#### **MINUTES**

## OF THE

## NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: November 18, 2010

TIME: 9:00 a.m.

PLACE: Hampton Inn

Raleigh, North Carolina

SUBMITTED BY: Anthony B. Bonapart

Deputy Director

NOTE: The tapes recording this meeting are not audible.

MEMBERS PRESENT: MEMBERS ABSENT:

Johnny Phillips James Taylor

Larry McClellan Mack Donaldson

June Ray

Courtney Brown Richard Lee

STAFF PRESENT:

Director Terry Wright Board Secretary Nan Williams
Deputy Director Anthony Bonapart Training Officer Judy Pittman

Attorney Charles McDarris

**VISITORS** 

Chris Battista Sterling Barnes John Ladd Eddie Griffin

Fred Jeffers Michael Vaillancourt

George Davis Monte Waters

Edwin Owen Darell Owen
Richard Crabtree Michael Drew
Duncan Hubbard Chuck Armen

Patrick Arman Al O'Neill

Don HolmesDarren VaughanRodney TeasleyDarious TaylorBrad SmithFrank HardeeRenee AtkinsonRalph Gregory

Chris Nobles Danny E. Woodcock

Shannal Wickers Brad Miller
Kenneth Brown Jean-Louis Siary

Mike Ripplino Thomas Donadeo
Shane Clyburn James C. Carroll
Dorian Dehnel Darren Skeen

Patrice Smith George Bish

#### CALL TO ORDER

The November 18, 2010 meeting of the North Carolina Alarm Systems Licensing Board was called to order by Chairman Phillips.

In accordance with the State Ethics Law, Attorney Charles McDarris 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 matters 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.

Mr. McClellan stated that a correction needs to be made on page three of the September 16, 2010 minutes. The correction was made.

MR. LEE MADE A MOTION FOR THE CORRECTION TO BE MADE ON PAGE THREE OF THE SEPTEMBER 16, 2010 MINTUES. SECONDED BY MS. RAY. MOTION CARRIED.

MR. LEE MADE A MOTION TO APPROVE THE SCREENING COMMITTEE REPORT AS PRESENTED. SECONDED BY MS. RAY. MOTION CARRIED.

Mr. Wright gave the registration report. (No motion was given).

Mr. Brown reported that the Grievance Committee met on November 17, 2010 from 1:00 p.m. to 4:05 p.m. The following individuals were present: Mr. Ray Dail, Mr. George Bish, Mr. Charles Smith, Mr. Joel Garrett, Mr. James H. Gantt, Mr. Brian Prow, Mr. Frank Haidar, Ms. Holly Davis, Ms. Tiffany Jones, Mr. Richard O'Neal, Mr. Bill Paramore, Mr. Ray Epperly, and Mr. Doug Parrish.

Mr. McClellan recused himself from voting on 2009-ASL-061.

MR. DONALDSON MADE A MOTION TO APPROVE THE GRIEVANCE COMMITTEE REPORT EXCEPT FOR 2009-ASL-061. SECONDED BY MR. LEE. MOTION CARRIED.

MR. DONALDSON MADE A MOTION TO APPROVE 2009-ASL-061. SECONDED BY MS. RAY. MOTION CARRIED.

Mr. McDarris removed himself as counsel to the Board and presented the following final agency decisions:

STERLING NATHAN BARNES - 10 DOJ 1005. This case was heard by Administrative Law Judge Melissa O. Lassiter on May 25, 2010. The issue before the Judge was the denial of a burglar alarm business license for failure to adequately answer questions by the Board regarding consumer issues. Mr. Barnes was present.

MR. LEE MADE A MOTION TO UPHOLD THE DECISION OF THE ADMINISTRATIVE LAW JUDGE BASED ON THE FINDINGS OF FACT AND REVERSE THE DECISION AND ISSUE A BURGLAR ALARM BUSINESS LICENSE TO MR. BARNES. SECONDED BY MS. RAY. MOTION CARRIED.

