

MINUTES

OF THE

NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: July 26, 2012
TIME: 9:00 a.m.
PLACE: Holiday Inn
Raleigh, North Carolina
SUBMITTED BY: Anthony B. Bonapart
Deputy Director

MEMBERS PRESENT:

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

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:

Stan Ferrell
Don Childers
Holly Kirnin
Patrick Taylor
Ian Flowers
Robin Tharrington
Jason D'Andrea
Dee Dee Smith
Jerry Creech
Richard Wilkins
Gary Larson
Justin Medlin

Shane Sloan
Rickey Stephenson
Grover C. Barfield
Rodney Hall
Pete Wallace Jr
William Baker
Sherry Couey
Joan McDonald
Dawn McQuade
Andre Banks
Eric Bouvet
Thomas J. Smith, Jr.

James E. Debevec
Johnny Hudson
Doriam Dehnel
Ric Gibby

James E. McKinnon
Dan Comfort
Ken Henke

CALL TO ORDER

The July 26, 2012 meeting of the North Carolina Alarm Systems Licensing Board was called to order at 9:00 a.m. by Mr. Smith.

In accordance with the State Ethics Act, 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. Smith welcomed all guests.

MS RAY MADE A MOTION TO RECESS THE FULL BOARD AND RECONVENE THE SCREENING COMMITTEE. SECONDED BY MR. TAYLOR. MOTION CARRIED.

The Screening Committee recessed on July 25, 2012 in regard to the grievance matter of Mr. Michael Crawley. After discussing the Crawley case the Board agreed the case should be reviewed after the Full Board votes to approve the Grievance Committee report.

MS. RAY MADE A MOTION TO RECESS THE SCREENING COMMITTEE AND CONTINUE WITH THE FULL BOARD MEETING. SECONDED BY MR. TAYLOR. MOTION CARRIED.

MR. INGLE MADE A MOTION TO APPROVE THE MINUTES FROM THE MAY 24, 2012 BOARD MEETING. SECONDED BY MS. RAY. MOTION CARRIED.

Mr. Smith gave the Screening Committee report. It was noted that Mr. McClellan recused himself from voting on Number One of the report and Mr. Donaldson recused himself from voting on Number Three of the report.

MR. TAYLOR MADE A MOTION TO APPROVE 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, AND 17. SECONDED BY MR. INGLE. MOTION CARRIED.

MS. RAY MADE A MOTION TO APPROVE NUMBER ONE ON THE SCREENING REPORT. SECONDED BY MR. INGLE. IT WAS NOTED THAT MR. MCCLELLAN RECUSED HIMSELF FROM VOTING ON THIS APPLICATION. MOTION CARRIED.

MS. RAY MADE A MOTION TO APPROVE NUMBER THREE ON THE SCREENING REPORT. SECONDED BY MR. INGLE. IT WAS NOTED THAT MR. DONALDSON RECUSED HIMSELF FROM VOTING ON THIS APPLICATION. MOTION CARRIED.

Mr. Wright gave the registration report.

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

Mr. Smith gave the Grievance Committee report.

Mr. Smith reported that he and Mr. Donaldson met as the Grievance Committee on July 25, 2012 from 1:00 p.m. until 4:30 p.m.

MS. RAY MADE A MOTION TO APPROVE ALL CASES AS PRESENTED EXCEPT FOR CASE NUMBER 2012-ASL-008 AND 2012-ASL-009. SECONDED BY MR. INGLE. MOTION CARRIED.

MS. RAY MADE A MOTION TO APPROVE CASE NUMBER 2012-ASL-008 AND 2012-ASL-009. IT WAS NOTED THAT MR. MCCLELLAN RECUSED HIMSELF FROM VOTING ON THESE CASES. SECONDED BY MR. INGLE. MOTION CARRIED.

