

**NORTH CAROLINA CRIMINAL JUSTICE
EDUCATION AND TRAINING STANDARDS COMMISSION**

MINUTES

DATE: November 18, 2011

TIME: 9:00 A. M.

LOCATION: N. C. Department of Correction
Apex, North Carolina

SUBMITTED BY: Wayne Woodard
Director

The Education and Training Committee, the Planning and Standards Committee, the Probable Cause Committee and the Executive Committee met on November 17, 2011 for their regular quarterly meetings. The Probable Cause Committee also met the afternoon of November 16th.

MEMBERS PRESENT

Mr. John Glenn
Chief Ira Jones
Mr. Eddie Caldwell
Ms. Gwen Norville
Captain Lee Farnsworth
Captain Terry Jones
Chief Wrenn Johnson
Mr. Tom Thornburg
Mr. Ray Davis
Mr. James Festerman
Ms. Linda Hayes
Chief Scott Cunningham
Ms. Stephanie Freeman
Sergeant Lorrie Hersey
Ms. Robin Pendergraft
Ms. Tracy McPherson
Chief Patricia Bazemore
Mr. Steve Johnson
Mr. Brent Herron
Chief Tim Ledford

MEMBERS ABSENT

Chief Tim Hayworth
Mayor Bobby Kilgore
Dr. Robert Ruth

Ms. Angela Williams
Chief Scott Hunter
Mr. Johnson Britt
Mr. Johnny Hawkins
Chief Bill Hollingsed
Mr. Bob Myrick
Mr. Charles Johnson
Mr. Frank Rogers
Ms. Diane Isaacs
Colonel Mike Gilchrist

VISITORS

Tyrone Brown	N. C. Department of Correction
Robby E. Millard	N. C. Department of Correction
Leon Williams	N. C. Department of Correction
Vance Johnson	Wendell Police Department
Henry Gibbs	Wendell Police Department
William Bowman	
Sarah Parker	Chief Justice of the North Carolina Supreme Court
Robert Edmunds, Jr.	Assistant Justice of the North Carolina Supreme Court
Marlene Bowman	North Carolina Supreme Court
Charles D. Walston	N. C. Department of Correction
Orlando Soto	Knightdale Police Department
Terry Waterfield	
Kristine Leggett	N. C. General Assembly
John Poteat	N. C. General Assembly
Richard Todd	Knightdale Police Department
Chief Shawn Brown	Knightdale Police Department
Karen Pardue	N. C. Department of Correction
Joel Herron	N. C. Department of Correction
Jerry Crawford	N. C. Department of Correction
Norman Young	N. C. Department of Justice
Sergeant Howard Smith	Leland Police Department
Anthony Nathan	Leland Police Department
Wayne Ayers	N. C. Justice Academy
Chief Jeffrey Hinton	Roanoke Rapids Police Department
John Taylor	Roanoke Rapids Police Department
Steven Ray Currie	Thomasville Police Department
Stephanie Haynes	

Chip Haynes

Skylla Haynes

Brenda Phillips

Charlie Barnes, Sr.

Yvette Barnes

Jack D. Coltraine, Jr.

N. C. Division of License and Theft Bureau

Ronnie Kaylor, Jr.

N. C. Division of License and Theft Bureau

STAFF

Pam Pope

Richard Squires

Dawn Suffel

Lauren Tally

Mark Dearry

Teresa Marrella

Ed Zapolsky

William Hart, Jr.

Tim Pressley

Sharon Witherspoon

Brandy Miree

John Aldridge

Donna Byrd

I. CALL TO ORDER

Commission Chairman John Glenn brought the meeting to order. He welcomed Ms. Sarah Parker, Chief Justice of the North Carolina Supreme Court and Robert Edmunds Jr., Assistant Justice of the North Carolina Supreme Court. Chief Justice Parker administered the Oath of Office to new members Chief Scott Hunter from the State Capitol Police Department, appointed by the Governor; Chief William Hollingsed with the Waynesville Police Department, representing the N. C. Police Executives Association; Mr. Charles Johnson and Mr. Johnny Hawkins with the N. C. Department of Correction, appointed by the General Assembly, upon recommendation of the President Pro Tempore of the Senate, Ms. Diane Isaacs with the Department of Correction, appointed by the General Assembly, upon recommendation of the Speaker of the House, and Mr. Robert Myrick, appointed by the General Assembly, upon recommendation of the President Pro Tempore of the Senate.

