MINUTES

OF THE

NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: May 19, 2006

TIME: 9:00 A.M.

PLACE: Hampton Inn
Raleigh, North Carolina

SUBMITTED BY: Terry Wright

MEMBERS PRESENT:

Brad Smith
Anita Pfaff
Courtney Brown
Johnny Phillips
Harrison Tulloss

MEMBERS ABSENT:

Doc Hoggard

STAFF PRESENT:

Interim Director Terry Wright
Field Services Supervisor Larry Liggins
Training Officer Tim Pressley
Board Secretary Nan Williams
Attorney Charles McDarris

VISITORS:

Mark Knudsen
Kyle Magnusson
Coultney Toole
Bryce T. Richardson
Keith Hatcher
Tanja Charles
Travis Stephens
Roger Landis
Maurice Lane
Jon Carnes
Earl Bunn
Stan Ferrell
Tom Hodges
Maria Barndt
Greg McKee
Rockie Goeller
Steven B. Stanley
Dexter Burwell
Darryl Long
Bob Gray
Ed Pait
Dale Powell
Clyde Kuntz
David Williams

Ray Bilinski
Wesley Brown
Jonathaon Pennt
Paul Auch
Douglas Fields
James Smith Hardy Jr
Michael A. Newton
Jim Debevec
Mark Collings
Barbara Jones
Peter Boury
Candice Baker
Ralph Gregory
Carole McLester
Anthony Johnson
Carl Evans
Ken Beauehemin
Glenn Dennis
Gordon Gibb
Robin Tharrington
Amber Stephenson
Joseph Edwards
Shawn Marlin
Michael Rizzutu
John McDonald
Joseph W. Pernell
Allen J. Aniquina
Douglas Owens
Ed Stevens
Steven Tichener
Patricia Holland
Chris Gordon
Richard Catherman
Ray McLester
Danny Works
Robert Benton
Brian E. Smith
Mack Donaldson
Frank Chaput

CALL TO ORDER

9:00 A.M. The May 19, 2006 meeting of the North Carolina Alarm Systems Licensing Board was called to order by Chairman Brad Smith.

In accordance with the Governor's Executive Order Number 1, 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."

Chairman Smith welcomed guests. Chairman Smith stated that Wayne Woodard has accepted a position as Director of the North Carolina Criminal Justice Training and Standards Commission and Terry Wright has been appointed Interim Director.

MS. PFAFF MADE A MOTION TO APPROVE THE MINUTES OF THE MARCH 17, 2006 BOARD MEETING. SECONDED BY MR. BROWN. MOTION CARRIED.

Ms.Pfaff reported the results of the Screening Committee. See attached Screening Committee Report.

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

MR. PHILLIPS MADE A MOTION TO APPROVE THE REGISTRATION REPORT AS PRESENTED. SECONDED BY MS. PFAFF. MOTION CARRIED.

Mr. Smith reported that he and Mr. Phillips met as the Grievance Committee on May 18, 2006 from 2:45 pm to 5:50 pm. The following individuals were present: Mr. Dwayne Walton, Mr. Howard Christian, Mr. Gerald Rexrode, Mr. Dexter Ku, Mr. Rick Gibbey, Mr. Alton D. Lanier, Mrs. Patricia Lanier, and Mr. Harrison Tulloss. It was noted that Mr. Tulloss removed himself from voting or participating in Case Number 2006-ASL-011. (See attached Grievance Report)

MR. BROWN MADE A MOTION TO APPROVE THE GRIEVANCE REPORT AS PRESENTED. SECONDED BY MS. PFAFF. MOTION CARRIED.

Mr. Smith stated that after the last meeting, someone had inquired as to whether the Board had a quorum so that the meeting could be legally conducted. During the meeting, a couple of members had to recuse themselves from hearing different matters, and therefore the concern as to whether a quorum existed when votes were taken on those matters were raised. Mr. Smith stated that a quorum existed when the meeting of the Board began. Mr. Smith discussed this matter with Mr. McDarris and also an attorney outside the Board. Both attorneys concurred that the Board did have a quorum when discussing and voting on matters at the last Board meeting.

FINAL AGENCY DECISIONS

Mr. McDarris removed himself as counsel to the Board and presented three cases for final agency decisions.

Jeremy Marlow Jackson - 06 DOJ 0045. Mr. Jackson appeared and made a presentation to the Board. The matter was continued to the next meeting to give Mr. Jackson time to gather additional information.

Kimberly K. Ennis - 06 DOJ 0227. This case was heard by Senior Administrative Law Judge Fred G. Morrison, Jr., on February 28, 2006. The issue before the Judge was the denial of an alarm registration permit for lack of good moral character or temperate habits. Ms. Ennis was not present.

