

**MINUTES OF THE  
TELEPHONE CONFERENCE MEETING FOR  
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD**

DATE: March 26, 2020  
TIME: 10:40 A.M.  
PLACE: 3101 Industrial Drive Ste. 104  
Raleigh, North Carolina  
SUBMITTED BY: Brian Jones  
Director

MEMBERS PRESENT:  
Wayne Woodard  
Jim Crabtree  
Courtney Brown Jr.  
Larry Proctor  
Stephen Wheeler  
Mack Donaldson

MEMBERS ABSENT:  
Robert Graham

STAFF PRESENT:  
Director Brian Jones  
Deputy Director Paul Sherwin  
Board Secretary Cynthia Anthony  
Attorney Jeff Gray  
Field Services Supervisor Kim Odom

VISITORS:  
David Starboro  
Tommy Whisnant  
Duncan Hubbard  
Linda Mitzgibbon  
Anita Surratt

Dorian Dehnel  
Linda McMillan  
John Stalling  
Jackie Parris

The March 26, 2020 telephone conference meeting of the North Carolina Alarm Systems Licensing Board was called to order by Chairman Woodard at 10:40 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.”

Chairman Woodard welcomed all guests.

**COURTNEY BROWN MADE A MOTION TO APPROVE THE JANUARY 16, 2020 BOARD MEETING MINUTES. SECONDED BY MACK DONALDSON. MOTION CARRIED.**

The Grievance Committee Meeting was deferred until May 20, 2020 so there was no report.

Courtney Brown presented the Screening Committee report. Mr. Brown served as chair of the Screening Committee and they met via teleconference on March 26, 2020 from 9:00 a.m. to 10:40 a.m. to review a total of seventeen applications.

**JIM CRABTREE MADE A MOTION TO APPROVE THE SCREENING COMMITTEE REPORT AS PRESENTED. SECONDED BY LARRY PROCTOR. MOTION CARRIED.**

#### SPECIAL REPORTS AND PRESENTATIONS

1. CDVI: Scalable Access Control Solutions - the Committee recommends approval for one CEU for this course.
2. Basic Circuit Troubleshooting and Testing- the Committee recommends approval for two CEU's for this course.
3. Codes and Standards Refresher - the Committee recommends approval for one CEU for this course.
4. Fundamentals of Networking - the Committee recommends approval for four CEU's for this course.
5. Introduction to the Digital Home - the Committee recommends approval for four CEU's for this course.
6. Methods to Reduce False Alarms - the Committee recommends approval for two CEU's for this course.
7. Ethical Client Relations - the Committee recommends approval for one CEU for this course.
8. Selling Commercial Systems Effectively: 8 Lessons in Selling Your Business Value Over Low Price - the Committee recommends approval for four CEU's for this course.
9. Troubleshooting Communication and Notification Devices- the Committee recommends approval for one CEU for this course.
10. Troubleshooting Intrusion Alarm Devices- the Committee recommends approval for one CEU for this course.
11. Troubleshooting Panels and Power Supplies- the Committee recommends approval for one CEU for this course.

12. Home Security & Technological Advancements- the Committee recommends approval for three CEU's for this course.
13. ISECURE- the Committee recommends approval for two CEU's for this course.
14. Vanco Distributed Video and Audio for Commercial Applications- The committee recommends **denial** because it does not meet the criteria
15. TrendNet Wifi Solutions and Designs for Real World Applications- the Committee recommends approval for one CEU for this course.
16. Altronix: Methods for Deploying PoE in Mission Critical Systems- the Committee recommends approval for one CEU for this course.
17. Add-On Safe Zone Gunfire Detection System to your existing Security, Video, Access Control installation business - the Committee recommends approval for one CEU for this course.
18. Event Driven Marketing- the Committee recommends approval for one CEU for this course.
19. Drive Sales with a planned presentation- the Committee recommends approval for one CEU for this course.
20. Fiber Optic Connections for Electronic Security Devices- the Committee recommends approval for one CEU for this course.
21. Testing Wi-Fi Networks for Wireless Security Devices- the Committee recommends approval for one CEU for this course.
22. Open Doors and Revenue Streams with Intercom Solutions- The committee recommends **denial** because it does not meet the criteria.
23. Alarm Level I- the Committee recommends approval for three CEU's for this course.
24. Net 2 Training- the Committee recommends approval for four CEU's for this course.
25. Paxton 10 Essential Installer Training- the Committee recommends approval for four CEU's for this course.
26. Video Surveillance 101Video Surveillance 101- the Committee recommends approval for one CEU for this course.

