

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

October 14, 2013

The North Carolina Auctioneer Licensing Board met on Monday, October 14, 2013, 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 B. Lee, Deborah Johnson and Edward B. Webb. Also present: Executive Director Teresa L. Watson, Administrative Officer Becky J. Stewart and John Jackson of Yarborough, Winters & Neville, P.A., 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 September 9, 2013, were approved as recorded on motion by Member Webb. Member Johnson seconded the motion which carried unanimously.** Then, Investigator Southerland provided a case log update.

At this time, The Board reviewed and discussed the “Proposed Final Agency Decision” regarding their rendering of Final Agency Decision concerning **Pamela Louise Truitt, Auctioneer Applicant. Vice Chairperson Lee made a motion to reconsider the denial of the Board’s Proposed Final Agency Decision for Pamela Louise Truitt. Member Johnson seconded the motion which carried unanimously. Then, Member Johnson made a motion to grant an auctioneer license to Pamela Louise Truitt. Vice Chairperson Lee seconded the motion which carried unanimously. It was instructed that Mr. Yarborough, Board’s Counsel, prepare a Final Agency Order to be signed at the next meeting.** Member Webb did not participate in the vote due to his participation on the Probable Cause Subcommittee. Next, the Board reviewed and discussed the “Proposed Final Agency Decision” regarding their rendering

of the Final Agency Decision concerning P & E Station House, Auction Firm Applicant. **Member Johnson Lee made a motion to reconsider the denial of the Board's Proposed Final Agency Decision for P & E Station House. Vice Chairperson Lee seconded the motion which carried unanimously. Then, Vice Chairperson Lee made a motion to grant an auction firm license to P & E Station House. Member Johnson seconded the motion which carried unanimously. It was instructed that Mr. Yarborough, Board's Counsel, prepare a Final Agency Order to be signed at the next meeting.** Member Webb did not participate in the vote due to his participation on the Probable Cause Subcommittee.

Next, Ms. Stewart presented the Reconsideration for Approval of NCAA's Request for Prior Approval of Reimbursement of Auctioneer Association Convention CE Class (es) of Postage. **Vice Chairperson Lee made a motion to deny NCAA's reconsideration for the cost of postage. Member Webb seconded the motion which carried unanimously.**

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. Vice Chairperson Lee seconded the motion which carried unanimously.** Member Webb 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. Administrative Officer Stewart then provided the results of the September 5, 2013, auctioneer examination which were as follows: seven (7) examinees with six (6) passing and one (1) failing. At this time, Chairperson DeVane inquired about the status of the presentation materials of Board Counsel's DVD on Laws/Rules. Staff was instructed upon receipt to provide a copy of the presentation materials prior to finalization of the DVD.

At this time, the Board reviewed the Renewal Applications for Schools of Auctioneering.

Following a review of the provided materials, **Vice chairperson Lee moved to approve the two-year renewal accreditation for Florida Auctioneer Academy; Lenoir Community College; Mendenhall School of Auctioneering; Missouri Auction School; Nashville Auction School, LLC; North Georgia School of Auctioneering; Reppert School of Auctioneering; and, Southeastern School of Auctioneering. Member Johnson seconded the motion which carried unanimously.**

Next, Ms. Stewart presented the Consideration for Approval of New CE Instructor(s) and CE Course(s) for AANC and Stanly Community College: Wanda Boyd – What You Don’t Say is Speaking Talking Out Loud!; William R. Forbes – History of NC Auctioneer Licensing Law; David Bailey – Banking Information You May Need to Know: AKA So Glad You Asked!; Jonathan K. Couick – Updates to the Concealed Carry Laws – How Gun Information Could Impact Your Auction; and, Michael Parker – Testifying in Course. **Following review and discussion of the presented materials Member Johnson made a motion to delay action of approval until further detail information regarding the contents of the course(s) be provided. Vice Chairperson Lee seconded the motion which carried unanimously.** Next, Ms. Stewart presented the Consideration for Approval of New CE Course(s) for AANC and Stanly Community College: Kyle Swicegood – Using Video Media to Promote You and Your Auctions; and, Betty O’Neal – Note Taking and Proposal Writing.” **Following review of the presented materials Member Webb made a motion to approve the New CE course(s). Vice Chairperson Lee seconded the motion which carried unanimously.** Then, Ms. Stewart presented the Consideration for Approval for New CE Course(s) for Southeastern School of Auctioneering: Darron Meares – Working with Attorneys; Joint Ventures; and, Auction Law Update (General Guidelines of States, i.e. CE, Disciplinary Actions, City, Counsel, Local Auction Law Regulations). **Following review and discussion of the presented materials**

Member Webb made a motion to approve the New CE Course(s). Vice 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 Lee moved to award the CE Proposal for the Eastern District to Arkadia Auction Company and the Middle and Western Districts to the Auctioneers Association of North Carolina. Member Webb seconded the motion which carried unanimously.**

At this time, financial information concerning the individual month of September 2013 was reviewed by the Board. **After review and discussion, Vice Chairperson Lee made a motion to begin effective immediately the Board accept and approve each month the State of North Carolina General Ledger System Authorized Monthly Budget Report. Member Johnson seconded the motion which carried unanimously.**

Next other matters were discussed to include: 1) House Bill Entitled “An Act To Require All Public Bodies to Record Meetings Held in Closed Session” effective October 1, 2013; 2) Letter addressed to NCALB for Appreciation to Becky; 3) “Resolution of Appreciation” for Ernest Glegg Grady, Jr. **Vice Chairperson Lee made a motion to approve “Resolution of Appreciation” for Ernest Clegg Grady, Jr. Member Johnson seconded the motion which carried unanimously;** 4) Upcoming Newsletter discussion, including Board Counsel’s Practice Tip and the Chairpersons Corner. Staff was instructed to have a draft of the Newsletter at the November meeting; 5) Chairperson DeVane provided documentation from Capital Hill Management Services (CHMS) a consulting firm specializing in administrative and management of state licensing boards and associations; 6) A discussion was held regarding the issuance of the Continuing Education DVD’s by Board’s Counsel and Steve Proffitt to Continuing Education Sponsors and Administrative Officer Stewart provided an update from Webmaster regarding

format of the DVD onto the NCALB website; and , 7) Michael Barber of Arkadia Auction Company presented to the Board consideration of an unpaid position within the Board to be a “clearinghouse” for continuing education curriculum.

Following the review and approval of applications for licensing, the Board confirmed the next meeting as Tuesday, November 12, 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