MEMBERS PRESENT: Raymond Williams, Chair  William Macomber  Elsie Andrews  Mark Bradstreet  James Keating

MEMBERS ABSENT: None

STAFF PRESENT: Karen Bivins, Administrator  Deborah Fales, Board Clerk  Kim Baker, Board Clerk  Samantha Morgan, Assistant Attorney General  Cathy Pendergast, Education Coordinator

OTHERS PRESENT: Rebecca Smith, Hearing Officer

CALL TO ORDER

The meeting was called to order at 9:05 a.m. by Chair Raymond Williams.

AGENDA MODIFICATIONS

None

ACTION ON MINUTES OF JUNE 7, 2017 MEETING

A motion was made by Macomber and seconded by Bradstreet to approve the minutes of the June 7, 2017 meeting. Unanimous.

APPLICATIONS

Members were provided with monthly licensing and examination reports for June, July, August, September and October 2017.

ADJUDICATORY HEARING 2017-AUC-12857, MELISSA WELLS

The hearing in the matter of Melissa Wells was called to order at 9:14 a.m. Ms. Wells was present but was not represented by an attorney. Assistant Attorney General Samantha Morgan represented the state in this matter. Rebekah Smith attended as the Hearing Officer. Public deliberations were conducted following the close of the hearing.

A motion was made by Bradstreet and seconded by Andrews to find a violation of 32 M.R.S. § 298(E) for failing to state the buyer’s premium on the Licensee’s consignment contract. Unanimous.

A motion was made by Macomber and seconded by Andrews to find a violation of 32 M.R.S. § 298(A) for failing to provide an inventory of the consigned items with the Licensee’s consignment contract. Keating opposed; Andrews, Bradstreet, Macomber and Williams voted in the affirmative. Motion carried.

A motion was made by Bradstreet and seconded by Andrews to dismiss the violation of 30-A M.R.S. § 3971(1) as noted in provision (3) of the Notice of Hearing. Unanimous.
A motion was made by Macomber and seconded by Andrews to find a violation of Board Rules Ch. 50(2)(A) for failure to inventory the items and furnish that inventory to the consignor. Keating opposed; Andrews, Bradstreet, Macomber and Williams voted in the affirmative. Motion carried.

A motion was made by Bradstreet and seconded by Macomber to order the following sanctions as a result of the violations found:

1. A 90 day suspension for each violation and probation for one year during which time Licensee will provide all contracts to the Board including description of items to be sold, on a monthly basis;

2. If the Licensee provides an acceptable contract and inventory plan to the Board prior to the end of the suspension period, the suspension will be lifted and the probationary period will begin;

3. Impose a $1000 fine per violation to be paid within 90 days of final Decision and Order.

The hearing was closed at 12:57 p.m.

**Administrator’s Report**

The Administrator reviewed the new agenda format that will be made uniform across all PFR Boards. She also updated the Board on AAG Chris Mann’s investigation of Jeffrey Roberts and payment of the bond.

**PUBLIC COMMENT**

Ruth Lind of the Maine Auctioneer Association introduced herself and spoke to the Board about an upcoming training session they will be sponsoring on serial numbers.

**ADJOURN**

The next meeting is scheduled for Wednesday, December 6, 2017.

There being no other business, the meeting adjourned at 1:12 P.m.

Respectfully Submitted,
Kim Baker, Board Clerk