**COURTNEY BROWN MADE A MOTION TO APPROVE THE CONTINUING EDUCATION REPORT AS PRESENTED. SECONDED BY LARRY PROCTOR. MOTION CARRIED.**

#### FINAL AGENCY DECISIONS

None.

#### OLD BUSINESS

None.

#### NEW BUSINESS

Director Jones addressed the Board regarding the immediate impacts from the COVID-19 pandemic such as fingerprint card submission, obtaining criminal record checks, and satisfying the in-person meeting requirement for prospective licensees.

Mr. Dorian Dehnel with CriminalRecordCheck.com addressed the Board regarding concerns with obtaining criminal record checks. He stated that they have not encountered any shutdowns in obtaining statewide searches because they have direct electronic access to the AOC database for the hundred counties in North Carolina.

Mr. Dehnel stated that there are a small number of applicants that would require out-of-state searches, however, CriminalRecordCheck.com would still be able to complete the report placing those unattainable components in a pending status with an estimated date of completion. The report would be completed once the courts open back up and allow them access.

Director Jones confirmed and stated that obtaining North Carolina criminal record checks are not presenting a problem and should problems arise he will evaluate the issues on a case by case basis.

Director Jones stated that applicants are still able to submit their new applications without their fingerprint cards as a result of most local law enforcement agencies being closed to the public due to COVID-19 pandemic.

He stated the registration applications would be denied and placed in a correctable pending status until the fingerprint results are received. Also, the alarm license applications would be processed fully but the license would not be issued until the fingerprint results have been obtained.

All Board members concurred with Chairman Woodard's suggestion to allow Private Protective Services to continue operating as they are doing and problems will be addressed as they arise.

#### DIRECTOR'S REPORT

Director Jones advised that the Board's fund balance was \$590,959.80 as of February 29, 2020. The Education Fund balance was \$65,029.84. As of February 29, 2020, the Board had 1,014 licensees and 7,918 registrants.

Director Jones announced that due to COVID-19, Private Protective Services has transitioned to a staggered schedule for employees. Utilizing a structured roster, employees are limited to working at the office one day per week. For the rest of the week, employees may work from home or use leave. He stated that there will never be less than two employees at the office during the day and those assigned to the office for the day would be responsible for sorting mail, receiving packages, assisting visitors, printing registration cards, processing fingerprint results, and other tasks that cannot be completed by those working from home. Employees would utilize the Cisco Jabber application to continue to respond to incoming telephone calls while away from the office.

Director Jones announced that the investigator's position in Fayetteville has been vacant since Scott Moller's resignation several months ago. Due to evolving workload demands, he reassigned the position to Raleigh and staff members were engaged in the selection process.

Director Jones stated that on January 14th, PPS received a memorandum from the State Bureau of Investigation (SBI), which conveyed that the SBI would no longer provide fingerprint cards effective February 1, 2020. The memorandum explained that, "An electronic submission of fingerprint images provides a more efficient and effective background check with a reduced response time." Electronic fingerprint locations can be found at <https://bit.ly/2H92AzK> and the details pertaining to the electronic submissions are being finalized and will be communicated to all licensees as soon as possible.

Director Jones stated pursuant to NCGS 74D-4(h) and in accordance with the MOU between the Department of Public Safety (DPS) and the Board, DPS transferred the annual administrative services fee of \$12,500 in January 2020.

Director Jones reported as of March 24, 2020, employees had processed alarm registration applications submitted through March 5, 2020.

Director Jones reported that effective February 11, 2020, the application system began automatically emailing renewal notices 90 days prior to the licensee's expiration date. Permittum representatives would meet with PPS employees in April 2020 and discuss any support items and pending development initiatives.

Director Jones announced the Alarm Systems Licensing Board would accept grant applications from March 27, 2020 until 5:00 p.m. on May 29, 2020. The guidelines and application are located on the ASLB website.