Chairman Glenn read the Ethics Statement into the minutes. Following the roll call, Chairman Glenn declared that a quorum was present. He welcomed Kristine Leggett and John Poteat with the North Carolina General Assembly, Fiscal Section. He stated that Ms. Leggett and Mr. Poteat were there to observe the operation of the Commission. He extended a warm welcome to the visitors.

Chairman Glenn personally thanked Commissioner Gwen Norville for hosting the Commission at the North Carolina Department of Correction's training facility in Apex. He extended a warm thank you to the Department of Correction staff for assisting and coordinating the planning of the Commission meeting.

II. PRESENTATION OF RESOLUTIONS

Vice-Chairman Eddie Caldwell reported that the Executive Committee had approved Resolutions of Appreciation for Commissioners Terry Waterfield and Ricky Anderson. He reported that Commissioner Anderson was not present to receive his Resolution of Appreciation.

MOTION was made by Commissioner Caldwell on behalf of the Executive Committee to approve the Resolutions of Appreciation for Commissioner Terry Waterfield and Ricky Anderson; seconded by Commissioner Robin Pendergraft. The MOTION carried unanimously.

Vice-Chairman Caldwell presented the Resolution of Appreciation to former Commissioner Terry Waterfield. Vice-Chairman Caldwell read aloud the Resolution of Appreciation. Commissioner Waterfield accepted his Resolution of Appreciation from Vice-Chairman Caldwell and expressed his gratitude to the Commission and expressed his pleasure at having been able to serve on the Commission.

Vice-Chairman Caldwell reported that the Executive Committee had approved a Resolution in Memoriam for Officer Timothy Charles Barnes of the North Carolina Division of Motor Vehicles License and Theft Bureau. Mr. and Mrs. Charles Barnes, his parents, accepted the Resolution in Memoriam. Director Jack Coltraine, Jr. and Deputy Commissioner of the North Carolina Division of Motor Vehicles License and Theft Bureau were present on behalf of Officer Barnes.

MOTION was made by Commissioner Caldwell to approve the Resolution in Memoriam for Timothy Charles Barnes; seconded by Commissioner Ray Davis. The MOTION carried unanimously.

III. AWARDING OF ADVANCED CERTIFICATES

[Agenda Memorandum No. 04-11]

Chairman Glenn reported that staff had evaluated the applications of all one hundred and seven (107) candidates. There were eighty-two (82) candidates for the Advanced Law Enforcement Certificate and twenty-five (25) candidates for the Advanced Criminal Justice Certificate. He noted that each of these applicants had met the requirements to receive the Advanced Certificate and the Advanced Certificate pin.

MOTION was made by Commissioner Linda Hayes that the Commission award the Advanced Law Enforcement Certificate or Advanced Criminal Justice Certificate to each named individual. The MOTION was seconded by Commissioner Robin Pendergraft and carried unanimously.

The following individuals were present to personally receive their Advanced Law Enforcement and Advanced Criminal Justice Certificates:

William Thomas Bowman

Supreme Court of North Carolina
Presented by Chief Justice Sarah Parker and Robert
H. Edmunds, Jr. Associate Justice

Steven Ray Currie

Thomasville Police Department
Presented by Commissioner Glenn

Henry Curtis Gibbs, Jr.	Wendell Police Department Presented by Chief Vance Johnson
William Chad Green	Oakboro Police Department Presented by Commissioner Glenn
Orlando Soto	Knightdale Police Department Presented by Chief Shawn Brown
John A. Taylor	Roanoke Rapids Police Department Presented by Jeffrey K. Hinton
Jerry L. Crawford	N. C. Department of Correction Presented by Chief Joel Herron
Robby E. Millard	N. C. Department of Correction Presented by Commissioner Gwen Norville
Leon R. Williams	N. C. Department of Correction Presented by Commissioner Norville
Richard Brian Todd	Knightdale Police Department Presented by Chief Brown
Anthony Dean Nathan, II	Leland Police Department Presented by Sergeant Howard Smith

IV. MINUTES OF AUGUST 26, 2011 MEETING

Chairman Glenn entertained a motion to approve the minutes of the previous Commission meeting.

MOTION was made by Commissioner Frank Rogers that the Commission approve the minutes of the August 26, 2011 meeting; seconded by Commissioner Tom Thornburg and carried unanimously.

