

MINUTES
OF THE
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: September 18, 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
June Ray
Larry McClellan
Jack Ingle
Ralph Gregory
John Thompson
Courtney Brown

MEMBERS ABSENT:

None

STAFF PRESENT:

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

Board Secretary Nan Williams
Training Officer Judy Pittman

VISITORS:

Jim Beardsley
Anthony Johnson
Jason Lindquist
Cesar Vera
Ossie Adkins
David LaRoach
Kirk Saunders
Rick Drefke

Gordon Gibb
Michael Newton
Robin Tharrington
Ruth Story
William Strickland
Bryan Mayhew
Steven Tichenor
David Sperber

Nick Scheider
Steve Banh
Robert Kenney
Jerry Phillips
Ricky R. McKinney
Mark Dillon
Sean Smith
Kile Unterzuber
Thomas Gannon
Robert Puckett
Brad Smith
Jennifer Baratta
Julia W. Lee
Robert Schramm
Robert Batten
Duncan Hubbard
Chris Lohr
Jerry Creech Sr.

James Debevec
Ian Flowers
Tony DeSorbo
Ted Lyson
Raphael Allen
Tyler Oser
Amanda Jones
Roger Parks
Paul Jellberg, II
Joseph McLeod
Jeff Frye
Grover Barfield
Rick Gibby
James Grady
Chris Nobling
Dave Foster
Ken Henke

The September 18, 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. THOMPSON MADE A MOTION TO APPROVE THE JULY 24, 2014 BOARD MEETING MINUTES. SECONDED BY MS. RAY. MOTION CARRIED.

Ms. Ray gave the Grievance Committee report. Mr. Gregory, Mr. Donaldson, and Mr. McClellan met as the Grievance Committee on September 17, 2014 from 9:00 am to 2:00 pm. Mr. Gregory recused himself from voting on Cases 2014-ASL-021 and 2014-ASL-023.

MR. THOMPSON MADE A MOTION TO APPROVE CASE 2014-ASL-021 AND CASE 2014-ASL-023. SECONDED BY MR. INGLE. MOTION CARRIED. MR. GREGORY RECUSED HIMSELF FROM VOTING ON THESE TWO CASES.

MR. INGLE MADE A MOTION TO APPROVE THE OTHER CASES AS PRESENTED. SECONDED BY MR. BROWN. MOTION CARRIED.

Ms. Ray gave the Screening Committee report. It was noted Mr. Donaldson recused himself from voting on the application for Mr. Robert Joseph Gogan. Mr. Thompson and Mr. McClellan opposed the approval.

MR. GREGORY MADE A MOTION TO APPROVE THE APPLICATION FOR MR. ROBERT JOSEPH GOGAN. SECONDED BY MR. BROWN. MOTION CARRIED.

MR. THOMPSON MADE A MOTION TO APPROVE THE OTHER APPLICATIONS AS PRESENTED. SECONDED BY MR. BROWN. MOTION CARRIED.

Mr. Bonapart gave the registration report.

MS. RAY 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 04129 - Ossie James Adkins - 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. Adkins for lack of good moral character and temperate habits. Mr. Adkins was present.

MR. DONALDSON MADE A MOTION TO UPHOLD THE ORIGINAL DECISION AND DENY THE REGISTRATION FOR MR. ADKINS. SECONDED BY MR. THOMPSON. MOTION CARRIED.

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. DONALDSON MADE A MOTION TO HOLD THIS CASE OPEN TO SEE IF MR. COTTLE RECEIVED THE CERTIFIED LETTER OF NOTICE TO APPEAR. SECONDED BY MR. THOMPSON. MOTION CARRIED.

SPECIAL REPORTS AND PRESENTATIONS

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

1. Napco Isee Video - The committee recommends approval for renewal for 3 CEU's for this course.
2. Napco Netlink/NL-MOD-Internet reporting - The committee recommends approval for renewal for 3 CEU's for this course.