MR. PHILLIPS MADE A MOTION TO UPHOLD ITS INITIAL DECISION TO DENY THE ALARM REGISTRATION PERMIT FOR MS. ENNIS. SECONDED BY MR. BROWN. MOTION CARRIED.

James Edward Campbell - 06- DOJ 0398. This case was heard by Senior Administrative Law Judge Fred G. Morrison, Jr., on April 4, 2006. The issue before the Judge was the denial of an alarm registration permit for lack of good moral character or temperate habits. Mr. Campbell was not present.

MR. BROWN MADE A MOTION TO UPHOLD ITS INITIAL DECISION TO DENY THE ALARM REGISTRATION PERMIT FOR MR. CAMPBELL. SECONDED BY MR.

PHILLIPS. MOTION CARRIED.

SPECIAL REPORTS AND PRESENTATIONS

Mr. Smith presented the Continuing Education Subcommittee report. Mr. Smith submitted 21 courses for renewal, 2 courses for denial, and 15 new courses.

1. CCTV Fundamentals - The committee recommends approval of 4 CEU's for this course.
2. DVMRe Triplex - The committee recommends approval of 4 CEU's for this course.
3. ProBridge - The committee recommends approval of 4 CEU's for this course.
4. Advanced DVMRe Triplex - The committee recommends approval of 6 CEU's for this course.
5. Digiplex/Cyberdome - The committee recommends approval of 6 CEU's for this course.
6. Networking Basics - The committee recommends denial because this course goes beyond the scope of GS 74-D specifically, the course's main focus is on network connectivity and the committee feels awarding CEU's would not be appropriate. This recommendation is in no way a reflection on the course's quality but it's relevance to the regulated activity under GS 74-D.
7. Understanding Electrified Hardware - The committee recommends approval of 2 CEU's for this course.
8. Just the Basics in Electric Locking & Wiring 102 - The committee recommends approval of 6 CEU's for this course.
9. Selling is 100% Basic - The committee recommends approval of 3 CEU's for this course.
10. Introduction to Security, Automation & Energy Management with ELK M1 - The committee recommends approval of 2 CEU's for this course.
11. From Security to Automation & Energy Management with ELK M1 - The committee recommends approval of 3 CEU's for this course.
12. Burglar and Alarm Basics - The committee recommends approval of 2 CEU's for this course.
13. Two Way Voice - The committee recommends approval for renewal of 2 CEU's for this course.
14. AlarmNet M - The committee recommends approval for renewal of 4 CEU's for this course.
15. Compass - The committee recommends approval for renewal of 4 CEU's for this course.
16. 5800 Wireless - The committee recommends approval for renewal of 2 CEU's for this course.
17. AlarmNet C - The committee recommends approval for renewal for 2 CEU's for this course.
18. VistaKey - The committee recommends approval for renewal for 4 CEU's for this course.
19. FG 1525 Glassbreak Detector - The committee recommends approval for renewal for 2 CEU's for this course.
20. DT 7XXX Series Dual Tech Motion Detectors - The committee recommends approval for renewal for 2 CEU's for this course.
21. Vista 10SE - The committee recommends approval for renewal for 4 CEU's for this course.
22. Vista 15P - The committee recommends approval for renewal for 4 CEU's for this course.
23. Vista 128 - The committee recommends approval for renewal for 6 CEU's for this course.

24. Vista 20P - The committee recommends approval for renewal for 4 CEU's for this course.
25. Vista 50P - The committee recommends approval for renewal for 4 CEU's for this course.
26. LynxR-REN - The committee recommends approval for renewal for 4 CEU's for this course.
27. Symphony - The committee recommends approval for renewal for 2 CEU's for this course.
28. First Alert 168C Control/Communicator - The committee recommends approval for renewal for 2 CEU's for this course.
29. First Alert 148C Control/Communicator - The committee recommends approval for renewal for 2 CEU's for this course.
30. Vista 32 FB Commercial Burglary/Fire Panel - The committee recommends approval for renewal for 2 CEU's for this course.
31. MX 8000 Digital Alarm Receiver - The committee recommends approval for renewal for 2 CEU's for this course.
32. V 4000 - The committee recommends approval for 2 CEU's for this course.
33. 4110 Series - The committee recommends approval for 2 CEU's for this course.
34. Navigator-Combined - The committee recommends approval for 3 CEU's for this course.
35. Navigator-Controller - The committee recommends approval for 1 CEU for this course.
36. Navigator-Reporter - The committee recommends approval for 2 CEU's for this course.
37. Relay & X-10 Devices - The committee recommends approval for renewal for 1 CEU for this course.
38. Basic Ehernet and Internet Communication - The committee recommends denial because the course goes beyond the scope of GS 74-D specifically, the course's main focus is on network connectivity and the committee feels awarding CEU's would not be appropriate. This recommendation is in no way a reflection on the course's quality but it's relevance to the regulated activity under GS-74D.