Director Jones reported that in an ongoing effort to reduce paper waste and complete the transition to an electronic application process, the agency has eliminated its fax machines. Any documents related to applications for licenses and registrations should be uploaded using Permittum's order tracker and any other documents should be emailed. PPS employee email addresses are provided on the staff roster located on the agency's website.

**JIM CRABTREE MADE A MOTION TO ACCEPT THE DIRECTOR'S REPORT AS PRESENTED. SECONDED BY COURTNEY BROWN. MOTION CARRIED.**

#### ATTORNEY'S REPORT

##### I. CONSENT AGREEMENTS & CIVIL PENALTIES

On January 15, 2020 George Alton Davis and A D M Security Systems, Inc. entered into a Consent Agreement in the amount of \$998.75 for unlicensed activity. The

Agreement was signed by the Q/A on January 29, 2020. Payment has been received. (PAID IN FULL)

On January 15, 2020 Charles Sedei and Alarm Concepts, Inc., Inc. entered into a Consent Agreement in the amount of \$807.50 for unlicensed activity. The Agreement was signed by the Q/A on February 10, 2020. Payment has been received. (PAID IN FULL)

On January 15, 2020 Fred Eugene Tilley Jr. and Alarm Technologies. entered into a Consent Agreement in the amount of \$871.25 for unlicensed activity. The Agreement was signed by the Q/A on February 24, 2020. Payment has been received. (PAID IN FULL)

On January 15, 2020 Richard Stewart Sharpe and Maximum Fire and Security, Inc. entered into a Consent Agreement in the amount of 2,019.60 for eleven registration violations. It was agreed the amount may be paid in three equal installments of \$673.20. The Agreement was signed by the Q/A on January 29, 2020. Received 1st & 2nd payment of \$673.20.

On January 15, 2020 Alfred Williamson Brunjes, Jr. and Sentinel Security Systems, Inc. entered into a Consent Agreement in the amount of \$367.20 for two registration violations. The Agreement was signed by the Q/A on January 31, 2020. Payment has been received. (PAID IN FULL)

On January 15, 2020 Michael Roberson and S.C.I. Technologies entered into a Consent Agreement in the amount of \$918.00 for five registration violations. The Agreement was signed by the Q/A on January 28, 2020. Payment has been received. (PAID IN FULL)

## II. OFFICE OF ADMINISTRATIVE HEARINGS

The hearings list is attached to the Attorney's Report.

## III. RULES

- a. At its September 19, 2018 meeting the Board, following a request from staff, instructed Attorney Gray to prepare amendments to the Board's administrative rules to allow an applicant for a license or registration the option to submit fingerprints electronically. The request resulted in an amendment to 14B NCAC 17 .0201 and .0301. A copy of those amendments were attached to Attorney Gray's November 21, 2019 Attorney's Report and approved by the Board.

The Notice of Text for these two rules, along with the amendment to .0204, was filed on January 8, 2020 and the Public Hearing is Tuesday, March 31, 2020 at 2:00 p.m. at the Board's office.

- b. Also, at its September 19<sup>th</sup> meeting the Board asked Attorney Gray to review the rules allowing an entity whose license has lapsed and wanting to have its license reinstated. The only practical and legal method would be to amend the Board's administrative rules. The Private Protective Services Board has such a rule. Attorney Gray made the requested amendment by adding a Section in 14B NCAC 17 .0204 which was attached to Attorney Gray's November 21<sup>st</sup> Attorney's Report and approved.

The Notice of Text was filed along with the above and the Public Hearing is the same day and time.

#### IV. LEGISLATION

- a. A new proposed bill rewriting Chapter 74D was approved at the Board's November 15, 2018 meeting. Due to circumstances unrelated to the Board, the 74D re-write bill did not meet the legislature's bill introduction deadline. However, on May 29, 2019, through a process called a "PCS," or "Proposed Committee Substitute," the re-write language was added to an existing bill, House Bill 630, which makes numerous changes and additions to the Private Protective Services Act, Chapter 74C. The new bill is now entitled, "Private Protective Services/Alarm Systems Law Changes."

Regretfully while being considered in the House Finance Committee the fee increase provisions were removed. No other changes or amendments have been made to the Board's portion of the bill.

