

**Executive Summary
Conference Call
September 25, 2003
10:00 A.M.**

CALL TO ORDER

Chairman Fred Dietrich called the meeting to order at 10:05 a.m.

Present at Meeting

The following members were present:

Fred Dietrich, Board Chair
Joann (Jodi) Hill, Board Member
Annette Elms, Board Member
Craig Accardo, Board Member
Michael Moecker, Board Member
Julie Malone, Executive Director, DBPR
Donna Salters-Thomas, Government Analyst, DBPR
Mark Whitten, Deputy Director of Professions & Regulation
Jerry Wilson, Deputy Director of Professions & Regulation
Erica Glover, Assistant Attorney General
Mary Ellen Clark, Assistant Attorney General
Charlie Pellegrini, Assistant General Counsel
Ron Safford, Alternative Dispute Resolution Coordinator
Allen Mortham, Legislative Affairs, DBPR
Victoria Torres, Applicant
Jason Trunzo, Applicant
Mark Cleatious Thomas, Applicant
Eddie Tanner, Paralegal Specialist
June Nash, Employer of Applicant

Major Issues

- Minutes approved from June 26, 2003 meeting
- Disciplinary cases were pulled due to notification error to the respondents
- Applications for Michael Joyce and Todd Buchard were pulled as they have not complied with request for additional information concerning their criminal history

Applications

- Victoria Torres, application # 909, was approved for examination
- Jason Trunzo, application #58, was approved for examination
- Marilou McKenzie, application #901, was approved for examination
- Mark Cleatious Thomas, application # 4802, was tabled from the June 26, 2003 board meeting. He provided an explanation of disciplinary cases on his Texas record. His application was approved for license by endorsement.
- There were six (6) auctioneer examination applications ratified
- There were fourteen (14) endorsement applications ratified
- There was one (1) null & void application ratified
- There were thirty (30) auction business applications ratified

Reports

- Ms. Glover will no longer be serving as counsel for the Board of Auctioneers. Ms. Mary Ellen Clark will be the new board counsel

- Mr. Dietrich attended the NALLOA conference held in San Antonio, Texas. He updated the Board on the positive comments regarding Florida's new policy issuing license by reciprocity. He reported that Brad Wooley and Barbara Malett both were elected to the National Auctioneers Association.
- The next NALLOA meeting will be in January on a cruise ship leaving Port Canaveral. The Board recommended a person from staff and one Board member attend. Ms. Malone reminded the Board that this would occur per budget.
- Ron Safford, Alternative Dispute Coordinator asked the Board to consider expanding mediation. The board expressed interest and instructed Mr. Safford to meet with counsel and report back to the Board.
- The Regulation report was presented
- The Margate office conducted an auctioneer sweep. A total of thirty-four (34) auctioneer licenses were checked and two auction business sites were visited. Jim Patton and Cheryl Biesky issued a total of three (3) notices of non-compliance.
- Mr. Pellegrini reported that there are no unlicensed activity investigations and there are two (2) cases awaiting probable cause determination. There are eleven (11) additional cases and five (5) of those have requested informal hearings
- Ms. Malone reported that the target date to begin CBT testing is October 13th or shortly thereafter. Paper exams will be administered through October 10th
- Ms. Malone referred the board to Section 455.229, F.S., regarding confidential information. She asked that the Board properly dispose of meeting materials.
- The Board asked counsel to draft a rule pertaining to renewals for military spouses and members who are active in the armed forces.
- Ms. Malone asked the Board for clarification of the definition of livestock. She will be contacting Mr. Monroe at the Department of Agriculture regarding the definition.
- Ms. Clark will review the draft legislation concerning auction business requirements and it will be submitted for the 2005 legislation.
- The next board meeting will be conducted on November 12, 2003, at 10:00 a.m. by a telephone conference call to handle the discipline cases that were scheduled for this meeting.
- The December 5, 2003 board meeting will be held in conjunction with the Florida Auctioneers Association meeting in Kissimmee/Orlando at 10:00 a.m.
- Mr. Moecker will be excused for the December 5, 2003 due to out of country travel.
- The meeting was adjourned at 11:47 a.m.

Action Item

- Ms. Malone will send letters of appreciation to Jim Patton and Cheryl Biesky for their work in the Margate auctioneer sweep.
- Ms. Clark will draft a rule pertaining to renewals for military spouses and members who are active in the armed forces.
- Ms. Malone will be contacting Mr. Monroe at the Department of Agriculture regarding the definition of livestock.
- Mr. Safford, Alternative Dispute Coordinator and Board Counsel will meet to discuss mediation.
- Ms. Clark will review the draft legislation pertaining to auction business licensure qualifications.