

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

January 10, 2022

The North Carolina Auctioneer Licensing Board met on Monday, January 10, 2022 in the Fuquay-Varina Office. The meeting was called to order at 9:00 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, and Special Deputy Attorney General Anne Brown with the NC Department of Justice.

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 Johnson recused himself from consideration of the Probable Cause recommendation due to his participation in the Probable Cause Subcommittee meeting. Chairman Lattimore recused himself from the Proposed Final Decision and Order *In Re: Bobby Carroll McLamb* due to his participation in the Probable Cause Subcommittee meeting on January 7, 2021. Member Swicegood recused himself from the Consideration of the Application for Reimbursement of Continuing Education Estimated Expenses because he is a current member of the Auctioneers Association of NC (AANC) Board of Directors. Other members stated there were none.

Minutes of the meeting held on December 13, 2021 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 Swicegood made a motion to approve the Probable Cause Report. Member Porter seconded the motion, which carried unanimously.** Prior to the motion or any discussion, Member Johnson 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 December. There were two (2) informal investigations and one (1) ad violation. There is one (1) formal complaint that was recently received and under investigation. A discussion on advertisement was hold.

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

The next item on the agenda was the consideration on the Proposed Final Decision and Order *In Re: Bobby Carroll McLamb*. Chairman Lattimore acknowledged that he has recused himself from today's consideration of the Proposed Final Decision and Order due to his participation in the Probable Cause Subcommittee meeting on January 7, 2021 and turned the meeting over to Vice Chairman DeVane to preside. Ms. Brown advised that the Board go into Executive Session to discuss and consider the Proposed Final Decision and Order *In Re: Bobby Carroll McLamb*. Vice Chairman DeVane requested a motion to go into Executive Session. **Member Swicegood made a motion to go into Executive Session. Member Johnson seconded the motion, which carried unanimously.** The Board went into Executive Session at 9:20 a.m.

Member Swicegood made a motion to return to Open Session. Member Johnson seconded the motion, which carried unanimously. The Board returned to Open Session at 9:25 a.m. **Member Swicegood made a motion to accept the Proposed Final Decision and Order In Re: Bobby Carroll McLamb as written. Member Porter seconded the motion, which carried unanimously.** Vice Chairman DeVane returned the gavel to Chairman Lattimore.

The next item on the agenda was the consideration on the Proposed Consent Order *In Re: Zachary Garry Allen*. Chairman Lattimore requested a motion to go into Executive Session to

discuss this matter. **Member Swicegood made a motion to go into Executive Session. Member Johnson seconded the motion, which carried unanimously.** The Board went into Executive Session at 9:27 a.m.

Member Swicegood made a motion to return to Open Session. Vice Chairman DeVane seconded the motion, which carried unanimously. The Board returned to Open Session at 9:54 a.m. **Member Porter made a motion to accept the Proposed Consent Order In Re: Zachary Garry Allen as written. Member Johnson seconded the motion, which carried unanimously.**

Next, Chairman Lattimore reported that the Auctioneers Association of NC Convention, which was to be held in Greensboro, NC on January 14-15, 2022 has been postponed due to COVID.

Next, Director Diehl advised that the review of Application for Reimbursement of Continuing Education Estimated Expenses should not be voted on because it is specifically for the January 14-15, 2022 Convention, which has been postponed. The AANC will need to submit a new Application for Reimbursement of Continuing Education Estimated for its next convention with the new dates and any updated information.

Following the review and approval of applications for licensing, the Board confirmed the next regular meeting on Monday, February 14, 2022 at 9:00 a.m. in the Fuquay-Varina office. An Administrative Hearing is scheduled to begin at 10:00 a.m.

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

The meeting adjourned at 10:25 a.m.

January 10, 2022

Respectfully Submitted,

Becky J. Stewart
Administrative Officer