House Bill 630 passed the House on July 8<sup>th</sup> and has been referred to the Senate Committee on Rules and Operations of the Senate for assignment to a committee (likely Judiciary.) A copy was attached to Attorney Gray's July 18, 2019 Attorney's Report. There has been no further action on this bill.

- b. Senate Bill 305, "OLB Reform," was introduced on March 19, 2019. It modifies and adds to the Chapter's definitions set out in N.C. Gen. Stat. § 93B-1 by modifying the definition of "occupational licensing board" to include any board, committee, commission, or other state agency which is established for the purpose of regulating the entry of persons into, and the conduct within (was, "and/or the conduct within"), a particular profession or occupation, which is authorized to issue licenses.

It maintains the term “does not include State agencies, staffed by full-time State employees, which as a part of their regular functions can issue licenses”, but adds the term “State agency licensing board,” and defines the term to include any State agency, staffed by full-time State employees, which as part of their regular functions issue licenses. It then includes a nonexclusive list of ten State agency licensing boards and the profession or occupation for which the board, agency, or officer can issue license. Interestingly, **the Private Protective Services Board is included on this list of ten, but the Alarm Systems Licensing Board was not.** Therefore, the Private Protective Services Board would no longer be considered an “occupational licensing board,” but instead be designated a “State agency licensing board.” (and the Alarm Systems Licensing Board would remain an o.l.b.)

Additional reports would be required of o.l.b.s. Further, denial, suspension or revocation based upon “crimes involving moral turpitude” would be deleted from the enabling statute of 34 occupational licensing boards. (It also deletes the Dental Board’s “crime involving gross immorality” and the Optometry Board’s “immoral conduct.”) Chapter 74D does not make reference to crimes of moral turpitude. A copy was attached to Attorney Gray’s April 25<sup>th</sup> Attorney’s Report. An identical bill, House Bill 910, was filed in the House on April 16<sup>th</sup>. Neither bill has seen action, **however, much of SB 305 and HB 910 were an amendment to House Bill 770, below.**

- c. Senate Bill 473, “Various OLB and Administrative Law Changes,” was introduced on April 2, 2019. This bill directs the Joint Legislative Administrative Procedure Oversight Committee (APO) to study whether the definition of “occupational licensing board” under N.C. Gen. Stat. § 93B-1 and the definition of “occupational licensing agency” under N.C. Gen. Stat. § 150B-2 should be specific lists of occupational licensing boards in order to clarify which state agencies should be considered occupational licensing boards for purposes of Chapters 93B and 150B, then directs the APO to recommend which state agencies should be included under each definition if that determination is made, and report the results of the study to the 2020 General Assembly.

It amends N.C. Gen. Stat. § 143B-426.39, requiring the State Controller to develop and prescribe a uniform format for financial statements of the annual financial audits required by each licensing board pursuant to N.C. Gen. Stat. § 93B-2(b), and requires consultation with the State Auditor and occupational licensing boards in doing so. The financial statement audit reporting format is to be used for reports submitted on or after July 1, 2020. (Note: The PPSB’s financial reporting is done through the Department of Public Safety.)

The bill also changes the title of N.C. Gen. Stat. § 150B-21.5 of the Administrative Procedure Act (APA) to “Circumstances when notice and rule-

making hearing not required; circumstances when submission to the Rules Review Commission is not required.” It amends subsection (a) to provide that an agency is not required to publish a notice of text in the North Carolina Register, hold a public hearing, or submit the amended rule to the Rules Review Commission for review (previously, did not except submission of the amended rule to the Commission for review) when the agency proposes to amend a rule to do one of the specified purposes in subsection (a). Provides changes to a few of the specified purposes for which notice, a public hearing, and submission to the Commission for review are not required, which include (1) when the rule is amended to change information readily available to the public, such as an address, telephone number, or a web site (previously, did not include a web site) and (2) when the rule is amended to correct a typographical error (previously, correct a typographical error in the North Carolina Administrative Code). It further moves the sixth purpose excepted in subsection (a) to new subsection (a1) to provide that an agency is not required to publish a notice of text in the Register or hold a public hearing when it proposes to change the rule in response to a request or an objection by the Commission, unless the Commission determines that the change is substantial (note, not excepted from rule submission to the Commission in this circumstance). Creates new subsection (e) to require any agency that adopts or amends a rule under subsection (a) or (c) of N.C. Gen. Stat. § 150B-21.5 to notify the Codifier of Rules of its actions and directs the Codifier of Rules to make the appropriate changes to the North Carolina Administrative Code when notified of such agency action.