VI. STANDING COMMITTEE REPORTS

A. Executive Committee - Chairman Eddie Caldwell

Chairman Caldwell stated that the Committee met on November 17, 2011 and discussed a variety

of issues. He stated House Bill 200 is a state budget bill which was enacted to develop a new

Department of Public Safety. He stated that the Department of Juvenile Justice and Delinquency Prevention, Department of Correction and Department of Crime Control and Public Safety are being combined effective January 1, 2012. Chairman Caldwell stated that on behalf of the Executive Committee that the Commission will ask the Attorney General to review House Bill 200 and give a formal Advisory Opinion with his analysis of the appointments to the Commission so the Commission can structure the Committee membership.

Commissioner Glenn asked Deputy Director Pam Pope to give an update on the CJ Standards Division.

Deputy Director Pope stated that Director Wayne Woodard had rotator cuff surgery that delayed his retirement and prevented his attendance at this meeting. Deputy Director Pope stated that she had talked with Director Woodard and he wanted to welcome the new Commission members. Deputy Director Pope stated that both Director Woodard and she would be meeting with the new members to explain the procedures of the Commission.

Deputy Director Pope next reported that Bob Yow has been out due to health issues. She noted that CJ Standards has been able to hire the former Director of the Justice Academy, Ms. Peggy Schaefer. Ms. Schaefer has been with the staff since October 31st. Deputy Director Pope stated that our goal is to be able to keep both Mr. Yow and Ms. Schaefer after the first of the year to assist with administration of Commission examinations.

Deputy Director Pope stated that John Aldridge would be presenting an Ethics update training at the February meeting.

Deputy Director Pope stated that Criminal Justice Standards would like to have an open house at the new location. It will tentatively be scheduled for the February Commission meeting.

Vice-Chairman Caldwell asked Wayne Ayers to give an update on the Justice Academy.

Deputy Director Wayne Ayers stated that Mark Strickland had asked him to report to the Commission on behalf of the Justice Academy. He stated that they had hired Erin Barta as the new librarian and Susan Thompson to maintain files and course work associated with the Basic Law Enforcement Training course, the Detention Officer Certification course and the Telecommunicator Certification course.

Deputy Director Ayers stated that the Academy was working to educate law enforcement agencies about the Database Act of 2010 and presently had fifteen workshops across the state. He explained that the purpose of these workshops was to orient officers to the livescan fingerprinting process in support of collection of DNA from arrestees.

Lastly, Deputy Director Ayers stated that there have been several legislative changes to the Concealed Carry Handgun laws which will affect the program and use of deadly force training. The Education and Training Committee asked that this information be delivered to the field.

B. Education and Training Committee - Chairperson Wrenn Johnson

Chairperson Johnson reported that the Education and Training Committee met at 1:30 p.m. on Wednesday, November 17, 2011, in Room 224 of the NC Department of Correction's Office of Staff Development and Training in Apex, NC.

Chairperson Johnson noted that the Committee reviewed the Firearms Qualification Record Form F-9A. Mr. Mark Dearry had reported that the certification of instruction section had been separated into two parts, requiring a signature block for a firearms instructor to attest to the completion of the classroom requirement and a signature block for a firearms instructor to attest to the completion of the range qualification. Chairperson Johnson stated that a space needed to be included to record the date the classroom instruction was delivered. A certification statement was added to verify that the in-service firearms training consisted of a minimum of four hours. She stated that the requirement to list social security numbers has been removed. Certifications are issued using a unique identifier for both officers and instructors. She explained that descriptive information needed to be added under the weapon type make and miscellaneous section on the back of the form.

MOTION was made by Commissioner Johnson that the Commission adopt the revised Form F-9A - Firearms Qualification Record of Instruction for recording the annual in-service Firearms Training and Qualification for each certified law enforcement officer; seconded by Commissioner Steve Johnson. The MOTION carried unanimously.

Chairperson Johnson stated that Mr. Dearry further reported that due to officers extending their military service with the National Guard or Reserves, several individuals have missed four to five years of in-service training. These officers have been required to take 86 hours of legal topics in BLET and pass the State exam within twelve months of their return to duty. After discussion with staff members and legal counsel, additional language was presented for inclusion in 12 NCAC 09B .0403 - Evaluation for Training Waiver. The new language would require the returning officer to complete the previous year plus the current year of in-service training and complete firearms qualification prior to returning to active status. If the officer has been on military waiver for over three years, they would also be required to pass the practical skills test for First Responder, Law Enforcement Driver Training, Fitness Assessment and Testing, and Subject Control and Arrest Techniques prior to returning to service. In addition, they would be required to successfully complete the legal unit block of instruction to include: Motor Vehicle Law, Juvenile Law, Arrest, Search and Seizure/Constitutional Law and ABC Law, for a minimum of 62 hours.

