

MINUTES  
OF THE  
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: September 22, 2011

TIME: 9:00 a.m.

PLACE: Holiday Inn  
Raleigh, North Carolina

SUBMITTED BY: Terry Wright  
Director

MEMBERS PRESENT:

Johnny Phillips  
Brad Smith  
Mack Donaldson  
June Ray  
James Taylor  
Larry McClellan  
Jack Ingle

MEMBERS ABSENT:

None

STAFF PRESENT:

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

Board Secretary Nan Williams  
Training Officer Judy Pittman

VISITORS

Robert Kenney  
John Lemieux  
Dustin Evans  
Heath Kinney  
Steven Tichenor  
Duncan Hubbard

Jeremy Waller  
Dan Comfort  
Nick Hatley  
Chee Ho Thi  
Rocco Piserchia  
Mark B. Smith

Johnny Hudson  
James V. Dewberry  
Elizabeth Rogers  
Kent Woodard  
Rycke D. Mills  
Benjamin Griffin  
Garand Chen

Ken Henke  
Shawn Hunt  
William D. Becom  
David Manley  
Chuck Olson  
Laurie Hudnell

## CALL TO ORDER

The September 22, 2011 meeting of the North Carolina Alarm Systems Licensing Board was called to order at 9:00 a.m. by Chairman Phillips.

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 to this Board today, please identify the conflict or appearance of conflict and refrain from any deliberation and vote in that particular matter."

Mr. Phillips welcomed all guests.

**MS. RAY MADE A MOTION TO APPROVE THE MINUTES FROM THE JULY 21, 2011 BOARD MEETING. SECONDED BY MR. TAYLOR. MOTION CARRIED.**

Mr. Phillips welcomed new Board member Mr. Jack Ingle and previous Board member Mr. Brad Smith, who has been reappointed to the Board..

Mr. Phillips called for the election of the Vice Chairman to the Board.

**MR. TAYLOR MADE A MOTION TO APPOINT MR. BRAD SMITH AS VICE CHAIRMAN. SECONDED BY MR. MACK DONALDSON. MOTION CARRIED. NONE OPPOSED.**

**MS. RAY MADE A MOTION TO APPROVE ONE THROUGH SIXTEEN OF THE SCREENING REPORT WITH THE EXCEPTION OF NUMBER 11. SECONDED BY MR. TAYLOR.**

**MS. RAY MADE A MOTION TO APPROVE NUMBER 11. SECONDED BY MR. TAYLOR. IT WAS NOTED THAT MR. LARRY MCCLELLAN RECUSED HIMSELF FROM VOTING ON THIS APPLICATION. MOTION CARRIED.**

Mr. Bonapart presented the registration report. No motion made.

Ms. Ray reported that she and Mr. Phillips met as the Grievance Committee on September 21, 2011 from 1:00 p.m. to 4:00 p.m.

**MR. SMITH MADE A MOTION TO APPROVE THE GRIEVANCE COMMITTEE REPORT AS PRESENTED. SECONDED BY MR. TAYLOR. MOTION CARRIED.**

Mr. Gray removed himself as counsel to the Board to present the following final agency decisions:

JAMES VINSON DEWBERRY - 11 DOJ 7649. This case was heard by Administrative Law Judge Donald W. Overby on June 28, 2011. The issue before the Judge was the denial of an alarm registration for lack of good moral character and temperate habits. Mr. Dewberry was present.

**MR. SMITH MADE A MOTION TO APPROVE THE REGISTRATION FOR MR. DEWBERRY. SECONDED BY MR. TAYLOR. MOTION CARRIED.**

DARREN JAY TAYLOR - 11 DOJ 5516. This case was heard by Administrative Law Judge Donald W. Overby on June 28, 2011. The issue before the Judge was the denial of an alarm registration for lack of good moral character and temperate habits. Mr. Taylor was not present.

**MR. SMITH MADE A MOTION TO UPHOLD ITS INITIAL DECISION TO DENY THE REGISTRATION FOR MR. TAYLOR. SECONDED BY MS. RAY. MOTION CARRIED.**

ERIC STEVEN BRITT - 11 DOJ 5515. This case was heard by Administrative Law Judge Donald W. Overby on June 28, 2011. The issue before the Judge was the denial of an alarm registration for lack of good moral character and temperate habits. Mr. Britt was not present.

**MR. DONALDSON MADE A MOTION TO UPHOLD ITS INITIAL DECISION TO DENY THE REGISTRATION FOR MR. BRITT. SECONDED BY MS. RAY. MOTION CARRIED.**

HEATH DWAYNE KINNEY - 11 DOJ 4957. This case was heard by Administrative Law Judge Melissa Owens Lassiter on May 24, 2011. The issue before the Judge was the denial of an alarm registration for lack of good moral character and temperate habits. Mr. Kinney was present.