It changes the title of N.C. Gen. Stat. § 150B-21.20 to “Codifier’s authority to revise rules” and amends the Codifier of Rules authority to allow the Codifier, after consulting with the agency that adopted the rule, to revise a rule (previously, revise the form of a rule submitted for inclusion in the North Carolina Administrative Code) to do one or more of the specified objectives. It adds four objectives for which the Codifier may revise a rule: (1) to substitute one name for another when an organization or position is renamed; (2) to correct a citation in the rule to another rule or law when the citation has become inaccurate because of the repeal or renumbering of the cited rule or law; (3) to change information that is readily available to the public, such as an address, a telephone number, or a web site; or (4) to correct a typographical error.

It divides existing N.C. Gen. Stat. § 150B-22, “Settlement; contested case,” into two subsections and additionally, clarifies that a party or person aggrieved cannot be required to petition an agency for rule making or to seek or obtain a declaratory ruling before commencing a contested case under N.C. Gen. Stat. § 150B-23 (provisions for commencement of a contested case), then makes conforming changes to N.C. Gen. Stat. § 150B-43, “Right to judicial review”.

It also makes changes to the APA concerning the periodic review and expiration of existing rules. (Since the Board is completing this process now and will not have to undergo it again for 10 years, Attorney Gray will not elaborate on this section.)

The remaining portion of House Bill 473 merges the Barber Board and Cosmetology Board and adds appointees to the Massage and Body Work Therapy Board. (Since these provisions make this bill rather lengthy, a copy is not attached.) This bill has not seen action.

- d. House Bill 484, “Verification of Immigration Status,” was introduced on March 28, 2019. It would require all State agencies and licensing boards to verify the immunization status of applicants using the federal Department of Homeland Security’s Systematic Alien Verification for Entitlements, or “SAVE” system. It would require that the Board enter an agreement with Homeland Security and it would require yet another report be submitted. This bill has seen no action. (Copy not attached.)
- e. House Bill 590, “Amend Administrative Procedures Laws,” was introduced on April 4, 2019. It is best described as a condensed version of SB 305, above, and authorizes certain technical corrections by the Codifier of Rules, clarifies the provision in N.C. Gen. Stat. § 150B-2(b) regarding declaratory rulings, and amends the Periodic Review of Rules process. Following an amendment in two successive committees it passed the House on May 2<sup>nd</sup>, passed the Senate on July 9<sup>th</sup>, and was signed by the Governor on July 19, 2019. (Copy not attached.)
- f. House Bill 770, “Freedom to Work,” was introduced on “tax day,” April 15<sup>th</sup>. This bill amends N.C. Gen. Stat. § 15A-173.2(d) to require rather than permit an administrative agency, governmental official, or civil court to consider a certificate of relief (i.e. pardon, expungement, etc.) favorably in determining whether a conviction should result in disqualification.

It amends N.C. Gen. Stat. § 93B-8.1 to prohibit an occupational licensing board from automatically denying licensure on the basis of an applicant's criminal history unless federal law governing a particular occupation provides otherwise (was “unless the law governing a particular occupational licensing board”). If passed it will provide that if a board is authorized to deny a license on the basis of a verified conviction of any crime (was also for “commission of a crime involving moral turpitude”), the board is permitted to deny the license if it finds by clear and convincing evidence that the applicant's criminal history is directly related to the duties and responsibilities for the licensed occupation (previously, no burden of proof was specified nor was the board required to directly link the applicant's criminal history to the occupation for denial). It maintains the eight factors a licensing authority must consider in making its determination. Adds that a certificate of relief must be considered favorably by the board.