MR. DONALDSON MADE A MOTION TO RECESS THE BOARD MEETING TO RECONVENE THE SCREENING COMMITTEE TO HEAR THE APPLICATION ON MR. MICHAEL SEAN CROWLEY. SECONDED BY MR. TAYLOR. MOTION CARRIED.

Mr. Smith reported that the Grievance Committee had fined Mr. Crawley but agreed that his license be issued upon receiving the first payment of \$748.00. If the other five payments are not received, action will be taken to revoke the license.

MR. TAYLOR MADE A MOTION TO APPROVE THE LICENSE FOR MR. MICHAEL SEAN CRAWLEY. SECONDED BY MS. RAY. MOTION CARRIED.

MR. JACK INGLE MADE A MOTION TO ADJOURN THE SCREENING COMMITTEE AT 9:30 A.M. SECONDED BY MR. TAYLOR. MOTION CARRIED.

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

JUSTIN THOMAS MEDLIN - 11 DOJ 14493. The case was heard by Administrative Law Judge Augustus B. Elkins, II on January 31, 2012. The issue before the judge was whether grounds exist to deny his alarm registration renewal based on a conviction of a crime involving moral turpitude and lack of good moral character or temperate habits. Mr. Medlin was present.

MR. DONALDSON MADE A MOTION TO ACCEPT THE JUDGE'S DECISION TO REVERSE THE DENIAL OF HIS REGISTRATION AND APPROVE IT. SECONDED BY MR. TAYLOR. MOTION CARRIED.

ANDRE CARL BANKS, JR. - 12 DOJ 01695. The case was heard by Administrative Law Judge Beecher R. Gray on May 1, 2012. The issue before the judge was whether grounds exist to deny his alarm registration permit based on lack of good moral character and temperate habits as evidenced by his military criminal history, including convictions for Carnal Knowledge and Sodomy. Mr. Banks was present.

MR. TAYLOR MADE A MOTION TO ACCEPT THE JUDGE'S DECISION TO REVERSE THE DENIAL OF HIS REGISTRATION AND APPROVE IT WITH THE EXCEPTION THAT THERE IS NO PROBATIONARY PERIOD. SECONDED BY MS. RAY. MOTION CARRIED.

BREAK: 9:50 a.m.
RECONVENED: 10:10 a.m.

SPECIAL REPORTS AND PRESENTATIONS

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

1. CCTV Basic Design - The committee recommends approval for renewal for 2 CEU's for this course.
2. Advanced Burglar Alarms - The committee recommends approval for renewal for 2 CEU's for this course.
3. Burglar Alarm Basics - The committee recommends approval for renewal for 2 CEU's for this course.
4. Understanding Digital Video Recorders - The committee recommends approval for renewal for 2 CEU's for this course.
5. Introduction to Access Control - The committee recommends approval for renewal for 2 CEU's for this course.
6. Selecting the right Camera and Lens - The committee recommends approval for renewal for 2 CEU's for this course.
7. Enhanced - The committee recommends approval for 2 CEU's for this course.
8. Lynx Touch L5100 - The committee recommends approval for 6 CEU's for this course.
9. FA1600C - The committee recommends approval for renewal for 6 CEU's for this course.
10. Vista 21 IP - The committee recommends approval for renewal for 6 CEU's for this course.
11. Introduction to GSM - The committee recommends approval for renewal for 2 CEU's for this course.
12. Connect - The committee recommends approval for renewal for 2 CEU's for this course.
13. Vista Fire Series - The committee recommends denial of this course because it goes beyond the scope of 74D, specifically ASLB does not regulate fire systems or controls.

14. CCTV Essentials - The committee recommends approval for renewal for 2 CEU's for this course.

MR. DONALDSON MADE A MOTION TO ACCEPT THE COURSES AS PRESENTED. SECONDED BY MR. TAYLOR. MOTION CARRIED.

UNFINISHED BUSINESS

None.

