

**MINUTES**

**NORTH CAROLINA AUCTIONEER LICENSING BOARD**

**April 14, 2025**

The North Carolina Auctioneer Licensing Board met on Monday, April 14, 2025 in the Fuquay-Varina Office. The meeting was called to order at 9:00 a.m. Members present were Chairman Dan DeVane, Vice Chair Melinda Porter, John Harris, Buck Lattimore, and Kyle Swicegood. Also, present were Executive Director Charles F. Diehl, Administrative Officer Becky Stewart, and Mr. Dorian Woolaston, Special Deputy Attorney General with the NC Department of Justice.

Chairman DeVane inquired of each member if there were any known conflicts of interest or any appearance of conflicts with respect to any matters coming before the Board during this meeting. Member Swicegood recused himself from the Consideration of the Follow-up of the February 7, 2025 Probable Cause Subcommittee Meeting Report due to his participation in that Probable Cause Subcommittee Meeting. Member Lattimore recused himself from the Consideration of the Probable Cause Report due to his participation in the Probable Cause Subcommittee Meeting of April 10, 2025. Other members stated there were none.

**Member Swicegood made a motion to approve the March 10, 2025 Board Meeting minutes. Member Lattimore seconded the motion, which carried unanimously.**

Director Diehl presented the financial report. **Vice Chair Porter made a motion to approve the financial report for the month of March. Member Harris seconded the motion, which carried unanimously.**

Director Diehl led a discussion on the consideration of an assessment for the Recovery Fund for the Fiscal Year 2025-2026 license period. **Member Swicegood made a motion that no licensee assessment for the Recovery Fund take place during the Fiscal Year 2025-2026**

**license period. Member Lattimore seconded the motion, which carried unanimously.**

The Board considered the Continuing Education Waiver Request from John E. Thomas, NCAL #6235. **Vice Chair Porter made a motion to approve the CE waiver request for John E. Thomas for the 2025/2026 renewal year. Member Harris seconded the motion, which carried unanimously.**

Director Diehl reported on the staff investigations and advertising violations for the month of March. There were three informal investigations and two ad violations. There are seven formal complaints, four of which are on the Probable Cause Subcommittee Report for review today, and three are currently under investigation.

Chairman DeVane requested a motion to go into Executive Session to discuss Agenda Item 7 – Review of Report from Probable Cause Subcommittee, Agenda Item 8 – Consideration of Proposed Formal Complaint, *In Re: Kent Devon Getz, Shelley Beth Wilson, and Getz Farms Antiques & Signs, LLC*, to discuss matters of potential litigation, and to receive advice from counsel. **Vice Chair Porter made a motion to go into Executive Session as proposed by the Chairman. Member Swicegood seconded the motion, which carried unanimously.** The Board went into Executive Session at 9:15 a.m.

**Member Lattimore made a motion to return to Open Session. Member Swicegood seconded the motion, which carried unanimously.** The Board returned to Open Session at 9:35 a.m. **Vice Chair Porter made a motion to accept the recommendation of the Follow-up Probable Cause Subcommittee Meeting Report of February 7, 2025. Member Harris seconded the motion, which carried unanimously.** Prior to the motion or any discussion, Member Swicegood had recused himself from consideration of the Follow-Up Probable Cause Report of February 7, 2025 due to his participation in that Probable Cause Subcommittee Meeting. **Member Swicegood made a motion to accept the recommendations from the Probable Cause Report of April 10, 2025. Member Harris seconded the motion, which**

**carried unanimously.** Prior to the motion or any discussion, Member Lattimore had recused himself from consideration of the Probable Cause Report due to his participation in that Probable Cause Subcommittee Meeting.

Following a procedural introduction by Director Diehl regarding auction activity without having a license, Chairman DeVane requested a motion concerning an investigation. **Member Lattimore made a motion, nunc pro tunc, that the Commission on its own motion and consistent with G.S. § 85B-8, to direct Mr. Diehl to investigate the matter *In Re: Kent Devon Getz, Shelley Beth Wilson, and Getz Farms Antiques & Signs, LLC* for selling items in North Carolina without securing the proper license.** The foregoing language shall be deemed for all purposes as an official directive by the Board to its Executive Director directing him to initiate and promptly complete the investigation referred to above; and the foregoing language shall also be deemed to be an adoption and ratification by this Board of the investigative actions taken by the Executive Director as referred to above. **Member Swicegood seconded the motion, which carried unanimously.**

Director Diehl provided the results of the April 3, 2025 auctioneer examination, which were as follows: 13 examinees with 12 passing and 1 failing.

The Board reviewed the applications for licensing.

Chairman DeVane confirmed the next regular meeting on Monday, May 12, 2025 at 9:00 a.m. in the Fuquay-Varina office.

**Vice Chair Porter made a motion to adjourn the meeting. Member Swicegood seconded the motion, which carried unanimously.**

The meeting adjourned at 9:50 a.m.

Respectfully Submitted,

April 14 2025

Becky J. Stewart  
Administrative Officer