

MINUTES
OF THE
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: May 21, 2015
TIME: 9:00 A.M.
PLACE: Village Inn Event Center
Clemmons, North Carolina
SUBMITTED BY: Anthony B. Bonapart
Deputy Director

MEMBERS PRESENT:

Jack Ingle
Ralph Gregory
Larry McClellan
Mack Donaldson
Courtney Brown
Larry Proctor
John Thompson

MEMBERS ABSENT:

None

STAFF PRESENT:

Director Barry Echols
Deputy Director Anthony Bonapart
Field Services Supervisor Phillip Stephenson

Board Secretary Nan Williams
Investigator Melvin Turner
Attorney Jeff Gray

VISITORS:

Ronald A. Armeen
Jimmy E. Harris
Tracy L. Wilson
Larry Blumenfeld
Rick Sheets
David Sperber
Richard Gibbey
John Lemineux

Sharron J. Armeen
Michael J. Harris
William A. Brackett
Richard O'Neal
George Bish
Eric Tutton
Rodney Hall
Anita Surratt

Michael Lorino
Laura Clusson

Dorian Dehnel
Lewis Huffstetler

The May 21, 2015 meeting of the North Carolina Alarm Systems Licensing Board was called to order by Chairman Gregory at 9:00 a.m.

In accordance with the State Ethics Law, Attorney Gray read the following information. "It is the duty of every Board member to avoid both conflicts of interest and appearances of conflict. If any member has any known conflict of interest or appearance of conflict with respect to any matter coming before this Board today, please identify the conflict or appearance and refrain from the deliberation and vote in that matter."

Mr. Gregory welcomed all guests.

MR. INGLE MADE A MOTION TO APPROVE THE MARCH 26, 2015 BOARD MEETING MINUTES. SECONDED BY MR. BROWN. MOTION CARRIED.

Mr. Brown gave the Grievance Committee report. Mr. Brown and Mr. Ingle met as the Grievance Committee on May 20, 2015 from 9:00 a.m. to 12:00 noon.

MR. BROWN MADE A MOTION TO AMEND THE RECOMMENDATION ON 2015-ASL-002 TO INCLUDE THAT THIS MATTER SHALL BE REFERRED TO THE SCREENING COMMITTEE SHOULD MS. RATKA APPLY FOR A LICENSE. IT WAS NOTED MR. GREGORY RECUSED HIMSELF FROM VOTING IN THIS MATTER. SECONDED BY MR. DONALDSON. MOTION CARRIED.

MR. DONALDSON MADE A MOTION TO APPROVE THE RECOMMENDATION ON 2014-ASL-030. IT WAS NOTED MR. MCCLELLAN RECUSED HIMSELF FROM VOTING IN THIS MATTER. SECONDED BY MR. BROWN. MOTION CARRIED.

MR. INGLE MADE A MOTION TO APPROVE THE RECOMMENDATIONS ON 2014-ASL-033 AND 2015-ASL-001. SECONDED BY MR. MCCLELLAN. MOTION CARRIED.

Mr. Ingle gave the Screening Committee report.

MR. PROCTOR MADE A MOTION TO APPROVE THE SCREENING COMMITTEE REPORT AS PRESENTED. SECONDED BY MR. DONALDSON. MOTION CARRIED.

Mr. Bonapart gave the registration report.

MR. INGLE MADE A MOTION TO APPROVE THE REGISTRATION REPORT AS PRESENTED. SECONDED BY MR. THOMPSON. MOTION CARRIED.

Mr. Gray recused himself as counsel to the Board and presented the following final agency decisions.

14 DOJ 06134 - Malinda McCray McCullom - This contested case was heard before Chief Administrative Law Judge Julian Mann, III on October 28, 2014. The issue was whether or not grounds exist to deny an alarm registration for Ms. McCullom for lack of good moral character and temperate habits as evidenced by conviction for 44 counts of felony embezzlement. Ms. McCullom was not present.

MR. THOMPSON MADE A MOTION TO CONTINUE THIS CASE UNTIL THE JULY BOARD MEETING AND FOR MR. GRAY TO MAIL THE NOTICE BY CERTIFIED MAIL TO MS. MCCULLOM. SECONDED BY MR. DONALDSON. MOTION CARRIED. IT WAS NOTED MR. PROCTOR AND MR. INGLE OPPOSED THIS MOTION.

14 DOJ 06135 - Daniel Lewis Sager - This contested case was heard before Administrative Law Judge Randall May on September 23, 2014. The issue was whether or not grounds exist to deny an alarm registration renewal for Mr. Sager for lack of good moral character and temperate habits as evidenced by conviction of misdemeanor Hit and Run and DWI. The Board continued this case from the March Board meeting to allow Mr. Sager to appear. Mr. Sager was not present at the May Board meeting.

