



North Carolina Department of Public Safety

Private Protective Services Board

Pat McCrory, Governor
Frank L. Perry, Secretary

Gregory K. Baker, Commissioner
Barry S. Echols, Director

**MINUTES OF THE
PRIVATE PROTECTIVE SERVICES BOARD MEETING
APRIL 23, 2015
HOLIDAY INN NORTH
2805 HIGHWOODS BLVD
RALEIGH, NC 27604**

BOARD MEMBER PRESENT

Eric Weaver Sr.
Bill Booth
Ed Cobbler
Clyde Cook
Marcus Benson
Richard Epley
Robert Clark
Bud Cesena
Donald Foster
Dustin T. Greene
Steve Johnson

BOARD MEMBERS ABSENT

William MacRae
Brian Lowman

STAFF PRESENT

Barry Echols - Director
Anthony Bonapart - Deputy Director
Phillip Stephenson – Field Services Supervisor
Charles McDarris – Attorney
Melvin Turner - Investigator
Garcia Graham – PPSB Board Secretary
Maia Washington-Powell – PPSB Licensing Assistant

GUEST PRESENT

Chris Green
Christopher Purham
Lee Alexander
Muhammad Bilal
Gary Pastor
Dorian Dehnel

David Brewste
Walter Pylypiw
Randy Sturkey
Christopher Miller
William Joyce
Melissa Richardson

Jeff Cathcart
Larry Alexander
Donald Miller
Elwood Dale
Denise Martin
Tony Lashley

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Paul Latorre
Kimberly Hamilton
Jerry Pitman
Beatrice Powers
Ruth Reynolds
Eric Wallace
Donald Williams
Bobby Boudreau
David Arndt

Mack Donaldson
John Dwiggin
Robert Dunn
Glen Westbrook
Audra Coleman
Kia Graham
George Lisi
Sandra Epley
Carl Stell

Anthony McCollum
Derek Partee
David Roebuck
Kerry Graves
Jeffrey Jones
John Powell
Laura Lee
Kenneth Sheffield
Jeff Barley

CALL TO ORDER

Chairman Eric Weaver called the April 23, 2015 Private Protective Services Board meeting to order at 9:00 a.m. Chairman Weaver notified the members that board member Brian Lowman is undergoing medical treatment at this time. Chairman Weaver led the group in the reciting of the Pledge of Allegiance followed by the introduction of new Board member Steve Johnson and new Director Barry Echols.

GOOD OF THE ORDER:

Attorney Charles McDarris explained the State Ethics Act, which addresses the ethics of public officials. This Act states specifically that if any Board Member has any conflict of interest, potential conflict of interest, or the appearance of a conflict, he or she should remove themselves from deliberation and vote on that matter and so state on the record.

Mr. Gary Pastor, president of the NCAPI expressed his thanks to the Board and introduced the new NCAPI Board members. Mr. Pastor stated that the Association will be holding their conference in New Bern, NC from November 5 through November 6, 2015. The Association is planning on offering 12 continuing Education hours to attendees of the conference.

Mr. Jerry Pitman addressed the Board regarding several bills currently being introduced in the legislature that may affect the industry and stressed the need for everyone to contact their Senators and Representatives. He also stated that a representative from AOC and DMV will be attending the NCAPI conference.

MINUTES:

APPROVAL OF THE MARCH 4, 2015 TELEPHONE CONFERENCE BOARD MEETING MINUTES

MOTION BY MR. BOOTH TO ACCEPT THE MINUTES; SECONDED BY MR. CLARK; MOTION CARRIED.

SCREENING COMMITTEE REPORT:

Mr. Clark reported that the Screening Committee met on Wednesday, April 22, 2015 from 2:00 p.m. to 4:50 p.m. to review a total of 33 applications. (See report). The committee members were Mr. Clark, Mr. Cobbler, Mr. Foster, and Mr. Cesena. Mr. Clark read the report for the record. (see attachment)

It was noted Mr. Foster recused himself from #16 of the screening report.

