

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

March 13, 2017

The North Carolina Auctioneer Licensing Board met on Monday, March 13, 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, Daniel H. DeVane and Susan R. Holder. Also present were Charles F. Diehl, Executive Director, Becky Stewart, Administrative Officer, Ralph Southerland, Investigator and Assistant Attorney General Susannah (Susie) Holloway.

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 Chairwoman Brown recused herself from consideration of the Probable Cause recommendation due to her attendance and participation in the Probable Cause Subcommittee meeting. Other members stated there were none. Chairman Boyd welcomed visitor Kelly Nicholas and then visitor Phil Burleson upon his subsequent arrival.

Minutes of the meeting held on February 13, 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: thirteen (13) active cases and zero (0) cases under appeal.

At this time Director Diehl gave the 21 NCAC 4B-Periodic Review Status Update. He reported the 21 NCAC 4B Rules Review Report is on the Rules Review Commission Agenda for Thursday, March 16, 2017 where the process will start to re-adopt and change any Rules as necessary. He and Assistant Attorney General Susie Holloway will be attending.

Then 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 recommendation. Member DeVane seconded the motion which carried unanimously. Vice Chairwoman Brown recused herself from consideration of the Probable Cause recommendation due to her attendance and participation in the Probable Cause Subcommittee meeting. Then Director Diehl reported on the Ad Violations and other Informal Investigations for the Month of February.

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

At this time Director Diehl provided the results of the February 2, 2017, auctioneer examination, which were as follows: five (5) examinees with one (1) passing and four (4) failing. Director Diehl also reported to the Board, after consultation with the NC Auctioneering Schools that effective immediately the auctioneer exam start time will be at 12:00 (noon) instead of 9:00 am. All Board members agreed with the time change.

Next Director Diehl led a discussion on the Request for the Three Year Audit Proposal for years ending 2017, 2018 and 2019. Director Diehl reported he will be submitting a Request For Proposal for selection of an audit firm to provide annual audit services in accordance with the requirements of the North Carolina Office of the State Auditor, with guidance from the NC CPA Board.

Next Director Diehl provided a report to the Board on the NC General Assembly Update on House and Senate Bills filed relating to Occupational Licensing Boards.

Then Assistant Attorney General Susie Holloway provided an overview of the Administrative Hearing Process for the Board. A discussion was held on this matter. Following, Director Diehl reminded the Board that their Statements of Economic Interest are due by April 15, 2017 to the State Ethics Commission.

Next Director Diehl provided a report to the Board on the NCALB funded Continuing Education Program. Two classes were recently held, one on February 23 in Jacksonville and one on February 28 in Hickory. Both classes were well attended. Several classes are upcoming within the next few weeks which include Winston-Salem, Kinston, Williamston and Cherokee. In addition he reported the Auctioneer Professionals of North Carolina (APNC) held a class on February 24 in Mathews and it was well attended.

At this time Director Diehl presented to the Board for Consideration the Approval of New Continuing Education Courses and Instructors for the Auctioneers Association of North Carolina (AANC), Five Keys to Successful Real Estate Auctions - Tim Mast, Ethics and Professionalism - Jim Blackburn and The \$64,000 Question: Employee or Independent Contractor? - Buck Lattimore. After review of the presented materials **Member Holder made a motion to approve the New CE Courses and Instructors for the Auctioneers Association of North Carolina (AANC) with Vice Chairwoman Brown seconding the motion which carried unanimously.** Also Director Diehl presented for Consideration the Approval of New Continuing Education Course and Instructor for Mendenhall School of Auctioneering, Advanced Auctioneering - Scott Matthews. After review of the presented materials **Member DeVane made a motion to approve the New CE Course and Instructor for Mendenhall School of Auctioneering with Vice Chairwoman Brown seconding the motion which carried unanimously.**

Next a discussion was held regarding the structure of the NCALB's website and the variety of information available.

Following the review and approval of applications for licensing, the Board confirmed the next regular meeting on Tuesday April 11, 2017 at 10:00 a.m. in the Fuquay-Varina office. **Member Holder made a motion to adjourn the meeting with Vice Chairwoman Brown seconding the motion which carried unanimously.**

The meeting adjourned at 10:55 a.m.

Respectfully Submitted,

Becky J. Stewart
Administrative Officer