

## MINUTES

## NORTH CAROLINA AUCTIONEER LICENSING BOARD

FEBRUARY 22, 2010

The North Carolina Auctioneer Licensing Board met on Monday, February 22, 2010, 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 January 11, 2010, were approved as recorded on motion by Member Lilly. Member Meekins seconded the motion which carried unanimously.**

Investigator Southerland provided a case log update and Director Watson gave an update regarding the proposed auction firm Rule changes. The Board then held a discussion regarding currently licensed individuals needing a criminal history records search when that individual applies for an auction firm license. Following this discussion, Board Counsel Yarborough was instructed to contact licensee Daniel H. DeVane, NCAL #628, and refer him to N.C.G.S. 85B-3.2(a)(1) which requires all applicants for initial licensure as an auctioneer, apprentice auctioneer, or auction firm to submit a current criminal history records search.

The Board next considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Member Lilly moved to accept Probable Cause Subcommittee Recommendations Items 1 thru 10. Member Woolard seconded the motion which carried unanimously.** Vice Chairperson Pierce 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. **Member Meekins moved to accept Probable Cause Subcommittee Recommendations Items 11 thru 13. Vice Chairperson Pierce 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.

At this time, discussion was held regarding CE Sponsor Arkadia Auction Company's mailer. Concerns were expressed over the language and return address used in the mailer. **Member Meekins moved to instruct Board Counsel Yarborough to send a letter to CE Sponsor Arkadia Auction Company addressing the Board's concerns and to suggest that the company clarify these concerns with the licensees that have received this mailer. Vice Chairperson Pierce seconded the motion which carried unanimously.** Also at this time, Member Lilly gave a progress report on CE Sponsor AANC and informed the Board of the steps the AANC has taken towards providing CE for the Western District.

Next, the Board's Newsletter was presented for review and approval. **Member Meekins moved to approve the Newsletter with the following amendment on Page 2, "Below is a list of free Board approved continuing education courses, 'but are not mandatory.'" Vice Chairperson Pierce seconded the motion which carried unanimously.** Also at this time, Mr. Yarborough presented each Board Member with a copy of the one (1) hour Law/Rules Video.

Director Watson then presented a request from the AANC and Stanly Community College for the consideration of new CE courses. Following a review of the provided materials from the AANC and Stanly Community College, **Chairperson Meeks moved to approve the following CE courses for the AANC and Stanly Community College: Generations Now and Then/Impact of the Industry; The Auctioneer as Problem Solver; Thinking outside the Box/Ideas for the**

**Auction Industry, Motivating your Employees and Yourself; SSS Developing a Super Support Staff; and Would I Work for Me? Member Meekins seconded the motion which carried unanimously.** Ms. Watson next presented a request from the AANC for consideration of a new CE Instructor. Following a review of the provided materials from the AANC, **Chairperson Meeks moved to approve the new CE Instructor, Emily Balance. Vice Chairperson Pierce seconded the motion which carried unanimously.**

At this time, Director Watson provided the results of the February 4, 2010, auctioneer examination which were as follows: 15 examinees with 13 passing and two failing. The next item considered for review by the Board was the February 10, 2010 AANC “Statement of Expenses Incurred for Continuing Education Classes Held During the AANC Convention, January 15 thru 16, 2010, in Greensboro, North Carolina.” **Chairperson Meeks moved to approve payment of the February 10, 2010 AANC Convention Statement as presented. Member Woolard seconded the motion which passed with Member Meekins abstaining.** Next, financial information concerning the individual month of January 2010 was reviewed by the Board.

**Member Meekins moved to go into Closed Session pursuant to G.S. 143-318.18 to discuss attorney/client privilege. Vice Chairperson Pierce seconded the motion which carried unanimously.** The Board went into Closed Session at 10:00 a.m. and returned to Open Session at 10:05 a.m. Upon returning from Closed Session, Board Counsel Yarborough advised that the above-referenced matter should be discussed in Open Session. Member Meekins led a discussion on making additional payments towards the balance on the office building. Mr. Yarborough was directed to research the cost allocation of what percentage of the building is being used for items that can be reimbursed from the Recovery Fund.

The final item for consideration by the Board Members was a “Computer Hardware & Software Recommendations Proposal” prepared by MiraComp Technologies, Inc., which would

provide upgrades to the office's server and pcs for an estimated price of \$17,424.00. Following a review of the proposal, **Member Pierce moved to approve the "Computer Hardware & Software Recommendations Proposal" as presented with the cost to be divided among the surplus in Accounts 532110, Legal Services, and 532199, Misc. Contractual Services. Member Lilly seconded the motion which carried unanimously.**

At this time, Board Members reviewed a Memorandum from the Office of the Governor relating to Executive Order No. 34, Ethics and Attendance Standards for Gubernatorial Appointees to Boards.

Following the review and approval of applications for licensing, the Board confirmed the next meeting as Monday, March 8, 2010, at 9:00 a.m. in the Fuquay-Varina office. The meeting was adjourned at 10:40 a.m.

Respectfully Submitted,

Teresa L. Watson  
Executive Director