MOTION was made by Commissioner Wrenn Johnson that the Commission authorize the Planning and Standards Committee to conduct a rule-making hearing to amend 12 NCAC 09B .0403 - Evaluation for Training Waiver as presented; seconded by Commissioner Robin Pendergraft. The MOTION carried unanimously.

Chairperson Johnson next related that Chris Anderson, on behalf of the Joint In-Service Training Subcommittee, reported that the Academy will develop 12 hours of mandated training and 16 hours of Agency Topic of Choice, for a total of 28 hours of training.

MOTION was made by Commissioner Wrenn Johnson that the Commission authorize the Planning and Standards Committee to conduct a rule-making hearing to amend 12 NCAC 09E .0102 and all other related rules to reflect the following required in-service training topics and hours for 2013 mandated in-service training: Firearms Training and Qualification (a minimum of 4 hours); Legal Update (4 hours); JMST Don't Press Send: (2 hours); Domestic Violence: The Children are Watching (2 hours); and Department of Topic of Choice (16 hours) for a total of 28 hours; seconded by Commissioner Steve Johnson. The MOTION carried unanimously.

Chairperson Johnson reported that Commissioner Terry Jones recommended reaccreditation for South Piedmont Community College and Winston-Salem Police Department for a period of five years. The Committee approved this request.

Chairperson Johnson noted that on behalf of the North Carolina Association of Chiefs of Police, Commissioner Tim Ledford requested in-service pilot authority for a four hour block of instruction titled "Resiliency" to be presented at the 2012 Winter Chiefs Conference. The Committee approved this request.

Mr. Charles Walston, on behalf of the North Carolina Department of Correction, presented revisions to the Basic Correctional Officer Training Curriculum. The revisions were within the training objectives, which affected the lesson plan. The Committee approved the revisions, which become effective in January, 2012. Also, Mr. Walston reviewed minor changes within the curriculum for DOC-Basic Correctional Officer Training.

Chairperson Johnson stated that Wayne Ayers reported to the Committee that the revisions to the concealed carry handgun lesson materials, instructors and student notebooks have been completed. She related that six instructor updates have been scheduled from October 2011 - January 2012 across the state.

Chairperson Johnson related that Mark Strickland reported that all of the pre-qualification pilots for the specialized courses have been scheduled and are ready for implementation.

Chairperson Johnson closed her report by stating that Commissioner Steve Johnson reported that several individuals are attending in-service firearms training utilizing non-duty equipment. The current rule reflects that duty equipment should be used during training.

C. Planning and Standards Committee - Chairperson Stephanie Freeman

Chairperson Freeman stated that the Planning and Standards Committee met on Wednesday, November 17, 2011 at the North Carolina Department of Correction's Office of Staff Development and Training in Apex.

Chairperson Freeman reported that the Forms Subcommittee had met and a second draft was proposed for Form F-5B(LE) - Report of Separation Law Enforcement. Further revisions have been made to require the information needed in order to recruit and retain quality personnel. The draft

no longer contains any questions which are subjective in nature, such as the agency head's opinion on an individual's eligibility for re-hire. The Subcommittee also reviewed Form F-5A(DOC) - Report of Appointment. Staff has reworded questions on the form in an effort to clarify and to address the rising number of material misrepresentation cases that come before the Probable Cause Committee. Chairperson Freeman stated that a third draft will be mailed to all Commission members to solicit comments and/or feedback to be presented at the next Subcommittee meeting. Hopefully a final draft will be presented to the full Commission at the February meeting.

Chairperson Freeman reported that the Committee also reviewed the feasibility of requiring a full background investigation on lateral transfers.

Chairperson Freeman next reported that the Committee discussed Goal #1 of the System Plan which included improving recruitment and retention of high quality officers. The Committee decided to revisit the recruitment and retention study and focus on successful agency practices.

Chairperson Freeman stated that the white paper on recruitment and retention is currently online. Several issues have been addressed as to publishing on the web and via email a quarterly newsletter including a recruitment/retention section that will spotlight an agency.

