

MINUTES
OF THE
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: November 14, 2013
TIME: 9:00 a.m.
PLACE: Holiday Inn-Crabtree Valley
Raleigh, North Carolina
SUBMITTED BY: Anthony B. Bonapart
Deputy Director

MEMBERS PRESENT:

Mack Donaldson
John Thompson
Jack Ingle
Ralph Gregory

MEMBERS ABSENT:

Brad Smith
June Ray
Larry McClellan

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:

J. Michael Vaillancourt
Frank Fontana
Jeremy Woody
Keith Pendleton
Ralph Gregory
Robert Ruta
Andrea Hopewell
Perry Hilderbrand
Wayne Trachtenberg
Larry Wilson
Anthony D. Derks
Davis Spear
Ben Powell

Steven C. Holloway
Barry Piner
Don Childers
Darryl Bray
Tim Mangum
Daniel Massey
Mason Powell
Vicki Giacomini
Heather Price
Teresa Hall
Bradley Claussen
Ramiro Goza
Jennifer Snellgrove

Rick Gibbey
Mike Ripellio

Amanda Scott
Roger Wilkins

The November 14, 2013 meeting of the North Carolina Alarm Systems Licensing Board was called to order by Mr. Donaldson.

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 before this Board today, please identify the conflict or appearance and refrain from the deliberation and vote in that matter.

Mr. Donaldson welcomed all guests.

MR. INGLE MADE A MOTION TO APPROVE THE SEPTEMBER 26, 2013 BOARD MINUTES. SECONDED BY MR. THOMPSON. MOTION CARRIED.

Mr. Ingle gave the Screening Committee report.

MR. THOMPSON MADE A MOTION TO APPROVE THE SCREENING COMMITTEE REPORT AS PRESENTED. SECONDED BY MR. DONALDSON. MOTION CARRIED.

Mr. Wright gave the registration report.

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

Mr. Donaldson gave the Grievance Committee Report.

Mr. Donaldson and Mr. Thompson met as the Grievance Committee on November 13, 2013.

MR. INGLE MADE A MOTION TO ACCEPT THE RECOMMENDATION OF THE GRIEVANCE COMMITTEE ON CASE NUMBER 2013-ASL-010. SECONDED BY MR. THOMPSON. MOTION CARRIED. IT WAS NOTED THAT MR. GREGORY RECUSED HIMSELF FROM VOTING IN THIS MATTER.

MR. INGLE MADE A MOTION TO ACCEPT THE RECOMMENDATION OF THE GRIEVANCE COMMITTEE ON CASE NUMBER 2013-ASL-038. SECONDED BY MR. THOMPSON. MOTION CARRIED. IT WAS NOTED THAT MR. GREGORY RECUSED HIMSELF FROM VOTING IN THIS MATTER.

MR. INGLE MADE A MOTION TO ACCEPT THE RECOMMENDATIONS ON THE OTHER CASES. SECONDED BY MR. THOMPSON. MOTION CARRIED.

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

13 DOJ03740 - Frank John Fontana, Jr. - This contested case was heard before Administrative Law Judge Beecher R. Gray on August 2, 2013 in Raleigh, North Carolina. The issue was whether or not grounds exist to deny the application of Mr. Fontana for an alarm systems registration permit for lack of good moral character. Mr. Fontana was present.

MR. THOMPSON MADE A MOTION TO APPROVE HIS REGISTRATION. SECONDED BY MR. INGLE. MOTION CARRIED.

13DOJ16639 - Matthew James Gibbs - This contested case was heard before Administrative Law Judge J. Randall May on October 23, 2013 in Raleigh, North Carolina. Mr. Gibbs failed to appear at the contested case hearing and failed to prosecute the contested case. Mr. Gibbs was not present at the Board meeting.

MR. INGLE MADE A MOTION TO ACCEPT THE DISMISSAL OF THIS CONTESTED CASE WITHOUT PREJUDICE FOR PETITIONER FAILING TO PROSECUTE THE CONTESTED CASE. SECONDED BY MR. THOMPSON. MOTION CARRIED.

