

MINUTES
OF THE
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: November 20, 2014

TIME: 9:00 a.m.

PLACE: Holiday Inn Raleigh North
Raleigh, North Carolina

SUBMITTED BY: Anthony B. Bonapart
Deputy Director

MEMBERS PRESENT:

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

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 K. Hatcher
Michael Vaillancourt
Bryan Mayhew
Jason Lindquist
Carrington Moore
James Daniels
William Fletcher Dixon
Shawn Martin

James W. Martin, III
Larry McClellan
Robert Kenney
John Sorrell
Kile Unterzuber
Thomas A. Myatt, Jr.
Robert E. Lee
Douglas Owens

Alex Thompson
Stephen H. Wheeler
Nirguen Benson
Brad Miller
Kenneth Brown
Julia Lee
Craig A. Rapp
David Sperber
Amanda Jones
Christopher Nobling
Shane Clyburn
Don Childers

Sanders Burcham
Duncan Hubbard
Thomas Swantko
Brent Sullivan
Brad Smith
James K. Riloy
Gary Pollock
Matt Pind
Jerry Creech Sr.
Earl Bunn
Dorian Dehnel

The November 20, 2014 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. Gregory also welcomed Mr. Larry Proctor as a new public Board member.

MR. INGLE MADE A MOTION TO APPROVE THE SEPTEMBER 18, 2014 BOARD MEETING MINUTES AND THE SEPTEMBER 16, 2014 TASK FORCE MEETING MINUTES. SECONDED BY MR. BROWN. MOTION CARRIED.

Mr. Gregory gave the Grievance Committee report. Mr. Gregory and Mr. Donaldson met as the Grievance Committee on November 19, 2014 from 9:00 a.m. to 1:00 p.m.

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

Mr. Ingle gave the Screening Committee report.

MR. BROWN MADE A MOTION TO APPROVE THE SCREENING REPORT AS PRESENTED. SECONDED BY MR. MCCLELLAN. MOTION CARRIED.

Mr. Wright 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 04127 - Donald Edward Cottle, II - This contested case was heard before Administrative Law Judge J. Randolph Ward on July 29, 2014 in Raleigh, North Carolina. The issue was whether or not grounds exist to deny an alarm registration for Mr. Cottle for lack of good moral character and temperate habits. Mr. Cottle was not present. Mr. Gray stated that the Board continued this case from September to make sure Mr. Cottle received the certified letter. Mr. Gray had received notice that Mr. Cottle was properly noticed and he is not present for this meeting.

MR. DONALDSON MADE A MOTION TO NOT ACCEPT THE JUDGES'S PROPOSAL AND DENY THE REGISTRATION FOR MR. COTTLE. SECONDED BY MR. BROWN. MOTION CARRIED.

SPECIAL REPORTS AND PRESENTATIONS

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

1. Networking & Cabling for Security Installations - The committee recommends approval for 3 CEU's for this course.
2. Troubleshooting Wireless Systems - The committee recommends approval for 1 CEU for this course.
3. Wireless Components and Physics - The committee recommends approval for 1 CEU for this course.
4. Wireless Standards - The committee recommends approval for 1 CEU for this course.
5. Project Management in the Security Industry - The committee recommends approval for 3 CEU's for this course.
6. False Alarm Reduction - The committee recommends approval for 2 CEU's for this course.
7. Sales in the Security Industry - The committee recommends approval for 3 CEU's for this course.

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

UNFINISHED BUSINESS

None

OLD BUSINESS

Mr. Brown stated that he and Mr. McClellan attended the IASIR convention in Kentucky and that it was a very good meeting and informative. The 2015 conference will be in New Orleans. Mr. Brown thinks that it would be beneficial for the staff to also attend these conferences.

NEW BUSINESS

Mr. Gray opened the nominations to elect the vice-chairman to replace June Ray who has been replaced by new Board member, Mr. Larry Proctor.

MR. MCCLELLAN MADE A MOTION TO ELECT MR. JACK INGLE AS VICE-CHAIRMAN. SECONDED BY MR. BROWN. MOTION CARRIED. NONE OPPOSED.