MR. PROCTOR MADE A MOTION TO DENY THE REGISTRATION RENEWAL FOR MR. SAGER. SECONDED BY MR. MCCLELLAN. MOTION CARRIED.

SPECIAL REPORTS AND PRESENTATIONS

Mr. McClellan gave the following continuing education committee report.

1. DSC- Self Contained Wireless IQ Panel & Peripherals - The committee recommends approval for 3 CEU's for this course.
2. Access Control - The committee recommends approval for renewal for 3 CEU's for this course.
3. Advanced Access Control - The committee recommends approval for renewal for 3 CEU's for this course.
4. Access Control Fundamentals - The committee recommends denial for this course because it was oriented entirely to sales and marketing.
5. Innovative Techniques for Deploying Power & Network Infrastructure - The committee recommends approval for 2 CEU's for this course.
6. Overcoming Network Challenges Easily - The committee recommends approval for 2 CEU's for this course.
7. Technologically Navigating the IP Marketplace - The committee recommends approval for 2 CEU's for this course.
8. CCTV-Philo Farnsworth to Megapixel Images - The committee recommends approval for 2 CEU's for this course.

9. NAPCO IP 101 - The committee recommends approval for 4 CEU's for this course.
10. GEMC-Integrated System - The committee recommends approval for 4 CEU's for this course.
11. GEMC-Programming and Operation - The committee recommends approval for 4 CEU's for this course.
12. Starlink Sle - GSM - The committee recommends approval for 2 CEU's for this course.
13. Ibridge and Imessenger - The committee recommends approval for 2 CEU's for this course.
14. Integrated Commercial Fire & Alarm Systems - The committee recommends approval for 2 CEU's for this course.
15. Leveraging the Connected Home & Business - The committee recommends denial for this course because it was oriented entirely to sales and marketing.

MR. INGLE MADE A MOTION TO APPROVE THE CONTINUING EDUCATION COMMITTEE REPORT AS PRESENTED. SECONDED BY MR. DONALDSON. MOTION CARRIED.

UNFINISHED BUSINESS

None

OLD BUSINESS

Mr. Ingle asked about the status of GL Solutions. Mr. Echols advised that the decision was made for the staff to sever ties with GL Solutions and the computer system. Litigation in this matter has been turned over to the attorneys. Mr. Echols stated that the Board will not pay any more invoices for services that the staff did not receive from GL Solutions. Staff is in a backlog but is working on getting registrations caught up. The staff needs a new computer system that will meet all of the needs of the staff.

NEW BUSINESS

The following are the new meeting dates for 2016.

January 13-14, 2016 - Raleigh, NC

March 23-24, 2016 - Raleigh, NC

May 25-26, 2016 - Raleigh, NC

July 20-21, 2016 - Wilmington, NC

September 21-22, 2016 - Raleigh, NC

November 16-17, 2016 - Raleigh, NC

MR. DONALDSON MADE A MOTION TO APPROVE THIS SCHEDULE. SECONDED BY MR. BROWN. MOTION CARRIED.

Mr. George Bish addressed the Board in regard to registration of employees and the relationship with

Direct TV. Mr. Rick Sheets from Direct TV was also present and addressed the Board.

MR. INGLE MADE A MOTION TO GO INTO CLOSED SESSION. SECONDED BY MR. DONALDSON. MOTION CARRIED.

CLOSED SESSION: 10:30 a.m.
RECONVENED: 10:40 a.m.

Mr. Ingle stated that Mr. Bish will need to register all employees and that all locations must have a branch office license pursuant to 74D-8. Selling of systems in North Carolina must have contracts.

Mr. Gregory stated that the staff is over due for a pay raise and that the PPS Board voted to support a ten percent pay increase.

MR. BROWN MADE A MOTION TO GRANT A TEN PERCENT PAY RAISE FOR STAFF. SECONDED BY MR. DONALDSON. MOTION CARRIED. NONE OPPOSED.

Mr. Gregory stated that the Raleigh office has too many file cabinets and that the files need to be scanned. Approximately 128 cabinets are almost full and need to be purged. Mr. Echols stated he has been in contact with a company Omini Scann that has come to the office and gave an estimate in regard to how much it would cost to scan everything. Approximately, it would cost between \$190,000-\$250,000.00. The company will also store all documents for a year. New information would have to be scanned and be able to migrate in a new computer system. The lease on the office will expire in September, 2016 and it would ideal if the scanning could be done before that time.

MR. INGLE MADE A MOTION FOR STAFF TO PROCEED WITH THE SCANNING AN STORAGE OF ALL FILES. SECONDED BY MR. PROCTOR. MOTION CARRIED.

