

## MINUTES

## NORTH CAROLINA AUCTIONEER LICENSING BOARD

MAY 11, 2009

The North Carolina Auctioneer Licensing Board met on Monday, May 11, 2009, in the Fuquay-Varina office. The meeting was called to order at 10:20 a.m. Members present were: Chairperson Lloyd (Mickey) Meekins, Jr., Vice Chairperson Jesse G. Meeks, Yolanda Mason-Smith, William M. O'Neal and Keith J. Pierce. Also present: Executive Director Teresa L. Watson and Garris Neil Yarborough, Counsel to the Board.

Chairperson Meekins 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.

**Minutes of the meeting held on April 13, 2009, were approved as recorded on motion by Vice Chairperson Meeks. Member Pierce seconded the motion which carried unanimously.**

Next, Vice Chairperson Meeks and Construction Manager Floyd Taylor provided an update on the Board's new office construction. Mr. Taylor presented the fourth "Application and Certificate for Payment" from Freedom Constructors, Inc., in the amount of \$152,169.96 for processing and payment. Following a review of the fourth "Application and Certificate for Payment," **Vice Chairperson Meeks moved to approve the payment in the amount of \$152,169.96. Member Pierce seconded the motion which carried unanimously.**

Mr. Taylor also presented two "Contract Change Orders." Following a review of "Contract Change Order 7," **Chairperson Meekins moved to give Vice Chairperson Meeks the authorization to approve "Contract Change Order 7" up to \$5,000.00 once the order has been modified according to the Board's request. Member Pierce seconded the motion which carried unanimously.** Following a review of "Contract Change Order 8," **Chairperson Meekins moved to**

approve “Contract Change Order 8” as presented. Member O’Neal seconded the motion which carried unanimously.

At this time, proposals from local moving companies were reviewed. Following a discussion on this matter, **Member Mason-Smith moved that Charlie Powell’s Model Moves, Inc., be awarded the contract to provide the moving services for the Board’s relocation. Member O’Neal seconded the motion which carried unanimously.** Next, discussion was held concerning obtaining the services of a landscaping company. **Chairperson Meekins moved that Construction Manager Floyd Taylor obtain quotes to obtain the services of a landscaping company for a time period of one year. Member Mason-Smith seconded the motion which carried unanimously.** Mr. Taylor was also instructed to proceed with obtaining signage for the new office location.

As instructed at the April 13, 2009, Board meeting, information was obtained concerning states that have laws in place regarding eBay auctions. Information was presented from the states of Pennsylvania and Tennessee. A discussion was held regarding this issue and a decision was reached to continue this discussion at a later time. The Board also decided to place priority on the following topics as listed: 1) auction firm update; 2) personnel policies and procedures; and, 3) online auctions.

The Board next considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Chairperson Meekins moved to accept the recommendations of the Probable Cause Subcommittee. Member Mason-Smith seconded the motion which carried unanimously.** Vice Chairperson Meeks and Member Pierce did not participate in the discussions nor did they vote on these matters involving the Probable Cause Subcommittee Recommendations due to their participation on the Probable Cause Subcommittee.

Director Watson presented the following “Applications for Course and Sponsor Renewal for

Continuing Education” for consideration: (1) All Star Professional Training, Inc.; (2) Auctioneers Association of North Carolina; (3) Dick Norwood Real Estate Seminars; (4) East Coast School of Auctioneering; (5) Ivan Broadwell Educational Seminars; (6) Mendenhall School of Auctioneering; (7) Nashville Auction School, LLC; (8) National Auctioneers Association; (9) New South Educational Services; (10) North Georgia School of Auctioneering; (11) Novalis, Inc.; (12) Reppert School of Auctioneering, Inc.; (13) Robert Grove Auctions; (14) Southeastern School of Auctioneering; (15) Stanly Community College; and, (16) Texas State Technical College. Following this presentation, **Vice Chairperson Meeks moved to accept the “Applications for Course and Sponsor Renewal for Continuing Education” for the above listed applicants. Member O’Neal seconded the motion which carried unanimously.**

Ms. Watson presented the following requests for consideration of new CE courses: (1) Nashville Auction School, LLC – Contracts and Internet Auction; (2) North Georgia School of Auctioneering – Selling Real Estate at Auction; and, (3) Stanly Community College – Ethics and Customer Service. Following review of the provided materials, **Vice Chairperson Meeks moved to approve the addition of the new CE courses for Nashville Auction School, LLC, North Georgia School of Auctioneering, and Stanly Community College. Member Pierce seconded the motion which carried unanimously.**

Next, Director Watson presented a request from Lenoir Community College for approval to add an additional instructor to their school of auctioneering. After reviewing the additional instructor’s qualifications, **Vice Chairperson Meeks moved to approve the addition of Randy B. Lee, NCAL #8488, as an instructor for Lenoir Community College. Member Pierce seconded the motion which carried unanimously.**

Ms. Watson briefed the Board on the Audit Proposal/Audit Contract for Audit Services. Following a discussion on this matter, **Member Pierce moved that Shelton L. Hawley, C.P.A.,**

**P.A. be employed based on the terms contained in the Proposal for Audit Services submitted by Mr. Hawley. Member Mason-Smith seconded the motion which carried unanimously.**

At this time, Director Watson informed the Board that the “pink slips” had been mailed to licensees which did not meet CE requirements. Ms. Watson also advised that Renewal Applications for Fiscal Year 2009/2010 would be mailed out by the end of May to all licensees who have met the CE requirements. Also at this time, financial information concerning the individual month of April 2009 was review by the Board and discussion was held concerning additional budget management restrictions as mandated by directives from the Governor.

Other Board matters were discussed next. Legal Counsel Yarborough led a discussion on the auction practice of “sweetening the pot” and Director Watson provided an e-mail from Cullie M. Tarleton, NCAL #872, expressing his “thanks” for the Board granting an exemption from the continuing education requirement for Fiscal Year 2009-2010.

Next, **Chairperson Meekins moved to go into Closed Session pursuant to G.S. 143-318.18 to discuss personnel matters. Member O’Neal seconded the motion which carried unanimously.** The Board went into Closed Session at 11:35 a.m. and returned to Open Session at 11:45 a.m. Following the return to Open Session, Chairperson Meekins instructed staff to advise Chief Investigator Dutko that he could take an unpaid two-month leave of absence while he attends to family health issues.

Next, a discussion was held concerning the monitoring of absolute auction advertisements. **Vice Chairperson Meeks moved to discontinue the monitoring of absolute auction advertisements. Member O’Neal seconded the motion which carried with Chairperson Meekins recusing.** Next, discussion was held concerning instructions given at the April 13, 2009, Board meeting regarding obtaining copies of the final exams given by the accredited schools of auctioneering. **Member O’Neal moved to rescind this directive immediately and return any**

**copies of the final exams received by the accredited schools of auctioneering. Chairperson Meekins seconded the motion which carried unanimously.**

Following the review and approval of applications for licensing, the Board confirmed the next meeting as Monday, June 8, 2009, at 10:00 a.m. in the Fuquay-Varina office. The meeting was adjourned at 12:00 noon.

Respectfully Submitted,

Teresa L. Watson  
Executive Director