

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

AUGUST 11, 2014

The North Carolina Auctioneer Licensing Board met on Monday, August 11, 2014, in the Fuquay-Varina office. The meeting was called to order at 9:35 a.m. Members present were: Chairperson Daniel H. DeVane, Gary Boyd, Moses Gallion and Deborah Johnson. Also present: Executive Director Teresa L. Watson and Garris Neil Yarborough, Counsel to the Board.

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 except for Member Gallion in regards to Item 4 – Administrative Hearing – North Carolina Auctioneer Licensing Board vs. William Thomas Bradley, NCAL #5443. **Minutes of the meeting held on July 14, 2014, were approved as recorded on motion by Member Johnson. Member Gallion seconded the motion which carried unanimously.** Also at this time, Investigator Southerland provided a case log update.

The Board then considered the Probable Cause Subcommittee Recommendations and the following motions were made. **Member Gallion moved to deny Item 1 of the Probable Cause Subcommittee Recommendations. Mr. Gallion also added that in making the decision to deny the applicant an auction firm license, the Board considered several factors including, but not limited to, the fact that the applicant had been convicted of numerous criminal offenses including breaking and entering, larceny, possession of stolen goods, robbery with a dangerous weapon and several financial crimes involving fraud. Member Gallion further added that the Board considered the fact that the crimes appeared to be of a habitual nature and that at least several of the crimes were committed while the applicant was in his**

thirties, but an auction firm is responsible for handling other people's property and money and this type of criminal conduct, although somewhat removed in time, is incompatible with this occupation and it is the function of the North Carolina Auctioneer Licensing Board to protect the public and to uphold the integrity of the auction profession. Mr. Gallion added that issuance of a license to the applicant would be incompatible with those functions. Member Boyd seconded the motion which carried unanimously. Then, Member Boyd moved to accept Items 2 thru 9 of the Probable Cause Subcommittee Recommendations. Member Gallion seconded the motion which carried unanimously. Member Johnson did not participate in the discussions nor did she vote on these matters involving the Probable Cause Subcommittee Recommendations due to her participation on the Probable Cause Subcommittee.

The Administrative Hearing for North Carolina Auctioneer Licensing Board vs. William Thomas Bradley, NCAL #5443 began at 10:05 a.m. Member Gallion recused himself from the Hearing. Chairperson DeVane presided at the Hearing, and then turned the proceeding over to Garris Neil Yarborough, Legal Counsel. The respondent, William Thomas Bradley, elected to proceed pro se. The Hearing concluded at 12:00 p.m. with the record being held open for the submission of proposed Findings of Fact and Conclusions of Law from each party. The recording of the proceeding will be made available to both parties upon request, and the Board will consider the Findings of Fact and Conclusions of Law submitted by each party at the September 8, 2014, meeting and thereafter render a decision in this matter.

Next, Director Watson provided the results of the July 3, 2014, auctioneer examination, which were as follows: three (3) examinees with three (3) passing and zero (0) failing. Ms. Watson then provided the Board for their review "NC Auction School Evaluations Summary Report" and "NC Licensing Board Evaluations Summary Report" as discussed during the July

14, 2014, Board meeting.

A discussion was held regarding continuing education and the “Requests for CE Proposals.” Following this discussion, **Member Gallion moved to approve the “Requests for CE Proposals” as prepared and instructed staff to submit the “Requests for CE Proposals” to all Board-approved CE Sponsors. Member Johnson seconded the motion which carried unanimously.** Next, Director Watson led a discussion on the issue of the 2014-2015 Licensee Directory regarding its format and number of copies to be made. **Member Johnson moved that the 2014-2015 Directory be issued in the same format and number as the previous year. Member Boyd seconded the motion which carried unanimously.** Ms. Watson then presented financial information concerning the individual month of July 2014. Following review of the financial information, **Member Boyd made a motion to accept the July 2014 Financial Report. Member Gallion seconded the motion which carried unanimously.**

Also at this time, the Board reviewed Staff Job Descriptions as discussed during the July 14, 2014, Board meeting and discussed having a Board Newsletter ready for review at the September 8, 2014, Board meeting. Following the review and approval of applications for licensing the Board confirmed the next meeting as Monday, September 9, 2014, at 9:00 a.m. in the Fuquay-Varina office. The meeting was adjourned at 12:30 p.m.

Respectfully Submitted,

Teresa L. Watson
Executive Director