

**INDIANA AUCTIONEER COMMISSION  
MINUTES**

**June 6, 2023, AT 10:00 A.M.  
402 West Washington Street W064  
Indianapolis, IN 46204**

- I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM 10:00 A.M.**  
**Members Present: John Kruse, Jack Lawson, Pete Shawver**  
**J Yagle not present**  
**Staff Present: Toby Snell, Clarence Leatherbury**
- II. ADOPTION OF THE AGENDA Motion made by PS and seconded by JL to adopt the agenda.**  
**Motion carries 3-0-0**
- III. ADOPTION OF THE MINUTES Motion made by JL and seconded by PS to approve the minutes.**  
**Motion carries 3-0-0**
- IV. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL**  
**Report given by Ian Matthew**
- COURT REPORTER**  
**Lindy Meyer**
- V. ADMINISTRATIVE HEARINGS**
- A. Charles Charleston AU10600129**  
Notice of Proposed Default 2023 IAC 0001  
RE Administrative Hearing  
Charles appears telephonically without counsel.  
Ian Matthew appears on behalf of the state.  
State makes opening statement for the NOPD and says that Mr Charleston did respond the day of the meeting giving a reason for not appearing at the last meeting.  
A motion made by PS and seconded by JL to allow respondent to participate in the administrative hearing.  
State continues with opening statement and is seeking discipline on the respondent's license as he was convicted of an OWI, and he completed his online renewal and did not disclose the conviction at that time.  
Respondent makes opening statement and says he is at the mercy of the lord and in 2021 he was going thru the process with his real estate license, and it was placed on probation for this. he states he was wrong and not sure if he was under

pressure or what as he does not recall. He thought the decision by the real estate commission also covered his auctioneer license as well back then. He understands that now to not be the case.

He apologizes and states it will not happen again.

He has had a problem with alcohol, and he is attending classes and he is sober and works on it daily.

State calls Marie Beckhert as witness

State requests to admit Exhibit A

Move to enter exhibit A, so moved.

State requests to admit Exhibit B

Move to enter exhibit B, so moved.

State requests to admit Exhibit C

Move to enter exhibit C, so moved.

Respondent does not have any questions for the witness.

State call Mr Charleston

Asks about his conviction.

Asks if he is on probation and he states yes, he is on criminal probation.

Asks what the terms are.

He is required to take drug screens weekly and call in daily.

Taking classes for alcohol abuse and addiction and how to make yourself a better person.

Are you working as an auctioneer currently and he stated yes,

He owns his own company.

State asks about his prior discipline, and he remembers being disciplined by the real estate commission and state asks about the 2009 auctioneer commission suspending his license in 2010. He does not remember that. The real estate commission disciplined him for the same thing, alcohol abuse.

The last time he had a drink was April of 2023.

State rests

Commission asks questions of Mr Charleston

Mr Charleston requests to enter Exhibit 1, so moved.

No questions from the commissioners

Respondent rests

State makes closing statement.

Respondent makes closing statement.

These proceedings are now concluded.

Motion made by JK and seconded by PS to find respondent guilty of both counts.

Motion made by PS and seconded by JL to place the license on probation semiannual reporting and impose a fine of \$250.00.

Motion carries 3-0-0

**B. Michael Drook AU19400075**

Petition for Review 2012 IAC 0023

Michael appears without counsel.

Mr Drook requests to have the suspension lifted from his license and feels he has completed what is needed to be compliant with his license and CE. He has submitted his \$1000.00 fine and his current continuing education as well as his reinstatement and fee.

The commission recognizes the submission of his CE and the payment of the \$1000.00 fine.

Respondent has no opening statement.

Respondent explains to the commission what he will be using his license for and will be using it part time. He has never held an auction without a license.

He does not have his trust account set up at this time but understands what he needs to do so that he will be compliant with the law.

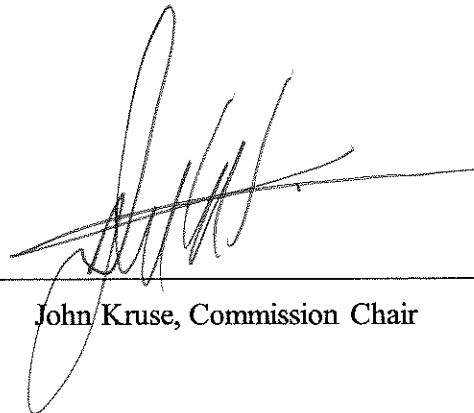
These proceedings are JL and seconded by PS to reinstate the license.

Motion carries 3-0-0

**VI. DISCUSSION ITEMS**

- A. Report to Commission on Raney Exam Students
- B. Audit discussion for Pre-Licensing Providers and Continuing Education Providers. Send notification that the commission is asking for current outline of courses and instructors list. Deadline to be submitted no later than October 1, 2023.
- C. Convictions of Concern Rules Discussion
- D. Rules Subcommittee

**VII. ADJOURNMENT 12:03 P.M.**



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John Kruse, Commission Chair

**NEXT MEETING**  
**August 1, 2023**

