

# Newsletter

## New Board Members Appointed

On July 17, 2003, Governor Michael F. Easley appointed two new members and reappointed three members to the North Carolina Auctioneer Licensing Board.

Congratulations to Jesse G. Meeks of Eden who filled the seat of William R. Forbes, Jr. and congratulations to William M. O'Neal of Norwood who filled the seat of William B. Lilly.

Congratulations are also in order to James W. Johnson, III of Angier, Keith J. Pierce of Winston-Salem, and Patricia D. Worley of Princeton who were reappointed to a second term.

Much gratitude goes to William R. Forbes, Jr. and William B. Lilly who have proven their commitment and dedication to the Board through their hard work throughout the years they have served as Board Members, Vice Chairmen and Chairmen. Through their professionalism and knowledge of auctioneering, the Board has accomplished many goals that will benefit both the general public and licensees for years to come. They will be missed.

New Board Member, Jesse Meeks is a third year candidate for CAI through the Auction Marketing Institute. He currently holds an auction license in North Carolina and Virginia. Mr. Meeks is a North Carolina Real Estate Broker and a Certified North Carolina Real Estate Appraiser. He is a member of both the National Auctioneers Association and the Auctioneers Association of North Carolina where he serves on the Board of Directors. Mr. Meeks has been a licensed auctioneer since 1988.

Mr. Meeks is the owner of Jesse Meeks Real Estate Auction & Appraisal, LLC. He specializes in real estate auctions and has done some unique sales such as selling a train depot, a courthouse, an airport, the home of former North Carolina Governor Reid, and beach property. Jesse Meeks email address is [jessemeeks@earthlink.net](mailto:jessemeeks@earthlink.net).

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### 2003-2004

#### Board Meeting Dates

The Board has set the following dates and locations for its regularly scheduled meetings for the end of the 2004 calendar year. The January 2003 through May 2004 dates below are tentative.

<u>Date</u>	<u>Location</u>
August 27	Fuquay-Varina, NC
September 18	Fuquay-Varina, NC
October 15	Fuquay-Varina, NC
November 19	Fuquay-Varina, NC
December 17	Fuquay-Varina, NC
January 16	Southern Pines, NC
February 18	Fuquay-Varina, NC
March 17	Fuquay-Varina, NC
April 21	Fuquay-Varina, NC
May 19	Fuquay-Varina, NC

All Board meetings normally begin at 9:00 a.m. and are open for the most part to all licensees and the public. Certain matters, such as discussions of potential disciplinary cases to determine probable cause as well as final sanctions, if appropriate, are discussed in closed sessions. We encourage all interested persons to attend one or more of these meetings.

**Although not required, you may wish to notify the staff if you plan to attend a meeting. This will assist in our planning to accommodate visitors.**

## New Board Members Appointed (Continued)

New Board Member, William M. O'Neal, GPPA worked in Human Resource Management for twenty-one years prior to graduating from Mendenhall School of Auctioneering and becoming an auctioneer in 1993. He earned his GPPA (Graduate Personal Property Appraiser) through the Auction Marketing Institute and specializes in vintage car appraisals. Mr. O'Neal was the 1999-2000 North Carolina State Champion Auctioneer.

Mr. O'Neal is a member of both the National Auctioneers Association and the Auctioneers Association of North Carolina where he served as President and Chairman of the Board. Mr. O'Neal owns O'Neal's Auction and Appraisal Services and is licensed in North Carolina, South Carolina and Tennessee. He is a volunteer instructor for Stanly Community College in Albemarle and is a volunteer fundraiser for St. Jude's Research Hospital. He is currently a board member and Past President of the Carolina Regional Mustang Club. Mr. O'Neal's email address is boneal@vnet.net.

## Licensing Board Activity Report

This activity report covers the period from January 2003 through July 2003. The Board met seven times; conducted three auctioneer licensing examination sessions and gave eleven auction firm exams; issued forty-one auctioneer licenses, four apprentice auctioneer licenses and twenty-five auction firm licenses; denied licensing to two auctioneer, one apprentice auctioneer and two auction firm applicants; conducted four administrative hearings and one settlement hearing; and, attended the AANC conventions in Charlotte and Research Triangle Park. The full Board and Executive Director attended the NAA convention in San Antonio, Texas and the Executive Director attended the NAA Winter seminar in New Orleans, Louisiana.