Mr. Clark presented the following registration report for the period of February 11, 2015 to April 21, 2015. Total registrations 4,175; armed totals were 463 of which 155 were new and 265 were renewals, 43 reissue/dual. There were a total of 118 Armed Armored Car, 34 of which were new, 82 were renewals, 2 reissue/dual. There were a total of 16 Armed Private Investigators, 5 of which were new, 11 renewals. There were a total of 1 Armed Private Investigator Associates, 1 of which was new. Unarmed totals were 3,538 which included 1363 new, 1918 renewals, 248 transfers, and 9 duplicates. There were a total of 39 unarmed armored cars, 6 of which were new and 33 renewals. Total denials were 601 of which 128 were for cause and 473 for correctable reasons. There were 262 applications approved which were previously denied for a total of 863 denials reviewed.

MOTION BY MR. BENSON TO ACCEPT THE SCREENING REPORT; SECONDED BY MR. CESENA; MOTION CARRIED.

GRIEVANCE COMMITTEE REPORT:

Mr. Booth reported that the Grievance Committee met on Wednesday, April 23, 2015 from 8:00 am to 1:14 pm and heard a total of 6 cases. The committee members were Mr. Booth, Mr. Greene, Mr. Cook, Mr. Benson, Mr. Johnson and Mr. Epley. Mr. Booth Presented the attached report. (see attachment)

MOTION BY MR. CLARK TO ACCEPT THE GRIEVANCE COMMITTEE REPORT; SECONDED BY MR. JOHNSON; MOTION CARRIED.

TRAINING & EDUCATION COMMITTEE:

Mr. Cobbler reported that the Training & Education Committee met on April 22, 2015 from 8:00 a.m. until 8:47 a.m. The committee members were Mr. Cobbler, Mr. Clark, Mr. Booth, Mr. Johnson, Mr. Epley, Mr. Cook and Mr. Cesena.

Mr. Melvin Turner presented the following report to the Board:

The following PPS Trainer courses are scheduled:

May 4-8, 2015	(0800-1700) UAGT Course & Workshop at WTCC
June 1, 2015	(1000-2300) FT Re-certification & Pre-Qualification Course NCJA
July 13, 2015	(1000-2300) FT Re-Certification & Pre-Qualification Course NCJA
August 3-7, 2015	(0800-1700) UAGT Course & Workshop at WTCC
September 2, 2015	(1000-2300) FT Re-Certification & Pre-Qualification Course NCJA
September 14-18, 2015	FT Course & Legal Class at Salemburg NCJA
September 28- October 2, 2015	(0800-1700) UAGT Course & Workshop at WTCC
November 2– 6, 2015	(0800-1700) UAGT Course & Workshop at WTCC
November 16, 2015	(1000-2300) FT Re-Certification & Pre-Qualification Course NCJA

Presently we have 344 certified PPS unarmed guard trainers and 97 PPS certified armed guard trainers.

The following PPS Training Courses have been completed:

January 26-30, 2015	(0800-1700) UAGT Course & Workshop at WTCC
March 2, 2015	(1000-2300) FT Re-certification & Pre-Qualification Course NCJA

March 16-20, 2015 (0800-1700) UAGT Course & Workshop at WTCC

April 6-10, 2015 FT Course & Legal Class at Salemburg NCJA

The following PPS Training Courses for CEU Credits have been scheduled:

April 23, 2015 1pm – 5pm Raleigh, NC

August 27, 2015 1pm – 5pm Raleigh, NC

December 17, 2015 1pm – 5pm Raleigh, NC

The following PPS Training Courses for CEU credits have been completed:

December 11, 2014 1pm – 5pm Raleigh, NC

February 19, 2015 1pm - 5pm Concord, NC (Cancelled – Inclement Weather)

Mr. Cobbler stated that the following 12 continuing education training courses have been submitted for approval: Surveillance 4 Beginners-Old School 2 New School 1 (2 hours); Internet For Investigators (12) Advanced Theories and Use of Covert Video Surveillance Equipment (8); Introduction to Theories and Use of Covert Video Surveillance Equipment (2); The Reid Technique of Interviewing & Interrogation and Advanced Course (12); Benefits of Computer Forensics (2); Handling Conflict and Confrontation (2); Introduction to Explosives and IED Technology (2); Legal Issues for Private Investigators III (2); Use of Forensic DNA in Private Investigations II (2); Background Investigations and Social Media Searches (2) and Risk Assessment for Investigators (6).

