

**MINUTES**

**NORTH CAROLINA AUCTIONEER LICENSING BOARD**

**May 13, 2024**

The North Carolina Auctioneer Licensing Board met on Monday, May 13, 2024, in the Fuquay-Varina Office. The meeting was called to order at 9:00 a.m. Members present were Chairman Dan DeVane, Vice Chairman Willie A. Johnson, Melinda Q. Porter, and Kyle Swicegood. Also, present were Executive Director Charles F. Diehl, Administrative Officer Becky Stewart, and Special Deputy Attorney General Anne Brown with the NC Department of Justice. Member Buck Lattimore participated by phone. Chairman DeVane welcomed Mr. Don Horton from Mooresville, NC to the meeting.

Chairman DeVane inquired of each member if there were any known conflicts of interest or any appearance of conflicts with respect to any matters coming before the Board during this meeting. Vice Chairman Johnson recused himself from the Consideration of the Probable Cause Report due to his participation in the Probable Cause Subcommittee meeting. Other members stated there were none.

**Member Swicegood made a motion to approve the April 8, 2024 Board Meeting minutes. Member Lattimore seconded the motion, which carried unanimously.**

Director Diehl presented the financial report. **Member Porter made a motion to approve the financial report for the month of April. Member Lattimore seconded the motion, which carried unanimously.**

Director Diehl reported on the staff investigations and advertising violations for the month of April. There were two informal investigations and two ad violations.

Director Diehl presented for consideration and approval the Applications for Course and Sponsor Renewal for Continuing Education for the following: (a) *All Star Training, Inc. – new*

*course – Auction Preparation and Setup, Breathing Techniques, Voice Control and Clarity (4 hrs.); (b) At Home Prep – a Division of Stautzenberger College; (c) Auctioneers Association of North Carolina (AANC); (d) Cornerstone-edu.com; (e) Dick Norwood Real Estate Seminars; (f) Easylr24.com Online Training School, Inc. – new course – Livestock (1 hr.); (g) Matthew Price; (h) Nashville Auction School – new course – Mastering Auction Negotiations – Effective Tactics for Success (3 hrs.); (i) National Auctioneers Association; (j) Southeastern School of Auctioneering); and (j) Stanly Community College – Carolina Auction Academy. **Member Swicegood made a motion to approve the Course and Sponsorship Renewal Applications for Continuing Education. Vice Chairman Johnson seconded the motion, which carried unanimously.***

Director Diehl reported that the 2024/25 Renewal Applications are scheduled to be mailed at the end of May/early June.

Chairman DeVane requested a motion to go into Closed Session to discuss Agenda Item 7 – *Consideration of Proposed Consent Agreement – In Re: Case No. 24-6591-02 Benjamin James Ammons dba Ammons Auctions*, Agenda Item 8 – *Review of Report from Probable Cause Subcommittee, Recovery Fund Claim from Mr. Randy Johnson*, and to receive information and advice from Board Counsel. **Member Porter made a motion to go into Closed Session. Member Swicegood seconded the motion, which carried unanimously.** The Board went into Closed Session at 9:15 a.m.

**Member Porter made a motion to return to Open Session. Member Swicegood seconded the motion, which carried unanimously.** The Board returned to Open Session at 9:45 a.m.

**Member Lattimore made a motion to accept the Proposed Consent Agreement In Re: Case No. 24-6591-02 Benjamin James Ammons dba Ammons Auction. Vice Chairman**

**Johnson seconded the motion, which carried unanimously. Member Swicegood made a motion to deny the Recovery Fund Claim application of Mr. Randy Johnson based on the fact that the Commission finds that justice would not be better served by allowing the Recovery Fund Claim to proceed in the absence of a court order. Chairman DeVane seconded the motion, which carried unanimously. Member Porter made a motion to accept the recommendations from the Probable Cause Report. Member Swicegood seconded the motion, which carried unanimously.** Prior to the motion or any discussion, Vice Chairman Johnson had recused himself from consideration of the Probable Cause Report due to his participation in the Probable Cause Subcommittee meeting.

Under other matters, Director Diehl reported that staff had in a previous meeting reported that the Board's server is obsolete/antiquated and needs to be replaced. There is an option of utilizing the North Carolina States IT Department (NCDIT) for hosting purposes or purchasing a new server. After initial investigation, staff has concerns that it may not be very efficient, either financially or operationally, to use NCDIT's services, and it may be best to continue using the Board's currently contracted IT person and purchase a new server. Additional information will be provided later. He also requested if the Board would consider changing the Board meeting date from June 10, 2024 to June 17, 2024 due to the many recent graduates from two NC Auction Schools and other schools, the scheduling of the June 6, 2024 examination date in preparing for the Board meeting which is in close proximity of the examination date, and with the upcoming 2024/25 Renewals. **Member Porter made a motion to change the June 10, 2024 Board meeting date to June 17, 2024. Chairman DeVane seconded the motion, which carried unanimously.**

The Board reviewed the applications for licensing.

Chairman DeVane confirmed the next regular meeting on Monday, June 17, 2024 at 9:00

a.m. in the Fuquay-Varina office.

**Member Porter made a motion to adjourn the meeting. Member Swicegood seconded the motion, which carried unanimously.**

The meeting adjourned at 10:02 a.m.

Respectfully Submitted,

Becky J. Stewart  
Administrative Officer