

**MINUTES****NORTH CAROLINA AUCTIONEER LICENSING BOARD****DECEMBER 8, 2014**

The North Carolina Auctioneer Licensing Board met on Monday, December 8, 2014, in the Fuquay-Varina office. The meeting was called to order at 9:00 a.m. Members present were: Chairperson Daniel H. DeVane, Vice Chairperson Randy Lee, Gary Boyd, Moses Gallion and Deborah Johnson. Also present: Teresa L. Watson, Executive Director, and Tim Smith of Yarborough, Winters & Neville, P.A., 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.

**Minutes of the meeting held on November 10, 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.

Next, the Board considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Member Gallion moved to accept the Probable Cause Subcommittee Recommendations. Vice Chairperson Lee 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. Then, Director Watson provided the results of the November 5, 2014, auctioneer examination, which were as follows: three (3) examinees with two (2) passing and one (1) failing. At this time, **Member Gallion moved to add an “insert” to the Auctioneer, Apprentice Auctioneer, Auction Firm and Addition to Auction Firm Applications to provide additional instructions regarding the questions which ask**

**“have you ever been charged or arrested with a criminal offense” and “have you ever been convicted of any criminal offense.” Member Boyd seconded the motion which carried unanimously.**

Ms. Watson presented for the Board’s consideration the “Initial Application for Schools of Auctioneering – Western College of Auctioneering.” Following a review of the presented materials, **Vice Chairperson Lee moved to accept the “Initial Application for Schools of Auctioneering – Western College of Auctioneering.” Member Boyd seconded the motion which carried unanimously.** Director Watson then presented financial information concerning the individual month of November 2014 and the Cash Analysis for Fiscal Years Ended June 30, 2014 and 2013. Following review of the financial information, **Member Johnson made a motion to accept the November 2014 Financial Report. Vice Chairperson Lee seconded the motion which carried unanimously.** Following the review and approval of applications for licensing the Board confirmed the next meeting as Monday, January 12, 2015, at 9:00 a.m. in the Fuquay-Varina office.

The Administrative Hearing for William Chandler Eshleman, NCAL #8031, began at 10:10 a.m. Due to his participation on the Probable Cause Subcommittee, Vice Chairperson Lee recused himself from the Hearing. Chairperson DeVane presided at the Hearing, and then turned the proceeding over to Tim Smith, Legal Counsel. The respondent, William Chandler Eshleman, elected to proceed pro se. The Hearing concluded at 11:25 a.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 January 12, 2015, meeting and thereafter render a decision in this matter.

The Administrative Hearing for Jason R. McCoon, NCAL #8690, and Tory Hill Auction

Co., NCFL #8707, began at 11:30 a.m. Due to his participation on the Probable Cause Subcommittee, Vice Chairperson Lee recused himself from the Hearing. Chairperson DeVane presided at the Hearing, and then turned the proceeding over to Tim Smith, Legal Counsel. The respondents, Jason R. McCoon and Tory Hill Auction Co., elected to proceed pro se. The Hearing concluded at 12:45 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 January 12, 2015, meeting and thereafter render a decision in this matter.

The meeting adjourned at 12:50 p.m.

Respectfully Submitted,

Teresa L. Watson  
Executive Director