

MINUTES
OF THE
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: July 24, 2014
TIME: 9:00 a.m.
PLACE: Renaissance Asheville Hotel
Asheville, North Carolina
SUBMITTED BY: Anthony B. Bonapart
Deputy Director

MEMBERS PRESENT:

Mack Donaldson
June Ray
Larry McClellan
Jack Ingle
Ralph Gregory
John Thompson

STAFF PRESENT:

Deputy Director Anthony Bonapart
Field Services Supervisor Phillip Stephenson
Attorney Jeff Gray

VISITORS:

Fred Berman
Amanda Scott
David Sperber
Kirk Saunders
Kenneth McCoy
Sonia Holley
Dorian Dehrel
James Serrano

MEMBERS ABSENT:

Brad Smith

Board Secretary Nan Williams
Training Officer Judy Pittman
Investigator Melvin Turner

Ruth Story
Darryl Bray
Ric Gibbey
E. J. Marshburn
Brian Gastol
Jerry Holley
Patricia Thompson
Darrell Angell

The July 24, 2014 meeting of the North Carolina Alarm Systems Licensing Board was called to order by Vice Chairman Ray 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."

Ms. Ray welcomed all guests.

MR. DONALDSON MADE A MOTION TO APPROVE THE MARCH 28, 2014 SPECIAL MEETING MINUTES. SECONDED BY MR. INGLE. MOTION CARRIED.

MR. INGLE MADE A MOTION TO APPROVE THE MAY 22, 2014 BOARD MEETING MINUTES. SECONDED BY MR. GREGORY. MOTION CARRIED.

Mr. Gregory gave the Grievance Committee report. Mr. Gregory and Mr. Donaldson met as the Grievance Committee on July 23, 2014 from 9:00 a.m. to 9:55 a.m.

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

Mr. Ingle gave the Screening Committee report. It was noted that Mr. McClellan recused himself from voting on application #8 for Christopher Robert Humphrey on the screening report.

MR. THOMPSON MADE A MOTION TO APPROVE ALL APPLICATIONS EXCEPT FOR THE APPLICATION FOR CHRISTOPHER ROBERT HUMPHREY. SECONDED BY MR. GREGORY. MOTION CARRIED.

MR. DONALDSON MADE A MOTION TO APPROVE THE APPLICATION FOR MR. CHRISTOPHER ROBERT HUMPHREY. IT WAS NOTED THAT MR. MCCLELLAN RECUSED HIMSELF FROM VOTING. SECONDED BY MR. GREGORY. MOTION CARRIED.

Mr. Bonapart gave the registration report.

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

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

14 DOJ 03904 - Kenneth Lamont McCoy - This contested case was heard before Administrative Law Judge Donald W. Overby on June 24, 2014 in Raleigh, North Carolina. The issue was whether or not grounds exist to deny the renewal registration application for Mr. McCoy for lack of good moral character and temperate habits. Mr. McCoy was present.

Mr. Gray stated that he had not received the official record yet but Mr. McCoy wanted to proceed with the final agency decision. The Board agreed to accommodate Mr. McCoy to hear his case.

MR. DONALDSON MADE A MOTION TO APPROVE THE RENEWAL REGISTRATION APPLICATION FOR MR. MCCOY. SECONDED BY MR. GREGORY. MOTION CARRIED.

SPECIAL REPORTS AND PRESENTATIONS

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

1. Certified Alarm Technician Level I Course (OnLine) - The committee recommends approval for 6 CEU's for this course.
2. Enterprise Security Console - The committee recommends approval for 1 CEU's for this course.
3. Interactive Services - The committee recommends approval for 1 CEU's for this course.
4. Image Sensor - The committee recommends approval for 1 CEU's for this course.
5. Power Energy Management & Home Automation - The committee recommends approval for 1 CEU's for this course.
6. Cameras & Video Cloud Hosting - The committee recommends approval for 1 CEU's for this course.
7. Managing Alarm Signals and Events - The committee recommends approval for renewal for 2 CEU's for this course.
8. Mastering Audio & Video Monitoring Technology - The committee recommends approval for renewal for 2 CEU's for this course.
9. Lynx Touch 5200 Express - The committee recommends approval for 3 CEU's for this course.
10. Lynx Touch 5200 Advanced - The committee recommends approval for 3 CEU's for this course.
11. Lynx Touch L7000 - The committee recommends approval for 3 CEU's for this course.
12. Lynx Touch 7000 Advanced - The committee recommends approval for 3 CEU's for this course.
13. Motion Detectors - The committee recommends approval for 1 CEU's for this course.
14. Networking for DVR's - The committee recommends approval for 2.5 CEU's for this course.
15. Advanced Networking for DVR's - The committee recommends approval for 2.5 CEU's for this course.
16. DVR Overview and Set Up - The committee recommends approval for 3 CEU's for this course.

17. Transition to HDCCTV, Megapixel Video over Coax - The committee recommends approval for 2 CEU's for this course.

MR. GREGORY MADE A MOTION TO APPROVE THE COURSES AS PRESENTED. SECONDED BY MR. INGLE. MOTION CARRIED.

