

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

March 12, 2018

The North Carolina Auctioneer Licensing Board met on Monday, March 12, 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, and Daniel H. DeVane. Also present were Charles F. Diehl, Executive Director, Becky Stewart, Administrative Officer, Ralph Southerland, Investigator, 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. Vice Chairman Lilly recused himself from consideration of the Probable Cause recommendation due to his attendance and participation in the Probable Cause Subcommittee meeting. Other members stated there were none. Then Chairman Boyd welcomed visitor Mr. Phil Burleson to the meeting.

Minutes of the meeting held on February 12, 2018 were approved as recorded on motion by Member DeVane. Vice Chairman Lilly seconded the motion which carried unanimously. Then Ralph Southerland provided the investigative case log update as follows: nine (9) active cases and zero (0) cases under appeal.

Next Director Diehl reported on the Ad Violations and other Informal Investigations for the month of February.

At this time the Board considered the Probable Cause Subcommittee recommendation. Vice Chairman Lilly recused himself from consideration of the Probable Cause recommendation due to his attendance and participation in the Probable Cause Subcommittee meeting. **Member DeVane made a motion to accept the Probable Cause Subcommittee recommendation.**

Chairman Boyd seconded the motion which carried unanimously.

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

Then Director Diehl provided the results of the February 1, 2018 auctioneer examination, which were as follows: eight (8) examinees with seven (7) passing and one (1) failing.

Next Director Diehl provided an update on the NCALB Funded CE Program. The Hickory CE funded program was on February 27 and the APNC held a CE class in Matthews on February 16, which was well attended. There are five NCALB funded CE classes being held within the next month. Then Chairman Boyd welcomed visitor Matt Price to the meeting.

The next item on the agenda was the Consideration of Applications for New Continuing Education Courses and Instructors: @Home Prep (a division of Stautzenberger College) – Uniform Commercial Code – William Ed. Stallings (online only); Nashville Auction School, LLC – Ethics and Escrow – Wendell Hanson (online and live); and Nashville Auction School, LLC – Advanced Bid Calling Summit – Justin Ochs, Kevin McGlothlen. **Vice Chairman Lilly made a motion to approve the new courses and instructors. Member DeVane seconded the motion which carried unanimously.**

At this time Director Diehl provided the NCALB Recovery Fund Analysis. He provided a detailed five year report on the licensing procedures of applicants and disciplinary activity to determine if there were any red flags that presented opportunities to potentially avoid future problems.

Then Director Diehl reported that the deadline for 21 NCAC 4B – Periodic Review/Rules Readoption is February 2019. The Board needs to propose any rule changes and have a 60 day comment period. Director Diehl requested at the April meeting that the Board have a thorough

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discussion of the rules and have a draft of what the Board wants to propose for re-adoption to finalize at the May Board meeting and after that have the 60 day comment period.

Next Director Diehl reminded the Board members that their Statements of Economic Interest are due by April 16, 2018 to the State Ethics Commission. He also reported that security measures have been taken at the office with the door locked at all times, installation of a door bell for entrance, and a sign posted prohibiting all weapons. Then the Board reviewed a draft of the 18/19 Renewal Application. Director Diehl pointed out the "Public Notice Statement" and related questions on the back of the renewal, which are now required by all Occupation Licensing Boards.

At this time Vice Chairman Lilly made a motion to go into Closed Session to discuss NCALB Administrative Hearing Process with counsel. Member DeVane seconded the motion which carried unanimously. The Board went into Closed Session at 10:45 a.m.

Member DeVane made a motion to return to Open Session. Vice Chairman Lilly seconded the motion which carried unanimously. The Board returned to Open Session at 11:16 a.m. Director Diehl reported that during the Closed Session there were no motions made or votes taken.

Following the review and approval of applications for licensing, the Board confirmed the next regular meeting on Thursday, April 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 11:21 a.m.

Respectfully Submitted,

Becky J. Stewart
Administrative Officer