Mr. Gregory stated he felt that all requirements for out of state companies should be met when they apply for a license and not have them be approved with conditions. The Board already has problems with out of state companies and the summer programs that they bring in during the summer months every year.

MR. INGLE MADE A MOTION FOR AMENDING 74D TO ADOPT A NEW POLICY WHEN APPROVING OUT OF STATE COMPANIES. ATTORNEY GRAY WILL DRAFT A POLICY FOR OUT OF STATE VERSES IN STATE APPLICATIONS. ALL OUT O F STATE APPLICATIONS MUST HAVE ALL REQUIREMENTS MET BEFORE THE APPLICATION COMES BEFORE THE BOARD. NORTH CAROLINA COMPANIES WILL BE REVIEWED ON CASE BY CASE BASES. THE OUT OF STATE COMPANIES MUST ALSO MEET ALL OF THE REQUIREMENTS WITH NORTH CAROLINA SECRETARY OF STATES OFFICE PURSUANT TO CHAPTER 55-B. SECONDED BY MR DONALDSON. MOTION CARRIED.

MR. INGLE MADE A MOTION TO ELIMINATE THE CURRENT STATUTE 74D-3(4) EXEMPTIONS FOR OUT OF STATE COMPANIES THAT ONLY MONITOR IN THIS STATE WOULD BE EXEMPTED. ATTORNEY GRAY WILL DRAFT LANGUAGE TO ELIMINATE THIS STATUTE. ALL OUT OF STATE COMPANIES WOULD THEN HAVE TO BE LICENSED IN ORDER TO MONITOR IN NORTH CAROLINA. SECONDED BY MR. DONALDSON. MOTION CARRIED. NONE OPPOSED.

Mr. Gregory does not think that individuals should be able to do their own fingerprints. There are a lot of rejections with these prints. Mr. Gregory feels that either the sheriffs office or police department should be the ones doing the fingerprints and not the companies.

Mr. Gray will contact Department of Justice to see if the SBI and DCI accepts fingerprint cards that is done by a private citizen as opposed to a law enforcement agency. Mr. Gray wants to research this and will report back at the July meeting.

DIRECTOR'S REPORT

Mr. Echols presented the written report and advised as of April 30, 2015, the Alarm Board's balance was \$575,499.40. The Education Fund balance was \$58,627.18. As of May 18, 2015, the Board has 945 licensees and 7076 registrants.

Mr. Echols thanked the Board for approval on the pay raises for the staff. He also thanked the Board and staff for their support since he has been appointed the Director. Mr. Echols hopes a lot of things will be in a better place next year. He is also thinking of hiring another investigator to be in the Greenville or Wilmington area. Mr. Echols thanked Mr. Bonapart for all of his work.

Mr. Echols stated he would like to have a retreat for both Boards and the public can also attend.

Mr. Donaldson thanked Mr. Echols for taking his time to meet with all of the members.

MR. DONALDSON MADE A MOTION TO APPROVE THE DIRECTOR'S REPORT AS PRESENTED. SECONDED BY MR. BROWN. MOTION CARRIED.

ATTORNEY'S REPORT

Consent Agreements:

1. Stanley L. Huffstetler, IV/Carolina Control Services, Inc. - Consent Agreement in the amount of \$2,958.00 to be paid in three (3) equal monthly installments. All payments have been received; paid in full.

The schedule of hearings in the Office of Administrative Hearings is attached to the Attorney's Report.

The Board's administrative rules had to be transferred to another Title within the North Carolina Administrative Code as a part of the transfer to the Department of Public Safety. Mr. Gray has completed the form to effectuate this change and the Board's rules are now found at 14B NCAC Subchapter 17. After the rules are published, Mr. Gray will provide a copy to the Board and the Board's staff for their use.

A number of other bills of interest either directly effecting the Board, or tangentially effecting it have been introduced this Session and are attached to the Attorney's Report.

The Program Evaluation Division (PED) final report on all occupational and professional licensing was released on December 16, 2014. Both the Alarm Board and the Private Protective Services Board were specifically excluded as an occupational licensing board, but considered as a occupational licensing agency. This new designation could have future ramifications for the Board.

The attorney for Surry County sent Mr. Gray a follow-up letter clarifying the County's position which was provided to the Board at its March meeting. Mr. Gray responded to this letter and is attached to the Attorney's Report.

MR. INGLE MADE A MOTION TO ACCEPT THE ATTORNEY'S REPORT AS PRESENTED. SECONDED BY MR. BROWN. MOTION CARRIED.

GOOD OF THE ORDER

MR. PROCTOR MADE A MOTION TO ADJOURN. SECONDED BY MR. INGLE. MOTION CARRIED.

Meeting Adjourned: 12:00 noon

Anthony Bonapart
Deputy Director

Nan Williams
Reporter