3. Napco Quickloader - The committee recommends approval for renewal for 3 CEU's for this course.
4. Napco GEMC Commercial Fire & Burglar Panel - The committee recommends approval for renewal for 6 CEU's for this course.
5. Napco Alarm 101 - The committee recommends approval for renewal for 6 CEU's for this course.
6. Napco Access control Module (ACM) - The committee recommends approval for renewal for 3 CEU's for this course.
7. Basic Security Alarm Installations - The committee recommends approval for 3 CEU's for this course.
8. Access Control - The committee recommends approval for renewal for 3 CEU's for this course.
9. CCTV Configuration Basics - The committee recommends approval for renewal for 3 CEU's for this course.
10. Power Series Neo Alarm Panel Installation & Programming - The committee recommends approval for 6 CEU's for this course.
11. Alarm Systems-Interactive Solutions Offerings - The committee recommends approval for 3 CEU's for this course.
12. Zone Expander-5800C2W - The committee recommends approval for 1 CEU for this course.
13. Tuexedo Touch Keypad -VAM - The committee recommends approval for 1 CEU for this course.
14. Vista 10-P - The committee recommends approval for renewal for 4 CEU's for this course.
15. Vista 15-P - The committee recommends approval for renewal for 4 CEU's for this course.
16. Vista 20-P - The committee recommends approval for renewal for 4 CEU's for this course.
17. Vista 32FB - The committee recommends approval for renewal for 3 CEU's for this course.
18. Vista Key - The committee recommends approval for renewal for 4 CEU's for this course.
19. Compass 2.0 - The committee recommends approval for renewal for 2 CEU's for this course.
20. FA130cp - The committee recommends approval for renewal for 4 CEU's for this course.
21. FA1600c - The committee recommends approval for renewal for 6 CEU's for this course.
22. FA168fp - The committee recommends approval for renewal for 4 CEU's for this course.
23. FA148cp - The committee recommends approval for renewal for 4 CEU's for this course.
24. CCTV & Video Systems - The committee recommends approval for renewal for 6 CEU's for this course.
25. Security Systems Training - The committee recommends approval for renewal for 6 CEU's for this course.
26. I.P. Video & Access Control - The committee recommends approval for renewal for 6 CEU's for this course.
27. Videofied Level I Training - The committee recommends approval for 3 CEU's for this course.

**MR. BROWN MADE A MOTION TO APPROVE THE COURSES AS PRESENTED.
SECONDED BY MS. RAY. MOTION CARRIED.**

UNFINISHED BUSINESS

None.

OLD BUSINESS

Mr. Bonapart advised that Private Protective Services is now under the NC Department of Public Safety. The new computer system is in testing mode at this time. Mr. Bonapart stated that other issues will be brought before the Board in regard to other fees that need to be voted on for the new computer system.

Mr. Gregory presented Mr. Brad Smith with a plaque thanking him for his public services to the Board and to the industry. Mr. Courtney Brown was introduced as a new Board member who has served on the Board in the past and will replace Mr. Smith.

Mr. Gregory gave an overview of the purpose of the Task Force and stated that the Task Force met on September 16, 2014 and read the items that were discussed at the meeting.

The Task Force discussed the requirement for companies licensed by the Board to employ on a full time basis a licensee or registered employee who holds a license for either a SP-LV, limited, intermediate or unlimited examination administered by the North Carolina Board of Examiners of Electrical Contractors. The industry had different opinions.

The Task Force discussed 12 NCAC 11 .0123 - Consumer Contract and Disclosure Requirements for Alarm Services. When must a signed contract be provided to the consumer when the company or salesman uses a Pad or Ipad to complete the contract. The opinion was to add specific language in the rule and state a time limit. Mr. Gray will work on the language.

The Task Force discussed 12 NCAC 11 .0502 - Required Continuing Education Hours. The industry had different opinions to change the number of credit hours from someone receiving three credit hours for attending a Board meeting to maybe receiving 1.5 credit hours for attending a meeting. The audience wanted to keep the three hours of credit hours for attending the Board meeting.

