

MINUTES**NORTH CAROLINA AUCTIONEER LICENSING BOARD****June 20, 2015**

The North Carolina Auctioneer Licensing Board met on Saturday, June 20, 2015, at the Embassy Suites in Cary in conjunction with the AANC Summer Convention. The meeting was called to order at 9:05 a.m. Members present were Chairman Daniel H. DeVane, Vice Chairman Randy Lee, Gary Boyd, Moses Gallion, and Deborah Johnson. Also, present Becky J. Stewart, Administrative Officer, Wayne Woodard, Interim Executive Director, and Garris Neil Yarborough, Counsel to the Board.

Chairman DeVane 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 Boyd recused himself from Probable Cause due to his participation on the Probable Cause Subcommittee and Member Johnson from the Executive Director Position Update. Other members stated there were none. At this time, Chairman DeVane recognized visitors, Betty O'Neal of Stanly Community College and Susan Rogers Holder of Rogers Auction and Realty Co., Inc., Governor elect new Board Appointee effective July 1, 2015 and Wayne Woodard recognized Catherine Jorgenson of the North Carolina State Hearing Aid Dealers and Fitters Board.

Minutes of the meeting held on May 11, 2015, were approved as recorded on motion by Member Boyd. Member Johnson seconded the motion, which carried unanimously. Also at this time, Wayne Woodard provided the investigative case log update.

At this time, Mrs. Betty O'Neal presented to the Board a draft study guide booklet for the Designated Person(s) Class for review and input. The booklet is to be provided to applicants of the Designated Person Class and be included in the Auction Firm Applicant Package. The class

is proposed to be two (2) hours. The Board requested Mrs. O'Neal to provide an outline of the class along with the cost and a final copy of the study guide to be presented at the July Board meeting.

Next, the Board considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Member Johnson moved to accept the Probable Cause Subcommittee Recommendations. Member Gallion seconded the motion, which carried unanimously.** Member Boyd, being the Probable Cause Member, did not participate in the discussion nor did he vote due to his participation on the Probable Cause Subcommittee.

Ms. Stewart then provided the results of the May 7, 2015, auctioneer examination, which were as follows: nineteen (19) examinees with seventeen (17) passing and two (2) failing. Following, Mr. Woodard presented a Memo, Licensing Exam Date & Frequency, to the Board for consideration to change the Auctioneer Examination Dates to an every other month exam cycle. **After discussion, Member Boyd made a motion to change the exam cycle to every other month as follows: August, October, December, February, April, and June of each year. Vice Chairman Lee seconded the motion, which carried unanimously.** The exam scheduled for July 2, 2015 will be given.

At this time, Mr. Woodard presented a request from Danny Ray Lane for consideration to administer his auctioneer exam off site in Wilkes County or nearby due to a congenital condition. **Member Johnson made a motion for the examination to be administrated off site. Member Boyd seconded the motion, which carried unanimously.**

Then, Mr. Woodard presented a request from Billy B. Ray, NCAL #3769 for an exemption from the continuing education requirement for this year. Following a review of his request, **Member Johnson moved to approve Mr. Ray's exemption from the continuing education requirement due to his existing medical condition for the Fiscal Year 2015-2016**

renewal period. Member Gallion seconded the motion, which carried unanimously.

Next, concerning the review of apprentice auctioneer applicant and his sponsors' written summary of his background and experience in the auction profession, **Member Johnson moved to approve the apprentice application for Tommy Fitzgerald Poovey and proposed sponsor, Charles Eugene Carlson, NCAL #4986. Member Boyd seconded the motion which carried unanimously.**

At this time, Mr. Woodard presented the financial information concerning the individual month of May 2015. **Following review, Vice Chairman Lee made a motion to accept the financial information for the month of May 2015. Member Boyd seconded the motion, which carried unanimously.**

Next, under other matters the following was discussed: 1) Mr. Woodard informed the Board, staff will maintain and keep records of each Board Members Ethics Training and SEIs to ensure compliance with the NC State Ethics Commission. In addition, Ms. Stewart stated the Ethics Commission is beginning its audit process and all Board members are in compliance; 2) Review and Consideration of Legal Counsel's Annual Retainer Agreement. Mr. Yarborough offered to recuse himself from this matter even though he advised the Board this is not a matter for closed session. The Board accepted his offer and requested Mr. Yarborough excuse himself from the meeting. Mr. Woodard presented to the Board Mr. Yarborough's proposed Fiscal Year 15-16 annual retainer agreement. A lengthy discussion was held concerning this matter and the Board requested Mr. Woodard to review the Board's files to determine the amount of the previous legal counsel's retainer fee, and also, to research other possible options regarding legal services. **Upon Board request, Mr. Yarbrough returned to open session, and the following Motion was made by Member Boyd to extend his Fiscal Year 14-15 existing contract on a month-to-month basis. Member Johnson seconded the motion which carried unanimously.**

Mr. Yarbrough agreed and accepted the motion; and, 3) Mr. Woodard provided an update on the Executive Director Position and recommended, as a next step, an orientation session of the applicants be considered, which should include one Board member. The Board accepted his recommendation and requested Member Boyd represent the Board during the orientation session.

Following the review and approval of applications for licensing, the Board confirmed the next meeting on Monday, July 13, 2015 at 9:00 a.m. in the Fuquay-Varina office.

The meeting adjourned at 10:35 a.m.

Respectfully Submitted,

Becky J Stewart
Administrative Officer