

**Executive Summary**  
**Florida Board of Auctioneers Meeting**  
**Ramada Plaza & Inn Gateway**  
**7470 Highway 192 West**  
**Kissimmee, Florida 34747**  
**December 5, 2003, 10:00 a.m.**

**CALL TO ORDER**

Chairman Fred Dietrich called the meeting to order at 10:20 a.m. and a quorum was established.

**ROLL CALL:**

The following members were present:  
Fred Dietrich  
Annette Elms  
Craig Accardo

**Staff Present**

Julie Malone, Executive Director  
Donna-Salters-Thomas, DBPR, Government Analyst  
Charlie Pelligreni, Prosecuting Attorney  
Mary Ellen Clark, Assistant Attorney General

**Others Present**

Victor Rivera, Applicant

**APPROVAL OF MINUTES**

The minutes were approved with the following changes: Scott Roberts was not recorded on the list of those in attendance. Ms. Elms seconded it and the motion passed unanimously.

**APPLICATIONS**

**Discipline**

- The motion to deny petition for Donnie Clay Connolly case was pulled from the agenda.

**Applications with Criminal History**

- Hossein Karibaik, application # 2806, application from null & void was denied citing that he did not attend an auctioneer school and that he did not hold an apprentice license.
- Bonifant Auction Company application # 1561 was denied citing that there was no information enclosed in his application concerning the disciplinary action of the auction principle case from North Carolina.
- Victor Rivera, application # 910 was discussed by the Board and based on the felony charge and not having civil rights restored re: Chapter 112 Florida Administrative Code, the Board could not approve his application. Mr. Rivera withdrew his application and requested a refund.

**Ratification of Applications**

- Two (2) applications were ratified for license by exams
- Four (4) applications were ratified for license by endorsements
- One (1) application by null & void was ratified
- Two (2) applications were presented for ratification for apprentice.
- Six (6) applications were ratified for auction business.

**Executive Director's Report**

- Promissior, the testing vendor contract, hourly charge has been reduced from \$13 to \$9 per hour.
- The \$4 difference will not add any cost to applicant, but the exam fee will be a \$4 increase to the department.

- Financial comparison was presented for the quarter ending September 30, 2003 & September 30, 2002.
- Applicants seeking initial license are not required to pay into the Auctioneer Recovery Fund. Ms. Malone referenced 468.393 (2)(3), F.S. limitations on surcharge fees to applicants based on current fund balance.
- Information was presented from the Bureau of Education and Testing Task List Survey. The survey was done to replenish information on the exam.

### **Board Counsel Report**

- Ms. Clark referred to Section 468.385 (7) (b), F.S. regarding criminal history checks on an applicant. She concluded that this statute allows the Board to request whatever information they deem necessary for processing an application
- Ms. Clark advised the Board that they must work with the department to get this information included on the application.
- Ms. Malone informed the Board that there is a \$47 fingerprint card fee that must be added to the application.
- The fingerprint card requirement will be for all applications (auctioneer, auctioneer apprentice, principal on auction business.)
- Mr. Accardo motioned that Ms. Malone proceed with adding the fingerprint card requirements to the auctioneer application.
- Mr. Accardo made a motion to choose the language, notice it for rule development and delegated the responsibility to Ms. Clark.
- Ms. Clark reported that the rules for exemptions for license renewal provision 61G2-2.0035, (provision for licensees in the armed services) was noticed for rule development on November 26, 2003.
- Ms. Malone was asked to send a letter of appreciation to Ms. Clark's supervisor for her exemplary service to the Board.

### **Prosecuting Attorney's Report**

- Mr. Pellegrini informed the Board of Mr. Joseph Shaia (Case # 200201431 & Case # 200201549) being in compliance.

### **New Business**

- Mr. Dietrich asked that Ms. Clark send a letter to Jim Skeen of Florida Auction Academy informing him of Florida Administrative Codes concerning convicted felons applying for licenses.
- Ms. Malone will do a budget request for one board member and one member of staff to attend both NALLOA meetings in the next fiscal year.
- The Board was asked to send travel to DBPR staff in a timely manner.
- Mr. Accardo suggested that the Board hold in-person meetings where there can be more public participation.

### **Next Meeting**

- The next meeting is scheduled for **March 9, 2004. 10:00 a.m.** by telephone conference.
- The next fiscal year's (July 1, 2004) budget will include two in person meetings and two-telephone conference call meetings.
- The meeting was adjourned at 12:14 p.m.

### **Actions Items**

- Ms. Clark will send a letter to Jim Skeen at Florida Auction Academy informing him of Florida Administrative Codes concerning convicted felons whose civil rights have not been restored

- Ms. Malone will add fingerprint card requirements to the auctioneer application.
- Ms. Clark will choose the language for rule change regarding application requirements, fingerprint card fees and notice it for rule development
- Ms. Malone will send a letter of appreciation to Ms. Clark's supervisor for her exemplary service to the Board.