

**MINUTES OF THE
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD**

DATE: September 22, 2016

TIME: 9:00 A.M.

PLACE: Holiday Inn North
Raleigh, North Carolina

SUBMITTED BY: Barry Echols
Director

MEMBERS PRESENT:

Ralph Gregory
Larry Proctor
John Sherbin
Courtney Brown
Jack Ingle
John Walsh

STATE PRESENT:

Director Barry Echols	Attorney Charles McDarris
Deputy Director Don Foster	ASLB Licensing Asst. Deborah Martin-Johnson
Investigator Melvin Turner	ASLB Interim Board Secretary Cynthia Anthony
Field Services Supervisor Phillip Stephenson	

VISITORS:

Williams Bunn	Robert Few
Jeff Westbrook	William Wallace
Jerry Creech Sr.	Robin Tharrington
Gary Pollock	Ric Gibbey
Lewis Huffstetler	Anthony Johnsn
Kenneth Brown	Jim Beardsley
Steve Tichenor	Ian Flowers
Art Piciow	Gary Bogatay
Gordon Gibb	Dorian Dehnel
Robert Batten	Jennifer Baratta
Robert Underwood	Shawn Martin
Mack Donaldson	Jay Meheed

Jason Lindquest
Ed Point
Matthew Swain
Kevin Parrish
Darletta Hutchison
Rick Shoots
Blake Hendrickson
Tom Stephenson
Jennifer Shellgrove
Anita Surratt
David Sperber
Ken Henke
Pat Thompson

Chris Nobling
Dan Matthews
Edward Point III
JW Alsup
Darwin Smith
Duncan Hubbard
Edward Moore
Scott Griffin
Frazier Smith
Charles Atkinson
Don Childers
John Thompson

The September 22, 2016 meeting of the North Carolina Alarm Systems Licensing Board was called to order by Chairman Gregory at 9:00 a.m.

In accordance with the State Ethics Law, Attorney 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 matter coming before this Board today, please identify the conflict or appearance and refrain from the deliberation and vote in that matter.”

Mr. Gregory welcomed all guests and also informed everyone that Mr. John Thompson has resigned from the ASLB board.

MR. PROCTOR MADE A MOTION TO APPROVE THE JULY 21, 2016 BOARD MEETING MINUTES. SECONDED BY MR. INGLE. MOTION CARRIED.

Mr. Proctor gave the Grievance Committee report. Mr. Proctor reported the Grievance Committee met on September 21, 2016 and heard 4 cases. **(Report Attached)**

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

Mr. Sherbin gave the Screening Committee report. Mr. Sherbin reported the Screening Committee met on September 21, 2016 and reviewed 14 cases. **(Report Attached)**

MR. COURTNEY BROWN MADE A MOTION TO APPROVE THE FIRST 13 CASES AND SECONDED BY MR. PROCTOR. THERE WAS DISCUSSION OF THE LAST CASE (CASE# 14- ABEL OTALVARO JR.) AND A SECOND SEPARATE, MOTION WAS MADE; TO APPROVE HIS BURGLAR ALARM BUSINESS LICENSE AND THEN REQUEST FOR THE STAFF TO DO AN AUDIT ON ENTERPRISE SECURITY SYSTEMS INC. AND CRS BUILDING AUTOMATIONS FOR ANY VIOLATIONS OF

74D FOR THE PAST 3 YEARS; SECONDED BY MR. INGLE.

The registration report was deferred.

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

Mr. Courtney Brown recused himself from the hearing, deliberation and vote in this matter.

16 DOJ 033834 – Arthur Joseph Piwcio - This contested case was heard before Administrative Law Judge Donald W. Overby on August 4, 2016. The issue is whether he should be denied an alarm registration based on lack of good moral character and temperate habits as evidenced by a conviction of misdemeanor Assault on a Female.

Ms. Piwcio was present.

MR. INGLE MADE A MOTION TO UPHOLD THE ADMINISTRATIVE LAW JUDGE'S DECISION AND APPROVE THE ALARM REGISTRATION FOR MR. PIWCIO. SECONDED BY MR. PROCTOR. MOTION CARRIED.

SPECIAL REPORTS AND PRESENTATIONS

Mr. Proctor gave the continuing education report.

1. False Alarm Prevention for the Alarm Tech - The committee recommends approval for renewal for 3 CEU's for this course.
2. Video Verification vs. Video Surveillance - The committee recommends approval for 2 CEU's for this course.
3. Video Compression Best Practices for Surveillance Bandwidth and Storage Efficiency - The committee recommends approval for 2 CEU's for this course.
4. Security Design False Alarm Prevention for the Alarm Tech - The committee recommends approval for renewal for 3 CEU's for this course.

MR. WALSH MADE A MOTION TO APPROVE THE COURSES AS PRESENTED. SECONDED BY MR. SHERBIN. MOTION CARRIED.

UNFINISHED BUSINESS

None

OLD BUSINESS

None

NEW BUSINESS

Mr. Dorian Dehnel with Criminal Record check.com and Deputy Director Donald Foster, presented a proposal to the Board that is designed to enhance the background process and expand the out-of-state process to the in-state requirements. A three part approval process was recommended which will (a) require all applicants (renewal or new) to have a background check (b) do not restrict ourselves to a certain time frame (5 years or 7 years)- let the board determine how far back to go (c) approve the cost of the daily monitoring services.

