

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

APRIL 9, 2012

The North Carolina Auctioneer Licensing Board met on Monday, April 9, 2012, in the Fuquay-Varina office. The meeting was called to order at 9:00 a.m. Members present were: Chairperson Randy B. Lee, Vice Chairperson William B. Lilly and Ernest Glegg Grady, Jr. Also present: Executive Director Teresa L. Watson and Garris Neil Yarborough, Counsel to the Board.

Chairperson Lee 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. A reminder regarding the 2012 Statement of Economic Interest (SEI) Filing and Ethics Training was given by Mr. Lee.

Minutes of the meeting held on March 12, 2012, were approved as recorded on motion by Vice Chairperson Lilly. Member Grady seconded the motion which carried unanimously.

Next, Investigator Southerland provided a case log update. Also at this time, Board Counsel Yarborough provided an update on Miedema Auctioneering & Appraisals, Inc., and presented each Board Member with a copy of his April 3, 2012, letter addressing their need for an auction firm license.

Next, **Vice Chairperson Lilly made a motion to remove from the table a request from the AANC and continue the discussion from the March 12, 2012, Board Meeting. Member Grady seconded the motion which carried unanimously.** At this time, Eli Detweiler and Elaine Christian from the AANC presented a request from the AANC for consideration on reinstating the funds given to the AANC towards the mailing and printing of their quarterly newsletter/magazine. Following a discussion on this matter, **Vice Chairperson Lilly moved to instruct the AANC and Board staff to prepare and present a proposal at the May 2012 Board Meeting which would**

outline the production of the quarterly magazine utilizing funds in accordance with G.S. 85B-4.1(c). Member Grady seconded the motion which carried unanimously.

Director Watson then provided the results of the March 1, 2012, auctioneer examination which were as follows: 13 examinees with 11 passing and two failing. Next, the Board considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Vice Chairperson Lilly moved to accept the Probable Cause Subcommittee Recommendations. Chairperson Lee seconded the motion which carried unanimously.** Member Grady 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.

Next, continuing education hours were considered for Fiscal Year 2013-2014. **Member Grady 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 2013-2014. Vice Chairperson Lilly seconded the motion which carried unanimously.**

Discussion was held concerning the Legal Counsel Retainer Agreement. Following a review of the previous year's Retainer Agreement and Mr. Yarborough's proposed Retainer Agreement Annual Fee of \$36,000.00, which included a \$1,000.00 annual fee increase, **Member Grady moved to retain Garris Neil Yarborough to provide legal representation for the North Carolina Auctioneer Licensing Board for Fiscal Year 2012/2013 at the annual fee of \$36,000.00. Vice Chairperson Lilly seconded the motion which carried unanimously.**

Concerning the review of apprentice auctioneer applicants and their sponsors' written summary of their background and experience in the auction profession, **Vice Chairperson Lilly moved to approve the apprentice application for Alan Curtis Brooks and proposed sponsor, Edward F. Johnson, NCAL #8134. Member Grady seconded the motion which carried unanimously.** Also at this time, financial information concerning the individual month of March

2012 was reviewed by the Board. Director Watson then presented a “thank you” note from Carolina Auction Academy regarding recent staff participation in their video conference.

Following the review and approval of applications for licensing, the Board confirmed the next meeting as Monday, May 14, 2012, at 9:00 a.m. in the Fuquay-Varina office. The meeting was adjourned at 10:00 a.m.

Respectfully Submitted,

Teresa L. Watson
Executive Director