OLD BUSINESS

Mr. Gray referred to the letter in his Attorney's Report regarding enhanced verification that the North Carolina Electronic Security Association had contacted the Board about. Under 74D, the Board has exclusive rights to regulate the alarm industry. False alarms negatively affect the industry and police departments. The Board has been involved with false alarm ordinances in the past. Representatives from two police departments were present and spoke and would like the Board to meet with them to discuss reducing false alarms.

MR. TAYLOR MADE A MOTION TO FORM A SUB-COMMITTEE TO WORK WITH THE INDUSTRY AND LAW ENFORCEMENT REGARDING FALSE ALARMS. SECONDED BY MR. MCCLELLAN. MOTION CARRIED.

Mr. Gray stated that he received a letter from the North Carolina Electronic Security Association in regard to summer workers with certain companies. Mr. Gray will respond to their letter.

MS. RAY MADE A MOTION THAT THE SPECIAL GRIEVANCE DATE IN NOVEMBER SHALL BE HELD ON TUESDAY, NOVEMBER 13, 2012 AT 9:00 AM. SECONDED BY MR. MCCLELLAN. MOTION CARRIED.

NEW BUSINESS

Mr. Smith called for the election of officers.

Mr. Gray opened the nominations.

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

MR. SMITH MADE A MOTION TO APPOINT MS. RAY AS VICE-CHAIRMAN. SECONDED BY MR. TAYLOR. MOTION CARRIED. NONE OPPOSED.

MR. MCCLELLAN MADE A MOTION TO APPOINT MR. MACK DONALDSON AS ETHICS LIAISON CHAIRMAN. SECONDED BY MR. TAYLOR. MOTION CARRIED. NONE OPPOSED.

MR. SMITH MADE A MOTION TO APPOINT MR. LARRY MCCLELLAN AND MR. JAMES TAYLOR AS THE EDUCATION COMMITTEE. SECONDED BY MR. DONALDSON. MOTION CARRIED. NONE OPPOSED.

MR. SMITH MADE A MOTION TO FORM A SUB-COMMITTEE CALLED FALSE ALARM REDUCTION ENHANCED VERIFICATION COMMITTEE AND APPOINT HIMSELF, MR. INGLE, MR. MCCLELLAN, AND MR. TAYLOR TO SERVE ON THE COMMITTEE. SECONDED BY MS. RAY. MOTION CARRIED.

DIRECTOR'S REPORT

Mr. Wright presented the written report and advised as of April 30, 2012, the Alarm Board balance was \$199,528.40. The Education Fund balance was \$48,182.61. As of July 23, 2012, the Board has 934 licensees and 6262 registrants.

MS. RAY 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. Dave Bolen/AMP Security, Inc- Consent Agreement of \$4,590.00 has been executed and paid in full.
2. Gordon Handy/Surveillance Consulting, Inc. - Consent Agreement of \$6,005.76 has been executed and the first of three payments in the amount of \$2,001.92 have been received.

The Office of Administrative Hearings list was attached to the Attorney's Report.

The public hearing on the Board's pending administrative rules was held on July 18, 2012. No members of the general public or the industry attended.

Mr. Gray reported that the matter of ASLB v. Guardian Security, Inc., has been voluntarily dismissed.

The Board's By-Laws regarding the make-up of the Grievance Committee have been revised as per the motion at the Board's May 24, 2012 meeting.

A letter to the President of the NC Electronic Security Association regarding the two-call verification was sent following the discussion at the Board's May 24, 2012 meeting.

A renewal copy of the contract for legal services has been signed by the Chairman and Legal Counsel and forwarded to Mr. Wright.

**MR. MCCLELLAN MADE A MOTION TO APPROVE THE ATTORNEY'S REPORT.
SECONDED BY MR. TAYLOR. MOTION CARRIED.**

GOOD OF THE ORDER

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

Meeting Adjourned: 10:45 a.m.

Anthony Bonapart
Deputy Director

Nan Williams
Reporter