**MR. SMITH MADE A MOTION TO REVERSE ITS INITIAL DECISION TO DENY THE REGISTRATION FOR MR. KINNEY AND TO APPROVE HIS REGISTRATION. SECONDED BY MR. TAYLOR. MOTION CARRIED.**

JEREMY ADAM WALLER - 11 DOJ 1051. This case was heard by Administrative Law Judge Joe Webster on February 22, 2011. The issue before the Judge was the denial of an alarm registration for lack

of good moral character and temperate habits. Mr. Waller was present.

**MR. PHILLIPS MADE A MOTION TO UPHOLD ITS INITIAL DECISION TO DENY THE REGISTRATION FOR MR. WALLER. SECONDED BY MR. INGLE. MOTION CARRIED.**

BREAK: 10:20 a.m.

RECONVENED: 10:40 a.m.

#### SPECIAL REPORTS AND PRESENTATIONS

Mr. Smith presented the Continuing Education Sub-committee report.

1. Lynx Touch - The committee recommends approval for 4 CEU's for this course.
2. Vista P Series - The committee recommends approval for 4 CEU's for this course.
3. Total Connect 2.0 - The committee recommends approval for 2 CEU's for this course.
4. 2gig Technologies: Thermostat Training- The committee recommends denial of this course because it does not apply to NCGS 74-D. The course sponsor is aware of this.
5. 2gig Technologies: Go! Control!: The Future of Home Security - The committee recommends denial of this course because it does not apply to NCGS 74-D. The course sponsor is aware of this.

Mr. Smith asked that the staff contact Elite CEU and request that they do not submit courses in the future that do not fall under 74D. Access control, CCTV, and Burglar Alarms fall under 74D. Also, if submitting online courses they must provide staff with a password to access the information.

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

#### UNFINISHED BUSINESS

None

#### OLD BUSINESS

Mr. Bonapart stated that the office is moving at the end of October to the Capital Bank Building located at 4901 Glenwood Avenue, Suite 200. Mr. Phillips requested the staff attempt to schedule Board meetings closer to the office new location.

#### NEW BUSINESS

Mr. McClellan asked the staff to contact the Electrical Board and the Fire Marshal to see what their positions are in regard to the low voltage license regulations as they pertain to transformer power as a

power source to residential alarm panels versus hard wired power.

#### DIRECTOR'S REPORT

Mr. Bonapart presented the written report and advised as of July 31, 2011, the combined budget balance was \$627,780.44. The Education Fund balance was \$44,595.57. As of September 20, 2011, the Board has 910 licensees and 5851 registrants.

Mr. Bonapart reported that a meeting is scheduled with Financial Services on Monday in regard to the separation of the PPS and Alarm budgets.

#### ATTORNEY'S REPORT

Mr. Gray reported on the following consent agreements:

1. Fortress Systems International Inc., and Chee Ho Thi - Consent Agreement of \$10,934.40 to be paid in three installment. Payments are current and Mr. Chee has made the first payment.
2. Niscayah, Inc., and Kevin M. Corl - Consent Agreement of \$7,833.60 has been executed and paid.

The list of Administrative Hearings were given to the Board as an attachment to the Attorney's Report.

Mr. Gray reported that the technical amendments to 12 NCAC 11 .0201,.0204, .0301, and .0306 have been published in the NC Register. The public hearing was held on August 2, 2011 and the public comment period ended on September 13, 2011. There were no comments from the public. Therefore, the rules are before the Board for consideration and vote. If approved, the rules will be filed with the NC Rules Review Commission.

**MR. SMITH MADE A MOTION TO ADOPT THE RULES AS LISTED IN THE ATTORNEY'S REPORT. SECONDED BY MS. RAY. MOTION CARRIED.**

Mr. Gray reminded the industry that the 919 area code will be assigned an overlay area code in the first quarter of 2012. The industry should be making plans to program or reprogram alarm panels that may be assigned with the new area code.

The Board decided to discuss the matter of the potential problems with the various jurisdictions in regard to the SP-LV license at a later date.

**MS. RAY MADE A MOTION TO ACCEPT THE ATTORNEY'S REPORT AS PRESENTED. SECONDED BY MR. TAYLOR. MOTION CARRIED.**

Mr. Phillips invited the industry for their input in regard to possible changes in regard to the experience requirement in obtaining a license. Mr. Phillips stated that some questions were raised at the screening committee meeting in regard to accepting certain business management experience as part of the experience requirements. Mr. Phillips would like this matter discussed at the November meeting. Mr. Gray stated he would forward to the Board an article regarding business management experience.

GOOD OF THE ORDER

**MR. INGLE MADE A MOTION TO ADJOURN. SECONDED BY MR TAYLOR. MOTION CARRIED.**

Meeting Adjourned: 11:00 a.m.

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Anthony B. Bonapart  
Deputy Director

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Nan Williams  
Reporter

