

MINUTES**NORTH CAROLINA AUCTIONEER LICENSING BOARD****JANUARY 11, 2010**

The North Carolina Auctioneer Licensing Board met on Monday, January 11, 2010, in the Fuquay-Varina office. The meeting was called to order at 9:25 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, Garris Neil Yarborough, Counsel to the Board, and Michael Barber with Arkadia Auction Company.

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 December 14, 2009, were approved as recorded on motion by Member Woolard. Member Meekins seconded the motion which carried unanimously.

At this time, Board Counsel Yarborough advised that the one (1) hour Law/Rules Video has been recorded at Fayetteville Technical Community College and that production of the Board requested 50 DVDs will be completed shortly. Next, the Board reviewed the "Requests for CE Proposals" and the following motions were made:

Member Meekins moved to award the CE Proposal for the Eastern District to Arkadia Auction Company. Vice Chairperson Pierce seconded the motion which carried with Members Lilly and Woolard voting "nay."

Chairperson Meeks moved to award the CE Proposal for the Middle District to Arkadia Auction Company. Vice Chairperson Pierce seconded the motion which carried with Members Lilly and Woolard voting "nay."

Member Meekins moved to award the CE Proposal for the Western District to Auctioneers Association of North Carolina. Member Woolard seconded the motion which carried unanimously.

Next, a discussion was held regarding the regularly scheduled February 8, 2010, Board Meeting. **Chairperson Meeks moved to change the February Board Meeting date to February 22, 2010, at 9:00 a.m. in the Fuquay-Varina office. Vice Chairperson seconded the motion which carried with Members Lilly and Woolard voting “nay.”**

Investigator Southerland provided a case log update and a Board discussion was held regarding office procedure for contacting staff after office hours with first contact being made to the Director. **Member Meekins moved to activate the Board-owned cell phone and that the Director take possession of the phone. Vice Chairperson Pierce seconded the motion which carried unanimously.** Director Watson advised the Board that upon activation of the cell phone, she would inform the members of the new number.

Then, Board Counsel Yarborough provided an update on the steps that would be utilized in conjunction with the previously Board-approved form letter regulating agents who contract with sellers and then sell those items on-line: Step One – Form Letter; Step Two – Receipt of Requested Information; Step Three – Review by Legal Counsel and Staff; and Step Four – Probable Cause.

Next, Ms. Watson presented “Initial Application for Course and Sponsor for Continuing Education” for EDJ School Online, Inc., Chapter 1 NCALB Laws/Rules, Chapter 2 NCALB Law/Rules Continued, Chapter 3 Auto Auction, and Chapter 4 Auction Strategies. Following this presentation, **Vice Chairperson Pierce moved to accept the application for EDJ School Online, Inc., and the proposed CE courses. Member Meekins seconded the motion which carried unanimously.** Then, Director Watson presented requests from the AANC for consideration of new CE Instructors and Courses. Following a review of the provided materials from the AANC,

Chairperson Meeks moved to approve new Instructors and courses: John Nicholls, Bid Calling – Adequate or Excellent and AIM High – Be a Better You!; Jay Nitz, Changes in Marketing Your Auction and Trials and Tribulations of the Auction Business; and, Mark Rogers, Qualify the Seller and Commercial Real Estate. Member Woolard seconded the motion which carried unanimously. Next, financial information concerning the individual month of December 2009 was reviewed by the Board.

At this time, other Board matters were discussed. Member Meekins led a discussion on “privacy” as it pertains to the auction industry and Board Counsel Yarborough advised that there is no “privacy act.” Ron Zeuli, Designated Person for Ritchie Bros. Auctioneers, NCFL #6980, was introduced to the Board and inquired about privacy and names of sellers/buyers. He was referred to 21 NCAC 4B .0603(g) which states “Each auctioneer/firm shall keep such accounts and records as will disclose at all times the handling of funds in such Custodial Accounts for Sellers Proceeds. Accounts and records must at all times disclose the names of buyers and the amount of purchase and payment from each, also, the names of the sellers and the amount due and payable to each from funds in the Custodial Account for Sellers Proceeds. The names of the buyers and amount of purchase and payment from each related to an individual seller shall be delivered to the seller within 14 days of a written request made within 90 days of settlement of a specific auction.” Mr. Zeuli also inquired about a company called “Iron Planet” and Investigator Southerland was instructed to send the Board-approved form letter regulating agents who contract with sellers and then sell those items on-line.

Next, Director Watson informed the Board that she had provided the information requested from the Fiscal Research Division regarding staffs’ salary adjustment actions and advised that both the Fiscal Research Division and Office of State Personnel had expressed concerns with “qualifiers” on hiring someone for the vacant Administrative Assistant Position. Following a discussion on this

issue, **Member Lilly moved to table the filling of the vacant Administrative Assistant position and notify all applicants of the Board's decision. Member Woolard seconded the motion which carried with Member Meekins voting "nay."**

Following the review and approval of applications for licensing, the Board confirmed the next meeting as Monday, February 22, 2010, at 9:00 a.m. in the Fuquay-Varina office. The meeting was adjourned at 11:30 a.m.

Respectfully Submitted,

Teresa L. Watson
Executive Director