

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

June 11, 2018

The North Carolina Auctioneer Licensing Board met on Monday, June 11, 2018 in the Fuquay-Varina Office. The meeting was called to order at 10:00 a.m. Members present were Chairman Gary Boyd, Vice Chairman William B. Lilly, Jr., Lisa L. Brown, Daniel H. DeVane, and Susan R. Holder. Also present were Executive Director Charles F. Diehl, Administrative Officer Becky Stewart, Investigator Ralph Southerland, and Special Deputy Attorney General Anne Brown with the NC Department of Justice.

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 DeVane recused himself from consideration of the Probable Cause recommendations due to his attendance and participation in the Probable Cause Subcommittee meeting. Other members stated there were none. Then Chairman Boyd welcomed visitor Mr. Matt Price to the meeting.

Minutes of the meeting held on May 14, 2018 were approved as recorded on motion by Member Holder. Member DeVane seconded the motion, which carried unanimously. Then Ralph Southerland provided the investigative case log update as follows: six (6) active cases and zero (0) cases under appeal.

Next the Board considered the Probable Cause Subcommittee recommendations and the following motion was made: **Vice Chairman Lilly made a motion to accept the Probable Cause Subcommittee recommendations. Member Brown seconded the motion, which carried unanimously.** Prior to the motion or any discussion, Member DeVane had recused himself from consideration of the Probable Cause recommendations due to his attendance and participation in the Probable Cause Subcommittee meeting.

At this time Director Diehl reported on the Ad Violations and other Informal Investigations for the Month of May. Then he presented the financial information concerning the individual month

June 11, 2018

of May. Following review, **Vice Chairman Lilly made a motion to accept the financial information for the month of May. Member Holder seconded the motion, which carried unanimously.**

Next Director Diehl reported to the Board that as of Thursday June 7, 2018 there were 618 renewals for the new fiscal year 18/19, of which 38% have renewed online. Then he reminded the Board the Auctioneers Association of North Carolina Summer Conference will be held Friday, June 15, 2018 and Saturday, June 16, 2018 in Cary. He plans to attend and participate.

At this time Director Diehl reported to the Board specific requirements of the NC Office of Administrative Hearings during the re-adoption process. The Board was presented with an agenda item #9 worksheet of statutory directives and comments from staff and the public. After review and discussion, **Member DeVane made a motion to accept all staff recommendations in the agenda item #9 worksheet with the exceptions that the public comment item #3 recommendation be amended to included a reference to a real estate licensing body; the recommendation for public comment item #16 to amend rule .0607(c) be approved as amended to delete the period at the end of the sentence and replace with a comma and add the language “except in the event of a medical emergency that is reported to the board in writing within 3 business days of the auction” and to change the reference to non-auction firm business to sole proprietor business; to not address the erroneously listed public comment #14; to make no changes in response to public comment item #18; and per public comment item # 20 to reduce the hours of Bid Calling in the rule .0502(a)(1) from 16 hours to 15 hours and increase the hours of Auctioneering Ethics in the rule from 1 hour to 2 hours, and delete the words, “and Bulk Transfers” from the rule. Vice Chairman Lilly seconded the motion, which carried unanimously.** Director Diehl further reported he will prepare a draft notice of text in the proper format to submit to the Rules Review Commission (RRC) staff for their comments. A final product may be available for the Board to review at the

June 11, 2018

July Board Meeting. There should be enough time to complete the rules re-adoption process by the deadline date of February 28, 2019.

Next Director Diehl gave an update on relevant proposed legislation being considered by the NC General Assembly, and will keep the Board updated. Director Diehl reported the NC State Budget calls for a 2% salary increase for most state employees with five (5) non expiring bonus leave days. **At this time Member DeVane made a motion to go into Closed Session to discussion personnel matters. Member Holder seconded the motion which carried unanimously.** The Board went into Closed Session at 11:40 a.m.

The Board returned to Open Session at 12:10 p.m. Director Diehl stated there had been a motion offered and approved unanimously to go back into open session. No other votes were taken during closed session. **Vice Chairman Lilly made a motion that the Board adopt staff compensations effective July 1, 2018 as follows: Executive Director receive a 7% salary increase and five (5) non-expiring bonus days; Administrative Officer receive a 4% salary increase, a \$2,000.00 one-time bonus and five (5) non-expiring bonus days; and a 4% hourly pay increase for the two temporary employees. Member DeVane seconded the motion, which carried unanimously.**

Following the review and approval of applications for licensing, the Board confirmed the next regular meeting on Thursday July 12, 2018 at 1:00 p.m. in the Fuquay-Varina office. **Vice Chairman Lilly made a motion to adjourn the meeting with Member DeVane seconding the motion which carried unanimously.**

The meeting adjourned at 12:20 p.m.

Respectfully Submitted,

Becky J. Stewart
Administrative Officer