MR. PHILLIPS MADE A MOTION TO APPROVE THE COURSES AS PRESENTED. SECONDED BY MS. PFAFF. MOTION CARRIED.

BREAK: 10:00 a.m.

RECONVENED: 10:25 a.m.

UNFINISHED BUSINESS
None.

OLD BUSINESS
None.

NEW BUSINESS

Mr. Smith stated that electrical contractors have been provided inaccurate information from distributors as a result of distributors advising them that they do not have to be licensed to install CCTV systems and Access Controls systems. Mr. Smith stated that you have to be licensed to install these systems. Mr. Smith asked the attorney and staff to send a letter to alarm systems

manufacturers who are selling CCTV systems to electrical contractors advising them these individuals must be licensed.

DIRECTOR'S REPORT

Mr. Wright presented the written report and advised that as of May 1, 2006, the combined budget balance was $328,644.45. The Alarm Recovery Fund balance was $19,417.99. The Board currently has 4833 registrants and 795 licensees as of May 16, 2006.

Mr. Wright presented the Board with a letter requesting approval to hire another clerical position to assist in the Field Services Section. Shannon Hunt, our Information Assistant has been assisting with the clerical duties in the Field Services Section however, as we become fully staffed her job is becoming more hectic and we would like to free her up to perform other task such as keeping the web site up to date. We currently have some of the registrations forms on the web and eventually she will be placing various licensing forms on the web as well. The PPS Board had approved this position at their meeting in April

MR. PHILLIPS MADE A MOTION TO APPROVE THE CLERICAL POSITION. SECONDED BY MS. PFAFF. MOTION CARRIED.

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

ATTORNEY'S REPORT

Mr. McDarris reported the following consent agreements and civil penalties:

1. Jeffrey Grissett - Consent Agreement for $1876.80 for registration violations has been mailed.
2. Scott Heyn - Consent Agreement for $6691.20 for registration violations has been mailed.

Mr. McDarris reported on the following rules:

1. 12 NCAC 11 .0201 - Application for a License - The rule proposes that all applicants must meet with a Board representative prior to licensing. The rule is before the Rules Review Commission.
2. 12 NCAC 11 .0202 - Proposed rule to place an expiration date on the alarm exam and the Alarm Technician Level I Course has been filed with the Office of Administrative Hearings, Rule Division.
3. 12 NCAC 11 .0201 - Rule amendment to allow the use of AOC criminal records searches for licensing applicants has been filed with the Office of Administrative Hearings, Rule Division.
4. 12 NCAC 11 .0301 - Rule amendment to allow the use of AOC criminal records searches

for registration applicants has been filed with the Office of Administrative Hearings, Rule Division.

Mr. McDarris presented a draft rule in regard to using the word "police" in a company name. The rule would prohibit a company to use "police" or other law enforcement designation that implies the alarm company is affiliated with a local, state, or federal law enforcement agency.

MS. PFAFF MADE A MOTION FOR THE ATTORNEY TO PROCEED WITH FILING WITH THE OFFICE OF ADMINISTRATIVE HEARINGS, RULES DIVISION. SECONDED BY MR. BROWN. MOTION CARRIED.

Mr. McDarris will redefine the language in regard to limiting how many electrical contractors can be employed by more than one company. The present rule does not state how many can be employed with more than one company. The language will include stating only one electrical contractor can be employed by one alarm company at one time.

Mr. McDarris will include drafting language under 74D-2 to include that internet based cameras are included under the statute to have a license. Hopefully, this can be introduced during the 2007 legislative session.

Mr. McDarris reported that he and Mr. Mack Donaldson met with Representative Phil Hare to request reimbursement to the recovery fund. The two Boards lost about $800,000.00 which was taken by the Governor's office several years ago in order to balance the state budget.

Mr. McDarris presented the Board with his attorney's contract for the next year. The contract will be effective June 30, 2006 and shall expire on June 30, 2007.

MR. PHILLIPS MADE A MOTION TO ACCEPT THE ATTORNEY'S CONTRACT AS PRESENTED. SECONDED BY MR. TULLOSS. MOTION CARRIED.

MR. BROWN MADE A MOTION TO ACCEPT THE ATTORNEY'S REPORT AS PRESENTED. SECONDED BY MS. PFAFF. MOTION CARRIED.

GOOD OF THE ORDER

MR. PHILLIPS MADE A MOTION TO ADJOURN. SECONDED BY MR. BROWN. MOTION CARRIED.

Meeting Adjourned: 11:00 a.m.

Terry Wright
Interim Director

Nan Williams
Reporter