

**MINUTES****NORTH CAROLINA AUCTIONEER LICENSING BOARD****OCTOBER 10, 2011**

The North Carolina Auctioneer Licensing Board met on Monday, October 10, 2011, in the Fuquay-Varina office. The meeting was called to order at 9:05 a.m. Members present were: Chairperson Randy B. Lee, Vice Chairperson William B. Lilly, and Ernest Glegg Grady, Jr. Also present: Executive Director Teresa L. Watson and Garris Neil Yarborough, Counsel to the Board. Chairperson Lee welcomed visitors Michael A. Barber, Eli Detweiler, Jr. and Betty O'Neal and congratulated new Member Grady on his appointment to the Board.

Chairperson Lee 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. The "Evaluation of Statement of Economic Interest Filed by Mr. Ernest C. Grady, Jr." was recorded in the minutes pursuant to G.S. 183A-15(c).

**Minutes of the meeting held on September 12, 2011, were approved as recorded on motion by Vice Chairperson Lilly with approval for mileage reimbursement for Board Counsel Yarborough's attendance at the recent AANC and NCAA Conventions. Member Grady seconded the motion which carried unanimously.** Next, Investigator Southerland provided a case log update.

Director Watson provided the results of the September 1, 2011, auctioneer examination which were as follows: 10 examinees with seven passing and three failing. Next, the Board considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Member Grady moved to accept the Probable Cause Subcommittee Recommendations. Chairperson Lee seconded the motion which carried unanimously.**

Vice Chairperson Lilly 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.

Director Watson then presented the following New CE Courses and Instructors for approval for the AANC: a) Tracy Kyle Swicegood/Is Your Computer Your Best Employee; b) Kim West/Financial Facts and Management Skills for the Auctioneer; c) Betty O'Neal/Would I Work for Me?; d) Lee Danhauer/Ethics and the Auctioneer; e) Tom George/Marketing 101; and, f) Dick Whittington/Appraisal Basics for the Auctioneer. Following a review of the presented materials, **Vice Chairperson Lilly moved to accept the New CE Courses and Instructors for the AANC. Chairperson Lee seconded the motion which carried unanimously.**

The Board then reviewed the "Requests for CE Proposals" and the following motion was made. **Vice Chairperson Lilly moved to award the qualifying CE Proposal for the Eastern, Middle and Western Districts to the Auctioneers Association of North Carolina and to reject the non-qualifying CE Proposal for the Eastern, Middle and Western Districts from Arkadia Auction Company. Member Grady seconded the motion which carried unanimously.**

The next item presented for Board review and approval was the NCALB November 2011 Newsletter. Following a review of the Newsletter, staff was instructed to mail out to all current licensees with the addition of Board Meeting, Exam and Deadline Dates and Exam Statistics. Director Watson then presented a request for a waiver of the "late renewal fee" from Gary Wayne Garner, NCAL #8087 (Lapsed). Following a discussion of Mr. Garner's request, **Vice Chairperson Lilly moved to deny the request based on the fact that the Board has no authority to do so. Member Grady seconded the motion which carried unanimously.** Also at this time, financial information concerning the individual month of September 2011, was

reviewed by the Board.

At this time, other Board matters were discussed to include the Board members making a decision regarding tree/shrub pruning and other seasonal treatments needed for the office lawn; industrial equipment storage contract; and, the process for the Board to review Administrative Rules with Board Counsel Yarborough citing three areas of concern: 1) Issue already covered by Statute; 2) Issue already covered by existing Rule/Regulation; and, 3) Authority to add/change/amend Rule/Regulation. Also at this time, Betty O'Neal, Carolina Auction Academy, thanked the Board for approving the "interactive teleconference" which was held on October 3, 2011, with Director Watson and Administrative Officer Stewart attending.

Former licensee, Steve A. Northcutt, NCAL #3968 (Revoked), asked to address the Board at this time and introduced William E. Albritton, NCAL #8556, who spoke as a character witness on Mr. Northcutt's behalf. Mr. Albritton asked the Board to reconsider the revocation of Mr. Northcutt's auctioneer license, NCAL #3968. Mr. Northcutt addressed the Board and submitted additional written character witness statements. At this time, **Vice Chairperson Lilly moved to go into Closed Session pursuant to G.S. 143-318.18 to discuss attorney/client privilege. Member Grady seconded the motion which carried unanimously.** The Board went into Closed Session at 10:10 a.m. and returned to Open Session at 10:35 a.m. Upon returning to Open Session, Chairperson Lee advised Mr. Northcutt that his request to reconsider the revocation of his auctioneer license is beyond the scope of the Board.

Following the review and approval of applications for licensing, the Board confirmed the next meeting as Monday, November 14, 2011, at 9:00 a.m. in the Fuquay-Varina office. The meeting was adjourned at 11:05 a.m.

Respectfully Submitted,

Teresa L. Watson  
Executive Director