It also adds a new procedure for applicants to petition a board at any time for a determination of whether the individual's criminal history will disqualify the individual from obtaining a license. It requires the board to make a determination pursuant to the standard parameters it would in reviewing an application and notify the individual of the determination within 30 days of receipt of the petition and allows the board to charge of fee of no more than \$25.00 per petition. It mandates that the board notify an individual of a denied petition and include the grounds for the board's reasoning, that the individual has a right to contest the decision, the earliest date the individual can reapply for a license, and further evidence of rehabilitation that will be considered upon reapplication, and specifies that a determination of eligibility upon a petition is binding if an applicant fulfills all other requirements for the occupational license and the applicant's criminal history record is accurate and remains unchanged at the time of application for licensure.

Further, it enacts new N.C. Gen. Stat. § 93B-8.6 to require a licensing board to grant licensure to an applicant who has completed an apprenticeship approved by the State or federal Department of Labor or otherwise permitted by law, and who passed an examination, if necessary. (Since the Board does not have an “apprenticeship” -- and the PIA process does not meet this definition – Attorney Gray will not elaborate on this section.)

This bill was amended in two successive committees and passed the House 112-0 on May 3<sup>rd</sup>, and after the major amendment (“Committee Substitute”), **including adding almost the entirety of Senate Bill 305 reported above**, passed the Senate on June 26<sup>th</sup>, and was returned to the House for concurrence where it passed on June 27<sup>th</sup>. It was signed by the Governor on July 8, 2019. The bill was effective October 1, 2019 and applies to certificates of relief granted or applications for licensure submitted on or after that date.

A copy was attached to Attorney’s Gray’s August 22, 2019 Attorney’s Report.

Chairman Woodard, Director Jones and Attorney Gray met with Private Protective Services Board members Steve Johnson and John Aldridge to address the requirements of this bill and suggested changes were the subject of a separate memorandum at the Board’s November 21, 2019 meeting. Those suggestions were incorporated into a motion approved at that meeting.

- g. House Bill 902, “Military-Trained/Spouse Licensure Practices,” was introduced on April 16, 2019. This bill would require the Program Evaluation Division of the General Assembly to study the extent to which the provisions of N.C. Gen. Stat. § 93B-15.1 have improved the ability of military-trained applicants and military spouses to become licensed by occupational licensing boards. The PED’s study would have been due to the Joint Legislative Oversight Committee on

General Government and to the Department of Military and Veterans Affairs by February 1, 2020.

This bill passed the House 114-0 on May 2<sup>nd</sup> and was referred to the Senate Rules Committee. (No copy attached.) However, even though bill has not passed, it appears as if the PED proceeded with the study. At its February 10, 2020 meeting the Program Evaluation Oversight Committee considered a bill to amend N.C. Gen. Stat. § 93B-15.1 yet again to strengthen its provisions and amend N.C. Gen. Stat. § 93B-2 to require reporting on the number of applications received, granted and denied. Copy attached as Attachment 2 to the Attorney's Report.

- h. Senate Bill 553, "Regulatory Reform Act of 2019," is a broad-ranging bill addressing a myriad of laws from the limits on public employees benefitting from government contracts (raising the cap!), to amending the plumbing code, to amending the real estate licensing law, to repealing the ban on computer monitors and TVs being dumped in landfills. One provision, however, would effect the Board.

Section 4.(a) of this bill, if passed, would require all Gen. Stat. § 93B-1 boards to study and report to the Legislative Administrative Procedures Oversight Committee by December 31, 2019 any available options for on-line continuing education. This bill passed the Senate on June 11<sup>th</sup> after a single amendment ("Committee Substitute"), but was amended numerous times in House committees and on the floor before passing the House on July 8<sup>th</sup>. Since that time it has been tied up in a joint Conference Committee. (No copy attached.)

**JIM CRABTREE MADE A MOTION TO ACCEPT THE ATTORNEY'S REPORT AS PRESENTED. SECONDED BY LARRY PROCTOR. MOTION CARRIED.**

Attorney Gray stated that his two-year contract would expire at the end of June 2020 and he would present his proposed contract to the Board at the May 21, 2020 meeting.

Chairman Woodard reminded the Board and industry of the next board meeting and it is scheduled for May 21, 2020. The Board will continue to monitor the Governor's orders.

**LARRY PROCTOR MADE A MOTION TO ADJOURN. SECONDED BY JIM CRABTREE. MOTION CARRIED.**

Meeting Adjourned: 12:27 p.m.

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Brian Jones  
Director

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Cynthia Anthony  
Reporter