

MINUTES**NORTH CAROLINA AUCTIONEER LICENSING BOARD****June 12, 2017**

The North Carolina Auctioneer Licensing Board met on Monday, June 12, 2017, in the Fuquay-Varina Office. The meeting was called to order at 10:00 a.m. Members present were Chairman Gary Boyd, Vice Chairwoman Lisa L. Brown by teleconference, Daniel H. DeVane, Susan R. Holder and William B. Lilly, Jr. Also present were Charles F. Diehl, Executive Director, Becky Stewart, Administrative Officer, Ralph Southerland, Investigator and Assistant Attorney General Susie Holloway.

Chairman Boyd welcomed guests Lisa York, Kelly Nicholas, Jeff Gray and Wayne Woodard to the meeting. Then 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. Chairman Boyd recused himself from consideration of the Probable Cause recommendations. Member Lilly recused himself from consideration of the Probable Cause recommendations due to his attendance and participation on the Probable Cause Subcommittee meeting. Other members stated there were none.

Minutes of the meeting held on May 8, 2017 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: sixteen (16) active cases and one (1) case under appeal.

At this time Director Diehl gave the 21 NCAC 4B-Periodic Review Status Update. The proposed deadline for the Board to re-adopt its Rules is February 28, 2019. The Rules and Review Commission will be meeting Thursday, June 15, 2017 to consider this proposed deadline. Then Director Diehl reported on the Ad Violations and other Informal Investigations for the Month of May.

Next Director Diehl presented the financial information concerning the individual month of May. Following review **Member Lilly made a motion to accept the financial information for the month of May. Member DeVane seconded the motion which carried unanimously.** Director Diehl also reported to the Board that a total of 610 auctioneers have renewed as of Friday, June 9, 2017 for the new fiscal year 17/18, of which 40% have renewed online and 60% by regular mail.

At this time Director Diehl presented to the Board a request from Mrs. Betty O'Neal to start considering an amendment to the Request for Proposal of Continuing Education (RFP) for the fiscal 18/19 year to add an Albemarle location and to consider a minimum of one instructor due to the mandatory topic, NC Auctioneer Licensing Laws/Rules to include Ethics and Custodial Account Management, which Director Diehl will be presenting. Director Diehl requested the Board members to consider this when the time comes to review the Request for Proposal for Continuing Education.

Then Director Diehl presented a request for continuing education waiver from licensee Michael Cavin. After a discussion, **Member DeVane made a motion to waive the continuing education requirement for the licensee, Michael Cavin for fiscal year 17/18. Member Holder seconded the motion with carried unanimously.**

Next Director Diehl informed the Board the Auctioneers Association of North Carolina Summer Conference will be held Friday, June 16, 2017 and Saturday, June 17, 2017 in Cary. He plans to attend and participate.

At this time the Board considered the Probable Cause Subcommittee recommendations and the following motion was made: **Member Holder made a motion to accept the Probable Cause Subcommittee recommendations. Vice Chairwoman Brown seconded the motion which carried unanimously.** Member Lilly recused himself from consideration of the Probable Cause recommendations due to his attendance and participation in the Probable Cause Subcommittee

meeting. Chairman Boyd recused himself from consideration of the Probable Cause recommendations.

Under Other Business Director Diehl presented copies of a letter to the editor from the News and Observer from an auctioneer, Buck Lattimore, "Selling parents' belongings as act of love that helps others." Also Director Diehl informed the Board there is an open disciplinary ruling from the Board and the licensee gave notice of an appeal in which the hearing is scheduled for July 17, 2017. Director Diehl reported he had a discussion with the licensee regarding the Board's ruling and the licensee has requested a settlement proposal. The licensee proposes a settlement that she will accept the Board's findings of a full 60 day suspension with the suspension starting on September 15, 2017. **Member Holder made a motion to accept the Settlement Proposal in which licensee #9477 be suspended for a period of 60 days effective September 15, 2017. Member DeVane seconded the motion which carried unanimously.**

At this time Member DeVane made a motion to go into closed session to discuss a personnel matter. Member Lilly seconded the motion which carried unanimously. The Board went into closed session at 10:40 a.m. **Member Lilly made a motion to go into open session at 10:50 a.m. Member DeVane seconded the motion which carried unanimously.** Director Diehl reported that no votes were taken during the closed session.

Following the review and approval of applications for licensing, the Board confirmed the next regular meeting on Monday, July 17, 2017 at 10:00 a.m. in the Fuquay-Varina office. **Member Holder made a motion to adjourn the meeting with Member Lilly seconding the motion which carried unanimously.**

The meeting adjourned at 11:00 a.m.

Respectfully Submitted,

Becky J. Stewart
Administrative Officer