

MINUTES

NORTH CAROLINA AUCTIONEER LICENSING BOARD

October 9, 2023

The North Carolina Auctioneer Licensing Board met on Monday, October 9, 2023 in the Fuquay-Varina Office. The meeting was called to order at 10:00 a.m. Members present were Chairman Dan DeVane, Vice Chairman Willie A. Johnson, Buck Lattimore, Melinda Q. Porter, and Kyle Swicegood. Also, present were Administrative Officer Becky Stewart and Special Deputy Attorney General Anne Brown with the NC Department of Justice. Executive Director Charles F. Diehl 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. Member Lattimore 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.

Chairman DeVane acknowledged that The North Carolina Auctioneer Licensing Board works to protect the public, and that its members are proud to be serving on the Board during the agency's 50th year in existence. The N.C. General Assembly created this Board in 1973, and the Board is pleased to honor 9 Auctioneers and 1 Auction Firm that were issued licenses in 1973 and are still current and actively licensed in 2023. He also reported that the most recent license number issued was 10745 and currently there are a total of 2252 licensees.

Chairman DeVane welcomed each licensee in attendance along with their respective families and friends. On behalf of the Board, Chairman DeVane thanked and congratulated the honorees, which were as follows: *Sen. Thomas M. McInnis, NC Auctioneer License #25; Mr. James R. (Ronny) Causby, NC Auctioneer License #37; Mr. Kevin D. McDaniel, NC Auctioneer*

License #48; Mr. Bobby F. Cheek, NC Auctioneer License #53; Mr. Richard M. Stafford, NC Auctioneer License #67; East Carolina Auction Company, NC Auction Firm License #68; Mr. William L. York, NC Auctioneer License #74; Mr. Jackie Ball, NC Auctioneer License #139; Mr. Timothy E. Carpenter, NC Auctioneer License #157; and Mr. Bobby S. Melton, NC Auctioneer License #166. Each honoree in attendance made a brief statement and introduced their families and friends. The Board went into recess at 10:30 a.m.

The Board returned from recess at 10:50 a.m. to continue its other business.

Vice Chairman Johnson made a motion to approve the September 11, 2023 Board Meeting minutes. Member Lattimore seconded the motion, which carried unanimously.

Director Diehl reported on the staff investigations and advertising violations for the month of September. There was one informal investigation and there were three ad violations. There are currently no formal complaint investigations.

Director Diehl presented the financial report. **Member Porter made a motion to approve the financial report for the month of September. Member Swicegood seconded the motion, which carried unanimously.**

Director Diehl provided the results of the October 5, 2023 auctioneer examination, which were as follows: 2 examinees with 1 passing and 1 failing. Director Diehl reported that he recently visited one of the Community College Auction School classes, and he expects that over 20 will be taking the December examination.

Chairman DeVane requested a motion to go into Closed Session to discuss ongoing litigation, and the matters of potential litigation from Board Counsel, and personnel matters for Agenda Item 7 – *Review of Report from Probable Cause Subcommittee*, 8 – *In Re Matthew J. Riggan*, and 9 – *2023/2024 State Budget*. **Member Swicegood made a motion to go into Closed Session. Vice Chairman Johnson seconded the motion, which carried unanimously.**

The Board went into Closed Session at 11:07 a.m.

Member Swicegood made a motion to return to Open Session. Vice Chairman Johnson seconded the motion, which carried unanimously. The Board returned to Open Session at 11:35 a.m.

Member Swicegood made a motion to accept the recommendations from the Probable Cause Report. Vice Chairman Johnson 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 the Probable Cause Subcommittee meeting.

Member Lattimore made a motion for the board counsel to continue with court proceedings in the *Matthew J. Riggan* matter. Vice Chairman Johnson seconded the motion, which carried unanimously.

Vice Chairman Johnson made a motion to accept the NC State Budget 4% legislative salary increase (LI) for the year 2023/2024 for both Board's employees. Member Lattimore seconded the motion, which carried unanimously.

Under other business, Chairman DeVane requested that each employee's job manual and job descriptions be provided at the next board meeting.

Following the review and approval of applications for licensing, Chairman DeVane confirmed the next regular meeting on Monday, November 13, 2023 at 9:00 a.m. in the Fuquay-Varina office.

Member Swicegood made a motion to adjourn the meeting. Vice Chairman Johnson seconded the motion, which carried unanimously.

The meeting adjourned at 11:40 a.m.

Respectfully Submitted,

October 9, 2023

Becky J. Stewart
Administrative Officer