



Alabama Security Regulatory Board
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MINUTES
Board Meeting
Thursday, November 19, 2015

A meeting of the Alabama Security Regulatory Board was called to order at 1:30 p.m. on Thursday, November 19, 2015, at its office located at 2777 Zelda Road, Montgomery, Alabama, in order to conduct business. The following Board members were in attendance: Mr. Kevin Murphy (Chair), Ms. Stephanie Ortel (Vice Chair), Ms. Carol Dodgen, member, Mr. Burke Swearingen, member, and Mr. Sid Lockhart, member. Also in attendance were Mr. Keith E. Warren (Executive Director), Mr. Cameron McEwen (Legal Counsel), Mr. Bill Garrett (Assistant Attorney General), Mr. Randy Barrows (Administrator), Mr. Mike James (Investigator) and Ms. Renee' Reames (Executive Secretary to Mr. Warren and recording secretary).

Public Notice of this regularly scheduled meeting was submitted to the Secretary of State's web site at www.sos.alabama.gov in accordance with the requirements of the Alabama Open Meetings Act, and advertised on the Board's web site.

The minutes from July 8, 2015 Board meeting were presented for the Board's approval. A copy of the minutes was provided to the Board members prior to the meeting for their review. Mr. Lockhart made a motion to dispense with the reading of the minutes and to approve the July minutes as presented. The motion was seconded by Ms. Dodgen and unanimously approved by the Board.

Mr. Warren presented the Executive Director's Report (report on file in the official Book of Minutes), which included revenue and expense totals and fund balance as of September 30, 2015 (the end of fiscal year 2015), along with FY 2016 financial activities as of November 18, 2016. He commented to the Board about the new STAARs accounting program. He also reported on the total number of active licensees, certified trainers and companies, along with the number of consumer complaints received in 2015 and 2016, as well as assessed disciplinary fines.

Mr. McEwen presented the Legal Counsel's Report. He commented on the Board Rule restricting licensing and explained why civil and political rights restoration must be accepted. The Board discussed their licensing concerns when individuals were convicted of violent crimes. Mr. McEwen reported that applications were reviewed on a case-by-case basis rather than automatic denial when convicted of a crime. The Board discussed making a formal request for an AG's opinion at some future date.

Mr. McEwen reported that hearings were held for individuals who had appealed the administration decision to deny their license. He presented the Administrative Law Judge's Recommendations for 12 individuals. A copy of the ALJ's Recommendations was provided to the Board members for their review prior to the meeting.

Mr. McEwen presented to the Board a letter from the spouse of the individual in Case 2015-011D. Mr. McEwen recommended that the Board accept the ALJ's recommendations in Case 2015-011D, Case 2015-013D, Case 2015-15D, Case 2015-017D, Case 2015-018D, Case 2015-019D, Case 2015-022D, Case 201-023D, Case 2015-025D, Case 2015-026D, and Case 2015-027D. Mr. Swearingen made the motion to accept the ALJ's recommendation to deny the licenses in these cases. The motion was seconded by Ms. Dodgen and unanimously approved by the Board.

Mr. McEwen recommended that the Board accept the ALJ's recommendation to issue a license in Case 2015-024D. Mr. Swearingen made the motion to accept the ALJ's recommendation to approve the license based on the documentation presented by the individual in this case. The motion was seconded by Ms. Ortel and unanimously approved by the Board.

Mr. McEwen presented four (4) consent agreements for the Board's approval. Mr. McEwen reported on violations in Case 2014-006C. Mr. Lockhart made a motion to accept the Consent Agreement as presented that included a one-year probationary period and a \$1,000 fine payable within 30 days from date of the Final Order. The motion was seconded by Ms. Dodgen and unanimously approved by the Board.

Mr. McEwen reported on violations in Case 2015-005C and the \$25,000 fine that was paid, but not deposited pending the Board's approval. Ms. Dodgen made a motion to accept the Consent Agreement as presented that included a two-year probationary period and a \$25,000 fine. The motion was seconded by Mr. Lockhart and approved by the majority of the Board, with Mr. Swearingen abstaining.

Mr. McEwen reported on violations in Case 2015-011 and a clerical error in citing another company in violation 34-27C-4(a). Ms. Dodgen made a motion to accept the Consent Agreement as presented that included a probationary period of one year and a \$1,500 fine payable within 30 days from the date of the Final Order, noting the clerical error exception. The motion was seconded by Ms. Ortel and unanimously approved by the Board.

Mr. McEwen reported on violations in Case 2015-015. Mr. Lockhart made a motion to accept the Consent Agreement as presented that included a \$1,000 fine payable in specified installments. The motion was seconded by Ms. Dodgen and unanimously approved by the Board.

Mr. Warren encouraged the public to submit to the Board written complaint concerning unlicensed security companies and unlicensed individuals providing security services.

Mr. Warren presented for the Board's approval an Interagency Agreement for Legal Services provided by Mr. McEwen. Mr. Garrett reported that Mr. McEwen was now employed at the Funeral Services Board and serves as a Deputy Attorney General. Following a review of the terms in the Interagency Agreement with the Alabama Board of Funeral Services, Mr. Lockhart made a motion to approve the Interagency Agreement for Legal Services for an

annual fee of \$20,000, effective October 5, 2015, as presented. The motion was seconded by Mr. Swearingen and unanimously approved by the Board.

Mr. Murphy submitted to the Board proposed dates for the Board to conduct meetings in 2016. The Board recommended that the Administrative Services Contract be presented in May for the Board's review in advance of the July 31st renewal date. It was the consensus of the Board to meet in 2016 on February 11th, May 12th, August 11th and November 10th.

Ms. Dodgen announced that she would not be seeking reappointment to the Board. Mr. Murphy and the Board members thanked Ms. Dodgen for her time and service on the Board, in having served since the inception of the Board.

The Board members discussed Board terms and the reappointment of Mr. Murphy. The Board discussed exercising the Board Rule that allowed Board action after 6 months if the appointing authority fail to make an appointment. Mr. Warren reported that Mr. Lockhart's term had expired and Ms. Ortel's appointment was current and that he would follow up with the new appointment staff member in the Governor's office regarding Board appointments.

The next regularly scheduled meeting of the Board is February 11, 2016 at 1:30 p.m.

There was no further business and Mr. Murphy adjourned the meeting at 2:26 p.m.

Respectfully Submitted,



Kevin Murphy
Chair



Keith E. Warren
Executive Director

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