



**TENNESSEE AUCTIONEER COMMISSION  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TENNESSEE 37243  
615-741-1831**

**Commission Meeting Minutes for February 27, 2023  
First Floor Conference Room 1-B  
Davy Crockett Tower**

The Tennessee Auctioneer Commission met on February 27, 2023, in the first-floor conference room of the Davy Crockett Tower in Nashville, Tennessee. The following business was transacted:

**COMMISSION MEMBERS PRESENT:** Ed Knight, Jeff Morris, Larry Sims, Kimball Sterling, and Dwayne Rogers.

**COMMISSION MEMBERS ABSENT:** None

**STAFF MEMBERS PRESENT:** Roxana Gumucio, Anna Matlock, Robert Hunter

**ROLL CALL**

Director Gumucio called the meeting to order at 9:00 a.m. Director Gumucio took roll and established that a quorum was present.

**NOTICE OF MEETING**

Director Gumucio read the notice of the meeting into the record as follows: "Notice of the February 27, 2023, meeting of the Auctioneer Commission including date, time and location has been noticed on the website since May 17, 2022; additionally, this month's agenda has been posted on the website since February 22, 2023".

**AGENDA**

Mr. Kimball Sterling made a motion to adopt the agenda as written. This was seconded by Mr. Jeff Moran. The motion passed unanimously.

**NOVEMBER MINUTES**

Mr. Ed Knight made a motion to adopt the minutes from the November meeting as written. This was seconded by Mr. Jeff Morris. The motion passed unanimously.

**ROBERT'S RULES OF ORDER**

Kimball Sterling motioned to agree and adhere to Robert's Rules of Order to conduct meetings. This was seconded by Ed Knight. The motion passed unanimously.

## **EDUCATION REVIEW**

No report for this meeting.

## **DIRECTOR'S REPORT**

### ***Budget Report***

Director Gumucio presented the financial information as of December 22. The Auctioneer Commission added an additional \$3,208 making the reserve balance at \$497,218. The current Educational Fund balance is \$213,404.

### ***Licensing Numbers***

Director Gumucio presented licensing number as of January 31, 2023.

### ***Election of Officers***

Director Gumucio informed the Commission that they would need to elect a new Chairman and Vice Chair as part of the new year requirements. Kimball Sterling motioned to elect Jeff Morris as the Chairman. This was seconded by Larry Simms. The motion passed unanimously. Jeff Morris motioned to elect Kimball Sterling as the new Vice Chair. This was seconded by Dwayne Rogers. The motion passed unanimously.

### ***PSI Exam Review***

Director Gumucio informed the Commission that they would be doing a review of the PSI database of questions along with two members of the industry involved with education and Mr. Jeff Morris representing the commission.

## **LEGAL REPORT (*Presented by Anna Matlock*)**

### **1. 2022048601**

**Opened: 1/18/2023**

**First Licensed: 2/17/2010**

**Expires: 2/21/2022 (Expired)**

**Type of License: Principal Auctioneer**

**History: 2015 Consent Order for failure to remit monies**

Complainant is a Tennessee resident. Respondent is an expired principal auctioneer. Complainant states they operate a restaurant where Respondent used their back dining room for auctions on Friday nights. Upon discovering Respondent's license was expired, Complainant stopped permitting use of their dining room. Complainant alleges Respondent still conducts auctions in other parts of Tennessee and attached advertisements as evidence.

Respondent did not submit a response. Respondent's principal auctioneer license expired on February 21, 2022. Subsequently, any auctions conducted after that date, or any activity requiring a license, is unlicensed activity. Therefore, Counsel recommends Respondent be assessed a Five Hundred Dollar (\$500.00) civil penalty for violation of Tenn. Code Ann. § 62-19-102(a)(1) which states it is unlawful for a person to act as, advertise as, or represent to be an auctioneer without holding a valid license issued by the commission.

**Recommendation: Five Hundred (\$500.00) Dollar civil penalty.**

**Commission Decision: Concur**

Kimball Sterling motioned to accept the legal report, which was seconded by Ed Knight . The motion passed unanimously.

***Legislative Update***

Ms. Matlock updated the commission on SB746/HB881 regarding an antique automobile auction held in October. She also provided an update on SB0255/HB0074 regarding high school equivalency.

**NEW BUSINESS**

NAA Conference is scheduled for July 18 - July 22 in Oklahoma. Mr. Morris requested the commission allow him and one other member to attend. Motion made by Kimball Sterling and seconded by Ed Knight to have Jeff Morris and Ed Knight attend and expenses paid by the commission. The motion passed unanimously.

**ADJOURNMENT**

There being no new business, Mr. Dwayne Rogers made a motion to adjourn the meeting. This was seconded by Mr. Ed Knight. The motion passed unanimously. The meeting adjourned at 9:19 am.