Mr. Gregory recommended that the board table this for further discussion at a later time.

Mr. Gregory informed everyone that the rewrite committee for Chapter 74D has met three times and they are very close to having a draft available for public comment.

Mr. Gregory pointed out that the Director covers the registration report in his Director's Report and asked why we are doing it twice. Attorney McDarris stated that the Board can use the Director's and there is no reason to do it twice.

DIRECTOR'S REPORT

Mr. Echols presented the written report and advised as of September 19, 2016, the Alarm Board's balance was \$735,713.09. The Education Fund balance was \$63,448.42. As of September 19, 2016, the Board has 951 licensees and 8,257 registrants.

Mr. Echols stated that out of ten properties for office space that were considered, there was only one that met the needs of the PPS staff and that is the property they have agreed upon with the State Property Office. It has to go in front of the Counsel of State. Also, he spoke about 11 cubicles that were brought over from Midtown and states the cubicles are old and he asked the Board to approve 25% of the cost of new cubicles and furniture for the registration staff (under \$50,000, total). There will be a conference room that is large enough to accommodate training onsite. There is also going to be an open house for both Boards.

Mr. Echols personally toured Permittum's scanning and storage facilities; they have to meet the security levels of SBI and FBI. They store records for 80 out of 100 sheriff's offices. They have a good system and it goes from a hands on room to a scanning room.

Permittum will be picking up another 100 boxes on September 22, 2016 and State Surplus is picking up those empty file cabinets.

The schedule will allow for all files and all file cabinets to be up and out before the relocation date.

The relocation date is Dec. 19, 2016.

Mr. Gregory stated he would like to address the Director's Report separately from the cubicles and furniture.

MR. PROCTOR MADE A MOTION TO ACCEPT THE DIRECTOR'S REPORT. SECONDED BY MR. SHERBIN. MOTION CARRIED.

MR. PROCTOR MADE THE MOTION TO APPROVE THE EXPENDITURE FOR THE CUBICLES AND FURNITURE, NOT TO EXCEED \$15,000.00 SECONDED BY MR. SHERBIN. MOTION CARRIED

ATTORNEY'S REPORT

CONSENT AGREEMENTS & CIVIL PENALTIES.

1. Joel C. Garrett / Alert Detection Technologies, Inc. - Civil Penalty in the amount of \$225.00. Payment has not been received - he filed an appeal.*

*Note: Mr. Gray has received a withdrawal of that appeal and Mr. Gray will report this matter at the next meeting.

2. Joseph Scott Betts/ Scott Betts & Son, Inc. - Consent Agreement in the amount of \$1,530.00. Paid in full.
3. John Clyde Ranson/Radar Security Alarm Inc. Consent Agreement in the amount of \$1,468.80. Paid in full.
4. Andrew Edward McColgan Jr./Magnum Security Consent Agreement in the amount of \$2,570.40. Payment has not been received.

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

There is no legislation that is pending.

POLICY CHANGE:

The Board discussed a change in Board policy. Mr. McDarris presented a draft policy entitled, Policy Interpreting Employee Registration- Now, for personal sales outside a private residence, only employees that have access to any information detailing the design, installation or application of any alarm or electronic security system or has access to any code, number or program which would allow the system to be modified, altered, or circumvented - - i.e. "specific knowledge" - -will have to be registered.

This is consistent with Chapter 74D and this will also be addressed in the Chapter 74D rewrite.

MR. PROCTOR MADE A MOTION TO ACCEPT THIS POLICY CHANGE. SECONDED BY MR. SHERBIN. MOTION CARRIED.

MR. SHERBIN MADE A MOTION TO APPROVE THE ATTORNEY'S REPORT AS PRESENTED. SECONDED BY MR. PROCTOR. MOTION CARRIED.

Mr. Gregory recommended that the reimbursement for mileage be increased to \$0.54 per mile

MR. WALSH MADE A MOTION TO INCREASE THE MILEAGE REIMBURSEMENT TO 54 CENTS PER MILE. SECONDED BY MR. BROWN. MOTION CARRIED.

Mr. Proctor requested that he and Mr. Gray, after the Chapter 74D rewrite, be allowed to attend a meeting with several legislators and a representative from PPS Board for a gameplan on how to develop a plan of action on how to get the bill passed. He would then report back to the Board his findings.

MR. SHERBIN MADE A MOTION TO APPROVE THE REQUEST THAT MR. PROCTOR AND MR. GRAY ATTEND THE LEGISLATIVE MEETING AND DISCUSS FUTURE PLANS ON HOW TO GET THE BILL WITH THE REWRITE PASSED. SECONDED BY MR. BROWN. MOTION CARRIED.

GOOD OF THE ORDER.

REQUEST FOR A NEW SOUND SYSTEM:

Deputy Director Foster stated on behalf of the PPS Board, that he was allowed to obtain 3 bids on a new sound and recording system and once obtained; he would bring it to the Board for approval.

NCESA meeting at 1:00

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

Meeting Adjourned: 12:30 p.m.

Barry S. Echols
Director

Cynthia Anthony
Reporter