Mr. Booth recused himself from voting on the following; Benefits of Computer Forensics, Handling Conflict and Confrontation, Introduction to Explosives and IED Technology, Legal Issues for Private Investigators III, Use of Forensic DNA in Private Investigations II and Background Investigations and Social Media Searches.

The courses will be listed on the web page.

MOTION BY MR. BENSON TO APPROVE THE 12 COURSES; SECONDED BY MR. COOK; MOTION CARRIED.

Mr. Walter Pylypiw, Federal Security, addressed the Board on the unarmed and armed apprenticeship program. He stated that the PPSB training is incorporated in the program and there is no cost to the student or company. Veterans can use the GI Bill and receive funds for

being in the program. The program improves the quality of the guard and overall training. He would like for the Board to review the content of the program and consider adopting the program. Chairman Weaver suggested that the program be referred to the Training and Education Committee for review and recommendation to the full Board.

MOTION BY MR. BOOTH TO ACCEPT THE TRAINING AND EDUCATION COMMITTEE REPORT; SECONDED BY MR. CLARK; MOTION CARRIED.

BREAK: 9:57 a.m.
RECONVENED: 10:20 a.m.

GRIEVANCE COMMITTEE:

NONE

SCREENING COMMITTEE:

NONE

LAWS AND RULES COMMITTEE

Mr. Foster related that he has been in contact with Mr. Leonard Wolf regarding his request to modify the requirements to obtain a guard dog license. Mr. Foster explained to Mr. Wolf that the changes he has outlined would require the Board to rewrite G.S. 74C. Mr. Wolf understood and the issue is now considered closed.

Mr. Cesena reported that nothing is moving through the legislature on armed guards in schools. He suggests the Board wait until something is initiated in the legislature then proceed with the Board's recommendation. Mr. Cesena suggests that when a bill is introduced the Board be prepared to recommended policies and procedures for armed guards on educational property.

Mr. Bonapart reported that he and attorney Jeff Gray met with the Department of Public Safety legislative liaisons to discuss pending the House bill. DPS currently has a list of bills the department is supporting. The Private Protective Services Board's bill is on that list (see Attorneys Report, re: HB 299).

MOTION BY MR. CLARK TO ACCEPT THE LAWS AND RULES COMMITTEE'S REPORT; SECONDED BY MR. CESENA; MOTION CARRIED.

FINANCE REPORT:

Chairman Weaver announced that Mr. MacRae resigned his position as Finance Chair and the new Chairman for Finance is Mr. Donald Foster.

Mr. Foster discussed his goal which is to focus on effectively using the Education Fund. He also stated that Mr. Cesena will be assisting him with assessing the Board's finances.

Mr. Foster addressed the ongoing employment verification issue. He stated that in order to proceed with obtaining a vendor to conduct employment verifications the Board must follow the State's bid procedures. This service would provide the tools an investigator needs to verify an applicant's employment history.

Mr. Foster raised the issue of providing PPS staff with a 10% raise. He stated that the Board appreciates what the staff does for the State, the Board and licenses. He related that he has examined the pay structure for State employee pay grades. PPS staff is making considerably less than other State employees in the same pay grade. PPS employees have not received a pay increase in a number of years.

MOTION BY MR. FOSTER TO APPROVE THE CREATION OF A REQUEST FOR PROPOSAL (RFP) FOR AN EMPLOYMENT VERIFICATION PROVIDER IN CONJUNCTION WITH THE ALARM BOARD AND DPS PURCHASING; SECONDED BY MR. BOOTH; MOTION CARRIED.

