

MINUTES
OF THE
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: July 25, 2013

TIME: 9:00 a.m.

PLACE: Holiday Inn-Crabtree Valley
Raleigh, North Carolina

SUBMITTED BY: Anthony B. Bonapart
Deputy Director

MEMBERS PRESENT:

Brad Smith
Mack Donaldson
John Thompson
June Ray
Larry McClellan
Jack Ingle
James Taylor

MEMBERS ABSENT:

None

STAFF PRESENT:

Director Terry Wright
Deputy Director Anthony Bonapart
Field Services Supervisor Phillip Stephenson

Board Secretary Nan Williams
Training
Officer Judy Pittman
Attorney Jeff Gray

VISITORS:

Charles Hunt
David Brown
Duncan Hubbard

Ricky Stephenson
Eddie Griffin
Thomas McCabe

Michael Williams

George Bish

Gina Wagner

Gregory McLean

Ronald Armeen

Mark Valerier

Kevin Smith

Steven Niedzwiecki

Brad Smith

James Taylor

Chris Nobling

Darrell Trent

Grover Barfield

Bryan Mayhew

Jennifer Baratta

James E. Harris

Michelle Zimmermann

John Hamilton

Pamela McLean

Sharon Armeen

Jim Rawlings

Ben Billingsley

Joe Simmons

Holly Kirwin

Homer Weaver

Mike Stewart

Pat Thompson

Lovek Carrillo

Richard Pecore

The July 25, 2013 meeting of the North Carolina Alarm Systems Licensing Board was called to order at 9:00 a.m.

In accordance with the State Ethics Law, Attorney Jeff 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. Smith welcomed all guests.

MR. THOMPSON MADE A MOTION TO APPROVE THE MINUTES FROM THE MAY 23, 2013 BOARD MEETING. SECONDED BY MS. RAY. MOTION CARRIED.

Ms. Ray gave the Screening Committee report.

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

Mr. Donaldson gave the Grievance Committee report.

Mr. Donaldson and Mr. McClellan met as the grievance committee on July 24, 2013. Mr. James Taylor served on the committee as well to replace Mr. McClellan on two cases that he recused himself from which are 2013-ASL-016 and 2013-ASL-017.

MR. THOMPSON MADE A MOTION TO APPROVE THE FOLLOWING CASES: 2012-ASL-021, 2013-ASL-003, 018, 019, 021, 022, 024, AND 027. SECONDED BY MR. INGLE. MOTION CARRIED.

MR. THOMPSON MADE A MOTION TO APPROVE THE FOLLOWING CASES: 2013-ASL-016 AND 2013-017. IT WAS NOTED THAT MR. MCCLELLAN RECUSED HIMSELF FROM HEARING THESE CASES. SECONDED BY MR. INGLE. MOTION CARRIED.

MR. THOMPSON MADE A MOTION TO APPROVE CASE NUMBER 2013-ASL-019. IT WAS NOTED THAT MR. SMITH RECUSED HIMSELF FROM HEARING THIS CASE. SECONDED BY MR. INGLE. MOTION CARRIED.

The Board discussed the matter of the Board's policy regarding Time Warner. Attorney Gray read the policy. Mr. Donaldson stated that the policy was made for the entire industry and not for one specific company.

MR. MCCLELLAN REQUESTED THAT THE ATTORNEY AND STAFF REVIEW THIS POLICY AND RECOMMEND ANY CHANGES AT A LATER DATE. SECONDED BY MR. INGLE. MOTION CARRIED.

Mr. Smith stated that Decision One had requested whether or not they needed a license to install a system that detects someone walking out of a library with a book, the system will detect that a person has left with a book. The Board agreed that a person would need to be licensed to install these type of systems.

SPECIAL REPORTS AND PRESENTATIONS

Mr. McClellan gave the following report from the Continuing Education Committee:

1. Locks and Strikes - The committee recommends approval for renewal for 3 CEU'S for this course.

MR. THOMPSON MADE A MOTION TO APPROVE THIS COURSE AS PRESENTED. SECONDED BY MR. INGLE. MOTION CARRIED.