## CURRENT BOARD MEMBERS

James W. Johnson, III  
Angier, NC  
Chairman

Patricia D. Worley  
Princeton, NC  
Vice Chairman

Jesse G. Meeks  
Eden, NC  
Board Member

William M. O'Neal  
Norwood, NC  
Board Member

Keith J. Pierce  
Winston-Salem, NC  
Board Member

## CURRENT STAFF MEMBERS

Robert A. Hamilton, Executive Director

Connie M. Crisman, Administrative Officer

Teresa L. Watson, Administrative Assistant

Robin Rowell, Secretary

Bruce E. Marshburn, Investigations Coordinator

Richard L. Johnson, Investigator

Ronnie Stewart, Investigator

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## Licensing Board Activity Report (continued)

### Disciplinary Actions

A summary of the disciplinary actions is as follows:

1) **Roy L. Martin, NCAL #289 (Lexington)** - Roy L. Martin paid a \$1,000.00 fine; his auctioneer license was suspended for a period of two years, with the suspension suspended; his auctioneer license was placed on probation for a period of two years; and he was required to re-activate his auction firm license and select a designated person, in addition to himself, for his firm. This action resulted from three violations of conducting an auction in this State without first having a written agreement with the owner of any property sold; two violations of failing to maintain records which identify the purchaser of all goods sold by name, address, and when possible, telephone number; one violation of failing to account for or to pay over within a reasonable time, not to exceed 30 days, funds belonging to another which have come into the licensee's possession through an auction sale; one violation of failing to properly make any disclosures or to provide documents or information required by N.C.G.S. 85B or by the Commission; one violation of failing to completely cooperate with an investigation; one violation of engaging in unprofessional conduct; and one violation of violating an Order of the Auctioneer Licensing Board requiring a licensee to comply with any provision of the Board's law or administrative rules. A Settlement Agreement and Consent Order were entered into between the Board and Mr. Martin, prior to a scheduled hearing, in which he agreed to the above stipulations. Mr. Martin admitted to the Board's findings of violations.

2) **Richard L. Peak, NCAL #6714 (Kansas City, MO)** - Richard L. Peak paid a \$750.00 fine for five violations of failing to clearly give in all advertisements relating to an auction the auctioneer's name and license number and for failing to completely cooperate with an investigation. Richard L. Peak waived his right to appeal as allowed by law and agreed to the Board's findings of violations.

3) **Larry R. Reed, NCAL #6439 (DuBois, PA)** - Larry R. Reed's auctioneer license was suspended for a period of three months for auctioneering at an unlicensed auction firm sale. Larry R. Reed waived his right to appeal as allowed by law and agreed to the Board's findings of violations.

4) **Frank Speal, Jr., NCAL #6630 (Hilliard, FL)** - Frank Speal, Jr. paid a \$200.00 fine for selling or offering to sell goods at auction in this State without holding a currently valid license issued under N.C.G.S. 85B. Frank Speal, Jr. waived his right to appeal as allowed by law and agreed to the Board's findings of the violations.

5) **Richard W. Vaughan, NCAL #3649 (Lasker)** - Richard W. Vaughan paid a \$100.00 fine in lieu of suspension of his auctioneer license for violating any federal or state statute or rule which relates to the auctioneering profession. Richard W. Vaughan waived his right to appeal as allowed by law and agreed to the Board's findings of violations.

6) **King E. White, Jr., NCAL #7153 (Dunn)** - King E. White, Jr. paid a \$150.00 fine in lieu of a two month suspension of his apprentice auctioneer license for giving the Board a check in payment of required fees which is returned unpaid. King E. White, Jr. waived his right to appeal as allowed by law and agreed to the Board's findings of violations.

7) **James M. Winstead, NCAL #5931 (Leasburg)** - James M. Winstead paid a \$500.00 fine in lieu of a one year suspension of his auctioneer license for failure to properly make any disclosures or to provide documents or information required by N.C.G.S. 85B or by the Commission and for failure to properly, completely and fully complete an application or making a false statement or giving any false information in connection with an application for a license. James M. Winstead waived his right to appeal as allowed by law and agreed to the Board's findings of violations.

18) **Letters of Reprimand** - There were no Letters of Reprimand issued.

19) **Cautionary Letters** - During this reporting period, four letters of caution were issued for the following reasons:

- For violating any federal or state statute or rule which relates to the auctioneering profession;
- For allowing a person who is not designated in the application and named in the auction firm license to transact business under the firm license and for allowing an unlicensed person to call a bid at a sale;
- For five violations of auctioneering at an unlicensed auction firm sale
- Per a Settlement Stipulation and Agreement between the Board and an auctioneer, nine various violations of the auction law and rules.