MOTION BY MR. FOSTER TO ENDORSE DIRECTOR BARRY ECHOLS PROCEEDING WITH THE PROCESS OF OBTAINING A 10% PAY INCREASE FOR PRIVATE PROTECTIVE SERVICES EMPLOYEES; SECONDED BY MR. BOOTH; MOTION CARRIED.

MOTION BY MR. CESENA TO ACCEPT THE FINANCE COMMITTEE'S REPORT; SECONDED BY MR. COBBLER; MOTION CARRIED.

ETHICS COMMITTEE:

Mr. Cook stated that he is glad to report that everyone has filed their Statement of Economic Interest (SEI) annual reports. The committee briefly discussed issues involved in filing the report on time.

MOTION BY MR. BOOTH TO ACCEPT THE ETHICS COMMITTEE'S REPORT; SECONDED BY MR. CLARK; MOTION CARRIED.

OLD BUSINESS:

NONE

NEW BUSINESS:

Larry Alexander, Chairman of the North Carolina Association of Security Professionals (NCASP) addressed the Board. Mr. Alexander is re-starting the NCASP in North Carolina and would like the Board to assist him in reviving the Association. With the expansion of growth in the PPS industry, the NCASP will help raise standards and competence in the profession. Mr. Alexander gave a brief overview of the Association and closed by thanking the Board for listening to his summary. He stated that he is looking forward to working with the Board, industry and staff.

FINAL AGENCY DECISION

Attorney Charles McDarris removed himself as counsel to the Board to present the following cases.

The Board received the official record for the following cases:

John Lee Powell, 14-DOJ-08383. Mr. Powell was present. This case was heard by Administrative Law Judge Donald W. Overby on December 16, 2014. This case involved the denial of the Petitioner's renewal application for Security Guard & Patrol License based on the Petitioner's demonstration of intemperate habits and lack of good moral character.

MOTION BY MR. FOSTER TO UPHOLD THE BOARD'S INITIAL DECISION TO DENY THE RENEWAL APPLICATION FOR JOHN LEE POWELL'S SECURITY GUARD AND PATROL LICENSE; SECONDED BY MR. BOOTH. MOTION CARRIED.

Kerry Graves - 14 DOJ 2248. Mr. Graves was present. This case was heard by Administrative Law Judge Donald W. Overby on June 24, 2014. This case involved the suspension of the Petitioner's Private Investigator License for a period of ninety (90) days.

MOTION BY MR. BOOTH TO REVERSE THE BOARD'S INITIAL DECISION AND SUSPEND KERRY GRAVES PRIVATE INVESTIGATOR LICENSE FOR THIRTY DAYS; SECONDED BY MR. BENSON; MOTION CARRIED.

Bobby Andrew Boudreau - 14 DOJ 08155. Mr. Boudreau was present. This case was heard by Administrative Law J. Randolph Ward on November 18, 2014. This case involved the denial of

the Petitioner's renewal application for an unarmed guard registration based on the Petitioner's demonstration of intemperate habits or lack of good moral character.

MOTION BY MR. BOOTH TO REVERSE THE BOARD'S INITIAL DECISION AND GRANT BOBBY ANDREW BOUDREAU'S UNARMED REGISTRATION; SECONDED BY MR. BENSON; MOTION CARRIED. TWO OPPOSED.

Kia Rena Graham - 14 DOJ 08582. Ms. Graham was present. This case was heard by Administrative Law Judge Donald W. Overby on December 16, 2014. This case involved the denial of the Petitioner's application for an unarmed guard registration based on the Petitioner's demonstration of intemperate habits or lack of good moral character based on a conviction for Simple Assault.

