

**MINUTES**

**NORTH CAROLINA AUCTIONEER LICENSING BOARD**

**March 14, 2022**

The North Carolina Auctioneer Licensing Board met on Monday, March 14, 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 Porter recused herself from consideration of the Probable Cause Report due to her participation in the Probable Cause Subcommittee meeting. Member Swicegood recused himself from the Administrative Hearing – *In Re: Troy L. Hall* and the Consideration of New Courses and Instructors for the AANC because he is a current member of the Auctioneers Association of NC (AANC) Board of Directors serving with Mr. Hall, and he is the spouse to one of the new instructors. Also, Member Swicegood recused himself from item 2 on the Probable Cause Report because he was the proposed supervising auctioneer for this applicant's apprentice license. 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

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

Next, the Board considered the Probable Cause Report. **Vice Chairman DeVane made a motion to approve item 1 on the Probable Cause Report. Member Johnson seconded the motion, which carried unanimously. Vice Chairman DeVane made a motion to approve item 2 on the Probable Cause Report. Member Johnson seconded the motion, which carried unanimously.** Prior to the motions or any discussions, Member Porter had recused herself from consideration of the Probable Cause Report due to her participation in the Probable Cause Subcommittee meeting. Member Swicegood had recused himself from item 2 on the Probable Cause Report because he was the proposed supervising auctioneer for this applicant's apprentice license.

Then, Director Diehl reported on the staff informal investigations and advertising violations for the month of February. There were two (2) informal investigations, two (2) ad violations.

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

At this time, Director Diehl presented for the Board's Consideration New Continuing Education Course and Instructor for Stanly Community College – Carolina Auction Academy, 3 *C's for Auctioneers aka There are More C Words than Covid – 2 hours – Betty O'Neal*. **Member Johnson made a motion to approve the new course and instructor for Stanly Community College – Carolina Auction Academy. Member Porter section the motion, which carried unanimously.**

Then, Director Diehl presented for the Board's Consideration New Continuing Education Courses and Instructors for the Auctioneers Association of North Carolina (AANC): 3 *C's for Auctioneers aka There are More C Words than Covid – 2 hours – Betty O'Neal; Real Estate at*

*Auction – 2 hours – Elizabeth Swicegood; A Good Auction Contract – 2 hours – Jeff Gray; and Basic Contracts Law – 2 hours – Jeff Gray.* **Member Johnson made a motion to approve the new continuing education courses and instructors for the AANC. Member Porter seconded the motion, which carried unanimously.** Prior to any motion or discussion, Member Swicegood had recused himself from the Consideration of New Courses and Instructors for the AANC because he is a current member of the Auctioneers Association of NC (AANC) Board of Directors, and he is the spouse to one of the new instructors.

The next item on the agenda was the Consideration of Initial Application for New Continuing Education Sponsor, new course, and new instructor: William Kelley and Associates – Overview of the UCC – 4 hours – William Barry Kelley. **Member Porter made a motion to approve the new sponsor, course, and instructor. Member Johnson sectioned the motion, which carried unanimously.**

At this time, Director Diehl reported that an issue has developed with the Office of State Human Resources regarding payroll processing. NCALB staff and OSHR staff are working to address the matter, and Director Diehl will provide an update to the Board.

Then, the Board reviewed and approved applications for licensure.

The Administrative Hearing – *In Re: Troy L. Hall* began at 10:00 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. Justin May

and Mr. Matthew Parker, both with the Law Firm Michael Best and Friedrich LLP. Closing Arguments concluded at 5:20 p.m., and the Board went into Closed Session to deliberate. The Board returned to Open Session at 6:11 p.m. Chairman Lattimore reported that the record is being held open for further deliberation to be held during the April 11, 2022 board meeting.

Chairman Lattimore confirmed the next regular meeting on Monday, April 11, 2022 at 10:00 a.m. in the Fuquay-Varina office.

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

The meeting adjourned at 6:20 p.m.

Respectfully Submitted,

Becky J. Stewart  
Administrative Officer