TIMOTHY BOBBY ADAMS - 10 DOJ 4324. This case was heard by Administrative Law Judge Beecher R. Gray on September 28, 2010. The issue before the Judge was the denial of a burglar alarm business license for committing an act which, if committed by a licensee, would be grounds for the suspension or revocation of a license under the Alarm Systems Licensing Act. Mr. Adams was not present.

MR. PHILLIPS MADE A MOTION TO DEFER ACTION ON THIS CASE UNTIL THE JANUARY 27, 2011 BOARD MEETING AND REQUESTED THAT MR. ADAMS APPEAR AT THE JANUARY 27, 2011 BOARD MEETING. SECONDED BY MS. RAY. MOTION CARRIED.

RICHARD H. RUNDUS - 10 DOJ 4839. This case was heard by Administrative Law Judge Beecher R. Gray on September 28, 2010. The issue before the Judge was the denial of a renewal for a burglar alarm registration for conviction of a crime involving moral turpitude and for lack of good moral character. Mr. Rundus was not present.

MR. BROWN MADE A MOTION TO UPHOLD THE BOARD'S INITIAL DECISION TO

DENYTHE RENEWAL REGISTRATION APPLICATION FOR MR. RUNDUS. SECONDED BY MS. RAY. MOTION CARRIED.

ERIC PAUL SCOTTON - 10 DOJ 5157. This case was heard by Administrative Law Judge Beecher R. Gray on September 28, 2010. The issue before the Judge was the denial of a burglar alarm registration application. Mr. Scotton was not present.

MR. LEE MADE A MOTION TO DEFER ACTION ON THIS CASE UNTIL THE JANUARY 27, 2011 BOARD MEETING AND REQUESTED THAT MR. SCOTTON APPEAR AT THE JANUARY 27, 2011 BOARD MEETING. SECONDED BY MR. DONALDSON. MOTION CARRIED.

BRIAN SCOTT BRADSHAW - 10 DOJ 1738. This case was heard by Administrative Law Judge Joe Webster on June 29, 2010. The issue before the Judge was the denial of a burglar alarm registration application. Mr. Bradshaw was not present.

MR. DONALDSON MADE A MOTION TO UPHOLD THE BOARD'S INITIAL DECISION TO DENY THE BURGLAR ALARM REGISTRATION APPLICATION FOR MR. BRADSHAW. SECONDED BY MR. BROWN. MOTION CARRIED.

BREAK: 10:00 a.m. RECONVENE: 10:20 a.m.

Mr. Phillips stated that the Board needs to go back to the case of Mr. Eric Paul Scotton.

MR. LEE MADE A MOTION TO REOPEN THE FINAL AGENCY DECISION CASE BECAUSE OF NEW EVIDENCE PRESENTED. SECONDED BY MR. DONALDSON. MOTION CARRIED.

Mr. Ralph Gregory, Mr. Scotton's employer, addressed the Board and felt the Board should know that Mr. Scotton knew to be present at the Board meeting but did not appear.

MR. DONALDSON MADE A MOTION TO UPHOLD THEIR ORIGINAL DECISION TO DEFER THIS CASE UNTIL THE JANUARY 27, 2011 BOARD MEETING. SECONDED BY MR. BROWN. MOTION CARRIED.

SPECIAL REPORTS AND PRESENTATIONS

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

1. DSC Alexor Basic Programming - The committee recommends approval of 2 CEU's for this

- course.
- 2. DSC Alexor Advanced Programming The committee recommends approval of 4 CEU's for this course.
- 3. Implementing IP Video Surveillance Systems The committee recommends approval of 2 CEU's for this course.
- 4. 2008 NEC Wiring Methods and Materials The committee recommends denial of this course because the content of the course is not regulated under NCGS 74-D.
- 5. Setting Up Digital Video Recorders for Internet Viewing The committee recommends approval of 1 CEU for this course.
- 6. Installation and Setup of CAMoIP The committee recommends approval of 1 CEU for this course.
- 7. Cameras 101 The committee recommends approval of 1 CEU for this course.
- 8. Setup and Installation of the x11 Eco DVRs The committee recommends approval of 1 CEU for this course.
- 9. Central Station Alarm Association Central Station Operators Course Level I The committee recommends approval of 6 CEU's for this course.

