have a Principal Auctioneer. If you buy items to resale then you have to have a license in which to do so. Auction House Operators have to also have a Principal Auctioneer to call bids. Investigator Travis states that it would be a good idea to send this to all approved education providers once this is finalized so that they can teach this as the Board interprets it.

- **Nalloy Membership Dues**

Board Chairman Kirby states that the membership dues for Nalloy are due by February 2022. It is \$300 for the year. Motion by Member Ford to pay the dues, Member Johnson seconded the motion. All in favor, the motion carried.

- **Indiana Continuing Education form agreement**

Board Chairman Kirby stated that the agreement for continuing education for Licensed auctioneers that resided in Indiana was due to be signed again. Member Irvin motioned to have this signed and Member Ford seconded the motion. All in favor, the motion carried.

- **January Meeting to be held at the Kentucky Auction Association Convention in 2022**

Board Chairman Kirby spoke about the convention being held in Lexington, KY in January 2022 and the January monthly meeting being held there on January 23, 2022, at 9:00 A.M, along with a Question-and-Answer session at 11:00 A.M.

- **2022 Board Meeting Schedule**

January 23, 2022 9:00 A.M. will be held at the KAA convention in Lexington, KY.

February 9, 2022 at 9:30 A.M.

March 9, 2022 at 9:30 A.M.

April 13, 2022 at 9:30 A.M.

May 11, 2022 at 9:30 A.M.

June 8, 2022 at 9:30 A.M

July 2022 – No meeting

August 10, 2022 at 9:30 A.M.

September 14, 2022 at 9:30 A.M.

October 12, 2022 at 9:30 A.M.

November 9, 2022 at 9:30 A.M.

December 14, 2022 at 9:30 A.M.

Member Johnson motioned to accept the 2022 Board meeting schedule. Member Yancey seconded the motion. All in favor, the motion carried.

- **Vote on a replacement for Board Chairman Kirby to be on the Complaint Review Committee**

Board Chairman Kirby nominates Member Danny Ford to replace him on the committee. Chairman Kirby motions for Member Ford to be on the Complaint Review Committee, Member Johnson seconds the motion. All in favor, the motion carried.

General Legal Update

21-003

21-004

21-005

21-006

21-007

21-008

Application Review for H.N

Legal

- In accordance with the requirements of KRS 61.810(1)(c) and (j) the Board went into closed session at 11:20 AM, Member Ford made a motion to enter executive session. Member Johnson seconded the motion. All in favor, the motion carried.
- At 12:10 AM, Member Yancey made a motion to enter open session. Member Johnson seconded the motion. All in favor, the motion carried.

- Member Ford made a motion to grant H.N. a license, Member Johnson seconded the motion. All in favor, the motion carried.
- Member Johnson read the recommendations in the following complaints:
 - 21-003 - Dismiss complaint
 - 21-004 - Further investigation needed
 - 21-005 - Dismiss complaint
 - 21-006 - Further investigation needed
 - 21-007 - Further investigation needed
 - 21-008 - Further investigation needed
- Member Ford made a motion to accept the recommendations, Member Irvin seconded the motion. All in favor, the motion carried.

General Legal Update

- General Counsel Molly Cassady updated the Board about working on drafts for the statute changes the Board is wanting changed that will be sent to a Legislative sponsor. Changes include giving the Board emergency suspension and subpoena powers over licensees, and also changing the renewal from a yearly one to a biannual renewal.

Public Comment

- Ms. Faye Rector was in attendance for the regular meeting session and spoke about the complaint she had filed. General Counsel Cassady explained to her what the Board had recommended and how the complaint process worked.

Next meeting

- January 23, 2022, at the Kentucky Auctioneer Association's annual convention.

Approval of Timesheets

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

Meeting Adjournment

- Member Ford made a motion to adjourn, and Member Johnson seconded the motion. All in favor, the motion carried. With no further business to discuss, Board Chairman Kirby adjourned the meeting at 12:25 P.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: December 8, 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: December 22, 2021