UNFINISHED BUSINESS

None

OLD BUSINESS

None

NEW BUSINESS

Mr. Gray opened the nominations to elect the new officers.

MR. DONALDSON MADE A MOTION TO ELECT MR. BRAD SMITH AS CHAIRMAN. SECONDED BY MS. RAY. MOTION CARRIED. NONE OPPOSED.

MR. SMITH MADE A MOTION TO ELECT MS. JUNE RAY AS VICE-CHAIRMAN. SECONDED BY MR. INGLE. MOTION CARRIED. NONE OPPOSED.

MS. RAY MADE A MOTION TO ELECT MR. LARRY MCCLELLAN AS CHAIRMAN FOR THE EDUCATION COMMITTEE. SECONDED BY MR. INGLE. MOTION CARRIED. NONE OPPOSED.

The IASIR Conference is scheduled for November to be held in Canada.

MR. DONALDSON MADE A MOTION TO APPROVE TWO MEMBERS FROM THE BOARD TO ATTEND. SECONDED BY MR. MCCLELLAN. MOTION CARRIED.

MR. THOMPSON MADE A MOTION FOR MS. RAY AND MR. SMITH TO ATTEND THIS CONFERENCE ALONG WITH DEPUTY DIRECTOR ANTHONY BONAPART. SECONDED BY MR. INGLE. MOTION CARRIED.

The Board discussed whether or not a registrant under 74D could carry a weapon for personal protection while on duty. The Board stated that 74D does not have jurisdiction on this matter.

No further action was taken.

DIRECTOR'S REPORT

Mr. Wright presented the written report and advised as of May 31, 2013, the Alarm Board's balance was \$432,226.58. The Education Fund balance was \$51,786.78. As of July 22, 2013, the Board has 945 licensees and 7250 registrants.

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

ATTORNEY'S REPORT

Mr. Gray reported on the following consent agreements:

1. George Bish/Secure Watch (now Secure Automation) - Consent Agreement of \$232,988.40 has been executed and the licensee is currently paying a monthly amount of \$19,415.70.

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

At the May Board meeting, the staff recommended amending 12 NCAC 11 .0105 to make it a violation to provide false information to the Board's approved third party out of state criminal history record check provider. This rule amendment is necessitated by the fact that information is provided by the applicant directly to the Board's provider.

MR. SMITH MADE A MOTION TO ADD AND APPROVE THIS LANGUAGE TO 12 NCAC 11 .0105. SECONDED BY MR. MCCLELLAN. MOTION CARRIED.

Mr. Gray stated that numerous bills have been ratified or are pending in the General Assembly effecting all occupational and professional licensing boards including this Board.

*SB 32, Periodic Review and Expiration of Rules - Re-referred to Committee on Program Evaluation 5-14-13.

*SB 33, Use of Criminal History Records by Licensing Boards - Signed by Governor 4-9-13.

*SB36, APA Technical/Clarifying Changes (This bill is identical to HB 165.) - Signed by Governor 6-19-13. SB 36 passed Senate, then House with amendments; failed to pass Senate; Conference Committee appointed 4-24-13. (No action on HB 165.)

*SB37, PED Study Occupational Licensing Board Agency (This bill is identical to HB 166.)-(No action on either bill.)

*HB 74, Periodic Review and Expiration of Rules (This bill is identical to SB 34, except the word "substantive" modifies the word "changes" in the amendment to G.S. 150B-21.2(c)(1) - HB 74 passed House; referred to Senate Rules Committee where it was amended; passed Senate; on House calendar for 7-22-13.. (No action on SB 34.)

*SB112, create Jobs through Regulatory Reform - Passed Senate; referred to House Committee on Regulatory Reform, then referred to House Committee on Commerce and Job Development Subcommittee on Energy and Emerging Markets where it was amended; passed House where it was amended on the floor; failed to pass Senate; referred to

Senate Committee on Rules and Operation of the Senate.

There were no final agency decisions.

GOOD OF THE ORDER

MR. TAYLOR MADE A MOTION TO ADJOURN. SECONDED BY MR. THOMPSON. MOTION CARRIED.

Meeting Adjourned: 10:15 a.m.

Anthony Bonapart
Deputy Director

Nan Williams
Reporter