MOTION BY MR. CLARK TO REVERSE THE BOARD'S INITIAL DECISION AND GRANT KIA RENA GRAHAM'S UNARMED GUARD REGISTRATION AND AMEND THE RECORD IN PARAGRAPH SIX TO REFLECT THIS WAS A NEW APPLICATION INSTEAD OF RENEWAL; SECONDED BY MR. GREENE; MOTION CARRIED.

Jimmy Darrell Hollar - 14 DOJ 08744. Mr. Hollar was not present. This case was heard by Administrative Law Judge Donald W. Overby on December 16, 2014. This case involved the denial of the Petitioner's application for an armed armored car guard registration based on the Petitioner's demonstration of intemperate habits or lack of good moral character

MOTION BY MR. CLARK TO REVERSE THE BOARD'S INITIAL DECISION AND GRANT JIMMY DARRELL HOLLAR'S ARMED ARMORED CAR GUARD REGISTRATION; SECONDED BY MR. BENSON; MOTION CARRIED WITH ONE OPPOSED.

Allen Leslie Jackson - 14 DOJ 08154 Mr. Jackson was not present. This case was heard by Administrative Law Judge J. Randolph Ward on November 18, 2014. This case involved the denial of the Petitioner's application for unarmed guard registration based on the Petitioner's demonstration of intemperate habits or lack of good moral character.

MOTION BY MR. CESENA TO UPHOLD THE BOARD'S INITIAL DECISION TO DENY ALLEN LESLIE JACKSON'S UNARMED GUARD REGISTRATION; SECONDED BY MR. COBBLER; MOTION CARRIED.

Marcus Schopfer Von Stolz - 14 DOJ 08698. Mr. Von Stolz was not present. This case was heard on November 18, 2014. This case involved the summary suspension of the Petitioner's unarmed guard registration based on the Petitioner's arrest for a criminal charge which poses a serious threat to the public's health, safety, and welfare.

Administrative Law Judge J. Randolph Ward proposed that the Board continue the suspension of the Petitioner's application for unarmed security guard registration.

MOTION BY MR. CESENA TO FOLLOW THE DECISION OF THE ADMINISTRATIVE LAW JUDGE TO CONTINUE THE SUSPENSION ON MARCUS SCHOPFER VON STOLZ; SECONDED BY MR. COBLER; MOTION CARRIED.

Erick Maurice Wallace - 14 DOJ 08745. Mr. Wallace was present. This case was heard by Administrative Law Donald W. Overby on December 16, 2014. This case involved the denial of the Petitioner's application for an unarmed guard registration based on the Petitioner's demonstration of intemperate habits or lack of good moral character.

Mr. Cesena recused himself from voting in this matter.

MOTION BY MR. FOSTER TO UPHOLD THE BOARD'S INITIAL DECISION TO DENY ERICK MAURICE WALLACE'S UNARMED GUARD REGISTRATION BASED ON LACK OF GOOD MORAL CHARACTER; SECONDED BY MR. COOK; MOTION CARRIED.

DIRECTOR'S REPORT:

Barry Echols read the report for the record. The current PPS budget as of March 31, 2015, has a balance of \$1,032,478.75; the Education Fund balance is \$72,970.37. As of March 31, 2015, the total registrations for PPS is 17,185, 1,763 licensees, and 563 certifications.

Mr. Echols reported that there have been a total of 1,689 various correspondences printed from the PPS database, 1,810 registration cards have been printed and a total of 5,510 applications received since the last Board meeting.

Mr. Echols addressed the Board and thanked them for giving him the opportunity to meet with them individually. He expressed his goals and expectations for the staff. His focus is to build and improve the professionalism of the agency. Mr. Echols stated that he will be meeting with all Sheriffs of the 100 counties in the State of North Carolina within the next few months. He also advised the Board of the new credentials for the investigators and has plans to purchase bullet proof vests to be used by investigators during high-risk compliance checks. He advised the

Board and industry to contact him by phone. He will make himself available to discuss issues with Board and industry members.

MOTION BY MR. BENSON TO ACCEPT THE DIRECTOR’S REPORT; SECONDED BY COBBLER; MOTION CARRIED.

