

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

October 14, 2019

The North Carolina Auctioneer Licensing Board met on Monday, October 14, 2019 in the Fuquay-Varina Office. The meeting was called to order at 10:00 a.m. Members present were Chairman Lisa D. York, Vice Chairman Buck Lattimore, Dan DeVane, Willie A. Johnson, and Allison H. Pant. 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 York 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 Lattimore 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 September 9, 2019 were reviewed. Member DeVane made a motion to accept the September 9, 2019 Board minutes with an amendment reflecting he had to leave the meeting after the Eshleman Consent Order due to a previously scheduled doctor's appointment. Member Johnson seconded the motion, which carried. Then Ralph Southerland provided the investigative case log update as follows: twenty three (23) active cases are under investigation. Executive Director Diehl reported there are potentially 96 claims in the Franklin, NC complaint case with liability from the recovery fund. He provided an overview of the complaint process, including grounds for payment of recovery fund claims.

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

approve the Probable Cause Report. Member Johnson seconded the motion, which carried. Prior to the motion or any discussion, Vice Chairman Lattimore 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 September. Then Director Diehl presented the financial report concerning the individual month of September. Following review, **Member Pant made a motion to approve the financial report for the month of September. Member DeVane seconded the motion, which carried.**

Then the Board reviewed the Request for Proposal for the Board-funded continuing education program. After review and discussion, **Member DeVane made a motion to accept the Continuing Education Proposal for the Eastern, Middle, and Western Districts from the Auctioneers Association of North Carolina (AANC). Member Johnson seconded the motion, which carried.**

Next Executive Director Diehl presented, for the Board's consideration, the Renewal Application for Reppert School of Auctioneering. **Vice Chairman Lattimore made a motion to approve the Renewal Application for Reppert School of Auctioneering. Member Johnson seconded the motion, which carried.**

At this time Executive Director Diehl reported on the rules readoption process. The proposed rules will be placed on the Board's website for notice of a 60-day public comment period, and a Public Comment Hearing will need to occur. The proposed recommendation for the Public Comment Hearing would be at 9:00 a.m. on the same date as the December Board meeting.

Then the Board reviewed the proposed substantive changes for the readoption of the rules

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within 21 NCAC 4B. Executive Director Diehl addressed questions, and Board members proposed several changes for punctuation, clarity, and consistency. **Member DeVane made a motion to change 21 NCAC 4B .0201(a)(6)(B) from “appraising merchandise” to “evaluating merchandise.” Vice Chairman Lattimore seconded the motion, which carried. Member Pant made a motion to direct staff to make the proper notations and changes as discussed during the review process. Member DeVane seconded the motion, which carried.**

Following the review and approval of applications for licensing, the Board confirmed the next regular meeting on Tuesday, November 12, 2019 at 10:00 a.m. in the Fuquay-Varina office. **Member Pant made a motion to adjourn the meeting. Vice Chairman Lattimore seconded the motion, which carried.**

The meeting adjourned at 11:22 a.m.

Respectfully Submitted,

Becky J. Stewart
Administrative Officer