

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

DECEMBER 16, 2008

The North Carolina Auctioneer Licensing Board met on Tuesday, December 16, 2008, in the Fuquay-Varina office. The meeting was called to order at 9:05 a.m. Members present were: Chairperson Lloyd (Mickey) Meekins, Jr., Vice Chairperson Jesse G. Meeks, Yolanda Mason-Smith, William M. O'Neal and Keith J. Pierce. Also present: Administrative Assistant Teresa L. Watson and Garris Neil Yarborough, Counsel to the Board.

Chairperson Meekins 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 November 18, 2008, were approved as recorded on motion by Vice Chairperson Meeks. Member O'Neal seconded the motion.

Administrative Assistant Watson led a discussion regarding changing the January 2009 Board meeting location, changing the February 2009 Board meeting date and the starting time of the Board meeting dates through December 2009. Following this discussion, **Vice Chairperson Meeks moved to approve the January 2009 Board meeting location as Fuquay-Varina, North Carolina; to approve the February 2, 2009, Board meeting date; and, to approve the starting time of the Board meeting dates through December 2009 as 9:00 a.m. Member Pierce seconded the motion which carried.**

Ms. Watson then led a discussion concerning the AANC January 2009 Convention. **Vice Chairperson Meeks moved that the upcoming AANC Convention to be held January 16-18, 2009, in Greensboro, North Carolina, be approved as a Board function. Chairperson Meekins seconded the motion which carried.**

Next, Vice Chairperson Meeks and Construction Manager Floyd Taylor provided an update on real estate and presented each member with a copy of the "Construction Contract" between the Board and Freedom Constructors, Inc., of Dunn for their review and approval. Following review of this proposed contract, **Member O'Neal moved to approve the "Construction Contract" between the Board and Freedom Constructors, Inc., of Dunn with an effective date of December 16, 2008, and a completion date of May 2, 2009. Member Pierce seconded the motion which carried.** At this time, the "Construction Contract" was signed by Vice Chairperson Meeks with Mr. Taylor being instructed to obtain Lany R. Wade, Vice President of Freedom Constructors, Inc.'s signature.

At this time, Administrative Assistant Watson requested the names of the individuals having the authority to release funds for the building project. **Member O'Neal moved that Chairperson Meekins, Vice Chairperson Meeks and Administrative Assistant Watson be given the authority to sign the requisition forms for release of funds with either Mr. Meekins or Mr. Meeks' name being submitted with Ms. Watson's name on each form. Member Pierce seconded the motion which carried.**

Chairperson Meekins welcomed Neil Yarborough, President of The Yarborough Law Firm, P.A., and presented the "Retainer Agreement" between the Board and The Yarborough Law Firm, P.A., to the Board members for their review and approval. Following review of this agreement, **Vice Chairperson Meeks moved to accept the "Retainer Agreement" between the Board and The Yarborough Law Firm, P.A., as presented. Member Mason-Smith seconded the motion which carried.** At this time, the "Retainer Agreement" was signed by all parties.

The Board next considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Vice Chairperson Meeks moved to accept the recommendations of the Probable Cause Subcommittee. Member Pierce seconded the motion which carried.**

Member O'Neal 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.

At this time, a report was presented concerning the monitoring of absolute auction advertisements. Following review of the report, **Chairperson Meekins moved that any licensee that has not responded to the Board's previous request for a copy of their absolute auction contract be sent a second request with a thirty (30) day compliance deadline. Mr. Meekins further moved that any future request for copies of absolute auction contracts be given a fourteen (14) day compliance deadline. Vice Chairperson Meeks seconded the motions which carried.**

Administrative Assistant Watson provided the results of the December 4, 2008, auctioneer examination which was as follows: 39 examinees with 35 passing and four failing and "Exit" Evaluations Forms were provided and reviewed from the December exam.

Ms. Watson also provided each Board member with a copy of the "Agreement of Reciprocity" between the North Carolina Auctioneer Licensing Board and the Virginia Auctioneers Board as directed at the November 18, 2008, Board meeting and a copy of an article entitled "Where's Your High School Diploma" written by Brian Kurdziolek, NCAL #8618, for review and discussion. Following discussion of this matter, staff and legal counsel were directed to review the instructions as presented on the Board's website on how to obtain licensure. Discussion was also held on continuing education requirements in Virginia.

Next, Administrative Assistant Watson presented "Applications for Course and Sponsor for Continuing Education" for Evans Education Center and Robert Bierce Grove. Following this presentation, **Chairperson Meekins moved to accept the "Applications for Course and Sponsor for Continuing Education" for both Evans Education Center and Robert Bierce Grove. Vice**

Chairperson Meeks seconded the motion which carried.

A discussion was held on Board travel for the 33rd Annual FARB Forum which will be held in Tampa, Florida. **Chairperson Meekins moved that the upcoming 33rd Annual FARB Forum to be held January 23-25, 2009, in Tampa, Florida, be approved as a Board function for the Board Vice Chairperson. Mr. Meekins further moved that Legal Counsel Yarborough's registration fee be covered as a Board expense. Member Mason-Smith seconded the motions which carried.** Also at this time, financial information concerning the individual month of November 2008 was reviewed by the Board.

At this time, **Chairperson Meekins moved to go into Closed Session pursuant to G.S. 143-318.18 to discuss personnel matters. Member O'Neal seconded the motion which carried.** The Board went into Closed Session at 11:00 a.m. and returned to Open Session at 11:40 a.m.

Upon returning to Open Session, **Chairperson Meekins moved that effective February 1, 2009, Administrative Assistant Watson fill the Executive Director position with a salary of \$55,000.00. Mr. Meekins further moved that the Administrative Assistant position vacated by Ms. Watson would remain "open" until July 1, 2009. Member O'Neal seconded the motions which carried.**

At this time, a letter received from G. Raz Autry, NCAL #3297, requesting reconsideration on the Board's earlier October 21, 2008, AANC Continuing Education Classes decision was presented for the Board's review. Following a discussion on this request, it was decided that the Board's earlier October 21, 2008, decision would stand. Staff was instructed to be prepared to discuss at the January 16, 2009, Board meeting firm license requirements and the AANC quarterly magazine contribution.

Following the review and approval of applications for licensing, the Board confirmed the next meeting as Friday, January 16, 2009, at 9:00 a.m. in the Fuquay-Varina office. The meeting

was adjourned at 11:55 a.m.

Respectfully Submitted,

Teresa L. Watson
Administrative Assistant