#### **UNFINISHED BUSINESS**

None

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

Mr. McDarris gave the background on some of the licensees that have been grand fathered in for not having a NC Electrical License prior to the requirement of licensees to have a NC Electrical License. Mr. John Suddreth addressed the Board in regard to being a licensee that was grand fathered in years ago. He has been licensed for a long time without having to be required to hold a NC Electrical License.

Mr. Brad Smith addressed the Board and stated he does not feel the Board should make holding a NC Electrical License a requirement. He suggested that the Continuing Education Committee could look into approving electrical courses that a licensee or registrant could take for their continuing education requirements.

# MR. PHILLIPS MADE A MOTION NOT TO REQUIRE THE LICENSEES WHO ARE NOW CURRENTLY GRAND FATHERED IN TO HAVE A NC ELECTRICAL LICENSE. SECONDED BY MR. BROWN. MOTION CARRIED.

Mr. McDarris stated the Board just opened this matter up for discussion and will be discussed further at the next meeting.

## DIRECTORS REPORT

Mr. Wright presented the written report and advised as of September 30, 2010, the combined budget balance was \$520,148.05. The Education Fund balance was \$42,098.88. As of November 16, 2010, the Board has 924 licensees and 4,758 registrants.

MS. RAY MADE A MOTION TO APPROVE THE DIRECTOR'S REPORT AS PRESENTED. SECONDED BY MR. BROWN. MOTION CARRIED.

Mr. Bonapart introduced a form that had been drafted in regard to exemption from Continuing Education Credits. Licensees that think that a registrant is exempt from Rule 12 NCAC 11 .0505 shall complete and submit this form with the applicant's renewal application. The licensee should describe the job duties of the registrant and state why the registrant should be exempt form continuing education requirements.

# MR. BROWN MADE A MOTION TO APPROVE THE EXEMPTION FORM AND HAVE THE STAFF USE THIS FORM FOR REVIEWING CONTINUING EDUCATION CREDITS. SECONDED BY MS. RAY. MOTION CARRIED.

Mr. Dorian Dehnel with CriminalRecordCheck.com addressed the Board and gave an update on how everything is going with applicants obtaining their criminal record checks from the web site. Mr. Dehnel stated everything is going well and they have approximately 20 applicants per day and that his company also conducts international searches. Mr. Dehnel hopes the launching of the corporate account search will be available on December 1, 2010.

# ATTORNEY'S REPORT

Mr. McDarris reported on the following consent agreements:

- 1. Joseph Shull \$1305.60 paid in full.
- 2. Daniel Ray \$7996.80 paid in full.
- 3. William Demarest \$1428.00 paid in full.
- 4. John Sain \$1428.00 paid in full.
- 5. Brian Snider \$1428.00 paid in full.
- 6. Timothy B. Adams \$2856.00 paid in full. This matter will be considered for Final Agency Decision at this meeting. Mr. Adams was denied and did not initially agree with the consent. As part of the proposed decision, the judge recommended a consent agreement in this amount.

The list of Administrative hearings were given to the Board.

#### **RULES**

1. 12 NCAC 11 .0106 - Rule to limit use of unlicensed activity as basis of experience requirements was approved by the Rules Review Commission last month.

# **MISCELLANEOUS**

- 1. The Equifax draft rule is being held pending changes to the CRC requirements.
- 2. The Electrical Board has agreed to a joint publication on licensing requirements for electrical licensees and alarm licensees.
- 3. Municipality Peddling Permit a response was sent to the Electronic Security Association.

Mr. Brown read a letter from Mr. Roy Pollack from Hollywood, Florida thanking Nan Williams for her assistance during his process of a company business change.

# GOOD OF THE ORDER

# MR. LEE MADE A MOTION TO ADJOURN. SECONDED BY MR. DONALDSON. MOTION CARRIED.

Meeting Adjourned:	11:50 a.m.		
		Anthony B. Bonapart Deputy Director	
		Nan Williams Reporter	