

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

November 14, 2022

The North Carolina Auctioneer Licensing Board met on Monday, November 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 Porter, and Kyle Swicegood who participated by phone. 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. Vice Chairman DeVane recused himself from consideration of the Probable Cause recommendations on items 1 through 8 due to his participation in the first of two Probable Cause Subcommittee meetings. Member Porter recused herself from consideration of the Probable Cause recommendation on item 9 due to her participation in the second of two Probable Cause meetings. Member Swicegood recused himself from item 7 – Consideration of Continuing Education Proposals because he is a current member of the Auctioneers Association of NC (AANC) Board of Directors. Other members stated there were none.

Vice Chairman DeVane made a motion to approve the October 10, 2022 minutes. Member Porter seconded the motion, which carried unanimously.

Chairman Lattimore requested a motion to go into Executive Session to receive advice from counsel concerning matters in litigation and matters of potential litigation. **Vice Chairman DeVane made a motion to go into Executive Session. Member Porter seconded the motion, which carried unanimously.** The Board went into Executive Session at 9:05 a.m.

Member Johnson made a motion to return to Open Session. Member Porter seconded the motion, which carried unanimously. The Board returned to Open Session at 9:42 a.m.

Member Porter made a motion to accept the recommendations from the Probable Cause Report on items 1 through 8. Member Johnson seconded the motion, which carried unanimously. Prior to the motion or any discussion, Vice Chairman DeVane had recused himself from consideration of the Probable Cause Report due to his participation in one of two Probable Cause Subcommittee meetings.

Member Johnson made a motion to accept the recommendation from the Probable Cause Report on item 9. Member Swicegood seconded the motion, which carried by a vote of 3 – 1, with Vice Chairman DeVane voting “No.” Prior to the motion or any discussion, Member Porter had recused herself from consideration of the Probable Cause Report due to her participation in the second of two Probable Cause meetings.

Director Diehl reported on the staff investigations and advertising violations for the month of October. There are two current formal complaints in the early investigative stages. There were three informal investigations and no ad violations.

The financial report was presented. **Member Johnson made a motion to approve the financial report for the month of October. Member Porter seconded the motion, which carried unanimously.**

The Board reviewed the proposed Board Meeting and Examination Dates from January 2023 through December 2023. **A motion was made by Member Swicegood to accept the proposed 2023 Board Meeting and Examination Dates. Vice Chairman DeVane seconded the motion, which carried unanimously.** Each Board meeting is scheduled for 9:00 a.m., however all times and dates are subject to change. In compliance with NCGS 143-318.12, the

following schedule of regular meetings of the Board was set.

January 9, 2023	Fuquay-Varina Office
February 13, 2023	Fuquay-Varina Office
March 13, 2023	Fuquay-Varina Office
April 10, 2023	Fuquay-Varina Office
May 8, 2023	Fuquay-Varina Office
June 12, 2023	Fuquay-Varina Office
July 10, 2023	Fuquay-Varina Office
August 14, 2023	Fuquay-Varina Office
September 11, 2023	Fuquay-Varina Office
October 9, 2023	Fuquay-Varina Office
November 13, 2023	Fuquay-Varina Office
December 11, 2023	Fuquay-Varina Office

Director Diehl reported that pursuant to the Board’s directive during the October 10 meeting, a Request for Proposal (RFP) for the 2023/2024 Continuing Education was sent that day to all approved CE Sponsors asking each Sponsor to submit a proposal. The Proposals were due at 12 noon on November 11, 2022. Three Proposals were submitted: Easylr24.com, AANC, and All-Star Training, Inc. Board Members were provided copies of the proposals. Director Diehl provided a summary. After review and discussion, **Vice Chairman DeVane made a motion to accept the AANC 2023/2024 Continuing Education Proposal, which the sponsor must provide notification of all CE courses to the Board’s staff, and all materials must say “continuing education courses are paid for by the NCALB.” Member Johnson seconded the motion, which carried unanimously.** Member Swicegood had recused himself from the Consideration of the 2023/2024 Continuing Education Proposals because he is a current member

November 14, 2022

of the Auctioneers Association of NC (AANC) Board of Directors,

Each Board Member was provided a copy of the Audit Report for Fiscal Year 2021-2022. Director Diehl provided a brief overview and highlights from the auditor's report. Board members were encouraged to thoroughly review the audit report after the meeting, and to follow up with any questions or concerns.

Following the review and approval of applications for licensing, Chairman Lattimore confirmed the next regular meeting on December 12, 2022, at 9:00 a.m. in the Fuquay-Varina office.

Member Porter made a motion to adjourn the meeting. Member Johnson seconded the motion, which carried unanimously.

The meeting adjourned at 10:43 a.m.

Respectfully Submitted,

Becky J. Stewart
Administrative Officer