

**MINUTES**

**NORTH CAROLINA AUCTIONEER LICENSING BOARD**

**May 11, 2020**

The North Carolina Auctioneer Licensing Board met on Monday, May 11, 2020 telephonically due to Executive Orders limiting mass gatherings, which were issued to address the COVID-19 pandemic.

The meeting was called to order at 10:00 a.m. Members participating were Chairman Lisa D. York, Vice Chairman Buck Lattimore, Dan DeVane, Willie A. Johnson, and Allison H. Pant. Also participating were Executive Director Charles F. Diehl, Administrative Officer Becky Stewart, and Special Deputy Attorney General Anne Brown with the NC Department of Justice. Visitor Michael Walliser also joined telephonically into the meeting.

Chairman York 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. Other members stated there were none.

At this time, the Board considered the minutes of the meeting held on April 13, 2020. **Member DeVane made a motion to approve the minutes. Member Johnson seconded the motion, which carried.**

Then, Director Diehl reported that there are four (4) open complaint cases, of which one (1) case is being considered today from the Probable Cause report, and the other three (3) additional complaint cases are currently under investigation. He also reported on five informal investigations and the ad violations for the month of April.

Next, the Board considered the Probable Cause Report. **Member DeVane made a motion to approve the Probable Cause Report. Vice Chairman Lattimore seconded the motion,**

**which carried.** 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.

Next, Director Diehl presented the financial report. **Member Pant made a motion to approve the financial report for the month of April. Vice Chairman Lattimore seconded the motion, which carried.**

Then, Director Diehl presented for Consideration the Approval of Applications for Course and Sponsor Renewal for Continuing Education for the following: (a) All Star Training, Inc.; (b) Auctioneers Association of North Carolina (AANC); (c) Cornerstone-edu.com – new courses - *Negotiation Phobia Part 1 (3 hours), and Negotiation Phobia Part 2 (3 hours)*; (d) Dick Norwood Real Estate Seminars; (e) EasyLr24 Online Training School, Inc; (f) Nashville Auction School, LLC – new courses – *Business Practices: How We Handle Money, Taxes & Data (3 hours), and Preventing Sexual Harassment and Discrimination (3 hours)*; (g) National Auctioneers Association; (h) Southeastern School of Auctioneering; and (i) Stanly Community College - Carolina Auction Academy. **Member Johnson made a motion to approve the Applications for Course and Sponsor Renewal for Continuing Education. Member DeVane seconded the motion, which carried.**

Next, Director Diehl presented for Consideration for Approval the Renewal Application for Schools of Auctioneering - The Ohio Auction School. **Member Pant made a motion to approve the renewal application for The Ohio Auction School. Member Johnson seconded the motion, which carried.**

At this time, Director Diehl reported on recent legislation that has been enacted, Senate Bill 704 – An Act to Provide Aid to North Carolinians in Response to the Coronavirus Disease 2019 Crisis. Specifically, in section 4.38(b) if a state agency determines that due to the impact of the coronavirus, it is in the public interest, including the public health, safety, and welfare and the

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economic well-being of the citizens and business of the state, the agency shall 1) Delay collection, or modify the collection of any fees, 2) Delay the renewal dates, and 3) Delay or modify any educational or examination requirements. Further under Section 4.38(c) and (d) Each state agency shall report its specific efforts it exercised under this regulatory flexibility and each state agency shall exercise the authority granted to the maximum extent practicable in order to protect the economic well-being of the citizens and businesses of the State, while continuing to protect public health, safety, and welfare. Director Diehl reported that with the live continuing education classes cancelled in mid-March and the decision to waive the continuing education requirement for the fiscal year 2020-21, the Board has addressed some of these issues. A discussion was held at this time to consider any further modifications by the Board. **Member DeVane made a motion to extend the deadline date for the 2020-21 Renewal Year to October 1, 2020. At Member Pant's request, the motion was amended to direct staff to prepare a letter to the licensees, with language reflecting the steps the Board is taking regarding the extended renewal deadline for the 2020-21 renewal year, and to encourage licensees to renew prior to the normal deadline date of June 30, 2020 if they are able. Member Pant seconded the motion, which carried.**

Then, Director Diehl reported on potential legislation, SB 712, which could limit certain penalties by occupational licensing boards on licensees for violations of any executive orders issued in response to the COVID-19 emergency. If enacted in its current form, no occupational licensing board may revoke a license, issue a fine, or take any adverse action against a licensee on the basis that the licensee has violated the referenced executive orders.

Next, Director Diehl presented information from The Missouri Auction School requesting approval of a distance learning program in response to the current public health crisis. After review and discussion, **Member DeVane made a motion to authorize temporary approval to The Missouri Auction School for distance learning for the pre-license auctioneer education**

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**requirement until June 30, 2020. Member Johnson seconded the motion, which carried.**

At this time, Director Diehl reported that due to COVID-19 most local law enforcement agencies are not providing fingerprint services, which is resulting in background check processing delays. Upon approval of license applications by the Board, staff is issuing temporary conditional licenses until completed background check reports are received.

Next, the Board considered the applications for licensing. **Member Pant made a motion to approve the auction license applications for Loren Dale Beachy, Nathan Eugene Lehman, Larry Joseph Hennings, Overstock LLC, Bright Star Realty and Auctions LLC, Margaret Rudd & Associates, Inc., and 3289 LLC. Member Johnson seconded the motion, which carried.**

The Board confirmed the next regular meeting on Monday, June 8, 2020 at 10:00 a.m. **Member Pant made a motion to adjourn the meeting. Member Johnson seconded the motion, which carried.**

The meeting adjourned at 11:02 a.m.

Respectfully Submitted,

Becky J. Stewart  
Administrative Officer