

## MINUTES

## NORTH CAROLINA AUCTIONEER LICENSING BOARD

April 14, 2014

The North Carolina Auctioneer Licensing Board met on Monday, April 14, 2014, in the Fuquay-Varina office. The meeting was called to order at 9:15 a.m. Members present were: Chairperson Daniel H. DeVane, Vice Chairperson Randy B. Lee, Moses Gallion, Deborah Johnson, and Edward B. Webb. Also, present, Executive Director Teresa L. Watson, Administrative Officer Becky J. Stewart, and Garris Neil Yarborough, Counsel to the Board.

Chairperson DeVane welcomed Executive Director Watson back. Ms. Watson thanked the board members for showing her consideration, support, and patience during this time. In addition, she gave a big thanks to staff, Becky, Barb, and Ralph for their support and hard work during this time. Following, Chairperson DeVane inquired of each member if there were any known conflicts of interest or an appearance of conflicts with respect to any matters coming before the Board during this meeting and each member indicated there were none. **Minutes of the meeting held on March 10, 2014, were approved as recorded on motion by Vice Chairperson Lee. Member Johnson seconded the motion, which carried unanimously.** Then, Investigator Southerland provided a case log update.

At this time, Board Counsel Yarborough gave instructions to the Board regarding their rendering of the Final Agency Decision concerning David R. Mangum, Auctioneer Applicant. Following review and discussion **Vice Chairperson Lee made a motion to adopt the “Proposed Findings of Fact and Conclusions of Laws” submitted by Mr. David R. Mangum and grant an auctioneer license. Member Webb seconded the motion, which carried unanimously.** Member Johnson did not participate in the discussion nor did she vote on this matter due to her participation on the Probable Cause Subcommittee.

Next, the Board considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Member Webb moved to accept the Probable Cause Subcommittee Recommendations. Vice Chairperson Lee seconded the motion, which carried unanimously.** Member Gallion did not participate in the discussions nor did he vote on these matters involving the Probable Cause Subcommittee Recommendations due to his participation on the Probable Cause Subcommittee. Administrative Officer Stewart then provided the results of the March 6, 2014, auctioneer examination, which were as follows: eleven (11) examinees with eleven (11) passing.

At this time, Ms. Stewart presented Consideration for Approval of “New CE Course - Auctioneer Burnout Syndrome - instructor Ivan Broadwell” for Ivan Broadwell Educational Seminars. Following review of the presented materials, **Member Johnson made a motion to approve the new CE Course “Auctioneer Burnout Syndrome – instructor Ivan Broadwell.” Vice Chairperson Lee seconded the motion, which carried unanimously.**

Then, Ms. Stewart presented Consideration for Approval of “Renewal Application for The Ohio Auction School.” **Member Webb made a motion to approve the “Renewal Application for The Ohio Auction School.” Member Gallion seconded the motion, which carried unanimously.**

Next, continuing education hours were considered for Fiscal Year 2015-2016. **Member Gallion moved to approve, as per 21 NCAC 4B .0801(d), four (4) hours of continuing education in order for applicants to renew their licenses for Fiscal Year 2015-2016. Member Webb seconded the motion, which carried unanimously.**

At this time, Ms. Stewart presented financial information concerning the individual month of March 2014. Following review of the financial information, **Member Johnson made a motion to accept the March 2014 Financial Report. Member Webb seconded the motion,**

**which carried unanimously.**

Next, Ms. Stewart presented a request from Don and Mary Vuncannon for Consideration for Approval “Application for Auctioneer Recovery Fund – John F. Pait, NCAL #1064 (Revoked) and John Pait & Associates, Inc., NCFL #5461 (Revoked).” Following a review and discussion, **Member Gallion moved to accept the “Application for Auctioneer Recovery Fund in the amount of \$10,000.00 in the matter of John F. Pait, NCAL #1064 (Revoked) and John Pait & Associates, Inc., NCFL #5461 (Revoked).” Vice Chairperson Lee seconded the motion, which carried unanimously.**

At this time, Ms. Stewart presented the Consideration for Approval of a “Contractor for Audit Services.” Following review and discussion, **Member Johnson made a motion to accept Shelton L. Hawley, C.P.A., P.A.’s proposal for audit performance for the fiscal years ended June 30, 2014, 2015, and 2016. Member Webb seconded the motion, which carried unanimously.**

Next, under other matters, Mr. Yarborough informed the Board he will be unavailable for the May 12, 2014 board meeting and Mr. Tim Smith, an associate of the firm, will be attending on his behalf. In addition, due to Mr. Yarborough’s absence, a rules review session will not be held at the May 12, 2014 board meeting. Then, the Board reviewed the Applications for Licensing.

At this time a rules review session was held. Board Counsel Yarborough was directed to prepare and send revisions of the “proposed changes and additions of regulations” for review only at the May 12, 2014 board meeting. Following the rules review session the Board confirmed the next meeting as Monday, May 12, 2014, at 9:00 a.m. The meeting adjourned at 11:45 a.m.

Respectfully Submitted,

Becky J. Stewart  
Administrative Officer