D. Probable Cause Committee - Chairman Ray Davis

Chairman Davis reported that the Probable Cause Committee met on Wednesday November 16, 2011 at 1:00 p.m. and again on Thursday, November 17, 2011 at the North Carolina Department of Correction's Office of Staff Development and Training in Apex.

Chairman Davis asked the Commission members to review the list of individuals that staff had certified after reviewing their criminal records. He advised that the Probable Cause Committee members had reviewed and subsequently approved the issuance of certification to this individual.

Chairman Davis reported that the Committee had reviewed twenty-five (25) cases. Of those cases, probable cause was found in five (5) cases and no probable cause in fifteen (15) cases. One case was continued. Prior to the meeting, three cases were closed by staff as the employing agency withdrew the application. He related that the Committee found probable cause in one case in which the Committee offered a lesser sanction of an "Official Written Reprimand."

MOTION was made by Commissioner Davis that the Commission accept a lesser sanction of a consent agreement for Memorandum No. 11/082; seconded by Commissioner Ira Jones. The MOTION carried unanimously.

VI. OTHER NEW BUSINESS

Commissioner Steve Johnson requested staff and legal counsel to review and move towards implementation of changes to the rules or to seek legislation to grant the Commission the authority to issue cease and desist orders to Carry Concealed Handgun (CCH) instructors who are violating the requirements of the course. Currently, an instructor who is selling certificates without meeting course standards can continue doing so for months while going through the Administrative Hearing Process. A report of the findings will be made at the February meeting.

VII. OLD BUSINESS**A. Old Business**

None

B. Legal Counsel Report

Ms. Lauren Tally distributed a document entitled "Pending Administrative Cases" for the membership's review:

1. Jay Eduard Krueger
Petition for Judicial Review filed January 6, 2011 (Wake County); Official Record/Response filed February 7, 2011; Addition of Counsel JA/CJ March 25, 2011; to be set for term beginning January 2, 2012.
2. Tommy Keith Lymon
Petition for Judicial Review filed April 29, 2010 (Wake County); Response filed May 27, 2010; Sent Calendar Request for week of December 13, 2010 on September 28, 2010; Hearing: December 15, 2010, 10:15 AM; Remanded to OAH; Notice of Appeal/Motion to Stay filed February 9, 2011; Proposed ROA sent to Gray March 16, 2011; 30 days for Petition to submit obj/amendments: April 15, 2011; Respondent filed Notice of withdrawal with Court of Appeals on May 2, 2011; letter to Office of Administrative Hearing requesting remand sent May 6, 2011; Hearing: December 12, 2011; 9:30AM; Raleigh.
3. Mitchell Ray Satterthwaite
Petition for Judicial Review filed April 7, 2011 (Wake County); Response, Motion to Dismiss and Official Record filed May 16, 2011; Scheduled for September 26th; Response to Petitioner's Motion to submit additional evidence filed September 9th; Petitioner filed motion to continue; calendar request submitted by petitioner for December 12th.

4. Mark Andrew Mauldin
PJR filed September 3, 2010 (Wake County); Response filed October 4, 2010; Hearing: May 9, 2011; Remanded back to Office of Administrative Hearing: Interrogatories sent October 18th; 15 days: Discovery Due October 24th; Hearing: November 7, 2011, 9:00 AM.
5. Timothy Scott Phillips
To Be Heard at the November 2011 Commission Meeting.
6. Ahmed Joseph Blake
To Be Heard at the February 2012 Commission Meeting.
7. Bryson Lawrence Cornett
Proposal for Decision letter sent October 8th: 30 days: To Be Heard at the February 2012 Commission Meeting.
8. Petre Earl Franks
To Be Heard at the November 2011 Commission Meeting.
9. Thomas Lee Midgette
Dismissal Entered October 14th: 35 days: December 2nd.
10. Darryl DeCotis
Hearing: July 19, 2011; 1:00 PM; Raleigh; to resume hearing August 23rd; waiting on Petitioner to submit draft Proposal for Decision.
11. Anthony Jaron Meadors
Dismissal filed May 2nd; 35 days; November 4th To Be ; Resent September 29th; Sent copy for Sheriff service September 29th.
12. Derrick Wayne Knox
Interrogatories: Hearing: Continued, Status Report Due January 13, 2012.
13. Vickie Carol Powers
Interrogatories sent July 11th; 15 days: July 28th Hearing: 60 days (October 7th) MSJ filed October 6th; Response Due October 17th; Received Response October 18th; MSJ denied.
14. Geary Michael Chlebus
Interrogatories sent July 11th: 15 days: August 1st Hearing: October 12, 2011, 9:00 AM; Fayetteville; Hearing to resume January 11-12, 2012.
15. Gary Richard Sessoms
Final Decision Order of Dismissal filed August 30th; 35 days: Resent September 29th; Sent copy for Sheriff on September 29th.
16. James Sprunt Community College
Interrogatories: Sent August 11th: 15 days: Hearing: Continued.
17. John Benjamin Whitehurst
Interrogatories Sent August 31st: 15 days: September 16th - Hearing: October 21, 2011, 9:00 AM: Elizabeth City.
18. Wagner Lee Baskett
Hearing Continued.
19. Charles Lovelace Williams
To Be Heard at the February 2012 Commission Meeting.
20. Dustin Matthew James
Dismissal Entered: October 31st: 35 days.
21. Dillan Nathaniel Hymes
Interrogatories - Discovery Due: December 5th, Hearing Week of December 12, 2011; Raleigh.

