

## MINUTES

## NORTH CAROLINA AUCTIONEER LICENSING BOARD

MARCH 11, 2013

The North Carolina Auctioneer Licensing Board met on Monday, March 11, 2013, in the Fuquay-Varina office. The meeting was called to order at 9:00 a.m. Members present were: Chairperson Ernest Clegg Grady, Jr., Vice Chairperson Deborah Johnson, Daniel H. DeVane, Randy B. Lee and Edward B. Webb. Also present: Executive Director Teresa L. Watson and Garris Neil Yarborough, Counsel to the Board.

Chairperson Grady 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. The "Evaluation of Statement of Economic Interest Filed by Mr. Randy B. Lee" was recorded in the minutes pursuant to G.S. 183A-15(c).

**Minutes of the meeting held on February 11, 2013, were approved as recorded on motion by Vice Chairperson Johnson. Member DeVane seconded the motion which carried unanimously.** Investigator Southerland then provided a case log update.

At this time, Board Counsel Yarborough gave instructions to the Board regarding their rendering of the Final Agency Decision concerning Estate Galleries, NCFL #9380. Following Mr. Yarborough's instructions, **Member DeVane moved to adopt the Proposed Findings of Fact and Conclusions of Law submitted by Board Counsel and revoke the auction firm license of Estate Galleries as of March 11, 2013. Member Webb seconded the motion which carried unanimously.** Vice Chairperson Johnson did not participate in the discussion nor did she vote on this matter due to her participation on the Probable Cause Subcommittee.

As requested at the February 11, 2013, Board Meeting, a discussion concerning 21

NCAC 4B .0605 of the Rules and Regulations was tabled until this meeting. A lengthy discussion was held and Board Counsel Yarborough will be preparing several “practice tips” regarding 21 NCAC 4B .0605(a) and (b) for future Board Newsletters and for placement on the Board’s website.

Next, the Board considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Vice Chairperson Johnson moved to accept the Probable Cause Subcommittee Recommendations. Member Webb seconded the motion which carried unanimously.** Member Lee did not participate in the discussions nor did he vote on these matters involving the Probable Cause Subcommittee Recommendations due to his participation on the Probable Cause Subcommittee. Director Watson then provided the results of the February 7, 2013, auctioneer examination which were as follows: ten (10) examinees with six (6) passing and four (4) failing.

Ms. Watson presented the following New CE Instructor and Course for Mendenhall School of Auctioneering for approval: Thomas G. Wood/Auctioning Numismatics, Gold and Silver Jewelry and Scrap Metal. Following a review of the presented materials, **Vice Chairperson Johnson moved to approve the New CE Instructor and Course for Mendenhall School of Auctioneering. Member Lee seconded the motion which carried unanimously.**

Next, Director Watson presented the following New CE Sponsor, Instructor and Courses for approval: Pick a Class/Mike McConchie/5 Proven Ways to Increase Business Profits; 6 Steps to Growing a Winning Business; Time Management; and, Marketing. Following a review of the presented materials, **Member Lee moved to approve the New CE Sponsor, Instructor and Courses. Member Webb seconded the motion which carried unanimously.**

At this time, the Board reviewed a letter from Kathie W. Turner regarding applicants with

outstanding judgments and/or liens or with an active bankruptcy and Board Counsel Yarborough was instructed to correspond with her. Also at this time, financial information concerning the individual month of February 2013 was reviewed by the Board.

The Board then reviewed the "Requests for Proposal Video Services" and the following motion was made. **Member DeVane moved to award the Video Services Proposal to Moonlight Communications with a locked in price of \$1,967.50 for production, editing and DVD costs. Member Lee seconded the motion which carried unanimously.**

Director Watson led a discussion on the consideration of an assessment for the Recovery Fund during Fiscal Year 2013/2014. Following a discussion, **Member DeVane moved that no assessment to the Recovery Fund take place during the renewal period for Fiscal Year 2013-2014. Member Webb seconded the motion which carried unanimously.** Next, other Board matters were discussed to include the strengthening of the "Requests for CE Proposals."

Following the review and approval of applications for licensing, the Board confirmed the next meeting as Monday, April 8, 2013, at 9:00 a.m. in Fuquay-Varina, North Carolina. The meeting was adjourned at 10:50 a.m.

Respectfully Submitted,

Teresa L. Watson  
Executive Director