MR. THOMPSON MADE A MOTION THAT ALL MEMBERS AGREED BY MAJORITY. SECONDED BY MR. BROWN. MOTION CARRIED. NONE OPPOSED.

Mr. Gray stated that the Vice-Chairman will also serve as the Screening Committee Chairman as well.

Mr. Gray gave the Board his contract to review for renewal and also asked for his hourly rate to be increased from \$120.00 to \$150.00.

MR. DONALDSON MADE A MOTION TO APPROVE THE ATTORNEY'S CONTRACT ALONG WITH THE HOURLY INCREASE FROM \$120.00 TO \$150.00. SECONDED BY MR. MCCLELLAN. MOTION CARRIED.

Mr. Gregory gave the minutes from the Task Force meeting on September 16, 2014 and asked the industry for their thoughts.

MR. MCCLELLAN MADE A MOTION FOR THE ATTORNEY TO PROCEED WITH CHANGING THE GENERAL STATUTES TO INCLUDE A PROBATIONARY PERIOD FOR REGISTERING AN INDIVIDUAL. SECONDED BY MR. DONALDSON. MOTION CARRIED.

MR. DONALDSON MADE A MOTION TO REPEAL 74D-8.1 WHICH WOULD REPEAL THE DRIVER'S LICENSE REQUIREMENT. SECONDED BY MR. THOMPSON. MOTION CARRIED.

DIRECTOR'S REPORT

Mr. Wright presented the written report and advised as of September 30, 2014, the Alarm Board's balance was \$561,881.75. The Education Fund was \$57,153.41. As of November 17, 2014, the Board has 953 licensees and 7,294 registrants.

Mr. Donaldson stated Director Terry Wright was retiring on November 30, 2014 and thanked him for all his services.

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. Robert Amos/Champion Systems, Inc. - Consent Agreement in the amount of \$2,570.40 has been paid in full.
2. Christopher M. Randall/Infinity Systems - Consent Agreement in the amount of \$6,058.80 has been paid in full.
3. Bobby G. Futrell/Security Plus Electrical - Consent Agreement in the amount of \$734.40 has been paid in full.
4. Steven V. Briggs/Ben Franklin Security, LLC - Consent Agreement in the amount of \$4,039.20 has been paid in full.
5. Richard S. Sharpe/Maximum Fire & Security, Inc. - Consent Agreement in the amount of \$3,182.40 has been paid in full.
6. Robert W. Crannell/NWN Corporation - Consent Agreement in the amount of \$1,530.00 has been paid in full.
7. Sanders Burcham/PI Fire & Security - Consent Agreement in the amount of \$3,672.00 has been paid in full.

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

As part of the transfer to the Department of Public Safety, the Board's administrative rules will also have to be transferred to Title 14B which is the section of the Code reserved for the Department of Public Safety.

The Program Evaluation Division (PED) final report on all occupational and professional licensing boards is due to the Administrative Procedures Oversight Committee by December 31, 2014. Mr. Gray has been attending the meetings of this committee.

The opinion from the Deputy Attorney General was received on November 18, 2014 regarding the advisory opinion as to the scope of NCGS 74D-11(c) to give the Board sole authority to regulate the installation of alarm systems. The opinion stated that installation or modification of an alarm system as a component building system, costs more than \$30,000.00 the General Assembly has authorized cities and counties to require a general contractor to superintend the project subject to specified exceptions. Therefore, cities and counties can enforce state and local building and fire codes as construction or fire protection activities while the Board has exclusive authority to issue licenses or discipline those who are subject to G.S. 74D. The Board's exclusive authority over alarm systems through its licensees does not create an exception in addition to those already provided in G.S. 87-1(b). Mr. Gray asked the Board to review the letter which was attached to his attorney's report and let him know their thoughts.

The Board does not agree with this opinion and asked the attorney to contact the Attorney Generals Office again and let them know the Board's objection to this opinion.

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

GOOD OF THE ORDER

Mr. Don Childers invited the industry to attend a CE course in Hickory, NC on December 4, 2014 in order to receive continuing education for their electrical license only and not for the alarm license.

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

Meeting Adjourned: 10:30 a.m.

Anthony Bonapart
Deputy Director

Nan Williams
Reporter