

**MINUTES****NORTH CAROLINA AUCTIONEER LICENSING BOARD****FEBRUARY 11, 2013**

The North Carolina Auctioneer Licensing Board met on Monday, February 11, 2013, in the Fuquay-Varina office. The meeting was called to order at 9:05 a.m. Members present were: Chairperson Ernest Clegg Grady, Jr., Vice Chairperson Deborah Johnson, Daniel H. DeVane and Edward B. Webb. Also present: Administrative Officer Becky J. Stewart and Garris Neil Yarborough, Counsel to the Board.

Chairperson Grady 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 19, 2013, were approved as recorded on motion by Vice Chairperson Johnson. Member DeVane seconded the motion which carried unanimously.** Investigator Southerland then provided a case log update.

Next, the Board considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Member Webb moved to accept the Probable Cause Subcommittee Recommendations. Member DeVane seconded the motion which carried unanimously.** Vice Chairperson 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.

Next, Member DeVane lead a discussion concerning 21 NCAC 4B .0605(a) of the Rules and Regulations specific to the auctioneer/firm bidding on the reserve item up to, and including, the amount of the reserve price without the intent to purchase the item. Chairperson Grady requested this to be tabled until the March 11, 2013, Board meeting until all members were

present.

At this time, the Board reviewed the “Renewal Application for Schools of Auctioneering” for Carolina Auction Academy and World Wide College of Auctioneering. After reviewing the renewal applications, **Member DeVane moved to approve the two-year renewal accreditation for Carolina Auction Academy and World Wide College of Auctioneering. Vice Chairperson Johnson seconded the motion which carried unanimously.**

Then, Ms. Stewart presented the following New CE Instructor, Scott Thomas-ATF Agent and Course “Selling Guns and Ammo at Public Auction” for approval. Following a review of the presented materials, **Vice Chairperson Johnson moved to approve the New CE Instructor, Scott Thomas, and Course “Selling Guns and Ammo at Public Auction” for the North Carolina Auctioneers Association. Member Webb seconded the motion which carried unanimously.**

Next, Ms. Stewart presented the Consideration for Approval of Apprentice Auctioneer License, William Seth Loflin. Following a review of the presented materials, **Vice Chairperson Johnson moved to approve William Seth Loflin as Apprentice Auctioneer. Member Webb seconded the motion which carried unanimously.** Also at this time, financial information concerning the individual month of January 2013 was reviewed by the Board.

Next, Mr. Yarborough presented the review of Response from Jeff Teander/Owner, Ashebridge Children’s Academy, Inc. for consideration. **Vice Chairperson Johnson made the motion to approve the request from Jeff Teander/Owner, Ashebridge Children’s Academy, Inc. with the stipulation that they repair and or replace, by a qualifying company, any damage to the North Carolina Auctioneer Licensing Board site which is to include a three-year warranty and to maintain any debris and sediment on our property during**

**construction. Member DeVane seconded the motion which carried unanimously.** Mr. Yarbrough was directed by the Board to send Jeff Teander a letter. The Board directed Mr. Southerland to take photographs of the Board's site now and throughout the construction.

The next item presented for Board review and approval was Request for Proposal-Video Services. **Member Webb made the motion to submit Request for Proposal-Video Services. Member DeVane seconded the motion which carried unanimously.**

The Administrative Hearing for Estate Galleries, NCFL #9380 began at 10:10 a.m. Due to her participation on the Probable Cause Subcommittee, Vice Chairperson Johnson recused herself from the Hearing. Chairperson Grady presided at the Hearing, and then turned the proceeding over to Garris Neil Yarborough, Legal Counsel. The respondent, Gary Louis Nadel, elected to proceed pro se. The Hearing concluded at 12:25 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 March 11, 2013, meeting and thereafter render a decision in this matter.

At this time the "Evaluation of Statement of Economic Interest Filed by Mr. Edward B. Webb" was recorded in the minutes pursuant to G.S. 183A-15(c) and each Board Member was presented with a flier entitled "State Government Ethics Act – Education Requirements for Public Servants."

Next, other Board matters were discussed to include a) the March 2013 Board Newsletter; b) Article from Clear; c) Article from John Locke Foundation; and, d) Clear Regional Seminars to be held in Raleigh, NC during the month of April.

Following the review and approval of applications for licensing, the Board confirmed the next meeting as Monday, March 11, 2013, at 9:00 a.m. in Fuquay-Varina, North Carolina. The

meeting was adjourned at 12:40 p.m.

Respectfully Submitted,

Becky J. Stewart  
Administrative Officer