

MINUTES**NORTH CAROLINA AUCTIONEER LICENSING BOARD****February 13, 2017**

The North Carolina Auctioneer Licensing Board met on Monday, February 13, 2017, in the Fuquay-Varina Office. The meeting was called to order at 10:00 a.m. Members present were Chairman Gary Boyd, Daniel H. DeVane, Susan R. Holder, and William B. Lilly, Jr. Also present were Charles F. Diehl, Executive Director, Becky Stewart, Administrative Officer, and Ralph Southerland, Investigator.

Chairman Boyd 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. Member Holder recused herself from consideration of the Probable Cause recommendations on items 1 and 2 due to her attendance and participation in the first of two Probable Cause Subcommittee meetings. Member Lilly recused himself from consideration of the Probable Cause recommendation on item 3 due to his attendance and participation in the second of two Probable Cause Subcommittee meetings. Other members stated there were none. Then Chairman Boyd welcomed visitor Dale Young to the Board meeting.

Minutes of the meeting held on January 13, 2017 were approved as recorded on motion by Member DeVane.

Member Holder seconded the motion which carried unanimously. Then Ralph Southerland provided the investigative case log update as follows: ten (10) active cases and zero (0) cases under appeal.

Then Director Diehl led a discussion on the 21 NCAC 4B-Periodic Review Status Update. He reported to the Board that their actions taken at the last Board meeting were formalized and reported to the Rules Review Commission prior to the scheduled Periodic Review deadline of February 15, 2017. He and Mrs. Holloway will be attending the Rules and

Review Commission Meeting scheduled in March 2017 where the process will start to re-adopt and change any Rules. The process will probably take 12 to 18 months.

At this time the Board considered the Probable Cause Subcommittee recommendations and the following motion was made: **Member DeVane made a motion to accept the Probable Cause Subcommittee recommendations for items 1 and 2. Member Lilly seconded the motion which carried unanimously. Member Holder made a motion to accept the Probable Cause Subcommittee recommendation for item 3. Member DeVane seconded the motion which carried unanimously.** Then Director Diehl reported on the Ad Violations and other Informal Investigations for the Month of January.

Next Director Diehl presented the financial information concerning the individual month of January. Following review **Member Holder made a motion to accept the financial information for the month of January. Member Lilly seconded the motion which carried unanimously.**

At this time the Board discussed the Escrow/Trust/Custodial Accounts pursuant to NCGS 85B-7.1 and 21 NCAC 4B .0603. Then Director Diehl led a discussion on the Proposed Alabama Reciprocal Agreement. He requested the decision be deferred until the Reciprocal Agreement is reviewed by the Board's Counsel and will be submitted to the Board for consideration at a subsequent Board meeting.

Next Director Diehl led a discussion on the Consideration of Staff Proposed Financial Responsibility Question on the Renew Applications. After discussion, **Member Lilly made a motion for staff to add to the renewal applications "Have you been a debtor in a bankruptcy proceeding during the past 12 months?" Member DeVane seconded the motion which carried unanimously.** The next item on the agenda NCALB Administrative Hearing Process was postponed to the next meeting.

Then Director Diehl reminded the Board their Statement of Economic Interest is due by

April 15, 2017 to the State Ethics Commission.

At this time Director Diehl provided a report to the Board on the NCALB Paid Continuing Education Program. The first class held on January 31, 2017 in Fayetteville was a good program and well attended. The next classes are scheduled for February 23, Jacksonville and February 24, Hickory. Director Diehl also informed the Board that the Auctioneer Professionals of North Carolina (APNC) will be having a continuing education event on February 24 in Mathews, which he will be attending. In addition Stanly Community College will have a session on Wednesday April 12, 2017 to celebrate National Auctioneers Day. Further information will be forthcoming.

Under Other Matters, Chairman Board recognized Member Lilly. Member Lilly led a discussion on Cyber security and how licensees need to be aware of phishing emails and hackers trying to access information from escrow/trust accounts. This is a good best practice topic where licensees should be informed.

Following the review and approval of applications for licensing, the Board confirmed the next regular meeting on Monday, March 13, 2017 at 10:00 a.m. in the Fuquay-Varina office. **Member DeVane made a motion to adjourn the meeting with Member Lilly seconding the motion which carried unanimously.**

The meeting adjourned at 10:35 a.m.

Respectfully Submitted,

Becky J. Stewart
Administrative Officer