

**MINUTES**

**NORTH CAROLINA AUCTIONEER LICENSING BOARD**

**July 11, 2022**

The North Carolina Auctioneer Licensing Board met on Monday, July 11, 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 Porter, and Kyle Swicegood. Also, present were Executive Director Charles F. Diehl and Administrative Officer Becky Stewart. Special Deputy Attorney General Anne Brown with the NC Department of Justice was available by phone.

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 Porter recused herself from consideration of the Probable Cause recommendation on item 1 due to her participation in the first of two Probable Cause Subcommittee meetings. Vice Chairman DeVane recused himself from consideration of the Probable Cause recommendations on items 2 through 5 due to his participation in the second of two Probable Cause Subcommittee meetings. Other members stated there were none.

Chairman Lattimore recognized Director Diehl and asked that he conduct Board elections for the fiscal year ending June 30, 2023. The floor was opened for nominations for the position of Chairman. **Member Johnson moved to nominate Buck Lattimore as Chairman. The nomination was seconded by Vice Chairman DeVane. No other nominations for the position were offered. A vote was taken, and Mr. Lattimore was unanimously re-elected as Chairman.**

Director Diehl returned the floor to Chairman Lattimore. Chairman Lattimore opened the floor for nominations for the position of Vice Chairman. **Member Johnson moved to nominate Dan DeVane as Vice Chairman. The nomination was seconded by Member Swicegood. No**

**other nominations for the position were offered. A vote was taken, and Mr. DeVane was unanimously re-elected as Vice Chairman.**

**Vice Chairman DeVane made a motion to approve the June 13, 2022 minutes. Member Porter seconded the motion, which carried unanimously.**

Director Diehl reported on the staff investigations and advertising violations for the month of June. There were no ad violations and four informal investigations. There are currently two formal complaint investigations. One case is still in the investigative stage, and the other case has a Probable Cause finding and will be scheduled for a hearing unless a proposed Consent Agreement is reached for the Board's consideration.

Chairman Lattimore requested a motion to go into Executive Session to discuss ongoing litigation and matters of potential litigation. **Member Johnson made a motion to go into Executive Session. Member Swicegood seconded the motion, which carried unanimously.** The Board went into Executive Session at 9:10 a.m.

**Member Swicegood made a motion to return to Open Session. Member Porter seconded the motion, which carried unanimously.** The Board returned to Open Session at 9:22 a.m.

**Member Johnson made a motion to accept the recommendation from the Probable Cause Report on item 1. Vice Chairman DeVane seconded the motion, which carried unanimously.** Prior to the motion or any discussion, Member Porter had recused herself from consideration of the Probable Cause Report due to her participation in one of two Probable Cause Subcommittee meetings.

**Member Swicegood made a motion to accept the recommendations from the Probable Cause Report on items 2 – 5. Member Johnson seconded the motion, which carried unanimously.** Prior to the motion or any discussion, Chairman DeVane had recused himself from

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consideration of the Probable Cause Report due to his participation in the second of two Probable Cause Subcommittee meetings.

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

Director Diehl reported that as of July 11, 2022 a total of 1,766 licensees had renewed for the 22/23 year. After a discussion, the Board requested staff to provide a report at the next Board meeting on the average age of licensees.

Following the review and approval of applications for licensing, the Board confirmed the next regular meeting on Monday, August 8, 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 9:40 a.m.

Respectfully Submitted,

Becky J. Stewart  
Administrative Officer