UNFINISHED BUSINESS

Mr. Bonapart read a letter from the NC Electronic Security Association recommending three individuals to serve on the task force along with all of the Board members to discuss changes to 74D. These individuals are Mr. Roger Parks, Mr. Stephen Wheeler, and Mr. Kile Unterzuber. The Board decided to have a task force meeting on Tuesday, September 16, 2014 at 1:00 pm at Mr. Gray's law office.

OLD BUSINESS

None

NEW BUSINESS

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

MR. DONALDSON MADE A MOTION TO ELECT MR. RALPH GREGORY AS CHAIRMAN. SECONDED BY MR. THOMPSON. MOTION CARRIED. NONE OPPOSED.

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

MR. GREGORY MADE A MOTION TO ELECT MR. LARRY MCCLELLAN AS CHAIRMAN FOR THE EDUCATION COMMITTEE AND MR. MACK DONALDSON WILL ALSO SERVE ON THE EDUCATION COMMITTEE. SECONDED BY MR. THOMPSON. MOTION CARRIED. NONE OPPOSED.

Mr. Bonapart reported that the screening committee on Wednesday voted not to change the apprenticeship registration rule to include a limited provisional driving license permit.

MR. GREGORY MADE A MOTION TO APPROVE THE SCREENING COMMITTEE'S RECOMMENDATION NOT TO CHANGE THE APPRENTICESHIP REGISTRATION RULE. SECONDED BY MR. THOMPSON. MOTION CARRIED.

DIRECTOR'S REPORT

Mr. Bonapart presented the written report and advised as of June 30, 2014, the Alarm Board's

balance was \$565,353.38. The Education Fund was \$56,240.96. As of July 21, 2014, the Board has 955 licensees and 6,785 registrants.

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

ATTORNEY'S REPORT

1. Steven Howell/Gray Security Services - Consent Agreement in the amount of \$4,039.20 has been paid in full.
2. Jay Sovoie/Locktite of Georgia - Consent Agreement in the amount of \$4,528.80 has not been executed or paid. This case was heard before the Grievance Committee on July 23, 2014 and the committee voted to revoke the alarm license for Mr. Sovoie and the company business license for Locktite of Georgia for failure to pay the consent agreement as agreed.
3. James Chaney/Advanced Digital Solutions LLC - Consent Agreement in the amount of \$1,530.00 and the Civil Penalty \$2,000.00 have both been paid in full.
4. James Faircloth/Advanced Consumer Electronics - Consent Agreement in the amount of \$ 2,937.60 has not been executed and to date, no payment has been received.
5. Robert Lee Keys/Automated Systems Design, Inc. - Consent Agreement of \$1,530.00 has been executed and paid in full.

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

At the July, 2013 meeting, the Board voted to amend 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. The rule amendment was approved at the Board's March 20, 2014 meeting and approved by the Rules Review Commission on May 15, 2014. It is effective June 1, 2014.

At the January 16, 2014 meeting, the Board approved a proposed rule change to 12 NCAC 11 .0201(a)(6) to delete the requirement that the applicant provide a credit history since it is more practical for the Board investigators to do so. This rule amendment was approved at the Board's March 20th meeting. It has been filed.

During the 2012 Session of the Legislature, the Joint Legislative Administrative Oversight Committee replaced the Joint Select Regulatory Reform Committee. This committee has oversight over the study by the Program Evaluation Division (PED) of the structure, organization and operation of all occupational licensing boards in the State and the feasibility of a single "umbrella" agency. Mr. Gray has attended the meetings of this committee.

The PED began the process of evaluation of boards in May, 2014. Only four (4) boards were actually visited and their staffs interviewed. The remainder will now be evaluated through a "questionnaire" for all boards, including this Board. It contains 58 questions, the majority of which

are related to financial issues. The responses are due July 31, 2014.

The review of all rules for all State agencies is anticipated to be a five (5) year process. The Board's rules are not scheduled for review until 2018.

Mr. Gray stated that he has not received an opinion from the Attorney General's office in regard to two issues. The first issue is in regard to local governments attempting to require alarm systems business licensees to obtain an electrical permit for commercial and or residential installations. The second issue was a recent requirement in Mecklenburg County that any installation costing \$30,000.00 or more must be supervised by a licensed General Contractor. Mr. Gray will keep the Board updated on these issues.

No later than September 1, 2014, each occupational licensing board shall submit a report to the co-chairs of the Legislative Research Commission Study Committee on Civilian Credit for Military Training and State Adjutant Selection Criteria with the status of the required document and the results of their consultation with military training officials as required by the Act.

Mr. Gray stated that some alarm companies are using tablets for the customer to sign. You still need a written copy of the contract in North Carolina. All alarm companies must provide the written contract to the customer.

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

GOOD OF THE ORDER

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

Meeting Adjourned: 10:00 a.m.

Anthony Bonapart
Deputy Director

Nan Williams
Reporter

