

**MINUTES****NORTH CAROLINA AUCTIONEER LICENSING BOARD****SEPTEMBER 13, 2010**

The North Carolina Auctioneer Licensing Board met on Monday, September 13, 2010, in the Fuquay-Varina office. The meeting was called to order at 9:05 a.m. Members present were: Vice Chairperson Keith J. Pierce, Randy B. Lee, William B. Lilly and Jesse G. Meeks. Also present: Executive Director Teresa L. Watson and Garris Neil Yarborough, Counsel to the Board. Vice Chairperson Pierce welcomed everyone and congratulated new Member Lee on his appointment to the Board and reminded everyone that Ms. Jean Woolard has submitted her resignation from the Auctioneer Licensing Board to be appointed to the State Board of Education.

Vice Chairperson Pierce 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. Randy B. Lee" was recorded in the minutes pursuant to G.S. 138A-15(c) and the August 2010 N.C. Ethics Commission's "Legislative Update" was presented to each Board member.

**Minutes of the meeting held on August 9, 2010, were approved as recorded on motion by Member Lilly. Member Meeks seconded the motion which carried unanimously.** Next, Investigator Southerland provided a case log update. Member Lilly inquired as to the status of the investigation into Iron Planet and Board Counsel Yarborough advised that he was meeting with Investigator Southerland and would be preparing a letter to them regarding their need to obtain an auction firm license.

At this time Board Counsel Yarborough gave instructions to the Board regarding their rendering of the Final Agency Decision concerning Adam Matthew Koenigsberg, Reciprocal Auctioneer Applicant. Following Mr. Yarborough's instructions, **Member Lilly moved to adopt**

**the Proposed Findings of Fact and Conclusions of Law submitted by Board Counsel and deny Mr. Koenigsberg's application for reciprocal auctioneer license. Member Meeks seconded the motion which carried unanimously.**

Next, Board Counsel Yarborough gave instructions to the Board regarding their rendering of the Final Agency Decision concerning Thomas Michael Maratta, Auctioneer Applicant. Following Mr. Yarborough's instructions, **Vice Chairperson Pierce moved to defer the rendering of the Final Agency Decision for a period of 90 days and instructed Mr. Yarborough to advise Mr. Maratta of the Board's decision. Member Meeks seconded the motion which carried unanimously.** Member Lilly did not participate in the discussion nor did he vote on this matter due to his participation on the Probable Cause Subcommittee.

Concerning the review of apprentice auctioneer applicants and their sponsors' written summary of their background and experience in the auction profession, **Member Meeks moved to approve proposed sponsor, Dora Ann Blaschik, NCAL #3410, and proposed sponsor, Charles Worth Morse, NCAL #5305, for apprentice licensee, Margaret Lee Massengill Willoughby, NCAL #8816. Member Lilly seconded the motion which carried unanimously.**

The Board then considered the Probable Cause Subcommittee Recommendations and the following motion was made. **Member Lilly moved to accept Probable Cause Subcommittee Recommendations. Member Meeks seconded the motion which carried unanimously.** Vice Chairperson Pierce 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.

Next, Director Watson provided the results of the September 2, 2010, auctioneer examination which were as follows: 12 examinees with 11 passing and one (1) failing. Ms. Watson then presented the Heating & Air Preventative Maintenance Agreement for the Board's review. Following

discussion and review of the maintenance agreement, **Member Lilly moved to approve the Heating & Air Preventative Maintenance Agreement as prepared by Young's Electric, Inc. Member Meeks seconded the motion which carried unanimously.**

A discussion was then held regarding the cost of reproduction of records. Following this discussion, **Member Meeks moved that the Board charge a fee of \$.25 cents per page if a request is more than 10 pages plus the cost of postage. Member Lilly seconded the motion which carried unanimously.** Next, financial information concerning the individual month of August 2010 was reviewed by the Board.

As a result of Ms. Woolard's resignation from the Board and Mr. Lee's appointment to the Board, the election of Chairperson and Vice Chairperson for the coming year was held at this time. **Member Meeks moved to nominate Keith J. Pierce for the Chairperson's position and William B. Lilly for the Vice Chairperson's position. Vice Chairperson Pierce seconded the motion which carried unanimously.** There being no further nominations, **Member Meeks moved that nominations be closed and the Chairperson and Vice Chairperson be elected by acclamation. The motion carried.**

At this time, Board Counsel Yarborough asked for reimbursement of his registration and lodging costs from the July 2010 NAA Convention. **Vice Chairperson Lilly moved to approve the reimbursement to Mr. Yarborough for his July 2010 NAA Convention registration and lodging costs. Member Meeks seconded the motion which carried unanimously.**

Following the review and approval of applications for licensing, the Board confirmed the next meeting as Monday, October 11, 2010, at 9:00 a.m. in the Fuquay-Varina office. The meeting was adjourned at 10:05 a.m.

Respectfully Submitted,

Teresa L. Watson  
Executive Director