

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

November 13, 2018

The North Carolina Auctioneer Licensing Board met on Monday, November 13, 2018 in the Fuquay-Varina Office. The meeting was called to order at 10:00 a.m. Members present were Chairman William B. Lilly, Jr., Vice Chairman Gary Boyd, 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.

Chairman Lilly 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. Vice Chairman Boyd recused himself from consideration of the Probable Cause recommendation on item 1 due to his attendance and participation in the first of two Probable Cause Subcommittee meetings. Member York recused herself from consideration of the Probable Cause recommendations on items 2 and 3 due to her attendance and participation in the second of two Probable Cause Subcommittee meetings. Other members stated there were none. Then Chairman Lilly welcomed visitors Wanda Boyd, Phil Burleson, Kelly Nicholas, and new board member Allison H. Pant to the meeting.

Minutes of the meeting held on October 8, 2018 were approved as recorded on motion by Member York. Vice Chairman Boyd seconded the motion which carried unanimously. Then Ralph Southerland provided the investigative case log update as follows: six (6) active cases and three (3) cases set for Hearings.

At this time the Evaluation of Statement of Economic Interest Filed by Mrs. Allison H. Pant

were verbally presented by the Chairman and recorded in the minutes pursuant to G.S. 183A-15(c). Each Board Member was presented with a flier entitled “State Government Ethics Act – Education Requirements for Public Servants.”

Next the Board considered the Probable Cause Report. **Member Pant made a motion to accept the Probable Cause Report on item 1. Member York seconded the motion, which carried unanimously. Member Pant made a motion to accept items 2 and 3 on the Probable Cause Report. Vice Chairman Boyd seconded the motion which, carried unanimously.** Prior to the motion or any discussion, Vice Chairman Boyd had recused himself from consideration of the Probable Cause Report on item 1 due to his attendance and participation in the first of two Probable Cause Subcommittee meetings. Member York had recused herself from consideration of the Probable Cause recommendations on items 2 and 3 due to her attendance and participation in the second of two Probable Cause Subcommittee meetings.

Then Director Diehl reported on the Ad Violations and other Informal Investigations for the Month of October. Then he presented the financial information concerning the individual month of October. Following review, **Vice Chairman Boyd made a motion to accept the financial information for the month of October. Member York seconded the motion, which carried unanimously.**

Next Director Diehl provided each Board Member with a copy of the Audit Report for Fiscal Year 2017-2018. Director Diehl requested that each board member take the audit report home for thorough review. Should they have any questions or concerns, please contact him and those issues will be addressed at the next board meeting. Director Diehl provided highlights from the auditor’s report stating that staff is operating properly, and the report shows solid financials. Following the report, **Vice Chairman Boyd made a motion to table this matter until the December Board**

Meeting to allow all members to review the audit report. Member York seconded the motion, which carried unanimously.

At this time Director Diehl provided the results of the October 4, 2018 auctioneer examination, which were as follows: nine (9) examinees with seven (7) passing and two (2) failing. Then Director Diehl presented an invitation by the AANC to hold the January 2019 NCALB Board meeting in conjunction with the AANC Convention in Greensboro. Several Board members cited scheduling conflicts, and no motion was offered to hold the January 2019 NCALB meeting in conjunction with the AANC Convention. Staff was directed to thank the AANC for their invitation.

Next the Board reviewed the Board Meeting and Examination Dates from January 2019 thru December 2019. After review, **a motion was made by Vice Chairman Boyd to accept the 2019 Board Meeting and Examination Dates. Member York seconded the motion, which carried unanimously.** In compliance with G.S. 143-318.12, the following schedule of regular meetings of the Board was set.

January 14, 2019	10:00 a.m.	Fuquay-Varina Office
February 11, 2019	10:00 a.m.	Fuquay-Varina Office
March 11, 2019	10:00 a.m.	Fuquay-Varina Office
April 8, 2019	10:00 a.m.	Fuquay-Varina Office
May 13, 2019	10:00 a.m.	Fuquay-Varina Office
June 10, 2019	10:00 a.m.	Fuquay-Varina Office
July 8, 2019	10:00 a.m.	Fuquay-Varina Office
August 12, 2019	10:00 a.m.	Fuquay-Varina Office
September 9, 2019	10:00 a.m.	Fuquay-Varina Office
October 14, 2019	10:00 a.m.	Fuquay-Varina Office
November 12, 2019	10:00 a.m.	Fuquay-Varina Office

December 9, 2019

10:00 a.m.

Fuquay-Varina Office

Then Executive Director Diehl presented for the Board's consideration the Renewal Application for Schools of Auctioneering Accreditation – Western College of Auctioneering. **Vice Chairman Boyd made a motion to approve the Renewal Application for Western College of Auctioneering. Member York seconded the motion which carried unanimously.**

Next Director Diehl presented for Consideration the Approval of New Continuing Education Courses and Instructors for the Auctioneers Association of North Carolina (AANC). After review, **Vice Chairman Boyd made a motion to approve the New CE Courses and Instructors for the Auctioneers Association of North Carolina – “Are Your Contracts Sufficient?” – Allen Todd, and “Slaying the Social” – Dominique Burleson. Member York seconded the motion which carried unanimously.**

At this time Director Diehl presented for consideration the Application for Prior Approval for Reimbursement of Continuing Education Expenses for the Auctioneers Association of North Carolina (AANC) January 2019 Convention. **Vice Chairman Boyd made a motion to approve the Application for Prior Approval for Reimbursement of Continuing Education Expenses for the AANC January 2019 Convention up to \$7,290.00, subject to verification by staff. Member York seconded the motion which carried unanimously.**

Next Director Diehl reported on the Rules Redadoption process for 21 NCAC 4B. The deadline date to publish the rules for public comment is November 26, 2018, with the redadoption deadline date of February 28, 2019. Staff submitted the Board's proposed rules to the Rules Review Commission legal staff for a pre-review to address any issues/concerns prior to publication. The Rules Review Commission legal staff provided 36 pages of comments, concerns, and objections. It

was recommended by RRC legal staff that the Board request a one-year extension to readopt 21 NCAC 4B to address these issues prior to publication. After discussion, **Member Pant made a motion to request a one-year extension. Vice Chairman Boyd seconded the motion, which carried unanimously.**

At this time Director Diehl reported on an October 2018 NC Court of Appeals Decision involving auctioneering. Then Director Diehl reported on a potential security issue and the presents of an armed security officer at this meeting. After discussion, **Member Pant made a motion to have armed security at the December 10, 2018 board meeting, also. Vice Chairman Boyd seconded the motion, which carried unanimously. Then a motion was made by Vice Chairman Boyd to instruct staff to gather information on security video vendors and consult with the Chairman on which avenue to take and to proceed accordingly. Member Pant seconded the motion, which carried unanimously.**

Following the review and approval of applications for licensing, the Board confirmed the next regular meeting on Monday, December 10, 2018 at 10:00 a.m. in the Fuquay-Varina office. **Member Pant made a motion to adjourn the meeting with Member York seconding the motion, which carried unanimously.**

The meeting adjourned at 11:20 a.m.

Respectfully Submitted,

Becky J. Stewart
Administrative Officer