

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

November 12, 2013

The North Carolina Auctioneer Licensing Board met on Tuesday, November 12, 2013, in the Fuquay-Varina office. The meeting was called to order at 9:20 a.m. Members present were: Chairperson Daniel H. DeVane, Vice Chairperson Randy B. Lee, Deborah Johnson, Moses Gallion, and Edward B. Webb. Chairperson DeVane, welcomed guest, Don Horton, who was in attendance on behalf of the AANC. Also present: Administrative Officer Becky J. Stewart and Garris Neil Yarborough, Counsel to the Board

Chairperson DeVane 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 and each member indicated there were none. **Minutes of the meeting held on October 14, 2013, were approved as recorded on motion by Member Johnson. Member Webb seconded the motion which carried unanimously.** Then, Investigator Southerland provided a case log update.

At this time, Ms. Stewart presented the "Final Agency Decision Order" for P & E Station Auction House and Pamela Louise Truitt for signature by Chairperson DeVane. Then, Ms. Stewart provided the results of the October 3, 2013, auctioneer examination which were as follows: two (2) examinees with two (2) passing and zero (0) failing.

Next, the Board considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Member Johnson moved to accept the Probable Cause Subcommittee Recommendations. Member Webb seconded the motion which carried unanimously.** Member Gallion did not participate in the discussions nor did he vote on these matters involving the Probable Cause Subcommittee Recommendations due to his participation

on the Probable Cause Subcommittee. In addition, a discussion was held concerning “Absolute Auctions.” The Board requested a work session after the February 10, 2014 Board meeting to review North Carolina Auctioneer Licensing Board Rules and Regulation.

At this time, Ms. Stewart presented the Consideration for Approval of New CE Instructor(s) and CE Course(s) for AANC: Steven Proffitt/UCC-Ten Statutes Auctioneers Need to Know; Edward C. Courtney/Gun Control Act; and, Jimmy D. Coffey/Multi Parcel Real Estate and Business Liquidations. Following a review and discussion of provided materials, **Member Gallion made a motion to approve the New CE Instructor(s) and Course(s).** **Member Webb seconded the motion which carried unanimously.** Next, Ms. Stewart presented the Consideration for Approval of New CE Instructor(s) and Course(s) for AANC and Stanly Community College: William R. Forbes/Enhancing Competitive Bidding at Your Auctions and History of NCGS 85B-NC Auctioneer Licensing Law; Wanda Boyd/What You Don’t Say is Talking Out Loud!; and, Michael Parker/Tips on Testify in Court. Following a review and discussion of provided materials, **Member Gallion made a motion to approve the New CE Instructors(s) and Course(s).** **Vice Chairperson Lee seconded the motion which carried unanimously.** Then, Ms. Stewart presented the Consideration for Approval of New CE Course for Mitchell Community College: Auctioneers and Retirement; Being a Professional Now. Following review and discussion of provided materials, **Member Webb made a motion to approve the New CE Course for Mitchell Community College.** **Member Johnson seconded the motion which carried unanimously.** Next, Ms. Stewart presented the Consideration for Approval of One (1) Hour CE Mandated Course – NC Law/Rules prepared by Mr. Yarborough. Following a review and discussion of provided materials, **Member Gallion made a motion to approve the One Hour CE Mandated Course.** **Member Johnson seconded the motion which carried unanimously.** It was further noted that Mr. Yarborough’s final DVD will be

submitted at the December 9, 2013 Board meeting. In addition, Ms. Stewart provided an update from the webmaster.

At this time a request from the AANC was considered regarding an invitation for the Board to have its monthly meeting at the AANC 2014 Convention on Friday or Saturday January 17-18 and the Board to provide a licensing update with a “question and answer” session on Saturday morning, January 18, 2014, during their annual convention. Following consideration of this request, **Member Johnson made a motion for the January Board Meeting to be held at its regular time and location in Fuquay Varina and Chairperson DeVane and Garris Neil Yarborough, Board Counsel, attend and provide an update Saturday morning at the Convention. Vice Chairperson Lee seconded the motion which carried unanimously.**

Next, Ms. Stewart presented Consideration for Approval of AANC’s Request for Prior Approval for Reimbursement of Auctioneer Association Convention CE Class(es). **Member Webb made a motion that the request meets the requirement for “Request for Prior Approval for Estimated Reimbursable Expenses.” Vice Chairperson Lee seconded the motion which carried unanimously.**

The next item presented for Board review and approval was the NCALB December 2013 Newsletter. Following a review of the Newsletter, **Vice Chairperson Lee made a motion for staff mail out to all current licensees with the addition of CE dates. Member Johnson seconded the motion which carried unanimously.**

At this time, the Board reviewed the Board Meeting and Examination Dates from January 2014 thru December 2014. **A motion was made by Member Johnson to accept the 2014 Board Meeting and Examination Dates. Member Webb 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 13, 2014	9:00 a.m.	Fuquay-Varina Office
February 10, 2014	9:00 a.m.	Fuquay-Varina Office
March 10, 2014	9:00 a.m.	Fuquay-Varina Office
April 14, 2014	9:00 a.m.	Fuquay-Varina Office
May 12, 2014	9:00 a.m.	Fuquay-Varina Office
June 9, 2014	9:00 a.m.	Fuquay-Varina Office
July 14, 2014	9:00 a.m.	Fuquay-Varina Office
August 11, 2014	9:00 a.m.	Fuquay-Varina Office
September 8, 2014	9:00 a.m.	Fuquay-Varina Office
October 13, 2014	9:00 a.m.	Fuquay-Varina Office
November 10, 2014	9:00 a.m.	Fuquay-Varina Office
December 8, 2014	9:00 a.m.	Fuquay-Varina Office

At this time, **Chairperson DeVane moved to hold a Closed Session pursuant to G.S. 143-318.18 to consider “WNC Auction House.” Member Johnson seconded the motion which carried unanimously.** The Board went into Closed Session at 10:40 am. **Member Johnson made a motion to return to Open Session at 10:45 am. Member Webb seconded the motion which carried unanimously.**

Next, Ms. Stewart provided each Board Member with a copy of the Audit Report for Fiscal Year 2012-2013 for their review. Following this review, **Member Webb moved to accept the Audit Report for Fiscal Year 2012-2013 as presented. Member Gallion seconded the motion which carried unanimously.** Then, Ms. Stewart presented financial information concerning the individual month of October 2013. **After review and discussion, Member Johnson made a motion to accept the October 2013 Financial Report. Vice Chairperson**

Lee seconded the motion which carried unanimously. The Board instructed staff to provide Building Loan update at the December 9, 2013 Board Meeting.

At this time, Ms. Stewart inquired as to how each Board member preferred to receive future documentation on New CE Instructor(s) and Course(s). The Board requested continuation of hard copies in their monthly board meeting folders. In addition, staff was instructed, upon receipt of CE documentation; email each board member notification of receipt for informational purposes only and at the monthly board meeting have hard copies in a separate file folder.

Following the review and approval of applications for licensing, the Board confirmed the next meeting as Monday, December 9, 2013, at 9:00 a.m. in Fuquay-Varina, North Carolina. The meeting was adjourned at 11:15 a.m.

Respectfully Submitted,

Becky J. Stewart
Administrative Officer