

MINUTES**NORTH CAROLINA AUCTIONEER LICENSING BOARD****April 11, 2017**

The North Carolina Auctioneer Licensing Board met on Tuesday, April 11, 2017, in the Fuquay-Varina Office. The meeting was called to order at 10:00 a.m. Members present were Chairman Gary Boyd, Vice Chairwoman Lisa L. Brown, Daniel H. DeVane, Susan R. Holder, and William B. Lilly, Jr. Also present were Charles F. Diehl, Executive Director, Becky Stewart, Administrative Officer, Ralph Southerland, Investigator and Assistant Attorney General Anne Brown.

Chairman Boyd 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. Member DeVane recused himself from consideration of the Probable Cause recommendation due to his attendance and participation in the Probable Cause Subcommittee meeting. Other members stated there were none. Chairman Boyd welcomed Assistant Attorney General Anne Brown to the Board meeting.

Minutes of the meeting held on March 13, 2017 were approved as recorded on motion by Vice Chairwoman Brown. Member DeVane seconded the motion which carried unanimously. Then Ralph Southerland provided the investigative case log update as follows: twenty (20) active cases and one (1) case under appeal.

At this time Director Diehl gave the 21 NCAC 4B-Periodic Review Status Update. He reported that he and Board Counsel Holloway attended the Rules Review Commission Meeting last month and were available for questions regarding NCALB's Determinations of Necessity for 21 NCAC 4B. The Rules are now on docket to re-adopt and change as necessary. The Board will be advised from the Rules Review Commission Staff about the time table for this process, which will probably take twelve (12) to eighteen (18) months.

Then the Board considered the Probable Cause Subcommittee recommendations and the following motion was made: **Member Holder made a motion to accept the Probable Cause Subcommittee recommendation. Vice Chairwoman Brown seconded the motion which carried unanimously.** Member DeVane recused himself from consideration of the Probable Cause recommendation due to his attendance and participation in the Probable Cause Subcommittee meeting. Then Director Diehl reported on the Ad Violations and other Informal Investigations for the Month of March.

Next Director Diehl presented the financial information concerning the individual month of March. Following review **Member Lilly made a motion to accept the financial information for the month of March. Member Holder seconded the motion which carried unanimously.**

At this time Director Diehl provided an updated on the proposed revised Alabama Reciprocal Agreement. It is currently being reviewed by the Alabama Auctioneer Board.

Then Director Diehl reported that after each auctioneer exam schools are provided a report on how many applicants from their schools took the exam and how many passed and failed. It did not disclose the student's names. Some schools requested that the student's names be provided in the report. After discussion with the Board Counsel and due to privacy concerns, an Auctioneer Examination Results Release Form was prepared. The form, if signed by the student, will allow the Board to report to the school of attendance the student's names and whether they passed or failed the auctioneer exam.

Next Director Diehl provided a report to the Board on the NC General Assembly Update on House and Senate Bills filed relating to Occupational Licensing Boards. A brief discussion was held.

Director Diehl then thanked the Board Members for completing their 2017 Statements of Economic Interest and filing them with the NC Ethics Commission. Director Diehl also

provided each Board Member with the NC State Ethics Commission Annual Advisory Opinion Newsletter.

At this time Director Diehl led a discussion on the consideration of an assessment for the Recovery Fund during Fiscal Year 2017-2018. Following the discussion, **Member DeVane moved that no assessment to the Recovery Fund take place during the renewal period for Fiscal 2017-2018. Member Lilly seconded the motion which carried unanimously.**

Next the Board considered the continuing education requirements for Fiscal Year 2018-2019. **Member DeVane moved to approve, as per 21 NCAC 4B .0801(d), four (4) hours of continuing education for the Fiscal Year 2018-2019 license period, two (2) hours of which must be on NC Auctioneer Licensing Laws/Rules to include Ethics and Custodial Account Management. The Board and Staff will develop the program in the coming months. Member Holder seconded the motion which carried unanimously.**

Then Director Diehl presented for consideration the Application for Prior Approval for Reimbursement of Continuing Education Expenses for the Auctioneers Association of North Carolina (AANC) June 2017 Convention. Following review, **Member Holder made a motion to approve the Application Prior Approval for Reimbursement of Continuing Education Expenses for the AANC June 2017 Convention up to \$6,280.00, subject to verification by staff. Vice Chairwoman Brown seconded the motion which carried unanimously.**

Next Director Diehl provided a report to the Board on the NCALB funded Continuing Education Program. The courses were well attended in Winston Salem, Kinston, Williamston and Cherokee, and the last two funded courses are scheduled for Monday April 24, 2017 in Durham with two (2) 4-hour sessions. Director Diehl will be attending the last two classes.

Under Other Business, Director Diehl reported to the Board there will be an Administrative Hearing at the July 10, 2017 Board meeting. A discussion was held for an alternative July 2017 Board meeting date due to conflicts. **Member Lilly made a motion to**

reschedule the regular Board meeting from Monday, July 10, 2017 to Monday, July 17, 2017.

Member DeVane seconded the motion which carried unanimously.

Then Director Diehl reported that Carolina Auction Academy is having a National Auctioneer's Day event tomorrow April 12, 2017 in Albemarle. All Board Members are invited. He and Chairman Boyd will be attending.

Following the review and approval of applications for licensing, the Board confirmed the next regular meeting on Monday, May 8, 2017 at 10:00 a.m. in the Fuquay-Varina office.

Member DeVane made a motion to adjourn the meeting with Vice Chairwoman Brown seconding the motion which carried unanimously.

The meeting adjourned at 11:20 a.m.

Respectfully Submitted,

Becky J. Stewart
Administrative Officer