

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

June 10, 2019

The North Carolina Auctioneer Licensing Board met on Monday, June 10, 2019 in the Fuquay-Varina Office. The meeting was called to order at 10:00 a.m. Members present were Vice Chairman Gary Boyd, Willie A. Johnson, Allison H. Pant, and Lisa D. York. Also, present were Executive Director Charles F. Diehl, Administrative Officer Becky Stewart, Investigator Ralph Southerland, and Special Deputy Attorney General Anne Brown with the NC Department of Justice.

Vice Chairman Boyd 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. Member Johnson recused himself from consideration of the Probable Cause recommendations due to his participation in the Probable Cause Subcommittee meeting. Other members stated there were none.

Minutes of the meeting held on May 13, 2019 were approved as recorded on motion by Member York. Member Pant seconded the motion, which carried unanimously. Then Ralph Southerland provided the investigative case log update as follows: four (4) active cases. Then Vice Chairman Boyd welcomed visitors Buck Lattimore and Rick Lashmit.

Next the Board considered the Probable Cause Report. **Member York made a motion to accept the Probable Cause Report. Member Pant 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.

At this time Director Diehl reported on the Informal Investigations and Ad Violations for the month of May.

Then Director Diehl presented the financial information concerning the individual month of May. Following review, **Member Johnson made a motion to accept the financial information for the month of May. Member York seconded the motion, which carried unanimously.**

Next Director Diehl reported to the Board that as of Thursday, June 6, 2019, 36% of licensees have renewed for the new fiscal year 2019/2020, with a slight majority renewing online. Then he reminded the Board the Auctioneers Association of North Carolina Summer Conference will be held Friday, June 14, 2019 and Saturday, June 15, 2019 at the facilities of Johnson Properties Realtors and Auctioneers in Angier. He plans to attend.

At this time a Hearing was held to consider the Recovery Fund Claim of Ms. Sandra Berg – regarding Paul Blake Terry, revoked NC Auctioneer License #6902. Following review and discussion, **Member York made a motion that pursuant to G.S. 85B payment be made from the Recovery Fund in the amount of \$10,000.00 to Sandra Berg. Member Pant second the motion, which carried unanimously.**

At this time Director Diehl presented a copy of the proposed Consent Agreement in the matter of Capital Recovery Group, LLC, Case No. 19-7694-06. After review and discussion,

Member Johnson made a motion to accept the proposed Consent Order by which the Auction Firm License of Capital Recovery Group, LLC is to receive a formal disciplinary Reprimand. Member York seconded the motion, which carried unanimously. Then Member Pant made a motion to authorize Vice Chairman Boyd as designee to sign the Consent Agreement on behalf of the Chairman. Member York seconding the motion, which carried unanimously.

At this time, Member Johnson initiated a discussion regarding potential renovation to the Board meeting room to include a raised dais for hearings. No action was taken.

Next Director Diehl reported on the rules re-adoption process for 21 NCAC 4B. He is working with the staff attorney at the Rules Review Commission to finalize and resubmit the proposed rules to the Board for their consideration. The deadline date to have the rules re-adopted is at the end of February 2020.

Then Director Diehl reported on matters currently before the General Assembly. House Bill 300 proposes to extend the time that an auctioneer has to pay a seller from 30 to 90 days if third-party authentication is required. The Bill is currently in the Senate and there is a proposal to amend the language in the Bill. Director Diehl will continue to monitor and report to the Board as necessary.

Following the review and approval of applications for licensing, the Board confirmed the next regular meeting on Monday, July 8, 2019 at 10:00 a.m. in the Fuquay-Varina office. **Member York made a motion to adjourn the meeting with Member Johnson seconding the motion,**

which carried unanimously.

The meeting adjourned at 10:50 a.m.

Respectfully Submitted,

Becky J. Stewart
Administrative Officer