The Task Force discussed 74D-8 - Registration of persons employed. All licensees of an alarm systems business shall register with the Board within 30 days after the employment begins, all employees that are within the State, unless in the discretion of the Director, the time period is extended for good cause. The discussion was to maybe implement a probationary program (10 or 20 consecutive days in the alarm industry).

The Task Force discussed 74D-8.1 - Apprenticeship registration permits. The Board may issue an apprenticeship registration permit to an applicant who is 16 or 17 years old and currently enrolled in high school if the applicant holds a valid driver's license and submits a least three letters of recommendation stating that the applicant is of good moral character as provide in 74D-2(d)(2). It was the opinion the repeal the driver's license requirement.

Mr. Gregory wanted the industry members to think about these issues and express their opinions of how they feel on changes to 74D.

Mr. Don Childers invited the audience to attend the NCESA meeting to be held at 1:00 pm at ADI on Noblin Road.

MR. BROWN MADE A MOTION THAT THE NEXT TASK FORCE MEETING WILL BE HELD ON NOVEMBER 18, 2014 AT 1:00 PM. SECONDED BY MS. RAY. MOTION CARRIED.

DIRECTOR'S REPORT

Mr. Bonapart presented the written report and advised as of August 31, 2014, the Alarm Board's balance was \$555,083.73. The Education Fund was \$56,934.26. As of September 15, 2014, the Board has 953 licensees and 7,184 registrants.

The next IASIR conference will be held in Louisville, Kentucky November 12-14, 2014. Two Board members could attend and would cost \$2,185.80.

MR. DONALDSON MADE A MOTION FOR MR. GREGORY AND MR. BROWN ATTEND THE CONFERENCE. MR. MCCLELLAN WILL BE AN ALTERNATE IN CASE ONE OF THESE MEMBERS WILL NOT BE ABLE TO ATTEND. SECONDED BY MS. RAY. MOTION CARRIED.

Mr. Phil Stephenson presented an email from the NC Electrical Board requesting whether or not a company needed to have an alarm license to install a certain type of electric fence that has an alarm deterrent device on it. After review by the Board, the following motion was made:

MR. BROWN MADE A MOTION THAT THE ELECTRIC GUARD DOG ELECTRIC SECURITY FENCE AS PRESENTED WOULD REQUIRE HAVING AN ALARM LICENSE. SECONDED BY MR. THOMPSON. MOTION CARRIED.

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

ATTORNEY'S REPORT

1. Corneilus Williams/APA Southeast, Inc. - Consent Agreement in the amount of \$1,224.00 has been paid in full.
2. James M. Faircloth, Jr./Advanced Consumer Electronics - Consent Agreement in the amount of \$2,937.60 has been paid in full.

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

Report.

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 were related to financial issues. The PED’s final report on all occupational and professional licensing boards is due to the Administrative Procedures Oversight Committee by December 31, 2014.

A provision in the State Budget (Senate Bill 784) transferred the Alarm Systems Licensing Board and the Private Protective Services Board to the Department of Public Safety. In addition to the transfer, the provision changes the Attorney General’s one appointment from the AG to the Secretary of Public Safety or his/her designated representative.

The Board’s rules will have to be transferred to Title 14B, the section of the Code reserved for the Department of Public Safety.

A new area code will be assigned to cover or overlay the entire geographic area using the existing 336 area code boundary lines. This is important because of the possible need to reprogram alarm panels that may be assigned with the new area code.

The increased use of tablets and iPads by salespersons, Mr. Gray recommended that for clarification within the industry, the Board establish a policy that an electronic signature is acceptable on an agreement so long as a written or hard copy is provided to the customer within so many days.

GOOD OF THE ORDER

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

Meeting Adjourned: 11:40 a.m.

Anthony Bonapart
Deputy Director

Nan Williams
Reporter