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| 22. Barbara Renay Whaley | Interrogatories Sent November 9 th ; 15 days: Discovery Due: November 28 th ; Hearing Week of December 12, 2011; Raleigh. |
| 23. Horatio Vernon Cameron, Jr. | Interrogatories - Discovery Due: December 5 th , Hearing Week of December 12, 2011; Raleigh. |
| 24. Robert Kendrick Mewborn | Respondent filed PHS September 19 th ; Petitioner PHS due September 21 st - Interrogatories - Discovery Due: December 5 th , Hearing Week of December 19, 2011; New Bern. |
| 25. Stacey Lanier Green | Interrogatories - Discovery Due: December 5 th , Hearing Week of December 19, 2011; High Point. |
| 26. Julian Maurice Sidberry | Interrogatories - MSJ filed November 10 th Discovery Due: December 5 th , Hearing Week of December 12, 2011; Raleigh. |
| 27. David Lee Putman | Dismissal Entered October 26 th : 35 days. |

C. Final Agency Decisions

Ms. Tally noted that Mr. Norman Young, an Assistant Attorney General, would serve as the Commission's Legal Counsel for the Final Agency Decision.

Chairman Glenn stated that Mr. Timothy Phillips had asked for a continuance. Mr. Phillips' case will be heard at a later date.

Chairman Glenn read the Recusal Statement to the Commission members and reminded everyone that both the Petitioner and the Respondent would be limited to 30 minutes of oral argument.

1. Petre Franks

Mr. William Hart, Jr. presented the case of Petre Franks. He stated that this case was before the Commission to determine whether or not to deny Mr. Franks' law enforcement officer certification for a period of not less than five (5) years based upon his material misrepresentation of information required for certification and to deny Mr. Franks' law enforcement officer certification permanently for the commission of a felony. Mr. Hart stated that Mr. Franks failed to list criminal charges on his Form F-5A and Form F-3. Mr. Hart stated that Mr. Franks entered a guilty plea to Breaking and Entering a Motor Vehicle. On July 13, 2009, Mr. Franks filed a Motion for Appropriate Relief requesting that an Order be entered vacating the convictions in felonious Breaking or Entering a Motor Vehicle. An Order was entered granting the first Motion for Appropriate Relief. This Order vacated the original judgment. A second Motion for Appropriate Relief was filed on November 9, 2009. Mr. Hart asked the Commission to adopt the Proposed Final Agency Decision.

MOTION was made by Commissioner Lee Farnsworth that the Commission adopt the Proposed Final Agency Decision that Petre Franks' law enforcement officer certification be denied for a period of not less than five (5) years based upon Petitioner's material misrepresentation of information required for certification. Also, deny Petitioner's law enforcement officer certification permanently for the commission of a felony. This period of denial begins on the date this ORDER is signed; seconded by Commissioner Pendergraft. The MOTION carried unanimously. See Attachment I for the Commission's Final Agency Decision and Attachment II for the roll call vote.

IX. DATE OF NEXT MEETING

Chairman Glenn advised that the next Commission meeting is scheduled for February 23-24, 2012 in Raleigh.

X. MOTION TO ADJOURN

MOTION was made by Commissioner Pendergraft that the Commission adjourn; seconded by Commissioner Freeman. The MOTION carried unanimously.