ATTORNEY’S REPORT:

Attorney McDarris discussed the following:

I. CONSENT AGREEMENT, SETTLEMENT AGREEMENTS & CIVIL PENALTIES

1. Mr. Owence Pascal Jean-Baptiste/Centinel Armed Service, LLC - Consent Agreement in the amount of \$1,101.60 has not been received. Letter sent to appear at June Grievance Committee Meeting.
2. Mr. Joseph Daniel Washington/A1 Tactical Protection Services, LLC - Consent Agreement in the amount of \$673.20 paid in full.
3. Mr. Maurice La-Von Hayes/Carolina Security Agency - Consent Agreement in the amount of \$6752.40 has not been received. Letter sent to appear at June Screening Committee Meeting.

The schedule of hearings in the Office Administrative Hearings is attached to the Attorney’s report.

III. RULES

1. As a part of the transfer to the Department of Public Safety the Board’s administrative rules will also have to be amended to reflect this change and transferred to another Title within the North Carolina Administrative Code. There are five (5) references to “Attorney General” in the Board’s rules and one (1) reference to “Department of Justice.” The Budget Act made all the appropriate changes throughout the General Statutes, including Chapter 114 which governs the Attorney General and the Department of Justice, Chapter 74C which governs Private Protective Services and Chapter 74D which governs Alarm Systems Licensing Board, but the Board will have to go through an “abbreviated” rule amendment process to make the conforming changes to its administrative rules.

Notice and a public hearing will not be required, but review by the Rules Review Commission will.

Notice and public hearing will not be required, but review by the Rules Review Commission will.

Numbers have now been assigned under Title 14B (DPS's section of the Code) and Mr. Gray have begun the process of reassigning numbers to the Board's rules and making conforming changes within certain rules (i.e. "cross-references.") Changing the references from "Attorney General/ Department of Justice" to "Secretary/ Department of Public Safety" is a separate process to be commenced after the renumbering occurs.

IV. LEGISLATION

1. Attorney Gray via e-mail the Board members on March 19th that House Bill 299, "Amend Private Protective Services Act/Changes" had been introduced. It is sponsored by Representative Justin Burr and Allen McNeil and assigned to the House Committee on Judiciary II. To date, there has been no action on this bill. The Board's thanks should go to Jason Coombs and Jarrett Burr, Legislative Liaisons for DPS, for their invaluable assistance. They will continue to monitor this bill, and Mr. Gray will report to the Board its progress.
2. A number of other bills of interest either directly or tangentially affecting the Board. (See below)
 - a. Senate Bill 408, "Firearms on School Grounds/Security Guards." This bill would provide that the prohibition on carrying a weapon on educational property would not apply to an armed security guard registered under Chapter 74C of the General Statutes when acting in the discharge of the guard's duties with the permission of the College, university, or superintendent of the local school administrative unit. This bill would also allow any local law enforcement agency to request a list of the armed security guards employed by the college, university, or local school administrative unit. It was referred to Senate Committee on Rules and Operation of the Senate and has seen no further action, to date. At the "February" meeting, held via telephone conference call on March 4th, the Board voted affirmatively not to pursue similar legislation at this time. This bill was apparently introduced independently by the Bill Sponsors.
 - b. Three bills, Senate Bill 469, "Occupational License Board Reporting Requirements," Senate Bill 361, "Occupational Licensing Reform Study", and House Bill 760, "Regulatory Reform Act of 2015," each address some aspect of

the Program Evaluation Division's Report on occupational licensing boards that was released in December.

