

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

DECEMBER 14, 2009

The North Carolina Auctioneer Licensing Board met on Monday, December 14, 2009, in the Fuquay-Varina office. The meeting was called to order at 9:15 a.m. Members present were: Chairperson Jesse G. Meeks, Vice Chairperson Keith J. Pierce, William B. Lilly, Lloyd (Mickey) Meekins, Jr., and Jean W. Woolard. Also present: Executive Director Teresa L. Watson and Garris Neil Yarborough, Counsel to the Board.

Chairperson Meeks 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 16, 2009, were approved as recorded on motion by Member Meekins. Member Lilly seconded the motion which carried unanimously.

At this time, Board Counsel Yarborough gave an update regarding his work on the proposed auction firm rule changes and presented those changes for the Board's review. He advised that the next step would be to present the proposed rule changes to the Rules Division of the North Carolina Rules Review Commission for their input.

Next, Board Counsel Yarborough gave an update regarding his work on the "Requests for CE Proposals" and presented the proposal for the Board's review and approval. Following a review of the proposal, **Member Lilly moved to approve the "Requests for CE Proposals" as prepared by Board Counsel with the following addition, "Questions should be addressed to Teresa L. Watson, Executive Director, at (919) 567-2844."** Member Meekins seconded the motion which carried unanimously. Mr. Yarborough continued his update regarding the production costs of the one (1) hour Law/Rules Video and advised that he had obtained an estimate of \$2,000.00/\$2,500.00

from Fayetteville Technical Community College for the cost of production and 50 DVDs. He also presented an outline of the video for the Board's review. Following a review of the outline, **Vice Chairperson Pierce moved to approve up to \$2,500.00 for the cost of production and 50 DVDs to FTCC. Member Meekins seconded the motion which carried unanimously.**

Then, Board Counsel Yarborough presented a proposed form letter which would be used by the Board in regulating agents who contract with sellers and then sell those items on-line. Following a review of the proposed letter, **Member Woolard moved to accept the letter as presented by Board Counsel. Vice Chairperson Pierce seconded the motion which carried unanimously.** At this time, Daniel W. Baum, Consultant with K&L Gates, LLP, was introduced to the Board. Mr. Baum advised that K&L Gates represents e-Bay and that he was present at the Board Meeting to gather information regarding the Board's intentions to regulate Internet auctions. He also asked to receive a copy of the approved form letter.

Next, Director Watson presented an e-mail that she had received from the Fiscal Research Division requesting information on staffs' salary adjustment actions and advised that she would submit the requested documentation. Ms. Watson then gave an update on the vacant Administrative Assistant position. Following a discussion on how to proceed with the reviewing of the resumes, **Vice Chairperson Pierce moved that the Board would review all resumes and proceed from that point with the filling of the vacant position. Member Meekins seconded the motion which carried with Members Lilly and Woolard voting "nay."**

The Board next considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Member Woolard moved to accept the Probable Cause Subcommittee Recommendations. Member Meekins seconded the motion which carried unanimously.** Member Lilly 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.

Concerning the review of apprentice auctioneer applicants and their sponsors' written summary of their background and experience in the auction profession, **Member Woolard moved to approve the apprentice applications for Dwight David Burrell and proposed sponsors, Fred Burrell, NCAL #591, and Dora Ann Blaschik, NCAL #3410; and, Clarence Vernon Hord, Jr., and proposed sponsor, Lewis Gene Benge, NCAL #8811. Vice Chairperson Pierce seconded the motion which carried unanimously.**

At this time, the Board reviewed the "Renewal Application for Schools of Auctioneering" for The Ohio Auction School. After reviewing the renewal application, **Member Lilly moved to approve the two-year renewal accreditation for The Ohio Auction School. Member Woolard seconded the motion which carried unanimously.** Also at this time, Director Watson provided the results of the December 3, 2009, auctioneer examination which were as follows: 23 examinees with 21 passing and two failing.

Next, Ms. Watson presented "Initial Application for Course and Sponsor for Continuing Education" for Arkadia Auction Co., ATF & ABC Laws and Auctioneering, and Michael Allen Barber, NCAL #7734. Mr. Barber was present during this presentation and answered questions from the Board. Following this presentation, **Member Meekins moved to accept the application for Arkadia Auction Co., ATF & ABC Laws and Auctioneering, and Michael Allen Barber, NCAL #7734. Vice Chairperson Pierce seconded the motion which carried unanimously.** Then, financial information concerning the individual month of November 2009 was reviewed by the Board.

At this time, other Board matters were discussed. Investigator Southerland informed the Board that that are currently four active complaints being worked. Director Watson presented a letter received from the AANC appointing Member Lilly as the liaison between the Association and

the Licensing Board. Ms. Watson also presented an article prepared by *The Fayetteville Observer* regarding the death of H.B. Smith, NCAL #627, and was instructed by the Board to send a Letter of Condolence to Mr. Smith's family. Michael Allen Barber, NCAL #7734, addressed the Board regarding on-line auctioneer examinations.

Following the review and approval of applications for licensing, the Board confirmed the next meeting as Monday, January 11, 2010, at 9:00 a.m. in the Fuquay-Varina office. The meeting was adjourned at 11:10 a.m.

Respectfully Submitted,

Teresa L. Watson
Executive Director