

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

NOVEMBER 10, 2014

The North Carolina Auctioneer Licensing Board met on Monday, November 10, 2014, in the Fuquay-Varina office. The meeting was called to order at 9:00 a.m. Members present were: Chairperson Daniel H. DeVane, Vice Chairperson Randy Lee, Gary Boyd, Moses Gallion and Deborah Johnson. Also present: Teresa L. Watson, Executive Director, and Tim Smith of Yarborough, Winters & Neville, P.A., Counsel to the Board. Chairperson DeVane welcomed Dale Young, Auctioneer, to the Board Meeting.

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 except for Member Gallion in regards to Item 5 – Final Agency Decision – North Carolina Auctioneer Licensing Board vs. William Thomas Bradley, NCAL #5443.

Minutes of the meeting held on October 13, 2014, were approved as recorded on motion by Member Johnson. Member Boyd seconded the motion which carried unanimously. Also at this time, Investigator Southerland provided a case log update. At this time, Board Counsel Smith gave instructions to the Board regarding their rendering of the Final Agency Decision concerning William Thomas Bradley, NCAL #5443. Following review and discussion, **Member Johnson made a motion to adopt the “Proposed Findings of Fact and Conclusions of Laws” submitted by Board Counsel Yarborough and uphold Mr. Bradley’s reprimand and that no further discipline is required. Member Boyd seconded the motion which carried unanimously.** Vice Chairperson Lee, being the Probable Cause Member for this case, did not participate in the discussion nor did he vote on this matter due to his participation

on the Probable Cause Subcommittee. As noted above, Member Gallion did not participate in the discussion nor did he vote on this matter.

Director Watson led a discussion regarding last month's request from the AANC regarding someone from the NCALB to report on any "NCALB Updates" at their January 2015 Convention being held in Greensboro, North Carolina, and any "NCALB Updates" at their June 2015 Convention being held in Cary, North Carolina. Following discussion on these requests, staff was instructed to notify the AANC that the NCALB would provide "NCALB Updates" at their January 2015 Convention in Greensboro and that the NCALB wished to hold their regularly scheduled June 2015 Board Meeting at their June 2015 Convention in Cary and provide any "NCALB Updates."

Next, the Board considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Vice Chairperson Lee moved to accept the Probable Cause Subcommittee Recommendations. Member Boyd 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. At this time, Director Watson provided the results of the October 2, 2014, auctioneer examination, which were as follows: two (2) examinees with one (1) passing and one (1) failing.

At this time, the Board reviewed the Board Meeting and Examination Dates from January 2015 thru December 2015. **A motion was made by Member Gallion to accept the 2015 Board Meeting and Examination Dates as amended. Vice Chairperson Lee 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 12, 2015

9:00 a.m.

Fuquay-Varina Office

February 9, 2015	9:00 a.m.	Fuquay-Varina Office
March 9, 2015	9:00 a.m.	Fuquay-Varina Office
April 13, 2015	9:00 a.m.	Fuquay-Varina Office
May 11, 2015	9:00 a.m.	Fuquay-Varina Office
June 20, 2015	9:00 a.m.	Cary, North Carolina
July 13, 2015	9:00 a.m.	Fuquay-Varina Office
August 10, 2015	9:00 a.m.	Fuquay-Varina Office
September 14, 2015	9:00 a.m.	Fuquay-Varina Office
October 12, 2015	9:00 a.m.	Fuquay-Varina Office
November 9, 2015	9:00 a.m.	Fuquay-Varina Office
December 14, 2015	9:00 a.m.	Fuquay-Varina Office

Next, Ms. Watson provided each Board Member with a copy of the Audit Report for Fiscal Year 2013-2014 for their review. Following this review, **Member Johnson moved to accept the Audit Report for Fiscal Year 2013-2014 as presented. Member Gallion seconded the motion which carried unanimously.** Concerning the review of apprentice auctioneer applicants and their sponsors' written summary of their background and experience in the auction profession, **Member Johnson moved to approve the apprentice application for Earl Edward Ross and proposed sponsor, Ted Sylvester Nash, NCAL #7648. Member Gallion seconded the motion which carried unanimously.** Director Watson then presented financial information concerning the individual month of October 2014. Following review of the financial information, **Member Boyd made a motion to accept the October 2014 Financial Report. Vice Chairperson Lee seconded the motion which carried unanimously.**

Next, Ms. Watson presented for the Board's consideration new CE Courses for Southeastern School of Auctioneering: Succession Planning for Auctioneers/Darren Meares and

Timed v Online Live Auctions/Darren Meares. Following a review of the presented materials, **Member Johnson moved to accept the new CE Courses for Southeastern School of Auctioneering. Member Boyd seconded the motion which carried unanimously.** Director Watson then presented for the Board's consideration new CE Courses and Instructors for the AANC: Auctioneering & Bid Calling/Paul Behr; History of Auctions/Paul Behr; Appraisal Concepts for Personal Property Auctioneers/Rob Golan; and, Agency Law for Auctioneers/Steve Proffitt. Following a review of the presented materials, **Member Boyd moved to accept the new CE Courses and Instructors for the AANC. Member Gallion seconded the motion which carried unanimously.**

Next, Ms. Watson presented the Consideration for Approval the AANC's Request for Prior Approval for Reimbursement of Auctioneer Association Convention CE Class(es). After review and discussion, **Vice Chairperson Lee made a motion to approve the AANC's Request for Prior Approval for Reimbursement with the understanding that the expenses not exceed \$7,442.00. Member Boyd seconded the motion which carried unanimously.**

At this time, Chairperson DeVane requested Board go into closed session to discuss personnel matters. **Member Gallion made a motion to go into closed session to discuss personnel matters at 10:20 a.m. Vice Chairperson Lee seconded the motion which carried unanimously. The Board returned to open session at 11:25 a.m. Member Boyd made a motion to approve a 1 ½% pay raise for part-time employees Barbara A. Phillips and Ralph A Southerland to be effective July 1, 2014. Vice Chairperson Lee seconded the motion which carried unanimously.**

Following the review and approval of applications for licensing the Board confirmed the next meeting as Monday, December 8, 2014, at 9:00 a.m. in the Fuquay-Varina office. The meeting adjourned at 11:30 a.m. at which time Jack Nichols with Allen, Pinnix & Nichols, P.A.,

provided training for Board Members which covered all of the required topics under G.S. 93B-5(g): Administrative Procedures Act; Public Records Laws; Open Meeting Laws; Tort Claims; Defense of State Employees; Ethics; and, Lobbying.

Respectfully Submitted,

Teresa L. Watson
Executive Director