- c. Another bill that may help the Board is House Bill 482, "Employee Fair Classification Act," has specific provision that would require all occupational licensing boards to include on every application for licensure, permit, or certification, or application for renewal, certification that the applicant has read and understands the employee misclassification notice set forth in new G.S. 95-278(a)(7).
- d. Senate Bill 502, "Prohibit Employment Discrimination/Poor Credit History," may or may not affect the Board. This bill will prohibit any person, firm, corporation, as well as any "State agency or unit of local government" from denying or refusing employment on the account of a person's credit history.
- e. Twice over the past three (3) years, the Board has had to amend its administrative rules to reflect first the passage of, then an amendment to, G.S. 93B-15.1, entitled, "Licensure for individuals with military training and experience; licensure by endorsement for military spouses; temporary license." Chapter 93B of the General Statutes governs all occupational licensing boards. House Bill 545, if enacted would require licensure based solely on proof of a military occupational specialty and passage of proficiency exam. A third round of rule amendments would be necessary. (See attachment 3 of the Attorney's Report)

V. PENDING CASES

As previously reported, the Plaintiff has refiled the civil action against Board Investigator Sarah Conner, the Board, the City of Charlotte, the Charlotte-Mecklenburg Police Department and various officers of the Charlotte-Mecklenburg PD in *Kelly v. Conner, et al.*, No. 3:13-CV-636 – WDNC. Mr. Kelly was unlicensed as a security guard business and unregistered, but performing security guard and patrol services. He is also a convicted felon. He was arrested and charged with, among other violations, violating Chapter 74C.

The Attorney General's Office is again representing Ms. Conner.

The Board has responded to Plaintiff's First Set of Interrogatories and Request for Production of documents received on May 29, 2014. The Plaintiff was deposed by counsel for the Defendants on October 16th, but additional time was needed and his deposition was continued until November 5th. Director Wright was deposed on

November 21st. Two (2) of the CMPD officers and Ms. Conner are to be deposed on December 17th. The deadline to complete discovery expires on December 20, 2014.

Mr. Gray, along with the attorneys representing the other Defendants, plan to file motions to dismiss on behalf of their respective clients in mid-December once discovery is completed. The Plaintiff also filed a Motion either exempt from the Private Protective Services Act or that it does not apply to his conduct. Attorney Gray filed a response to Plaintiff's Motion.

Mediation in this matter was scheduled for Tuesday, February 17, 2015 but was cancelled due to inclement weather. It was rescheduled for Tuesday, March 17, 2015. Mr. Gray along with Mr. Bonapart attended on behalf of the Board and attorneys from the Attorney General's Office. None of the other three (3) parties countered the Plaintiff's monetary offer of settlement. On behalf of the Board, Attorney Gray and Mr. Bonapart offered not to seek Rule 11 Sanctions if the Plaintiff dismissed the Board from the lawsuit immediately; Plaintiff declined the offer.

A hearing date on the various pending motions has yet to be set.

Attorney McDarris asked the Board on behalf of Attorney Gray to make a motion to amend the previous Board's Minutes (see attachment 4 in the Attorney's Report)

MOTION BY MR. CESENA TO AMEND THE MINUTES OF THE BOARD'S APRIL 24, 2014, JUNE 26, 2014 AND AUGUST 21, 2014 MEETING MINUTES TO REMOVE FROM THOSE MINUTES THE STATEMENT IN THE ATTORNEY'S REPORT THAT JUSTIN SHERRILL KELLY IS A "CONVICTED FELON"; SECONDED BY MR. BENSON; MOTION CARRIED.

MOTION BY MR. CESENA TO ACCEPT ATTORNEY'S REPORT; SECONDED BY MR. BENSON; MOTION CARRIED.

PUBLIC COMMENT:

Gary Pastor addressed the Board regarding the Educational Grant Process and how the NCAPI can become eligible to receive this grant. The Association would like know whether or not the Board can change the requirements for the grant program.

Mr. Booth replied stating that the grant program is set up based on State laws and only certain non-profit organizations such as community colleges can apply for the grant.

MOTION BY MR. BENSON TO ADJOURN; SECONDED BY MR. MACRAE; MOTION CARRIED.

12:47 P.M. Adjourned

Anthony B. Bonapart, Deputy Director

Garcia Graham, Board Secretary