

**MINUTES****NORTH CAROLINA AUCTIONEER LICENSING BOARD****November 9, 2015**

The North Carolina Auctioneer Licensing Board met on Monday, November 9, 2015, in the Fuquay Varina Office. The meeting was called to order at 9:00 a.m. Members present were Chairman Daniel H. DeVane, Vice Chairman Gary Boyd, Moses Gallion, and Lisa L. Brown. Also, present Charles F. Diehl, Executive Director, Becky Stewart, Administrative Officer, Ralph Southerland, Investigator, and Garris Neil Yarborough, Counsel to the Board.

Next Chairman 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. All members stated there were none. Also at this time, Chairman DeVane informed the Board that he is pleased to announce that the Governor reappointed him to the Board and looks forward to working with the Board.

**Minutes of the meeting held on October 12, 2015 were approved as recorded on motion by Member Brown. Vice Chairman Boyd seconded the motion, which carried unanimously.** Following, Ralph Southerland provided the investigative case log update.

Next, Vice Chairman Boyd inquired from the October 12, 2015 Board Meeting whether the approved request from Lenoir Community College would open the doors for an Internet Auction School. Director Diehl stated that the motion did not authorize online schooling. Director Diehl reiterated that the motion was to allow schools to use a video format of the instructor(s) in lieu of the live instructor(s) when the instructor(s) is not available, provided that a real time question and answer session is conducted between the instructor(s) and the class following the video presentation. Also at this time, Member Brown stated, after further thought and consideration, in reference to the bulk email and online renewal proposal presented at the

October 12, 2015 Board Meeting, she understands there is substantial cost associated with the project and noted it should be done professionally.

Following the discussion, Director Diehl informed the Board that he signed a contract with Constant Contact for the bulk email at \$35 a month. Director Diehl further stated the next newsletter would be emailed for all active and lapsed licensees who have provided email addresses. All others will receive the newsletter by regular mail. After additional discussion regarding the contents of the newsletter, **Vice Chairman Boyd made a motion, effective January 1, 2016; all disciplinary actions taken by the Board will be published in the newsletters. Member Brown seconded the motion, which carried unanimously.** Director Diehl informed the Board he is researching the process and potential options for online renewals.

Then, Mr. Yarborough presented to the Board for Consideration the Request from Miriam VonCanon Perry that she is willing to surrender her North Carolina Auctioneer License # 8344 and will never reapply for a North Carolina Auctioneer License. **Member Gallion made a motion to cancel the Administrative Hearing, North Carolina Auctioneer Licensing Board vs. Miriam VonCanon Perry, pursuant to the information Board Counsel provided to the Board and allow Miriam VonCanon Perry to surrender her North Carolina Auctioneer License #8344 and never reapply for a North Carolina Auctioneer License. Vice Chairman Boyd seconded the motion, which carried unanimously.**

Next, Director Diehl presented for Consideration the Application for Reimbursement of Continuing Education Expenses for the Auctioneers Association of NC (AANC) 2016 Convention. Following review, **Member Brown made a motion to approve the Application for Reimbursement of Continuing Education Expenses for the AANC up to \$5,545.00 subject to verification by staff. Member Gallion seconded the motion, which carried unanimously.**

At this time, Director Diehl presented the Consideration for Approval of New CE Courses and Instructors for the Auctioneers Association of North Carolina (AANC): Sales/Use Tax as it Pertains to Auction Industry/Eric K. Wayne; Online Auctions - When, Why & How/Body Language/Janine Huisman; The Work of Real Estate in 2016/George Bell; and, ATF Presentation/Wilton Chad Gleaton. Then, Director Diehl presented the Consideration for Approval of New CE Courses and Instructors for the Auction Professionals of North Carolina aka North Carolina Auctioneers Association (APNC): Sale of Wildlife/Master Officer W.H. Tarplee, III; Sleep Products Section/Parker Whitt; and, Auctioneer and Estate Auctions/Erica Green. After review, **Member Brown made a motion to accept the New CE Courses and Instructors for the Auctioneers Association of North Carolina (AANC) and the Auction Professionals of North Carolina (APNC) with Member Gallion seconding the motion, which carried unanimously.**

Next, Director Diehl provided the results of the October 1, 2015, auctioneer examination, which were as follows: ten (10) examinees with six (6) passing and four (4) failing. A discussion was held concerning the examination results, with the North Carolina Auctioneer Laws and Rules being the biggest area of weakness. Then, Director Diehl led a discussion of Ad Violations/Other Issues for the month of October.

At this time, the Board reviewed the Board Meeting and Examination Dates from January 2016 thru December 2016. In addition, Director Diehl requested that the Board consider amending the normal time from 9:00 a.m. to 10:00 a.m. After a brief discussion, **a motion was made by Member Brown to amend the Board Meeting Time from 9:00 a.m. to 10:00 a.m. Vice Chairman Boyd seconded the motion, which carried unanimously. Member Gallion made a motion to accept the Board Meeting Dates from January 2016 thru December 2016. Vice Chairman Boyd seconded the motion, which carried unanimously.** Then, Member

**Gallion made a motion to accept the Examination Dates from January 2016 thru December 2016. Vice Chairman Boyd 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 11, 2016	10:00 a.m.	Fuquay-Varina Office
February 8, 2016	10:00 a.m.	Fuquay-Varina Office
March 14, 2016	10:00 a.m.	Fuquay-Varina Office
April 11, 2016	10:00 a.m.	Fuquay-Varina Office
May 9, 2016	10:00 a.m.	Fuquay-Varina Office
June 13, 2016	10:00 a.m.	Fuquay-Varina Office
July 11, 2016	10:00 a.m.	Fuquay-Varina Office
August 8, 2016	10:00 a.m.	Fuquay-Varina Office
September 12, 2016	10:00 a.m.	Fuquay-Varina Office
October 10, 2016	10:00 a.m.	Fuquay-Varina Office
November 14, 2016	10:00 a.m.	Fuquay-Varina Office
December 12, 2016	10:00 a.m.	Fuquay-Varina Office

Next, Director Diehl provided each Board Member with a copy of the Audit Report for Fiscal Year 2014-2015 for their review. Director Diehl also informed the Board that Member Holder would be mailed a package since she was unable to attend the Board meeting due to an emergency. Following this review, **Vice Chairman Boyd moved to accept the Audit Report for Fiscal Year 2014-2015 as presented. Member Gallion seconded the motion, which carried unanimously.**

At this time, Executive Director Diehl presented the financial information concerning the individual month of October 2015. Following review, **Vice Chairman Boyd made a motion to**

**accept the financial information for the month of October 2015. Member Brown seconded the motion, which carried unanimously.**

Under Other Matters, Director Diehl informed the Board annual reports have been prepared and submitted in a timely manner. Then, Director Diehl stated the Legislature passed the budget and permanent full-time state employees are to receive a one-time bonus of \$750 and part-time employees are to receive a proration of the \$750 bonus in their December paychecks. Director Diehl queried the Board if they wished to do likewise for full time and part-time staff. **Chairman DeVane made a motion to award the two full time employees the \$750 bonus and prorate the bonus for the part-time employees. Member Gallion seconded the motion, which carried unanimously.**

Following the review and approval of applications for licensing, the Board confirmed the next regular meeting on Monday, December 14, 2015 at 9:00 a.m. in the Fuquay-Varina office.

The meeting adjourned at 10:20 a.m.

Respectfully Submitted,

Becky J. Stewart  
Administrative Officer