

**MINUTES**

**NORTH CAROLINA AUCTIONEER LICENSING BOARD**

**April 11, 2022**

The North Carolina Auctioneer Licensing Board met on Monday, April 11, 2022 in the Fuquay-Varina Office. The meeting was called to order at 10:00 a.m. Members present were Chairman Buck Lattimore, Vice Chairman Dan DeVane, Willie A. Johnson, Melinda Q. Porter, and T. Kyle Swicegood. Also, present were Executive Director Charles F. Diehl, Administrative Officer Becky Stewart, Special Deputy Attorney General Anne Brown with the NC Department of Justice, Matthew Parker, attorney for Troy L. Hall, and auctioneer Rick Lashmit.

Chairman Lattimore 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. Member Swicegood recused himself from consideration of the Probable Cause Report due to his participation in the Probable Cause Subcommittee meeting and from the Administrative Hearing – *In Re: Troy L. Hall* because he is a current member of the Auctioneers Association of NC (AANC) Board of Directors serving with Mr. Hall. Member Johnson recused himself from the Administrative Hearing – *In Re: Troy L. Hall* due to his participation on the Probable Cause Subcommittee meeting for this matter. Other members stated there were none.

The Administrative Hearing – *In Re: Troy L. Hall*, which was held open from the March 14, 2022 for further deliberation until April 11, 2022 began at 10:02 a.m. Member Johnson recused himself from the Hearing due to his participation on the Probable Cause Subcommittee meeting on this matter. Member Swicegood recused himself from this matter because he is a current member of the Auctioneers Association of NC (AANC) Board of Directors serving with Mr. Hall.

Chairman Lattimore presided over the Hearing, with Vice Chairman DeVane and Member Porter also serving on the panel. The NCALB was represented by Board Counsel, Special Deputy

Attorney General Anne Brown. The Respondent, Troy L. Hall, was represented by Mr. Matthew Parker, with the Law Firm Michael Best and Friedrich LLP. A proposed Consent Order was presented to the Board for review and consideration. The Board went into Closed Session at 10:40 a.m. for deliberations. During the Closed Session, both attorneys were present. The Board returned to Open Session at 11:12 a.m. Chairman Lattimore reported that the Board accepted the Consent Order as presented. The Administrative Hearing concluded at 11:13 a.m.

Minutes of the meeting held on March 14, 2022 were reviewed. **Member Johnson made a motion to approve the minutes. Vice Chairman DeVane seconded the motion, which carried unanimously.**

Next, the Board considered the Probable Cause Report. **Member Johnson made a motion to accept the recommendation on item 1 from the Probable Cause Report. Member Porter seconded the motion, which carried unanimously. Member Johnson made a motion to accept the recommendation on item 2 from the Probable Cause Report. Vice Chairman DeVane seconded the motion, which carried unanimously. Vice Chairman DeVane made a motion to accept the recommendation on item 3 from the Probable Cause Report. Member Porter seconded the motion, which carried unanimously.** Prior to the motions or any discussions, Member Swicegood had recused himself from consideration of the Probable Cause Report due to his participation in the Probable Cause Subcommittee meeting.

Then, Director Diehl reported on the staff informal investigations and advertising violations for the month of March. There were three (3) informal investigations and one (1) ad violation.

Next, Director Diehl presented the financial report. **Member Swicegood made a motion to approve the financial report for the month of March. Member Johnson seconded the motion, which carried unanimously.**

Then, Director Diehl provided an update on the payroll matter that he discussed at the March 14, 2022 meeting. The Office of State Human Resources is finalizing the payroll corrections, which will show in the April 29 paychecks. The paychecks for May and beyond will reflect the correct amounts.

At this time, Director Diehl led a discussion on the consideration of an assessment for the Recovery Fund for the Fiscal Year 2022-2023 license period. Following discussion, **Member Swicegood made a motion that no assessment to the Recovery Fund take place during the Fiscal Year 2022-2023 license period. Vice Chairman DeVane seconded the motion, which carried unanimously.**

Next, Director Diehl presented for the Board's consideration the Application for School of Auctioneering for Nashville Auction School, LLC ownership change. Following discussion, **Member Swicegood made a motion to approve Nashville Auction School, LLC ownership change. Member Porter seconded the motion, which carried unanimously.**

Then, Director Diehl presented for the Board's consideration the Application for Continuing Education Sponsorship/New Course/New Instructors for Nashville Auction School, LLC ownership change: *Customer & Staff Relations and Policies – 3 hours, Instructors Shane McCarrell and Jason Deel*. **Chairman DeVane made a motion to approve the sponsorship ownership change, new course, and new instructors for Nashville Auction School, LLC. Member Johnson seconded the motion, which carried unanimously.**

Next, Director Diehl presented for the Board's consideration New Continuing Education Courses and Instructors for the Auctioneers Association of North Carolina (AANC): *Creating Enforceable Bidder Contracts – 2 hours – Michael Parker and Matthew Parker, Professionalism: Being the Definition – 2 hours – Michael Parker and Matthew Parker, and Sharpening Steel – Becoming a Better Salesperson and Ambassador to our industry – 2 hours – Joshua Scott*

*Loewensteiner.* **Member Swicegood made a motion to approve the new continuing education courses and instructors for the AANC. Member Porter seconded the motion, which carried unanimously.**

Next, Director Diehl provided the results of the April 7, 2022 auctioneer examination, which were as follows: nine (9) examinees with seven (7) passing and two (2) failing.

Then, the Board reviewed and approved applications for licensure.

Director Diehl reported that he recently visited Lenoir Community College and Wake Tech Auctioneer Academy auction classes.

Chairman Lattimore confirmed the next regular meeting on Monday, May 9, 2022 at 9:00 a.m. in the Fuquay-Varina office.

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

The meeting adjourned at 12:00 noon.

Respectfully Submitted,

Becky J. Stewart  
Administrative Officer