13DOJ08759 - Ashley B. Sellers - This contested case was heard before Administrative Law Judge J. Randall May on October 30, 2013 in Raleigh, North Carolina. Ms. Sellers failed to appear at the contested case hearing and failed to prosecute the contested case. Ms. Sellers was not present at the Board meeting.

MR. INGLE MADE A MOTION TO ACCEPT THE DISMISSAL OF THIS CONTESTED CASE WITHOUT PREJUDICE FOR PETITIONER FAILING TO PROSECUTE THE CONTESTED CASE. SECONDED BY MR. THOMPSON. MOTION CARRIED.

BREAK: 9:25 am
RECONVENED: 9:40 am

There were no special reports or presentations.

UNFINISHED BUSINESS
None

OLD BUSINESS
None

NEW BUSINESS

Mr. Donaldson asked the Board to research the feasibility of hosting the 2015 IASIR Conference in North Carolina. Staff is directed to look at cost and personnel needed to support the conference. Staff will provide the Board with the results of their study at the January 2014 meeting.

MR. INGLE MADE A MOTION FOR THE STAFF TO STUDY HOSTING THE IASIR CONFERENCE FOR 2015 AND REPORT BACK AT THE JANUARY 2014 MEETING. SECONDED BY MR. THOMPSON. MOTION CARRIED.

DIRECTOR'S REPORT

Mr. Wright presented the written report and advised as of October 31, 2013, the Alarm Board's balance was \$477,667.20. The Education Fund balance was \$53,778.67. As of November 11, 2013, the Board has 940 licensees and 7505 registrants.

Mr. Wright updated the Board on the status of the new computer system upgrade. Mr. Wright stated that GL Solutions is not abiding by the RFP and that DOJ IT has sent a formal letter of dispute. GL Solutions has ten (10) days to respond and thirty (30) days to make corrections and as of today the project is on hold. Mr. Wright advised he would provide an update at the next Board meeting.

MR. GREGORY MADE A MOTION TO APPROVE THE DIRECTOR'S 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:

13DOJ12638 - Ralph William Gregory - This contested case was heard before Administrative Law Judge Donald W. Overby on June 25, 2013 in Raleigh, North Carolina. The issue was whether or not the petitioner is required to contact each of the customers pursuant to 12 NCAC .0123. Mr. Gregory was present.

MR. INGLE MADE A MOTION TO ACCEPT THE ADMINISTRATIVE LAW JUDGES DECISION TO REVERSE THE BOARD'S PREVIOUS DECISION. SECONDED BY MR. THOMPSON. MOTION CARRIED.

ATTORNEY'S REPORT

Mr. Gray reported on the following consent agreements:

1. Larry Wall/Commercial Sound Inc. - Consent Agreement of \$1,285.20 has been executed and paid in full.

2. John R. Renner/Priority One - Consent Agreement of \$3,427.20 has been executed and paid in full.
3. Daniel C. Hagerty/AVSX Technologies - Consent Agreement of \$14,749.20 has been executed and has agreed to make three monthly installments of \$4,916.40.
4. Steven Tucker/ADT - Consent Agreement of \$6,058.80 has not been paid.
5. Gary C. Thornburg/John Brothers - Consent Agreement of \$4,284.00 has been executed and paid in full.
6. Charles Bellia/The Security Shop - Consent Agreement of \$2,101.20 has been executed and has agreed to make three monthly installments of \$700.40. Licensee has already made two payments.

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

At the Board's 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 third party out of state criminal history record check provider. The rule was approved by the Rules Review Commission on October 17, 2013. The Notice of Text will be filed before the next deadline and a public hearing scheduled.

Two bills have passed in the General Assembly effecting all occupational and professional licensing boards as follows:

- * SB 33, Use of Criminal History Records by Licensing Boards
- * SB 74, Improve and Streamline the Regulatory Process

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

GOOD OF THE ORDER

Mr. Ingle hopes Mr. McClellan is doing well with his surgery.

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

Meeting Adjourned: 10:15 a.m.

Anthony Bonapart
Deputy Director

Nan Williams
Reporter

