

MINUTES**NORTH CAROLINA AUCTIONEER LICENSING BOARD****February 12, 2024**

The North Carolina Auctioneer Licensing Board met on Monday, February 12, 2024 in the Fuquay-Varina Office. The meeting was called to order at 9:00 a.m. Members present were Chairman Dan DeVane, Vice Chairman Willie A. Johnson, Melinda Q. Porter, and Kyle Swicegood. Also, present were Executive Director Charles F. Diehl, Administrative Officer Becky Stewart, and Special Deputy Attorney General Anne Brown with the NC Department of Justice. Member Buck Lattimore participated by phone.

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. Vice Chairman Johnson recused himself from the Consideration of the Probable Cause Report due to his participation in the Probable Cause Subcommittee meeting. Other members stated there were none.

Member Lattimore made a motion to approve the January 8, 2024 Board Meeting minutes. Member Swicegood seconded the motion, which carried unanimously.

Director Diehl reported on the staff investigations and advertising violations for the month of January. There were two informal investigations and one ad violation. There are two formal investigations on the Probable Cause Subcommittee Report for consideration today.

Director Diehl presented the financial report. **Member Swicegood made a motion to approve the financial report for the month of January. Vice Chairman Johnson seconded the motion, which carried unanimously.**

Chairman DeVane requested a motion to go into Closed Session to discuss ongoing litigation and matters of potential litigation from Board Counsel for Agenda Item 5 – *Review of Report from Probable Cause Subcommittee* and in the matter of *In Re: Matthew J. Riggan*. **Member Porter made a motion to go into Closed Session. Vice Chairman Johnson seconded the motion, which carried unanimously.** The Board went into Closed Session at 9:10 a.m.

Member Swicegood made a motion to return to Open Session. Member Lattimore seconded the motion, which carried unanimously. The Board returned to Open Session at 9:21 a.m.

Member Swicegood made a motion to accept the recommendations from the Probable Cause Report. Member Porter seconded the motion, which carried unanimously. Prior to the motion or any discussion, Vice Chairman Johnson had recused himself from consideration of the Probable Cause Report due to his participation in the Probable Cause Subcommittee meeting.

Under Other Business, Director Diehl reported that the Board's server is antiquated and needs to be replaced. Staff has already started analyzing and reviewing its options and will provide a report to the Board with its findings.

Director Diehl provided the results of the February 1, 2024 auctioneer examination, which were as follows: six examinees with four passing and two failing. He also reported that there is a potential for a hearing at the March 11, 2024 Board meeting.

Member Lattimore reported that Wake Tech Auctioneer Academy currently has fifteen applicants enrolled for their upcoming Auctioneer Program.

Following the review of applications for licensing, Chairman DeVane confirmed the next regular meeting on Monday, March 11, 2024 at 9:00 a.m. in the Fuquay-Varina office and reiterated that there is a potential for a hearing.

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

The meeting adjourned at 9:40 a.m.

Respectfully Submitted,

Becky J. Stewart
Administrative Officer